

SENATE BILL NO. 249—SENATORS DENIS,
DONDERO LOOP AND WOODHOUSE

MARCH 4, 2019

JOINT SPONSOR: ASSEMBLYMAN THOMPSON

Referred to Committee on Education

SUMMARY—Requires each public school to establish and maintain a school library. (BDR 34-13)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 7-9)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; requiring each public school to establish and maintain a school library that meets certain standards; requiring the State Board of Education to adopt regulations prescribing the minimum standards for a school library; prescribing requirements and exceptions for employing a school librarian; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the board of trustees of a school district to purchase all new library books which are necessary and have been approved by the State Board of Education to carry out the mandates of the school curriculum. (NRS 393.170) With certain exceptions, existing law also requires a school district to spend in each school year a certain amount of money on library books. (NRS 387.207)

Section 7 of this bill requires each public school in a school district, including each charter school, to establish and maintain a school library that provides library services to the pupils, teachers and administrators of the school. **Section 7** also requires the State Board of Education to adopt regulations that prescribe the minimum requirements of a school library.

With certain exceptions provided in **section 9** of this bill, **section 8** of this bill requires each school to employ a school librarian. **Section 5** of this bill defines "school librarian" as a person employed by a school district to provide library services in a school library who is licensed by the Superintendent of Public



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Instruction. **Section 8** requires the governing body of a charter school to determine whether to employ a school librarian. **Section 9** provides that a public school is not required to employ a school librarian if: (1) the school is unable to employ a school librarian and is granted permission by the superintendent of schools of the school district to jointly employ a school librarian with another such school; or (2) the school is located in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties), is unable to employ certain persons to provide library services and is granted permission by the superintendent of schools of the school district for the school district to employ a school librarian to provide library services for the school. If the superintendent of schools of a school district located in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties) approves an application for the school district to employ a school librarian to provide library services to a public school but is unable to employ a school librarian, the superintendent of schools of the school district may apply to the Department of Education for assistance in providing library services to the pupils in that public school.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 388 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this act.

Sec. 2. *As used in sections 2 to 9, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Library services” means lending library books and other materials for use inside and outside of a school for a reasonable period of time at no charge.*

Sec. 4. *“Program of distance education” has the meaning ascribed to it in NRS 388.829.*

Sec. 5. *“School librarian” means a person employed by a school district to provide library services in a school library established and maintained pursuant to section 7 of this act who is licensed by the Superintendent of Public Instruction.*

Sec. 6. *“School library” means an area or group of areas inside a school containing library books and other materials, including, without limitation, paperback and hardcover books.*

Sec. 7. 1. *Each public school in a school district, including, without limitation, each charter school, shall establish and maintain a school library that:*

(a) Provides library services to the pupils, teachers and administrators of the school; and



(b) Meets or exceeds any minimum requirements established by regulation by the State Board pursuant to subsection 2.

2. The State Board shall adopt regulations that prescribe the minimum requirements for a school library established pursuant to subsection 1. The regulations must include, without limitation:

(a) The minimum number of books, computers and other equipment that must be maintained at each school library;

(b) The type of facilities and the minimum amount of space that must be reserved for each school library; and

(c) Methods for providing library services, to the greatest extent possible, to pupils in a public school for which physical space for such a school library may be impracticable, including, without limitation, a school with a limited number of rooms, substantially all of which are used for instruction, or a school which provides instruction through programs of distance education.

Sec. 8. 1. Except as otherwise provided in this section and section 9 of this act, each public school in a school district shall employ a school librarian.

2. The governing body of each charter school shall determine whether to employ a school librarian.

Sec. 9. 1. If two public schools within a school district are unable to employ a school librarian as required by section 8 of this act, the schools may apply to the superintendent of schools of the school district to jointly employ one school librarian to provide library services for each of the public schools. Such an application must identify the reasons each school is unable to employ a school librarian. The superintendent of schools of the school district may approve such an application if he or she determines that each public school made a good faith effort to employ a school librarian, but was unable to do so because of:

(a) Budgetary constraints;

(b) Inability to obtain qualified applicants; or

(c) Any other reason determined to be valid by the superintendent of schools of the school district.

2. If a public school located in a county whose population is less than 100,000 is unable to employ a school librarian as required by section 8 of this act, the school may apply to the superintendent of schools of the school district for the school district to employ a school librarian to provide library services for the school. Such an application must identify the reasons the public school is unable to employ a school librarian. The superintendent of schools of the school district may approve such an application if he or she determines that the public school made



1 a good faith effort to employ a school librarian, but was unable to
2 do so because of:

- 3 (a) Budgetary constraints;
- 4 (b) Inability to obtain qualified applicants; or
- 5 (c) Any other reason determined to be valid by the
6 superintendent of schools of the school district.

7 3. If the superintendent of schools of a school district located
8 in a county whose population is less than 100,000 approves an
9 application pursuant to subsection 2, but the school district is
10 unable to employ a school librarian to provide library services for
11 a public school within the school district, the superintendent of
12 schools of the school district may apply to the Department for
13 assistance to ensure that the pupils in such a public school receive,
14 to the greatest extent possible, library services provided by a school
15 librarian. Such an application must identify the reasons the school
16 district is unable to employ a school librarian. The Department
17 may approve such an application if it determines that the
18 superintendent of schools of the school district made a good faith
19 effort for the school district to employ a school librarian, but was
20 unable to do so because of:

- 21 (a) Budgetary constraints;
- 22 (b) Inability to obtain qualified applicants; or
- 23 (c) Any other reason determined to be valid by the Department.

24 4. If the Department approves an application submitted
25 pursuant to subsection 3, the Department shall determine the
26 necessary actions to ensure that the pupils in the public school
27 which is the subject of the application receive, to the greatest
28 extent possible, library services provided by a school librarian and
29 provide such assistance to the school district. Such actions may
30 include, without limitation:

- 31 (a) Imposing conditions or requirements upon the school
32 district;
- 33 (b) The employment of a school librarian by the Department to
34 provide library services to the school district; or
- 35 (c) Any other action the Department determines is necessary
36 and appropriate.

37 5. An application granted by the superintendent of schools of
38 a school district pursuant to subsection 1 or 2 or by the
39 Department pursuant to subsection 3 expires on June 30 of the
40 following odd-numbered year.

41 **Sec. 10.** The provisions of NRS 354.599 do not apply to any
42 additional expenses of a local government that are related to the
43 provisions of this act.



1 **Sec. 11.** This act becomes effective:

2 1. Upon passage and approval for the purpose of adopting
3 regulations and performing any other preparatory administrative
4 tasks that are necessary to carry out the provisions of this act; and

5 2. On July 1, 2019, for all other purposes.

