
SENATE BILL NO. 210—COMMITTEE ON FINANCE

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
EDUCATION (NRS 218.5352))

FEBRUARY 26, 2003

Referred to Committee on Finance

SUMMARY—Makes various changes governing education and makes related appropriations. (BDR 34-636)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Contains Appropriation not included in Executive Budget.

CONTAINS UNFUNDED MANDATE (§§ 2, 16)
(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 the boards of trustees of school districts to pay increased salaries to teachers who provide instruction in a field of mathematics or science and to teachers who provide instruction to pupils with disabilities; requiring the State Board of Education to adopt regulations identifying the endorsements in the fields of mathematics and science that qualify a teacher to receive an increase in salary; revising provisions governing the regional training programs for the professional development of teachers and administrators and the Statewide Council for the Coordination of the Regional Training Programs; making appropriations; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 387.303 is hereby amended to read as follows:
2 387.303 1. Not later than November 10 of each year, the
3 board of trustees of each school district shall submit to the



* S B 2 1 0 *

1 Superintendent of Public Instruction and the Department of
2 Taxation a report which includes the following information:

3 (a) For each fund within the school district, including, without
4 limitation, the school district's general fund and any special revenue
5 fund which receives state money, the total number and salaries of
6 licensed and nonlicensed persons whose salaries are paid from the
7 fund and who are employed by the school district in full-time
8 positions or in part-time positions added together to represent full-
9 time positions. Information must be provided for the current school
10 year based upon the school district's final budget, including any
11 amendments and augmentations thereto, and for the preceding
12 school year. An employee must be categorized as filling an
13 instructional, administrative, instructional support or other position.

14 (b) The count of pupils computed pursuant to paragraph (a) of
15 subsection 1 of NRS 387.1233.

16 (c) The school district's actual expenditures in the fiscal year
17 immediately preceding the report.

18 (d) The school district's proposed expenditures for the current
19 fiscal year.

20 (e) The schedule of salaries for licensed employees in the
21 current school year and a statement of whether the negotiations
22 regarding salaries for the current school year have been completed.
23 If the negotiations have not been completed at the time the schedule
24 of salaries is submitted, the board of trustees shall submit a
25 supplemental report to the Superintendent of Public Instruction upon
26 completion of negotiations or the determination of an arbitrator
27 concerning the negotiations that includes the schedule of salaries
28 agreed to or required by the arbitrator.

29 (f) The number of teachers who received an increase in salary
30 pursuant to ~~subsection 2 of~~ NRS 391.160 for the current and
31 preceding fiscal years. If the board of trustees is required to pay an
32 increase in salary retroactively pursuant to subsection 2 of NRS
33 391.160, the board of trustees shall submit a supplemental report to
34 the Superintendent of Public Instruction not later than February 15
35 of the year in which the retroactive payment was made that includes
36 the number of teachers to whom an increase in salary was paid
37 retroactively.

38 (g) The number of employees eligible for health insurance
39 within the school district for the current and preceding fiscal years
40 and the amount paid for health insurance for each such employee
41 during those years.

42 (h) The rates for fringe benefits, excluding health insurance,
43 paid by the school district for its licensed employees in the
44 preceding and current fiscal years.



1 (i) The amount paid for extra duties, supervision of
2 extracurricular activities and supplemental pay and the number of
3 employees receiving that pay in the preceding and current fiscal
4 years.

5 (j) The expenditures from the account created pursuant to
6 subsection 3 of NRS 179.1187. The report must indicate the total
7 amount received by the district in the preceding fiscal year ~~+~~ and
8 the specific amount spent on books and computer hardware and
9 software for each grade level in the district.

10 2. On or before November 25 of each year, the Superintendent
11 of Public Instruction shall submit to the Department of
12 Administration and the Fiscal Analysis Division of the Legislative
13 Counsel Bureau, in a format approved by the Director of the
14 Department of Administration, a compilation of the reports made by
15 each school district pursuant to subsection 1.

16 3. The Superintendent of Public Instruction shall, in the
17 compilation required by subsection 2, reconcile the revenues and
18 expenditures of the school districts with the apportionment received
19 by those districts from the State Distributive School Account for the
20 preceding year.

21 **Sec. 2.** NRS 391.160 is hereby amended to read as follows:

22 391.160 1. The salaries of teachers and other employees must
23 be determined by the character of the service required. A school
24 district shall not discriminate between male and female employees
25 in the matter of salary.

26 2. Each year when determining the salary of a teacher who
27 holds certification issued by the National Board for Professional
28 Teaching Standards, a school district shall add 5 percent to the
29 salary that the teacher would otherwise receive in 1 year for his
30 classification on the schedule of salaries for the school district if:

31 (a) On or before January 31 of the school year, the teacher has
32 submitted evidence satisfactory to the school district of his current
33 certification; and

34 (b) The teacher is assigned by the school district to provide
35 classroom instruction during that school year.

