
SENATE BILL NO. 460—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

(ON BEHALF OF THE CLARK COUNTY
SCHOOL DISTRICT)

MARCH 24, 2003

Referred to Committee on Human Resources and Facilities

SUMMARY—Revises provisions governing licensed employees of school districts. (BDR 34-450)

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

~

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

AN ACT relating to educational personnel; revising the definition of “immorality” applicable to the licensed employees of a school district to include the commission of certain drug-related offenses and sexual conduct or attempted sexual conduct with a pupil; providing that the employment of a teacher for whom a license is required must be terminated for failure to maintain a valid license; providing that certain administrative procedural protections do not apply to a teacher whose employment is terminated for failure to maintain a valid license; 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 391.311 is hereby amended to read as follows:
2 391.311 As used in NRS 391.311 to 391.3197, inclusive,
3 unless the context otherwise requires:
4 1. “Administrator” means any employee who holds a license as
5 an administrator and who is employed in that capacity by a school
6 district.



1 2. "Board" means the board of trustees of the school district in
2 which a licensed employee affected by NRS 391.311 to 391.3197,
3 inclusive, is employed.

4 3. "Demotion" means demotion of an administrator to a
5 position of lesser rank, responsibility or pay and does not include
6 transfer or reassignment for purposes of an administrative
7 reorganization.

8 4. "Immorality" means ~~any~~:

9 (a) An act forbidden by NRS 200.366, 200.368, 200.400,
10 200.508, 201.180, 201.190, 201.210, 201.220, 201.230, 201.265 ~~for~~
11 ~~207.260~~, 201.560, 207.260, 453.316 to 453.336, inclusive,
12 453.337, 453.338, 453.3385 to 453.3405, inclusive, 453.560 or
13 453.562; or

14 (b) An act forbidden by NRS 201.540 or any other sexual
15 conduct or attempted sexual conduct with a pupil enrolled in an
16 elementary or secondary school. As used in this paragraph,
17 "sexual conduct" has the meaning ascribed to it in NRS 201.520.

18 5. "Postprobationary employee" means an administrator or a
19 teacher who has completed the probationary period as provided in
20 NRS 391.3197 and has been given notice of reemployment.

21 6. "Probationary employee" means an administrator or a
22 teacher who is employed for the period set forth in NRS 391.3197.

23 7. "Superintendent" means the superintendent of a school
24 district or a person designated by the board or superintendent to act
25 as superintendent during the absence of the superintendent.

26 8. "Teacher" means a licensed employee the majority of whose
27 working time is devoted to the rendering of direct educational
28 service to pupils of a school district.

29 **Sec. 2.** NRS 391.120 is hereby amended to read as follows:

30 391.120 1. Boards of trustees of the school districts in this
31 state may employ legally qualified teachers and other licensed
32 personnel and may determine their salaries and the length of the
33 term of school for which they are employed. These conditions and
34 any other conditions agreed upon by the parties must be embodied
35 in a written contract, or notice of reemployment, to be approved by
36 the board of trustees and accepted and signed by the employee. A
37 copy of the contract or notice of reemployment, properly written,
38 must be delivered to each teacher or other licensed employee not
39 later than the opening of the term of school.

40 2. A board of trustees may not employ teachers or other
41 licensed personnel for any school year commencing after the
42 expiration of the time for which any member of the board of trustees
43 was elected or appointed.

44 3. It is unlawful for the board of trustees of any school district
45 to employ any teacher who is not legally qualified to teach all the



1 grades which the teacher is engaged to teach. *The board of trustees*
2 *shall terminate the employment of any teacher who fails to*
3 *maintain a valid license issued pursuant to this chapter, if such a*
4 *license is required for employment.*

5 4. On or before November 15 of each year, the school district
6 shall submit to the Department, in a form prescribed by the
7 Superintendent of Public Instruction, the following information for
8 each licensed employee employed by the school district on
9 October 1 of that year:

10 (a) The amount of salary of the employee; and

11 (b) The designated assignment, as that term is defined by the
12 Department of Education, of the employee.

13 **Sec. 3.** NRS 391.3115 is hereby amended to read as follows:

14 391.3115 1. The demotion, suspension, dismissal and
15 nonreemployment provisions of NRS 391.311 to 391.3197,
16 inclusive, do not apply to:

17 (a) Substitute teachers; or

18 (b) Adult education teachers.

19 2. *The provisions of NRS 391.311 to 391.3194, inclusive, do*
20 *not apply to a teacher whose employment is terminated pursuant*
21 *to subsection 3 of NRS 391.120 for failure to maintain a valid*
22 *license.*

23 3. A licensed employee who is employed in a position fully
24 funded by a federal or private categorical grant or to replace another
25 licensed employee during that employee's leave of absence is
26 employed only for the duration of the grant or leave. Such a licensed
27 employee and licensed employees who are employed on temporary
28 contracts for 90 school days or less to replace licensed employees
29 whose employment has terminated after the beginning of the school
30 year are entitled to credit for that time in fulfilling any period of
31 probation and during that time the provisions of NRS 391.311 to
32 391.3197, inclusive, for demotion, suspension or dismissal apply to
33 them.

34 **Sec. 4.** This act becomes effective upon passage and approval.

