

ASSEMBLY BILL NO. 237—ASSEMBLYWOMAN MUNK

MARCH 5, 2019

Referred to Committee on Education

SUMMARY—Revises provisions relating to out-of-pocket expenses for teachers and other educational personnel. (BDR 34-608)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Contains Appropriation not 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.

AN ACT relating to education; providing for a stipend to cover the cost of certain out-of-pocket expenses of certain educational personnel; renaming the Teachers’ School Supplies Reimbursement Account as the School Supplies Account for Certain Educational Personnel; authorizing the Department of Education to award grants to certain nonprofit organizations; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes the Teachers’ School Supplies Reimbursement
2 Account and requires the Department of Education to determine the amount of
3 money available in the Account and apportion the money deposited in the Account
4 among the school districts and charter schools annually based on the number of
5 teachers employed by each school district or charter school, as applicable, up to
6 \$250 per teacher. (NRS 387.1253, 387.1255) **Sections 7 and 8** of this bill provide
7 for a stipend to cover the cost of certain out-of-pocket expenses for certain
8 educational personnel, rather than a process for reimbursement. **Sections 3 and 7** of
9 this bill expand the educational personnel who are authorized to receive a stipend
10 for certain out-of-pocket expenses from the money apportioned from the Account
11 to the school districts and charter schools. **Section 6** of this bill renames the
12 Account as the School Supplies Account for Certain Educational Personnel.
13 **Section 8** of this bill requires the Department to determine the method of payment
14 for the stipend by each school district and charter school to educational personnel.
15 **Section 9** of this bill makes a conforming change. Under existing law, any money
16 remaining in the Account at the end of the fiscal year must be carried forward.
17 (NRS 387.1253) **Section 6** also authorizes the Department of Education to award a
18 grant of money from the Account to certain nonprofit organizations.



19 Under existing law, the Department of Education determines the amount of
20 money available in the Account to distribute among the school districts and charter
21 schools. Existing law requires the board of trustees of a school district and the
22 governing body of a charter school to distribute such money to teachers to
23 reimburse expenses incurred by purchasing necessary school supplies for direct
24 educational services the teacher provides to pupils. (NRS 387.1255) **Section 7** of
25 this bill authorizes money from the Account to be used to provide a stipend to cover
26 the cost of out-of-pocket expenses incurred by purchasing school supplies for both
27 direct and indirect educational services.

28 **Section 10** of this bill makes an appropriation to the Account.

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

1 **Section 1.** Chapter 387 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2.** *“Direct educational services” means activities that*
4 *directly educate pupils, including, without limitation, classroom*
5 *instruction.*

6 **Sec. 3.** *“Educational personnel” means a licensed or*
7 *certified employee of a school district who devotes the majority of*
8 *his or her working time to the rendering of direct or indirect*
9 *educational services to pupils, including, without limitation, a*
10 *school counselor, speech-language pathologist and substitute*
11 *teacher if the substitute teacher is employed as a substitute teacher*
12 *for 20 consecutive days or more in the same classroom or*
13 *assignment.*

14 **Sec. 4.** *“Indirect educational services” means activities that*
15 *support the ability of pupils to successfully receive direct*
16 *educational services, including, without limitation, counseling,*
17 *medical services and library services.*

18 **Sec. 5.** NRS 387.1251 is hereby amended to read as follows:
19 387.1251 As used in NRS 387.1251 to 387.1257, inclusive,
20 ~~“teacher” means a licensed employee of a school district who~~
21 ~~devotes the majority of his or her working time to the rendering of~~
22 ~~direct educational service to pupils, except that the term does not~~
23 ~~include a substitute teacher.] and sections 2, 3 and 4 of this act,~~
24 ~~unless the context otherwise requires, the words and terms defined~~
25 ~~in sections 2, 3 and 4 of this act have the meanings ascribed to~~
26 ~~them in those sections.~~

27 **Sec. 6.** NRS 387.1253 is hereby amended to read as follows:
28 387.1253 1. The ~~Teachers’~~ School Supplies
29 ~~Reimbursement~~ Account *for Certain Educational Personnel* is
30 hereby created in the State General Fund. The Department shall
31 administer the Account.



1 2. The money in the Account must be invested as other money
2 of the State is invested. All interest and income earned on the money
3 in the Account must be credited to the Account.

4 3. The money in the Account must be used only for the
5 purposes specified in NRS 387.1255.

6 4. Any money remaining in the Account at the end of a fiscal
7 year does not revert to the State General Fund, and the balance in
8 the Account must be carried forward. *The Department may award a*
9 *grant of money from the Account to one or more nonprofit*
10 *organizations which provide school supplies for educational*
11 *personnel if the Department determines that such organizations*
12 *will provide such supplies more efficiently than using the money*
13 *in the Account to provide a stipend to educational personnel.*

14 5. The Department may accept gifts, grants, bequests and
15 donations from any source for deposit in the Account.