36 No increase in salary may be given during a particular school year
37 to a teacher who submits evidence of certification after January 31
38 of that school year. For the first school year that a teacher submits
39 evidence of his current certification, the board of trustees of
40 the school district to whom the evidence was submitted shall pay the
41 increase in salary required by this subsection retroactively to the
42 beginning of that school year. Once a teacher has submitted
43 evidence of such certification to the school district, the school
44 district shall retain the evidence in its records, as applicable, for
45 future school years. An increase in salary given in accordance with



1 this subsection is in addition to any other increase to which the
2 teacher may otherwise be entitled ~~§~~, *including, without limitation,*
3 *an increase given in accordance with subsection 3 or 4.*

4 3. *Each year when determining the salary of a teacher who is*
5 *assigned to provide classroom instruction for that school year in a*
6 *field of mathematics or science at a junior high school, middle*
7 *school or high school, a school district shall add 5 percent to the*
8 *salary that the teacher would otherwise receive in 1 year for his*
9 *classification on the schedule of salaries for the school district if:*

10 (a) *The teacher holds a secondary license to teach with an*
11 *endorsement in a field of mathematics or science, as applicable,*
12 *identified by the State Board pursuant to subsection 8; and*

13 (b) *The teacher is assigned by the school district to provide*
14 *classroom instruction during the regular school day for that*
15 *school year in the area of his endorsement.*

16 *A teacher may receive an increase in salary pursuant to this*
17 *subsection for only one field, regardless of whether he provides*
18 *classroom instruction in mathematics and science during the same*
19 *school year. An increase in salary given in accordance with this*
20 *subsection is in addition to any other increase to which the teacher*
21 *may otherwise be entitled, including, without limitation, an*
22 *increase given in accordance with subsection 2 or 4.*

23 4. *Each year when determining the salary of a teacher who is*
24 *assigned to provide classroom instruction to pupils with*
25 *disabilities, a school district shall add 5 percent to the salary that*
26 *the teacher would otherwise receive in 1 year for his classification*
27 *on the schedule of salaries for the school district if:*

28 (a) *The teacher holds a license to teach with an endorsement*
29 *to teach pupils with disabilities, which may include an*
30 *endorsement to teach pupils with a particular disability; and*

31 (b) *The teacher is assigned by the school district to provide*
32 *classroom instruction to pupils with disabilities during the*
33 *regular school day for that school year in the area of his*
34 *endorsement.*

35 *An increase in salary given in accordance with this subsection is*
36 *in addition to any other increase to which the teacher may*
37 *otherwise be entitled, including, without limitation, an increase*
38 *given in accordance with subsection 2 or 3.*

39 5. In determining the salary of a licensed teacher who is
40 employed by a school district after the teacher has been employed
41 by another school district in this state, the present employer shall,
42 except as otherwise provided in subsection ~~6:~~ 9:

43 (a) Give the teacher the same credit for previous teaching
44 service as he was receiving from his former employer at the end of
45 his former employment;



1 (b) Give the teacher credit for his final year of service with his
2 former employer, if credit for that service is not included in credit
3 given pursuant to paragraph (a); and

4 (c) Place the teacher on the schedule of salaries of the school
5 district in a classification that is commensurate with the level of
6 education acquired by the teacher, as set forth in the applicable
7 negotiated agreement with the present employer.

8 ~~[4.]~~ 6. A school district may give the credit required by
9 subsection ~~[3.]~~ 5 for previous teaching service earned in another state
10 if the Commission has approved the standards for licensing teachers
11 of that state. The Commission shall adopt regulations that establish
12 the criteria by which the Commission will consider the standards for
13 licensing teachers of other states for the purposes of this subsection.
14 The criteria may include, without limitation, whether the
15 Commission has authorized reciprocal licensure of educational
16 personnel from the *other* state under consideration.

17 ~~[5.]~~ 7. In determining the salary of a licensed administrator,
18 other than the superintendent of schools, who is employed by a
19 school district after the administrator has been employed by another
20 school district in this state, the present employer shall, except as
21 otherwise provided in subsection ~~[6.]~~ 9:

22 (a) Give the administrator the same credit for previous
23 administrative service as he was receiving from his former
24 employer, at the end of his former employment;

25 (b) Give the administrator credit for his final year of service
26 with his former employer, if credit for that service is not otherwise
27 included in the credit given pursuant to paragraph (a); and

28 (c) Place the administrator on the schedule of salaries of the
29 school district in a classification that is comparable to the
30 classification the administrator had attained on the schedule of
31 salaries of his former employer.

32 ~~[6.—This section does]~~

33 8. *The State Board shall adopt regulations identifying the*
34 *endorsements in the fields of mathematics and science that qualify*
35 *a teacher to receive an increase in salary pursuant to subsection 3.*

36 9. *The provisions of this section do* not:

37 (a) Require a school district to allow a teacher or administrator
38 more credit for previous teaching or administrative service than the
39 maximum credit for teaching or administrative experience provided
40 for in the schedule of salaries established by it for its licensed
41 personnel.

