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SENATE BILL NO. 508—COMMITTEE ON FINANCE

JUNE 2, 2003

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Referred to Committee on Finance

**SUMMARY**—Makes appropriations to State Distributive School Account for class-size reduction. (BDR S-1380)

**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State: Contains Appropriation included in Executive Budget.

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

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AN ACT relating to education; making appropriations to the State Distributive School Account for purposes relating to class-size reduction; and providing other matters properly relating thereto.

- 1       WHEREAS, The intended goal of the Legislature is to achieve a  
2 pupil-teacher ratio of not more than 15 pupils per teacher or 30  
3 pupils per two teachers in kindergarten and grades 1, 2 and 3 where  
4 core curriculum is taught; and  
5       WHEREAS, Available money is estimated to provide a sufficient  
6 number of teachers to achieve in each school district pupil-teacher  
7 ratios of 16 pupils per teacher in selected kindergarten classrooms in  
8 which pupils are most at risk of failure and in grades 1 and 2 in  
9 Fiscal Years 2003-2004 and 2004-2005, and to achieve a pupil-  
10 teacher ratio in grade 3 of 19 pupils per teacher in Fiscal Years  
11 2003-2004 and 2004-2005; and  
12       WHEREAS, Certain school districts do not have a sufficient  
13 number of classrooms available to permit an average class size of 19  
14 pupils per teacher in grade 3; and  
15       WHEREAS, It is unreasonable to assign two teachers to  
16 classrooms of 38 pupils to attain a district-wide pupil-teacher ratio  
17 of 19 pupils per teacher in grade 3; and  
18       WHEREAS, School districts may, instead, attain the desired  
19 pupil-teacher ratio in classes where core curriculum is taught by



1 using alternative methods of reducing the ratio, such as employing  
2 teachers to provide remedial instruction; and

3 WHEREAS, School districts may wish to use money for class-  
4 size reduction to carry out programs that have been found to be  
5 effective in improving academic achievement; and

6 WHEREAS, Reduced class sizes may increase pupil academic  
7 achievement and may decrease the need for pupil discipline; and

8 WHEREAS, Additional funding has not been provided to reduce  
9 class-sizes in grades 4, 5 and 6 and school districts may wish to use  
10 money for class-size reduction to reduce class-sizes in those grades;  
11 and

12 WHEREAS, The Legislature has specifically designed the laws  
13 relating to class-size reduction to allow the local school districts the  
14 necessary discretion to effectuate the reduction in the manner  
15 appropriate in their respective districts; and

16 WHEREAS, School districts are encouraged, to the extent  
17 possible, to further reduce the pupil-teacher ratio in each classroom  
18 in the district for grades 1, 2 and 3 for which additional funding is  
19 provided; and

20 WHEREAS, With this act, the Legislature intends to continue the  
21 reduced pupil-teacher ratio for selected kindergarten classrooms in  
22 which pupils are most at risk of failure and for grades 1 and 2  
23 throughout the State and to continue reducing the pupil-teacher ratio  
24 in grade 3; and

25 WHEREAS, Thereafter, the intended goal of the Legislature is to  
26 reduce the pupil-teacher ratio per class in grade 3 to not more than  
27 15 pupils per class, thereafter to reduce the pupil-teacher ratio per  
28 class in grades 4, 5 and 6 to not more than 22 pupils per class and  
29 thereafter to reduce the pupil-teacher ratio per class in grades 7 to  
30 12, inclusive, to not more than 25 pupils per class; now, therefore,

31  
32 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
33 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:  
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35 **Section 1.** 1. There is hereby appropriated from the State  
36 General Fund to the State Distributive School Account the sum of  
37 \$108,937,389 for distribution by the Superintendent of Public  
38 Instruction to the county school districts for Fiscal Year 2003-2004  
39 which must, except as otherwise provided in sections 3 and 5 of this  
40 act, be used to employ teachers to comply with the required ratio of  
41 pupils to teachers, as set forth in NRS 388.700, in grades 1 and 2  
42 and in selected kindergartens with pupils who are considered at risk  
43 of failure by the Superintendent of Public Instruction and to  
44 maintain the current ratio of pupils per teacher in grade 3.  
45 Expenditures for the class-size reduction program must be



1 accounted for in a separate category of expenditure in the State  
2 Distributive School Account.

3 2. Except as otherwise provided in sections 3 and 5 of this act,  
4 the money appropriated by subsection 1 must be used to pay the  
5 salaries and benefits of not less than 1,887 teachers employed by  
6 school districts to meet the required pupil-teacher ratios in the 2003-  
7 2004 school year.

