

Amendment No. 432

Senate Amendment to Senate Bill No. 126	(BDR 34-76)
Proposed by: Senate Committee on Education	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to S.B. 126 (§§ 9-11).

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date			
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

AAS/AAK



Date: 4/16/2021

S.B. No. 126—Revises provisions relating to library services in public schools.
(BDR 34-76)



SENATE BILL NO. 126—SENATORS DONDERO LOOP; AND LANGE

FEBRUARY 17, 2021

Referred to Committee on Education

SUMMARY—Revises provisions relating to library services in public schools. (BDR 34-76)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 9-11) (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 in certain larger counties and each large charter school in certain larger counties 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 teacher librarian in a public school; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the board of trustees of a school district to purchase all new library books which are necessary and have been approved by the State Board of Education to carry out the mandates of the school curriculum. (NRS 393.170)

Section 9 of this bill requires each public school in a school district located in a county whose population is 100,000 or more and each large charter school located in such a county (currently Clark and Washoe Counties) to establish and maintain a school library that provides library services to the pupils, teachers and administrators of the school. **Section 9** requires the State Board of Education to adopt regulations that prescribe the minimum requirements of a school library.

With certain exceptions provided in **section 11** of this bill, **section 10** of this bill requires each public school and each large charter school to employ a teacher librarian who: (1) provides library services in a school library; (2) holds a license to teach; and (3) holds ~~certification as a professional school library media specialist~~ **an appropriate endorsement** issued by the ~~National Board for Professional Teaching Standards~~ **Department of Education**. **Section 10** prohibits the board of trustees of a school district and the governing body of a large charter school from giving preference to certain employees who provide library services. **Section 11** provides that a school is not required to employ a teacher librarian if: (1) the school is unable to employ a teacher librarian and is granted a waiver by the superintendent of schools of the school district or the sponsor of the large charter school, as applicable, to jointly employ a teacher librarian with another such school; or (2) the school is located in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties), is unable to employ certain persons to provide library services and is granted a waiver by the State Board of Education.

24 **Section 12** of this bill deems any school library assistant who is employed at a school in a
25 school district or a large charter school to be a teacher librarian at that school for purposes of
26 **sections 10 and 11** of this bill until July 1, 2027, so that those school library assistants may
27 perform the duties assigned to a teacher librarian set forth in this bill without obtaining a
28 license to teach or any other credentials or endorsements until that date.

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 thereto the
2 provisions set forth as sections 2 to 11, inclusive, of this act.

3 **Sec. 2.** *As used in sections 2 to 11, inclusive, of this act, unless the context*
4 *otherwise requires, the words and terms defined in sections 3 to 8, inclusive, of*
5 *this act have the meanings ascribed to them in those sections.*

6 **Sec. 3.** *“Large charter school” means a charter school that enrolls 500 or*
7 *more pupils. The term does not include a charter school that only offers a full-time*
8 *program of distance education.*

9 **Sec. 4.** *“Library services” means lending library books and other materials*
10 *for use inside and outside of a school for a reasonable period of time at no*
11 *charge, providing instruction on the access and use of library materials, teaching*
12 *the proper and effective use of information technology, providing reference*
13 *services and assistance to pupils and any other service prescribed by the*
14 *Department by regulation.*

15 **Sec. 5.** *“Program of distance education” has the meaning ascribed to it in*
16 *NRS 388.829.*

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

20 **Sec. 7.** *“School library assistant” means a person who provides library*
21 *services in a school library established and maintained pursuant to section 9 of*
22 *this act, and includes a person:*

23 1. *Employed as a paraprofessional to provide support in a school library;*

24 ~~for~~
25 2. *Who holds an associate’s degree or higher in library science ~~or~~; or*

26 3. *Who successfully completes an applicable alternative route to licensure*
27 *program pursuant to NRS 391.019.*

28 **Sec. 8.** *“Teacher librarian” means a person who qualifies as a teacher*
29 *librarian pursuant to section 10 of this act.*

30 **Sec. 9.** 1. *Each public school in a school district located in a county*
31 *whose population is 100,000 or more and each large charter school located in*
32 *such a county shall establish and maintain a school library that:*

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

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

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

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

42 (b) *The type of facilities and the minimum amount of space that must be*
43 *reserved for each school library which, except as otherwise provided in*

1 paragraph (c), must ~~be not less than 7,000 square feet,~~ include, at a minimum,
2 a designated space accessible to pupils during school hours; and

3 *(c) Methods for providing library services, to the greatest extent possible, to*
4 *pupils in a public school for which physical space for such a school library may*
5 *be impracticable, including, without limitation, a school with a limited number of*
6 *rooms, substantially all of which are used for instruction, or a school which*
7 *provides instruction through programs of distance education.*