42 (b) Permit a school district to deny a teacher or administrator
43 credit for his previous teaching or administrative service on the
44 ground that the service differs in kind from the teaching or



1 administrative experience for which credit is otherwise given by the
2 school district.

3 ~~7.1~~ **10.** As used in this section:

4 (a) "Previous administrative service" means the total of:

5 (1) Any period of administrative service for which an
6 administrator received credit from his former employer at the
7 beginning of his former employment; and

8 (2) His period of administrative service in his former
9 employment.

10 (b) "Previous teaching service" means the total of:

11 (1) Any period of teaching service for which a teacher
12 received credit from his former employer at the beginning of his
13 former employment; and

14 (2) His period of teaching service in his former employment.

15 **Sec. 3.** NRS 391.512 is hereby amended to read as follows:

16 391.512 1. The Clark County School District, Douglas
17 County School District, Elko County School District and Washoe
18 County School District shall each establish and operate a ~~regional~~
19 :

20 (a) *Regional* training program for the professional development
21 of teachers and administrators.

22 (b) *Nevada Early Literacy Intervention Program through the*
23 *regional training program established pursuant to paragraph (a).*

24 2. Except as otherwise provided in subsection 6, the regional
25 training program established by the Clark County School District
26 must primarily provide services to teachers and administrators who
27 are employed by school districts in:

- 28 (a) Clark County;
- 29 (b) Esmeralda County;
- 30 (c) Lincoln County; and
- 31 (d) Nye County.

32 3. Except as otherwise provided in subsection 6, the regional
33 training program established by the Douglas County School District
34 must primarily provide services to teachers and administrators who
35 are employed by school districts in:

- 36 (a) Carson City;
- 37 (b) Churchill County;
- 38 (c) Douglas County;
- 39 (d) Lyon County; and
- 40 (e) Mineral County.

41 4. Except as otherwise provided in subsection 6, the regional
42 training program established by the Elko County School District
43 must primarily provide services to teachers and administrators who
44 are employed by school districts in:

- 45 (a) Elko County;



- 1 (b) Eureka County;
- 2 (c) Lander County;
- 3 (d) Humboldt County; and
- 4 (e) White Pine County.

5 5. Except as otherwise provided in subsection 6, the regional
6 training program established by the Washoe County School District
7 must primarily provide services to teachers and administrators who
8 are employed by school districts in:

- 9 (a) Pershing County;
- 10 (b) Storey County; and
- 11 (c) Washoe County.

12 6. Each regional training program shall, when practicable,
13 make reasonable accommodations for the attendance of teachers and
14 administrators who are employed by school districts outside the
15 primary jurisdiction of the regional training program.

16 **Sec. 4.** NRS 391.516 is hereby amended to read as follows:

17 391.516 1. The Statewide Council for the Coordination of the
18 Regional Training Programs, consisting of ~~eight~~ *nine* members, is
19 hereby created. The membership of the Council consists of:

- 20 (a) Each coordinator appointed by the governing body of each
21 regional training program pursuant to NRS 391.532. ~~[; and]~~
- 22 (b) One member of the governing body of each regional training
23 program, appointed by the governing body. The member appointed
24 pursuant to this paragraph may appoint a designee to serve in his
25 place.

26 *(c) One representative of the Nevada State Education*
27 *Association, appointed by the Executive Director of that*
28 *Association.*

29 2. Each coordinator who serves on the Statewide Council is a
30 member of the Statewide Council only for the period of his service
31 as coordinator of the regional training program pursuant to
32 NRS 391.532.

33 3. Each member appointed by the governing body pursuant to
34 paragraph (b) of subsection 1 ~~[serves]~~ *and the member appointed*
35 *pursuant to paragraph (c) of subsection 1 serve* a term of 2 years.

36 4. Members of the Statewide Council serve without salary ~~for~~
37 ~~compensation for their travel or per diem expenses.]~~ *, but are*
38 *entitled to receive the per diem allowance and travel expenses*
39 *provided for state officers and employees generally for each day or*
40 *portion of a day during which a member attends a meeting of the*
41 *Statewide Council or is otherwise engaged in the work of the*
42 *Statewide Council. For the members of the Statewide Council who*
43 *are appointed pursuant to paragraphs (a) and (b) of subsection 1,*
44 *the governing body of the regional training program represented*
45 *by those members shall pay the per diem allowance and travel*



1 *expenses. For the member of the Statewide Council who is*
2 *appointed pursuant to paragraph (c) of subsection 1, the Nevada*
3 *State Education Association shall pay the per diem allowance and*
4 *travel expenses.*

5 5. The governing bodies of the regional training programs may
6 mutually agree to expend a portion of their respective budgets to pay
7 for the administrative support of the Statewide Council.

