

SENATE BILL NO. 44—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

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

PREFILED JANUARY 30, 2003

Referred to Committee on Human Resources and Facilities

SUMMARY—Revises provisions governing class-size reduction
program. (BDR 34-643)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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; authorizing school districts to
develop alternative plans for the reduction of pupil-
teacher ratios in certain grades; 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 387.304 is hereby amended to read as follows:
- 2 387.304 The Department shall:
- 3 1. Conduct an annual audit of the count of pupils for
- 4 apportionment purposes reported by each school district pursuant to
- 5 NRS 387.123 and the data reported by each school district *pursuant*
- 6 *to NRS 388.710* that is used to measure the effectiveness of the
- 7 implementation of ~~the~~ a plan developed by each school district ~~to~~
- 8 ~~reduce the pupil-teacher ratio in kindergarten and grades 1, 2 and 3,~~
- 9 as required by NRS ~~388.710.~~ *388.720.*
- 10 2. Review each school district’s report of the annual audit
- 11 conducted by a public accountant as required by NRS 354.624, and
- 12 the annual report prepared by each district as required by NRS
- 13 387.303, and report the findings of the review to the State Board and
- 14 the Legislative Committee on Education, with any recommendations



1 for legislation, revisions to regulations or training needed by school
2 district employees. The report by the Department must identify
3 school districts which failed to comply with any statutes or
4 administrative regulations of this state or which had any:

- 5 (a) Long-term obligations in excess of the general obligation
6 debt limit;
- 7 (b) Deficit fund balances or retained earnings in any fund;
- 8 (c) Deficit cash balances in any fund;
- 9 (d) Variances of more than 10 percent between total general
10 fund revenues and budgeted general fund revenues; or
- 11 (e) Variances of more than 10 percent between total actual
12 general fund expenditures and budgeted total general fund
13 expenditures.

14 3. In preparing its biennial budgetary request for the State
15 Distributive School Account, consult with the Superintendent of
16 Schools of each school district or a person designated by the
17 Superintendent.

18 4. Provide, in consultation with the Budget Division of the
19 Department of Administration and the Fiscal Analysis Division of
20 the Legislative Counsel Bureau, training to the financial officers of
21 school districts in matters relating to financial accountability.

22 **Sec. 2.** NRS 388.700 is hereby amended to read as follows:

23 388.700 1. Except as otherwise provided in subsections 2, 3
24 and 6, after the last day of the first month of the school year, the
25 ratio in each school district of pupils per class ~~in kindergarten and~~
26 ~~grades 1, 2 and 3~~ per licensed teacher designated to teach those
27 classes full time ~~must not exceed 15 to 1~~ in classes where core
28 curriculum is taught ~~is~~:

29 (a) *In kindergarten and grades 1, 2 and 3, must not exceed 15*
30 *to 1; or*

31 (b) *If a plan is developed by a school district pursuant to*
32 *subsection 2 of NRS 388.720, in grades 1 to 6, inclusive, must not*
33 *exceed 22 to 1.*

34 In determining this ratio, all licensed educational personnel who
35 teach ~~in kindergarten or grade 1, 2 or 3~~ *a grade level specified in*
36 *paragraph (a) or (b), as applicable for the school district,* must be
37 counted except teachers of art, music, physical education or special
38 education, counselors, librarians, administrators, deans and
39 specialists.

40 2. A school district may, within the limits of any plan adopted
41 pursuant to NRS 388.720, assign a pupil whose enrollment in a
42 grade occurs after the last day of the first month of the school year
43 to any existing class regardless of the number of pupils in the class.

44 3. The State Board may grant to a school district a variance
45 from the limitation on the number of pupils per class set forth in



1 subsection 1 for good cause, including the lack of available financial
2 support specifically set aside for the reduction of pupil-teacher
3 ratios.

4 4. The State Board shall, on or before February 1 of each
5 odd-numbered year, report to the Legislature on:

6 (a) Each variance granted by it during the preceding biennium,
7 including the specific justification for the variance.

8 (b) The data reported to it by the various school districts
9 pursuant to subsection 2 of NRS 388.710, including an explanation
10 of that data, and the current pupil-teacher ratios per class in
11 ~~kindergarten and grades 1, 2 and 3.~~ *the grade levels specified in*
12 *paragraphs (a) and (b) of subsection 1, as applicable, for each*
13 *school district.*

14 5. The Department shall, on or before November 15 of each
15 year, report to the Chief of the Budget Division of the Department
16 of Administration and the Fiscal Analysis Division of the
17 Legislative Counsel Bureau:

18 (a) The number of teachers employed;

19 (b) The number of teachers employed in order to attain the ratio
20 required by subsection 1;

21 (c) The number of pupils enrolled; and

22 (d) The number of teachers assigned to teach in the same
23 classroom with another teacher or in any other arrangement other
24 than one teacher assigned to one classroom of pupils,
25 during the current school year in ~~kindergarten and grades 1, 2 and~~
26 ~~3.~~ *the grade levels specified in paragraphs (a) and (b) of*
27 *subsection 1, as applicable, for each school district.*

28 6. The provisions of this section do not apply to a charter
29 school or to a program of distance education provided pursuant to
30 NRS 388.820 to 388.874, inclusive.

31 **Sec. 3.** NRS 388.710 is hereby amended to read as follows:

32 388.710 1. The State Board, in consultation with the trustees
33 of the school districts and the recognized associations representing
34 licensed educational personnel, after receiving comments from the
35 general public, shall determine the data that must be monitored by
36 each school district and used to measure the effectiveness of the
37 implementation of ~~the~~ *a* plan developed by each school district ~~to~~
38 ~~reduce the pupil-teacher ratio per class in kindergarten and grades 1,~~
39 ~~2 and 3.~~ *pursuant to NRS 388.720.*

40 2. Each school district shall report the data to the State Board
41 as required by the State Board.

42 **Sec. 4.** NRS 388.720 is hereby amended to read as follows:

43 388.720 ~~Each~~

44 *1. Except as otherwise provided in subsection 2, each* school
45 district together with the recognized associations representing



1 licensed educational personnel shall develop a plan to reduce the
2 district's pupil-teacher ratio per class in kindergarten and grades 1, 2
3 and 3 within the limits of available financial support specifically set
4 aside for this purpose and submit that plan to the State Board.

5 *2. In lieu of complying with the pupil-teacher ratio prescribed*
6 *in paragraph (a) of subsection 1 of NRS 388.700, a school district*
7 *may, in consultation with recognized associations representing*
8 *licensed educational personnel, develop a plan to reduce the*
9 *district's pupil-teacher ratios per class in grades 1 to 6, inclusive,*
10 *to 22 to 1, within the limits of available financial support*
11 *specifically set aside for the reduction of pupil-teacher ratios in*
12 *kindergarten and grades 1, 2 and 3. A plan developed pursuant to*
13 *this subsection must be submitted to the State Board.*

14 **Sec. 5.** This act becomes effective on July 1, 2003.