8 **Sec. 10.** 1. *Except as otherwise provided in this section and section 11 of*
9 *this act, each public school in a school district and each large charter school*
10 *shall employ a teacher librarian.*

11 2. *To qualify as a teacher librarian, a person must:*

12 *(a) Provide library services in a school library established and maintained*
13 *pursuant to section 9 of this act; and*

14 *(b) Hold a current license to teach issued pursuant to chapter 391 of NRS ~~and~~*
15 *and*

16 ~~*(c) Hold a certification as a professional school library media specialist*~~ *an*
17 *endorsement to provide library services in a school library issued by the* ~~*[National*~~
18 ~~*Board for Professional Teaching Standards as described in NRS 391.163.]*~~
19 *Department pursuant to regulations adopted by the Department.*

20 3. *Until July 1, 2027, the board of trustees of a school district or the*
21 *governing body of a large charter school, as applicable, shall not make a decision*
22 *to lay off, dismiss, refuse to reemploy or otherwise terminate the employment of*
23 *any person employed as a school library assistant to provide support in a school*
24 *library only to give preference to employing a teacher librarian.*

25 **Sec. 11.** 1. *If two public schools within a school district or two large*
26 *charter schools with the same sponsor are unable to employ a teacher librarian*
27 *as required by section 10 of this act, the schools may apply to the superintendent*
28 *of schools of the school district or the sponsor of the large charter schools, as*
29 *applicable, for a waiver to jointly employ one teacher librarian to provide library*
30 *services for both of the schools. Such an application must identify the reasons*
31 *each school is unable to employ a teacher librarian. The superintendent of*
32 *schools of the school district or the sponsor of the large charter schools, as*
33 *applicable, may approve such a waiver if the superintendent of schools or the*
34 *sponsor, as applicable, determine that each school made a good faith effort to*
35 *employ a teacher librarian, but was unable to do so.*

36 2. *If a public school or a large charter school located in a county whose*
37 *population is less than 100,000 is unable to employ a teacher librarian as*
38 *required by section 10 of this act, the school may apply to the State Board for a*
39 *waiver. Such an application must:*

40 *(a) Identify the reasons the school is unable to employ a teacher librarian;*
41 *and*

42 *(b) Explain in detail the manner in which the school will provide library*
43 *services to all pupils enrolled at the school.*

44 3. *A waiver granted pursuant to subsection 1 or 2 expires on June 30 of the*
45 *following odd-numbered year.*

46 **Sec. 12.** 1. *A school library assistant who is employed at a school in a*
47 *school district or a large charter school on July 1, 2021, shall be deemed to be a*
48 *teacher librarian for purposes of sections 10 and 11 of this act at that school and any*
49 *school within that school district or any large charter school which has the same*
50 *sponsor, as applicable, without obtaining a license to teach or any additional*
51 *credentials or endorsements until July 1, 2027.*

52 2. *As used in this section:*

1 (a) "Large charter school" means a charter school that enrolls 500 or more
2 pupils. The term does not include a charter school that only offers a full-time
3 program of distance education.

4 (b) "School library assistant" means a person who provides library services in a
5 school library established and maintained pursuant to section 9 of this act and
6 includes a person:

7 (1) Employed as a paraprofessional to provide support in a school library;
8 ~~or~~

9 (2) Who holds an associate's degree or higher in library science ~~or~~ or

10 (3) Who successfully completes an applicable alternative route to
11 licensure program pursuant to NRS 391.019.

12 (c) "Teacher librarian" means a person who provides library services in a
13 school library established and maintained pursuant to section 9 of this act, and
14 ~~includes a person who~~ holds ~~or~~

15 ~~(1) A~~ a current license to teach issued pursuant to chapter 391 of NRS ~~or~~
16 and

17 ~~(2) A certification as a professional school library media specialist~~ an
18 endorsement to provide library services in a school library issued by the
19 ~~National Board for Professional Teaching Standards as described in NRS~~
20 ~~391.163.~~ Department of Education pursuant to regulations adopted by the
21 Department.

22 **Sec. 13.** The provisions of NRS 354.599 do not apply to any additional
23 expenses of a local government that are related to the provisions of this act.

24 **Sec. 14.** 1. This section becomes effective upon passage and approval.

25 2. Sections 1 to 13, inclusive, of this act become effective:

26 (a) Upon passage and approval for the purpose of adopting regulations and
27 performing any other preparatory administrative tasks that are necessary to carry
28 out the provisions of this act; and

29 (b) On July 1, 2021, for all other purposes.