8 **Sec. 5.** NRS 391.520 is hereby amended to read as follows:

9 391.520 1. The Statewide Council shall meet not less than
10 four times per year.

11 2. The Statewide Council shall:

12 (a) Adopt uniform standards for use by the governing body of
13 each regional training program in the review and approval by the
14 governing body of the training to be provided by the regional
15 training program pursuant to NRS 391.540 and 391.544. The
16 standards must ensure that the training provided by the regional
17 training programs is of high quality and is effective in addressing
18 the training programs specified in subsection 1 of NRS 391.544.

19 (b) Coordinate the dissemination of information to school
20 districts, administrators and teachers concerning the training,
21 programs and services provided by the regional training programs.

22 (c) Disseminate information to the regional training programs
23 concerning innovative and effective methods to provide professional
24 development.

25 (d) Conduct long-range planning concerning the professional
26 development needs of teachers and administrators employed in this
27 state.

28 (e) Adopt uniform procedures for use by the governing body of
29 each regional training program to report the evaluation conducted
30 pursuant to NRS 391.552.

31 **3. The Statewide Council may:**

32 (a) *Accept gifts and grants from any source on behalf of one*
33 *or more regional training programs to assist with the training*
34 *provided pursuant to NRS 391.544.*

35 (b) *Comply with applicable federal laws and regulations*
36 *governing the provision of federal grants to assist with the training*
37 *provided pursuant to NRS 391.544, including, without limitation,*
38 *providing money from the budget of the Statewide Council to*
39 *match the money received from a federal grant.*

40 **Sec. 6.** NRS 391.536 is hereby amended to read as follows:

41 391.536 **1.** On an annual basis, the governing body of each
42 regional training program shall review the budget for the program
43 and submit a proposed budget to the Legislative Committee on
44 Education. The proposed budget must include, without limitation,
45 the amount of money requested by the governing body to pay for the



1 services of the coordinator of the program appointed pursuant to
2 NRS 391.532. In even-numbered years, the proposed budget must
3 be submitted to the Legislative Committee on Education at least 4
4 months before the commencement of the next regular session of the
5 Legislature.

6 **2. *The governing body of a regional training program may:***
7 ***(a) Accept gifts and grants from any source to assist the***
8 ***governing body in providing the training required by***
9 ***NRS 391.544.***

10 ***(b) Comply with applicable federal laws and regulations***
11 ***governing the provision of federal grants to assist with the training***
12 ***provided pursuant to NRS 391.544, including, without limitation,***
13 ***providing money from the budget of the governing body to match***
14 ***the money received from a federal grant.***

15 **Sec. 7.** NRS 391.544 is hereby amended to read as follows:
16 391.544 1. Based upon the assessment of needs for training
17 within the region and priorities of training adopted by the governing
18 body pursuant to NRS 391.540, each regional training program must
19 provide:

20 (a) Training for teachers in the standards established by the
21 Council to Establish Academic Standards for Public Schools
22 pursuant to NRS 389.520 . ~~[-and]~~

23 (b) ***Through the Nevada Early Literacy Intervention Program***
24 ***established for the regional training program, training for***
25 ***teachers who teach kindergarten and grades 1, 2 or 3 on methods***
26 ***to teach fundamental reading skills, including, without limitation:***

- 27 (1) ***Phonemic awareness;***
- 28 (2) ***Phonics;***
- 29 (3) ***Vocabulary;***
- 30 (4) ***Fluency;***
- 31 (5) ***Comprehension; and***
- 32 (6) ***Motivation.***

33 (c) At least one of the following types of training:

34 (1) Training for teachers and school administrators in the
35 assessment and measurement of pupil achievement and the effective
36 methods to analyze the test results and scores of pupils to improve
37 the achievement and proficiency of pupils.

38 (2) Training for teachers in specific content areas to enable
39 the teachers to provide a higher level of instruction in their
40 respective fields of teaching. Such training must include instruction
41 in effective methods to teach in a content area provided by teachers
42 who are considered masters in that content area.

43 (3) ~~Training~~ ***In addition to the training provided pursuant***
44 ***to paragraph (b) of subsection 1, training*** for teachers in the
45 methods to teach basic skills to pupils, such as providing instruction



1 in reading with the use of phonics and providing instruction in basic
2 skills of mathematics computation.

3 2. The training required pursuant to subsection 1 must:

4 (a) Include appropriate procedures to ensure follow-up training
5 for teachers and administrators who have received training through
6 the program.

7 (b) Incorporate training that addresses the educational needs of:

8 (1) Pupils with disabilities who participate in programs of
9 special education; and

10 (2) Pupils whose primary language is not English.

11 3. The governing body of each regional training program shall
12 prepare and maintain a list that identifies programs for the
13 professional development of teachers and administrators that
14 successfully incorporate ~~the~~ :

15 (a) *The* standards of content and performance established by the
16 Council to Establish Academic Standards for Public Schools
17 pursuant to NRS 389.520 ~~and other~~ ;

18 (b) *Fundamental reading skills; and*

19 (c) *Other* training listed in subsection 1.