8 3. Any remaining balance of the sum appropriated by  
9 subsection 1 must not be committed for expenditure after June 30,  
10 2004, and must be transferred and added to the money appropriated  
11 to the State Distributive School Account pursuant to section 2 of  
12 this act for the 2004-2005 fiscal year, and may be expended as that  
13 money is expended.

14 **Sec. 2.** 1. There is hereby appropriated from the State  
15 General Fund to the State Distributive School Account the sum of  
16 \$117,142,553 for distribution by the Superintendent of Public  
17 Instruction to the county school districts for Fiscal Year 2004-2005  
18 which must, except as otherwise provided in sections 3 and 5 of this  
19 act, be used to employ teachers to comply with the required ratio of  
20 pupils to teachers, as set forth in NRS 388.700, in grades 1 and 2  
21 and in selected kindergartens with pupils who are considered at risk  
22 of failure by the Superintendent of Public Instruction and to  
23 maintain the current ratio of pupils per teacher in grade 3.  
24 Expenditures for the class-size reduction program must be  
25 accounted for in a separate category of expenditure in the State  
26 Distributive School Account.

27 2. Except as otherwise provided in sections 3 and 5 of this act,  
28 the money appropriated by subsection 1 must be used to pay the  
29 salaries and benefits of not less than 1,953 teachers employed by  
30 school districts to meet the required pupil-teacher ratios in the 2004-  
31 2005 school year.

32 3. Any remaining balance of the sum appropriated by  
33 subsection 1, including any money added thereto pursuant to section  
34 1 of this act, must not be committed for expenditure after June 30,  
35 2005, and reverts to the State General Fund as soon as all payments  
36 of money committed have been made.

37 **Sec. 3.** 1. Except as otherwise provided in subsection 2, the  
38 board of trustees of each county school district:

39 (a) Shall file a plan with the Superintendent of Public Instruction  
40 describing how the money appropriated by sections 1 and 2 of this  
41 act will be used to comply with the required ratio of pupils to  
42 teachers in kindergarten and grades 1, 2 and 3; or

43 (b) May, after receiving approval of the plan from the  
44 Superintendent of Public Instruction, use the money appropriated by  
45 sections 1 and 2 of this act to carry out an alternative program for



1 reducing the ratio of pupils per teacher or to carry out programs of  
2 remedial education that have been found to be effective in  
3 improving pupil achievement in grades 1, 2 and 3, so long as the  
4 combined ratio of pupils per teacher in the aggregate of kindergarten  
5 and grades 1, 2 and 3 of the school district does not exceed the  
6 combined ratio of pupils per teacher in the aggregate of kindergarten  
7 and grades 1, 2 and 3 of the school district in the 2000-2001 school  
8 year. The plan approved by the Superintendent of Public Instruction  
9 must describe the method to be used by the school district to  
10 evaluate the effectiveness of the alternative program or remedial  
11 programs in improving pupil achievement.

12 2. In lieu of complying with subsection 1, the board of trustees  
13 of a school district that is located in a county whose population is  
14 less than 100,000 may, after receiving approval of the plan from the  
15 Superintendent of Public Instruction, use the money appropriated by  
16 sections 1 and 2 of this act to carry out a program in which  
17 alternative pupil-teacher ratios are carried out in grades 1 through 5  
18 or grades 1 through 6, as applicable. Alternative ratios for grade 6  
19 may only be approved for those school districts that include grade 6  
20 in elementary school. The alternative pupil-teacher ratios shall not:

- 21 (a) Exceed 22 to 1 in grades 1, 2 and 3; and
- 22 (b) Exceed 25 to 1 in grades 4 and 5 or grades 4, 5 and 6, as  
23 applicable.

24 3. If a school district receives approval to carry out programs  
25 of remedial education pursuant to paragraph (b) of subsection 1 or to  
26 carry out alternative pupil-teacher ratios pursuant to subsection 2,  
27 the school district shall evaluate the effectiveness of the alternative  
28 program. The evaluation must include, without limitation, the effect  
29 of the alternative program on:

- 30 (a) Team-teaching;
- 31 (b) Pupil discipline; and
- 32 (c) The academic achievement of pupils.

33 4. A school district shall submit a written report of the results  
34 of the evaluation to the Superintendent of Public Instruction on or  
35 before December 1 of each year for the immediately preceding  
36 school year. The Superintendent of Public Instruction shall  
37 summarize the results of the evaluations and report the findings in  
38 an interim report to the Legislative Committee on Education on or  
39 before February 16, 2004.

