

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:

- 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 **Section 9** of this bill requires each public school in a school district located in a
- 5 county whose population is 100,000 or more and each large charter school located
- 6 in such a county (currently Clark and Washoe Counties) to establish and maintain a
- 7 school library that provides library services to the pupils, teachers and
- 8 administrators of the school. **Section 9** requires the State Board of Education to
- 9 adopt regulations that prescribe the minimum requirements of a school library.
- 10 With certain exceptions provided in **section 11** of this bill, **section 10** of this
- 11 bill requires each public school and each large charter school to employ a teacher
- 12 librarian who: (1) provides library services in a school library; (2) holds a license to
- 13 teach; and (3) holds a certification as a professional school library media specialist
- 14 issued by the National Board for Professional Teaching Standards. **Section 10**
- 15 prohibits the board of trustees of a school district and the governing body of a large
- 16 charter school from giving preference to certain employees who provide library



17 services. **Section 11** provides that a school is not required to employ a teacher
18 librarian if: (1) the school is unable to employ a teacher librarian and is granted a
19 waiver by the superintendent of schools of the school district or the sponsor of the
20 large charter school, as applicable, to jointly employ a teacher librarian with
21 another such school; or (2) the school is located in a county whose population is
22 less than 100,000 (currently all counties other than Clark and Washoe Counties), is
23 unable to employ certain persons to provide library services and is granted a waiver
24 by the State Board of Education.

25 **Section 12** of this bill deems any school library assistant who is employed at a
26 school in a school district or a large charter school to be a teacher librarian at that
27 school for purposes of **sections 10 and 11** of this bill until July 1, 2027, so that
28 those school library assistants may perform the duties assigned to a teacher
29 librarian set forth in this bill without obtaining a license to teach or any other
30 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
2 thereto the provisions set forth as sections 2 to 11, inclusive, of this
3 act.

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

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

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

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

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

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

28 *1. Employed as a paraprofessional to provide support in a*
29 *school library; or*



1 2. *Who holds an associate's degree or higher in library*
2 *science.*

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

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

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

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

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

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

18 *(b) The type of facilities and the minimum amount of space*
19 *that must be reserved for each school library which, except as*
20 *otherwise provided in paragraph (c), must be not less than 7,000*
21 *square feet; and*

22 *(c) Methods for providing library services, to the greatest*
23 *extent possible, to pupils in a public school for which physical*
24 *space for such a school library may be impracticable, including,*
25 *without limitation, a school with a limited number of rooms,*
26 *substantially all of which are used for instruction, or a school*
27 *which provides instruction through programs of distance*
28 *education.*

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

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

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

35 *(b) Hold a current license to teach issued pursuant to chapter*
36 *391 of NRS; and*

37 *(c) Hold a certification as a professional school library media*
38 *specialist issued by the National Board for Professional Teaching*
39 *Standards as described in NRS 391.163.*

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



1 **Sec. 11. 1.** *If two public schools within a school district or*
2 *two large charter schools with the same sponsor are unable to*
3 *employ a teacher librarian as required by section 10 of this act, the*
4 *schools may apply to the superintendent of schools of the school*
5 *district or the sponsor of the large charter schools, as applicable,*
6 *for a waiver to jointly employ one teacher librarian to provide*
7 *library services for both of the schools. Such an application must*
8 *identify the reasons each school is unable to employ a teacher*
9 *librarian. The superintendent of schools of the school district or*
10 *the sponsor of the large charter schools, as applicable, may*
11 *approve such a waiver if the superintendent of schools or the*
12 *sponsor, as applicable, determine that each school made a good*
13 *faith effort to employ a teacher librarian, but was unable to do so.*

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

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

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

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

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

32 2. As used in this section:

33 (a) "Large charter school" means a charter school that enrolls
34 500 or more pupils. The term does not include a charter school that
35 only offers a full-time program of distance education.

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

39 (1) Employed as a paraprofessional to provide support in a
40 school library; or

41 (2) Who holds an associate's degree or higher in library
42 science.

43 (c) "Teacher librarian" means a person who provides library
44 services in a school library established and maintained pursuant to
45 section 9 of this act, and includes a person who holds:



1 (1) A current license to teach issued pursuant to chapter 391
2 of NRS; and

3 (2) A certification as a professional school library media
4 specialist issued by the National Board for Professional Teaching
5 Standards as described in NRS 391.163.

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

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

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

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

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