20 The governing body shall provide a copy of the list on an annual
21 basis to school districts for dissemination to teachers and
22 administrators.

23 4. A regional training program may include model classrooms
24 that demonstrate the use of educational technology for teaching and
25 learning.

26 **Sec. 8.** NRS 391.552 is hereby amended to read as follows:

27 391.552 The governing body of each regional training program
28 shall:

29 1. Establish a method for the evaluation of the success of the
30 regional training program ~~§~~ , *including, without limitation, the*
31 *Nevada Early Literacy Intervention Program*. The method must be
32 consistent with the uniform procedures adopted by the Statewide
33 Council pursuant to NRS 391.520.

34 2. On or before July 1 of each year, submit an annual report to
35 the State Board, the Commission, the Legislative Committee on
36 Education and the Legislative Bureau of Educational Accountability
37 and Program Evaluation that includes:

38 (a) The priorities for training adopted by the governing body
39 pursuant to NRS 391.540 . ~~§~~

40 (b) The type of training offered through the program in the
41 immediately preceding year . ~~§~~

42 (c) The number of teachers and administrators who received
43 training through the program in the immediately preceding year . ~~§~~

44 (d) An evaluation of the success of the program , *including,*
45 *without limitation, the Nevada Early Literacy Intervention*



1 *Program*, in accordance with the method established pursuant to
2 subsection 1 . ~~[-and]~~

3 (e) *A description of the gifts and grants, if any, received by the*
4 *governing body in the immediately preceding year and the gifts*
5 *and grants, if any, received by the Statewide Council during the*
6 *immediately preceding year on behalf of the regional training*
7 *program. The description must include the manner in which the*
8 *gifts and grants were expended.*

9 (f) The 5-year plan for the program prepared pursuant to NRS
10 391.540 and any revisions to the plan made by the governing body
11 in the immediately preceding year.

12 **Sec. 9.** 1. There is hereby appropriated from the State
13 General Fund to the State Distributive School Account for allocation
14 by the Department of Education to the school districts specified in
15 this section the following sums for fiscal years 2003-2004 and 2004-
16 2005:

<u>School District</u>	<u>2003-2004</u>	<u>2004-2005</u>
Clark County School District	\$5,133,725	\$5,133,725
Douglas County School District	\$1,194,347	\$1,229,475
Elko County School District	\$1,314,597	\$1,336,399
Washoe County School District	<u>\$2,023,270</u>	<u>\$2,088,846</u>
Total	\$9,665,939	\$9,788,445

24
25 2. A school district that receives an allocation pursuant to
26 subsection 1 shall use the money to maintain and continue the
27 operation of a:

28 (a) Regional training program for the professional development
29 of teachers and administrators established pursuant to NRS 391.512;
30 and

31 (b) Nevada Early Literacy Intervention Program initially
32 established by the school district pursuant to section 12 of chapter
33 565, Statutes of Nevada 2001, at page 2835.

34 3. Any remaining balance of the appropriations made by
35 subsection 1 for the 2003-2004 fiscal year must be added to the
36 money received by the school districts for the 2004-2005 fiscal year
37 and may be expended as that money is expended. Any remaining
38 balance of the appropriations made by subsection 1 for the 2004-
39 2005 fiscal year, including any money added from the appropriation
40 for the previous fiscal year, must not be committed for expenditure
41 after June 30, 2005, and reverts to the State General Fund as soon as
42 all payments of money committed have been made.

43 **Sec. 10.** 1. There is hereby appropriated from the State
44 General Fund to the State Distributive School Account the
45 following sums for allocation to the Legislative Bureau of



1 Educational Accountability and Program Evaluation for an
2 evaluation of the regional training programs for the professional
3 development of teachers and administrators established pursuant to
4 NRS 391.512, including, without limitation, an evaluation of the
5 Nevada Early Literacy Intervention Program initially established
6 pursuant to section 12 of chapter 565, Statutes of Nevada 2001, at
7 page 2835:

8 For the fiscal year 2003-2004 \$100,000
9 For the fiscal year 2004-2005 \$100,000

10 2. The Legislative Bureau of Educational Accountability and
11 Program Evaluation shall, after consulting with the Statewide
12 Council for the Coordination of the Regional Training Programs, if
13 applicable, use the money appropriated by subsection 1 to hire a
14 qualified, independent consultant to conduct an evaluation of the
15 regional training programs for the professional development of
16 teachers and administrators established pursuant to NRS 391.512,
17 including, without limitation, an evaluation of the Nevada Early
18 Literacy Intervention Program initially established pursuant to
19 section 12 of chapter 565, Statutes of Nevada 2001, at page 2835.