40 5. On or before February 1, 2005, the Superintendent of Public  
41 Instruction shall submit a final written report of the results of the  
42 evaluations of alternative class-size reduction programs to the  
43 Legislative Bureau of Educational Accountability and Program  
44 Evaluation. On or before February 15, 2005, the Legislative Bureau  
45 of Educational Accountability and Program Evaluation shall submit



1 a copy of the written report to the Director of the Legislative  
2 Counsel Bureau for transmission to the 73rd Session of the Nevada  
3 Legislature.

4 6. The interim report required pursuant to subsection 4 and the  
5 final written report required pursuant to subsection 5 must include,  
6 without limitation:

- 7 (a) The number of school districts for which an alternative class-  
8 size reduction program was approved;
- 9 (b) A description of the approved alternative class-size reduction  
10 programs; and
- 11 (c) The effect of the alternative class-size reduction programs  
12 on:
  - 13 (1) Team teaching;
  - 14 (2) Pupil discipline; and
  - 15 (3) The academic achievement of pupils.

16 **Sec. 4.** 1. During the 2003-2005 biennium, a school district  
17 that is located in a county whose population is 100,000 or more  
18 shall study the current class-sizes in the school district for grades 1  
19 to 5, inclusive, to determine whether alternative pupil-teacher ratios  
20 may:

- 21 (a) Improve the academic achievement of pupils;
- 22 (b) Decrease pupil discipline; or
- 23 (c) Decrease or eliminate team-teaching in grades 1 and 2.

24 2. In conducting the study, the school district shall consider the  
25 costs that would be associated with carrying out the alternative  
26 pupil-teacher ratios, including, without limitation, the:

- 27 (a) Number of additional classrooms needed; and
- 28 (b) Number of additional teachers needed.

29 3. On or before February 15, 2005, each school district that  
30 conducts a study of alternative pupil-teacher ratios pursuant to this  
31 section shall submit a written report of its findings concerning  
32 alternative pupil-teacher ratios to the:

- 33 (a) Director of the Legislative Counsel Bureau for transmission  
34 to the 73rd Session of the Nevada Legislature;
- 35 (b) Legislative Bureau of Educational Accountability and  
36 Program Evaluation; and
- 37 (c) State Board of Education.

38 **Sec. 5.** 1. The money appropriated for class-size reduction  
39 pursuant to sections 1 and 2 of this act:

- 40 (a) May be applied first to pupils considered most at risk of  
41 failure.
- 42 (b) Must not be used to settle or arbitrate disputes between a  
43 recognized organization representing employees of a school district  
44 and the school district, or to settle any negotiations.



1 (c) Must not be used to adjust the district-wide schedules of  
2 salaries and benefits of the employees of a school district.

3 2. The money appropriated for class-size reduction pursuant to  
4 sections 1 and 2 of this act must not be distributed to a school  
5 district unless that school district has:

6 (a) Filed with the Department of Education a plan for achieving  
7 the required ratio set forth in NRS 388.700; and

8 (b) Demonstrated that, from resources of the school district  
9 other than allocations received from the State Distributive School  
10 Account for class-size reduction, a sufficient number of classroom  
11 teachers have been employed to maintain the average pupil-teacher  
12 ratio that existed for each grade for grades 1, 2 and 3, in that school  
13 district for the 3 school years immediately preceding the start of the  
14 class-size reduction program in the 1990-1991 school year. In  
15 addition, if a school district uses the allocations received from the  
16 State Distributive School Account for class-size reduction to carry  
17 out an alternative class-size reduction program as set forth in  
18 subsection 2 of section 3 of this act, a sufficient number of teachers  
19 have been employed to maintain the average pupil-teacher ratio that  
20 existed in each grade so reduced, in that school district for the 3  
21 years immediately preceding the implementation of the alternative  
22 program.

23 **Sec. 6.** In no event may the alternative pupil-teacher ratios  
24 authorized pursuant to subsection 2 of section 3 of this act be carried  
25 out beyond the 2003-2005 biennium unless the 73rd Session of the  
26 Nevada Legislature determines that the alternative pupil-teacher  
27 ratios may be carried out after June 30, 2005.

28 **Sec. 7.** 1. This section and sections 1 and 3 to 6, inclusive, of  
29 this act become effective on July 1, 2003.

30 2. Section 2 of this act becomes effective on July 1, 2004.

