

SENATE BILL NO. 191—SENATOR WOODHOUSE

FEBRUARY 18, 2019

Referred to Committee on Education

SUMMARY—Requires each public school in a school district to establish and maintain a school library. (BDR 34-562)

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 in a school district, including a charter 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:

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

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

11 With certain exceptions provided in **section 9** of this bill, **section 8** of this bill
12 requires each school to employ a school librarian. **Section 5** of this bill defines
13 “school librarian” as a person employed by a school district to provide library
14 services in a school library and includes a person: (1) who holds an endorsement as
15 a school library media specialist; (2) employed as a paraprofessional to provide
16 support in a school library; or (3) who holds an associate’s degree in library



17 science. **Section 8** requires the governing body of a charter school to determine
18 whether to employ a school librarian. **Section 8** prohibits the board of trustees of a
19 school district from giving preference to certain employees who provide library
20 services. **Section 9** provides that a school is not required to employ a school
21 librarian if: (1) the school is unable to employ a school librarian and is granted
22 permission by the superintendent of schools of the school district to jointly employ
23 a school librarian with another such school; or (2) the school is located in a county
24 whose population is less than 100,000 (currently all counties other than Clark and
25 Washoe Counties), is unable to employ certain persons to provide library services
26 and is granted permission by the superintendent of schools of the school district for
27 the school district to employ a school librarian to provide library services for the
28 school. If the superintendent of schools of a school district located in a county
29 whose population is less than 100,000 (currently all counties other than Clark and
30 Washoe Counties) approves an application for the school district to employ a
31 school librarian to provide library services to a public school but is unable to
32 employ a school librarian, the superintendent of schools of the school district may
33 apply to the Department of Education for assistance in providing library services to
34 the pupils in that public school.

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

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

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

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

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

13 **Sec. 5.** *“School librarian” means a person employed by a*
14 *school district to provide library services in a school library*
15 *established and maintained pursuant to section 7 of this act and*
16 *includes a person:*

17 1. *Who holds an endorsement as a school library media*
18 *specialist;*

19 2. *Employed as a paraprofessional to provide support in a*
20 *school library; or*

21 3. *Who holds an associate’s degree in library science.*

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



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

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

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

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

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

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

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

22 **Sec. 8. 1.** *Except as otherwise provided in this section or*
23 *section 9 of this act, each public school in a school district shall*
24 *employ a school librarian.*

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

27 3. *The board of trustees of a school district shall provide*
28 *professional development to assist employees interested in*
29 *obtaining an associate's degree in library science.*

30 4. *The board of trustees of a school district shall not make a*
31 *decision to lay off, dismiss, refuse to reemploy or otherwise*
32 *terminate the employment of any person employed as a*
33 *paraprofessional to provide support in a school library only to give*
34 *preference to employing a person who holds an endorsement as a*
35 *school library media specialist.*

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



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

5 2. *If a public school located in a county whose population is*
6 *less than 100,000 is unable to employ a school librarian as*
7 *required by section 8 of this act, the school may apply to the*
8 *superintendent of schools of the school district for the school*
9 *district to employ a school librarian to provide library services for*
10 *the school. Such an application must identify the reasons the*
11 *public school is unable to employ a school librarian. The*
12 *superintendent of schools of the school district may approve such*
13 *an application if he or she determines that the public school made*
14 *a good faith effort to employ a school librarian, but was unable to*
15 *do so because of:*

- 16 (a) *Budgetary constraints;*
- 17 (b) *Inability to obtain qualified applicants; or*
- 18 (c) *Any other reason determined to be valid by the*
- 19 *superintendent of schools of the school district.*

20 3. *If the superintendent of schools of a school district located*
21 *in a county whose population is less than 100,000 approves an*
22 *application pursuant to subsection 2, but is unable to employ a*
23 *school librarian to provide library services for a public school*
24 *within the school district, the superintendent of schools of the*
25 *school district may apply to the Department for assistance to*
26 *ensure that the pupils in such a public school receive, to the*
27 *greatest extent possible, library services provided by a school*
28 *librarian. Such an application must identify the reasons the*
29 *superintendent of schools of the school district is unable to employ*
30 *a school librarian. The Department may approve such an*
31 *application if it determines that the superintendent of schools of*
32 *the school district made a good faith effort to employ a school*
33 *librarian, but was unable to do so because of:*

- 34 (a) *Budgetary constraints;*
- 35 (b) *Inability to obtain qualified applicants; or*
- 36 (c) *Any other reason determined to be valid by the Department.*

37 4. *If the Department approves an application submitted*
38 *pursuant to subsection 3, the Department shall determine the*
39 *necessary actions to ensure that the pupils in the public school*
40 *which is the subject of the application receive, to the greatest*
41 *extent possible, library services provided by a school librarian and*
42 *provide such assistance to the school district. Such actions may*
43 *include, without limitation:*

- 44 (a) *Imposing conditions or requirements upon the school*
- 45 *district;*



1 ***(b) The employment of a school librarian by the Department to***
2 ***provide library services to the school district; or***

3 ***(c) Any other action the Department determines is necessary***
4 ***and appropriate.***

5 ***5. An application granted by the superintendent of schools of***
6 ***a school district pursuant to subsection 1 or 2 or by the***
7 ***Department pursuant to subsection 3 expires on June 30 of the***
8 ***following odd-numbered year.***

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

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

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

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