20 3. The evaluation must include, without limitation, a review of
21 the annual reports submitted by the governing body of each regional
22 training program pursuant to subsection 2 of NRS 391.552 and the
23 annual reports submitted by the board of trustees of each school
24 district pursuant to NRS 391.556.

25 4. On or before February 1, 2005, the consultant shall submit a
26 written report of the results of his evaluation to the Legislative
27 Bureau of Educational Accountability and Program Evaluation. On
28 or before February 21, 2005, the Legislative Bureau of Educational
29 Accountability and Program Evaluation shall submit a copy of the
30 written evaluation, including any recommendations for legislation,
31 to the Director of the Legislative Counsel Bureau for transmission to
32 the 73rd Session of the Nevada Legislature.

33 5. Any remaining balance of the sums appropriated by
34 subsection 1 for the 2003-2004 fiscal year must be added to the
35 money appropriated for the 2004-2005 fiscal year and may be
36 expended as that money is expended. Any remaining balance of the
37 sums appropriated pursuant to subsection 1 for the 2004-2005 fiscal
38 year, including any money added from the appropriation for the
39 previous fiscal year, must not be committed for expenditure after
40 June 30, 2005, and reverts to the State General Fund as soon as all
41 payments of money committed have been made.

42 **Sec. 11.** 1. There is hereby appropriated from the State
43 General Fund to the Department of Education the sum of \$207,000
44 for the reimbursement of certain costs of public school teachers



1 related to acquiring certification by the National Board for
2 Professional Teaching Standards.

3 2. If a public school teacher desires to obtain reimbursement
4 from the Department of Education for the costs that will be incurred
5 in acquiring certification by the National Board for Professional
6 Teaching Standards, the teacher must file a statement of intended
7 certification with the school district or the governing body of the
8 charter school by whom he is employed. The statement must be
9 filed at least 1 year before the teacher reasonably believes that he
10 will acquire the certification. Upon receipt of such a statement, the
11 school district or governing body shall forward a copy of the
12 statement to the Department.

13 3. Upon certification, a public school teacher who has filed
14 such a statement may request reimbursement by submitting to the
15 school district or the governing body of the charter school by whom
16 he is employed:

17 (a) A written statement indicating that the teacher understands
18 that if he does not teach in a public school in this state, including,
19 without limitation, a charter school, for at least 2 years after the date
20 on which he receives the reimbursement, he will be required to
21 repay the reimbursement in full to the Department of Education;

22 (b) Proof that he has acquired the certification; and

23 (c) A statement of the costs incurred by the teacher in acquiring
24 the certification.

25 4. A school district or the governing body of a charter school
26 shall verify the certification and the statement of costs submitted by
27 a teacher pursuant to subsection 3. Upon verification, the school
28 district or governing body shall notify the Department of Education
29 of the certification and the amount of verified costs and shall request
30 that the Department reimburse the teacher. Upon receipt of such a
31 request, the Department shall cause the teacher to be reimbursed if
32 the teacher agrees to teach in a public school in this state, including,
33 without limitation, a charter school, for at least 2 years after the date
34 on which he receives the reimbursement. Such a reimbursement
35 must not exceed an amount equal to the actual verified costs
36 incurred by the teacher or \$2,300, whichever is less, to the extent
37 that money is available for this purpose.

38 5. Except as otherwise provided in this subsection, if a teacher
39 who receives a reimbursement pursuant to this section does not
40 teach in a public school in this state, including, without limitation, a
41 charter school, for at least 2 years after the date on which he
42 received the reimbursement, the teacher shall repay the full amount
43 of the reimbursement to the Department of Education. The teacher
44 may request that the Department grant a waiver from the repayment
45 required by this subsection. The Department may grant a waiver if



1 the Department determines that the teacher suffers from a hardship
2 that warrants a waiver. The Department shall prescribe the
3 procedures for the repayment required by this subsection and the
4 procedures for a teacher to request a waiver from the repayment.

5 6. Any remaining balance of the appropriation made by
6 subsection 1 must not be committed for expenditure after June 30,
7 2005, and reverts to the State General Fund as soon as all payments
8 of money committed have been made.

9 **Sec. 12.** 1. There is hereby appropriated from the State
10 General Fund to the State Distributive School Account the
11 following sums for allocation by the Department of Education for
12 remedial education programs for schools that have been designated
13 as demonstrating need for improvement:

14	For the fiscal year 2003-2004	\$5,250,000
15	For the fiscal year 2004-2005	\$5,250,000

16 The money allocated must be used to provide remedial education
17 programs that have been approved by the Department as being
18 effective in improving pupil achievement.

19 2. A school may submit an application to the Department of
20 Education for transmission to the State Board of Examiners for an
21 allocation from the amount appropriated by subsection 1 if the
22 school receives a designation as demonstrating need for
23 improvement or was designated as demonstrating need for
24 improvement in the immediately preceding school year.