16 **Sec. 7.** NRS 387.1255 is hereby amended to read as follows:

17 387.1255 1. On or before September 1 of each year, the
18 Department shall determine the amount of money that is available in
19 the ~~{Teachers}~~ School Supplies ~~{Reimbursement}~~ Account *for*
20 *Certain Educational Personnel* created by NRS 387.1253 for
21 distribution among all of the school districts and charter schools in
22 this State for that fiscal year. Any such distribution must be
23 provided to each school district and charter school based on the
24 number of ~~{teachers}~~ *educational personnel* employed by the school
25 district or charter school, as applicable. To the extent that money is
26 available, the Department shall establish the amount of
27 ~~{reimbursement}~~ *the stipend* for each ~~{teacher}~~ *educational*
28 *personnel* which must not exceed \$250 per fiscal year.

29 2. The board of trustees of each school district and the
30 governing body of each charter school shall establish a special
31 revenue fund and direct that the money it receives pursuant to
32 subsection 1 be deposited in that fund. Money in the special revenue
33 fund must not be commingled with money from other sources. The
34 board of trustees or the governing body, as applicable, shall disburse
35 money in the special revenue fund to ~~{teachers}~~ *educational*
36 *personnel* in accordance with NRS 387.1257.

37 3. The money in the special revenue fund must be used only to
38 ~~{reimburse teachers}~~ *provide a stipend to educational personnel* for
39 out-of-pocket expenses incurred in connection with purchasing
40 necessary school supplies for the *direct or indirect educational*
41 *services provided to* pupils. ~~{they instruct.}~~

42 4. The board of trustees or governing body of a charter school,
43 as applicable, shall not use money in the special revenue fund to pay
44 any administrative costs.



1 5. Any money remaining in the special revenue fund at the end
2 of a fiscal year reverts to the ~~Teachers'~~ School Supplies
3 ~~Reimbursement~~ Account ~~for Certain Educational Personnel.~~

4 **Sec. 8.** NRS 387.1257 is hereby amended to read as follows:

5 387.1257 1. The *Department shall determine the manner in*
6 *which the* board of trustees of each school district and the governing
7 body of each charter school that receives money pursuant to
8 subsection 1 of NRS 387.1255 ~~shall determine the manner in which~~
9 ~~to~~ distribute the money to ~~teachers~~ *educational personnel* in the
10 school district or charter school, as applicable . ~~including, without~~
11 ~~limitation, whether to require a teacher to submit a request for a~~
12 ~~claim for reimbursement for out of pocket expenses from the~~
13 ~~special revenue fund established pursuant to NRS 387.1255.]~~

14 2. To the extent that money is available in the special revenue
15 fund, the board of trustees or governing body, as applicable, may
16 ~~reimburse a teacher~~ *provide a stipend to educational personnel* up
17 to the maximum amount determined by the Department for each
18 ~~teacher~~ *educational personnel* pursuant to NRS 387.1255 for the
19 fiscal year.

20 3. ~~If the board of trustees of a school district or the governing~~
21 ~~body of a charter school, as applicable, requires a teacher to submit~~
22 ~~a claim for reimbursement for out of pocket expenses to receive~~
23 ~~money from the special revenue fund, the teacher must submit such~~
24 ~~a claim no later than 2 weeks after the last day of the school year.~~

25 ~~4.]~~ The board of trustees of a school district may enter into an
26 agreement with the recognized employee organization representing
27 licensed educational personnel within the school district for the
28 purpose of obtaining assistance of the employee organization in
29 administering the ~~reimbursement of teachers~~ *stipend provided to*
30 *educational personnel* pursuant to this section.

31 ~~5. A teacher who receives money from the special revenue~~
32 ~~fund must submit receipts for any supplies purchased with the~~
33 ~~money to the principal of the school or charter school, as applicable.~~
34 ~~The principal must maintain such receipts until the end of the next~~
35 ~~fiscal year and make them available for inspection upon request of~~
36 ~~the Department.]~~

37 **Sec. 9.** NRS 120A.645 is hereby amended to read as follows:

38 120A.645 1. A person with a claim to property paid or
39 delivered to the Administrator that is less than \$500 may, if the
40 claim is allowed by the Administrator pursuant to NRS 120A.640,
41 donate the money or the net proceeds from the sale of the property,
42 together with any dividend, interest or other increment to which the
43 person is entitled under NRS 120A.600 and 120A.610, to the State
44 for educational purposes.



1 2. The Administrator must, within 30 days after the allowance
2 of a claim pursuant to NRS 120A.040, transfer the amount of the
3 claim, together with any dividend, interest or other increment to
4 which the person is entitled under NRS 120A.600 and 120A.610,
5 from the Abandoned Property Trust Account to the ~~Teachers'~~
6 School Supplies ~~Reimbursement~~ Account *for Certain Educational*
7 *Personnel* created pursuant to NRS 387.1253.

8 3. The Administrator may adopt regulations to carry out the
9 provisions of this section.

10 **Sec. 10.** There is hereby appropriated from the State General
11 Fund to the School Supplies Account for Certain Educational
12 Personnel created by NRS 387.1253 the following sums:

13 For the Fiscal Year 2019-2020 \$4,500,000
14 For the Fiscal Year 2020-2021 \$4,500,000

15 **Sec. 11.** This act becomes effective on July 1, 2019.