25 3. The Department of Education shall, in consultation with the
26 Budget Division of the Department of Administration and the
27 Legislative Bureau of Educational Accountability and Program
28 Evaluation, develop a form for such applications. The form must
29 include, without limitation, a notice that money received by a school
30 to implement or continue remedial education programs that have
31 been approved by the Department as being effective in improving
32 pupil achievement will be used to implement or continue the
33 programs in a manner that has been approved by the vendor of the
34 remedial program.

35 4. Upon receipt of an application submitted pursuant to
36 subsection 2, the Department of Education shall review the
37 application jointly with the Budget Division of the Department of
38 Administration and the Legislative Bureau of Educational
39 Accountability and Program Evaluation. The Department of
40 Education shall transmit the application to the State Board
41 of Examiners with the recommendation of the Department of
42 Education concerning the allocation of money based upon each
43 application so received. The State Board of Examiners, or the Clerk
44 of the Board if authorized by the Board to act on its behalf, shall
45 consider each such application and, if it finds that an allocation



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1 should be made, recommend the amount of the allocation to the
2 Interim Finance Committee. The Interim Finance Committee shall
3 consider each such recommendation, but is not bound to follow the
4 recommendation of the State Board of Examiners when determining
5 the allocation to be received by a school. In determining the amount
6 of the allocation, the State Board of Examiners and the Interim
7 Finance Committee shall consider:

8 (a) The total number of pupils enrolled in the school who failed
9 to demonstrate at least adequate achievement on the examinations
10 administered pursuant to NRS 389.015;

11 (b) The number of subjects tested pursuant to NRS 389.015 on
12 which more than 40 percent of the pupils enrolled in the school
13 received an average score below the 26th percentile;

14 (c) For the 2004-2005 fiscal year, for each subgroup of pupils
15 identified in 20 U.S.C. § 6311(b)(2)(C)(v) who are enrolled in the
16 school, the number and percentage of pupils in the subgroup who
17 failed to make adequate yearly progress, as determined by the
18 Department of Education; and

19 (d) The financial need of the particular school.

20 5. In addition to the considerations set forth in subsection 4, in
21 determining whether to approve an application for a school that has
22 received an allocation in the immediately preceding year and in
23 determining the amount of the allocation for such a school, the State
24 Board of Examiners and the Interim Finance Committee shall
25 consider whether the school has carried out the program of remedial
26 study for which it received an allocation in a manner that has been
27 approved by the vendor of the remedial program and whether the
28 program has been successful, as measured by the academic
29 achievement of the pupils enrolled in the school on the examinations
30 administered pursuant to NRS 389.015 and any assessments related
31 to the program of remedial study.

32 6. A school that receives an allocation of money pursuant to
33 this section shall use the money to:

34 (a) Pay the costs incurred by the school in providing the
35 program of remedial study required by NRS 385.389. The money
36 must first be applied to those pupils who the school determines are
37 performing at a level that poses the highest risk of failure.

38 (b) Pay for the salaries, training or other compensation of
39 teachers and other educational personnel to provide the program of
40 remedial study, instructional materials required for the
41 program of remedial study, equipment necessary to offer the
42 program of remedial study and all other additional operating costs
43 attributable to the program of remedial study, to the extent that the
44 training, materials and equipment are those that are approved by the
45 vendor of the remedial program.



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1 (c) Supplement and not replace the money the school would
2 otherwise expend for programs of remedial study.

3 7. Before a school amends a plan for expenditure of an
4 allocation of money received pursuant to this section, the school
5 district in which the school is located must submit the proposed
6 amendment to the Department of Education to receive approval
7 from the Department of Education, the Budget Division of the
8 Department of Administration and the Legislative Bureau of
9 Educational Accountability and Program Evaluation, or the Interim
10 Finance Committee.

11 8. The sums appropriated by subsection 1 are available for
12 either fiscal year. Any remaining balance of those sums must not be
13 committed for expenditure after June 30, 2005, and reverts to the
14 State General Fund as soon as all payments of money committed
15 have been made.

16 **Sec. 13.** 1. There is hereby appropriated from the State
17 General Fund to the State Distributive School Account the
18 following sums for allocation by the Department of Education for
19 programs of remedial education or tutoring for pupils who need
20 additional instructional time to pass or to reach a level considered
21 proficient:

22	For the fiscal year 2003-2004	\$1,500,000
23	For the fiscal year 2004-2005	\$1,500,000

24 The programs for which money is provided pursuant to this section
25 must be conducted before or after school, on weekends, during the
26 summer or between sessions in schools with year-round school
27 calendars.

28 2. To receive an allocation from the sums appropriated by
29 subsection 1, a school district must submit an application to the
30 Department of Education containing a written plan for providing a
31 program of remedial education or tutoring. The written plan must
32 include:

- 33 (a) The estimated number of pupils that will participate in the
- 34 program;
- 35 (b) The curriculum that will be taught;
- 36 (c) A schedule of the course work or tutoring to be conducted
- 37 under the program;
- 38 (d) A plan for evaluating the effectiveness of the program; and
- 39 (e) A budget for the program.

40 3. Upon receipt of an application submitted pursuant to
41 subsection 2, the Department of Education shall review the
42 application jointly with the Budget Division of the Department of
43 Administration and the Legislative Bureau of Educational
44 Accountability and Program Evaluation. The Department of
45 Education shall transmit the application to the State Board of



1 Examiners with the recommendation of the Department of
2 Education concerning the allocation of money based upon each
3 application so received. The State Board of Examiners, or the Clerk
4 of the Board if authorized by the Board to act on its behalf, shall
5 consider each such application and, if it finds that an allocation
6 should be made, recommend the amount of the allocation to the
7 Interim Finance Committee. The Interim Finance Committee shall
8 consider each such recommendation, but is not bound to follow the
9 recommendation of the State Board of Examiners when determining
10 the allocation to be received by a school district.

11 4. A school district that receives an allocation of money
12 pursuant to this section shall use the money to:

13 (a) Provide a program of remedial education or tutoring that has
14 been approved by the Department of Education as being effective in
15 improving pupil achievement.

16 (b) Pay the costs incurred by the school district in providing the
17 program of remedial education or tutoring. The money must first be
18 applied to those pupils who the school district determines are
19 performing at a level which poses the highest risk of failure.

20 (c) Pay for the salaries, training or other compensation of
21 teachers and other educational personnel to provide the program of
22 remedial education or tutoring, instructional materials required for
23 the program, equipment necessary to offer the program and all other
24 additional operating costs attributable to the program.

25 (d) Supplement and not replace the money the school district
26 would otherwise expend for programs of remedial education or
27 tutoring.

28 5. Before a school district amends a plan for expenditure of an
29 allocation of money received pursuant to this section, the school
30 district must submit the proposed amendment to the Department of
31 Education to receive approval from the Department of Education,
32 the Budget Division of the Department of Administration and the
33 Legislative Bureau of Educational Accountability and Program
34 Evaluation, or the Interim Finance Committee.

35 6. The sums appropriated by subsection 1 are available for
36 either fiscal year. Any remaining balance of those sums must not be
37 committed for expenditure after June 30, 2005, and reverts to the
38 State General Fund as soon as all payments of money committed
39 have been made.

40 **Sec. 14.** 1. There is hereby appropriated from the State
41 General Fund to the Department of Education the following sums
42 for allocation to the Clark County School District and the Washoe
43 County School District to purchase brochures for the reporting of
44 test scores of pupils and related services:



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1 For the fiscal year 2003-2004 \$1,250,000
 2 For the fiscal year 2004-2005 \$1,250,000

3 2. The Department of Education shall allocate the money
 4 appropriated by subsection 1 to the Clark County School District
 5 and the Washoe County School District for the purchase of
 6 brochures for the reporting of test scores of pupils on the
 7 examinations that are administered pursuant to NRS 389.015,
 8 excluding the high school proficiency examination, and the
 9 examinations administered pursuant to NRS 389.550 to pupils
 10 enrolled in grades 3, 5 and 8, and related services. The Department
 11 shall allocate the money based upon the standard fee charged for
 12 the brochures and related services, plus the per pupil fee charged to
 13 the school district. If the amount charged to a school district for the
 14 purchase of the brochures and related services is more than the
 15 district's pro rata share of the appropriation made by subsection 1,
 16 the school district shall pay the difference.

17 3. The sums appropriated by subsection 1 are available for
 18 either fiscal year. Any remaining balance of those sums must not be
 19 committed for expenditure after June 30, 2005, and reverts to the
 20 State General Fund as soon as all payments of money committed
 21 have been made.

22 **Sec. 15.** On or before July 1, 2004, the State Board of
 23 Education shall adopt regulations pursuant to section 2 of this act
 24 identifying the endorsements in the fields of mathematics and
 25 science that qualify a teacher to receive an increase in salary
 26 pursuant to that section.

27 **Sec. 16.** The board of trustees of each school district shall
 28 provide the increase in salary required by section 2 of this act
 29 commencing with the 2004-2005 school year.

30 **Sec. 17.** On or before September 1, 2003, the Executive
 31 Director of the Nevada State Education Association shall appoint
 32 one member to the Statewide Council for the Coordination of the
 33 Regional Training Programs pursuant to paragraph (c) of subsection
 34 1 of NRS 391.516.

35 **Sec. 18.** The provisions of subsection 1 of NRS 354.599 do
 36 not apply to any additional expenses of a local government that are
 37 related to the provisions of this act.

38 **Sec. 19.** 1. This section and sections 3 to 18, inclusive, of
 39 this act become effective on July 1, 2003.

40 2. Section 2 of this act becomes effective on July 1, 2003, for
 41 the purpose of adopting regulations and on July 1, 2004, for all other
 42 purposes.

43 3. Section 1 of this act becomes effective on July 1, 2004.

