

SENATE BILL NO. 469—COMMITTEE ON EDUCATION

MARCH 25, 2019

Referred to Committee on Education

SUMMARY—Revises provisions relating to the reorganization of certain school districts. (BDR 34-818)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

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

AN ACT relating to education; clarifying that a large school district is responsible for utilities for each local school precinct; revising the number of local school precincts in a large school district that a school associate superintendent is authorized to oversee; revising provisions relating to the allocation of money by such a large school district to local school precincts to carry out the responsibilities transferred to the precincts; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law prescribes requirements for the transition and restructuring of
2 school districts which have more than 100,000 pupils enrolled in its public schools
3 (currently the Clark County School District) from a centralized operational model
4 to a more decentralized and autonomous site-based operational model. (NRS
5 388G.500-388G.810) To accomplish this, existing law: (1) deems each public
6 school within a large school district, other than a charter school or a university
7 school for profoundly gifted pupils, to be a local school precinct which is operated
8 under site-based decision-making; and (2) provides to the local school precincts the
9 authority to carry out certain responsibilities which have traditionally been carried
10 out by the large school district. (NRS 388G.600)

11 Existing law: (1) requires the superintendent of schools of a large school
12 district to transfer certain responsibilities to each local school precinct; and (2)
13 provides that the large school district remains responsible for paying for and
14 carrying out all other responsibilities necessary for the operation of the local school
15 precincts. (NRS 388G.610) **Section 1** of this bill clarifies that the large school
16 district remains responsible for utilities.

17 Existing law requires the superintendent of schools of a large school district to
18 assign a school associate superintendent to oversee local school precincts, but
19 prohibits such a person from being assigned to oversee more than 25 local school



20 precincts. (NRS 388G.620) **Section 1.5** of this bill removes this prohibition,
21 therefore authorizing a school associate superintendent to oversee more than 25
22 local school precincts.

23 Existing law requires the superintendent of schools of a large school district to
24 annually make certain estimates regarding the funding received by the school
25 district and to estimate the amount of money that will be allocated to the local
26 school precincts for the next school year. Existing law prescribes certain money of
27 the large school district as restricted and requires the amount allocated to the local
28 school precincts be a certain percentage of the total amount of unrestricted money
29 of the large school district. (NRS 388G.660) **Section 2.5** of this bill classifies as
30 restricted the money that is necessary for a large school district to carry out the
31 responsibilities that are not transferred to the local school precinct and increases the
32 percentage of the unrestricted money to be allocated to the local school precincts
33 from 85 percent to 90 percent.

34 Existing law sets forth the manner in which a large school district is required to
35 determine the allocation that will be made to each local school precinct, which must
36 be on a per pupil basis. (NRS 388G.670) Existing law requires the superintendent
37 of schools of a large school district to inform each local school precinct on or
38 before January 15 of each year of the estimated amount of money that will be
39 allocated to the local school precinct for the next school year, based upon: (1) for
40 an existing local school precinct, the actual number of pupils who attended the local
41 school precinct as reported during the previous calendar quarter; or (2) for a new
42 local school precinct, the estimated number of pupils who will attend the new
43 school and the effect on any existing local school precinct. (NRS 388G.680) For
44 purposes of this allocation, **section 3** of this bill changes the measure for
45 determining the number of pupils for existing local school precincts from actual
46 numbers to estimates by the large school district, which is the same measure as is
47 used for determining the number of pupils for a new local school precinct.

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

1 **Section 1.** NRS 388G.610 is hereby amended to read as
2 follows:

3 388G.610 1. Except as otherwise provided in this section, the
4 superintendent shall transfer authority to each local school precinct
5 to carry out responsibilities in accordance with this section and the
6 plan of operation approved for the local school precinct.

7 2. The superintendent shall transfer to each local school
8 precinct the authority to carry out the following responsibilities:

9 (a) Select for the local school precinct the:

10 (1) Teachers;

11 (2) Administrators other than the principal; and

12 (3) Other staff who work under the direct supervision of the
13 principal.

14 (b) Direct the supervision of the staff of the local school
15 precinct, including, without limitation, taking any necessary
16 disciplinary action which does not involve a violation of law or
17 which does not require an investigation to comply with the law.



1 (c) Procure such equipment, services and supplies as the local
2 school precinct deems necessary or advisable to carry out the plan of
3 operation for the local school precinct. Equipment, services and
4 supplies may be procured from the large school district in which the
5 local school precinct is located or elsewhere, but such procurement
6 must be carried out in accordance with the applicable policies of the
7 large school district.

8 (d) Develop a balanced budget for the local school precinct for
9 the use of the money allocated to the local school precinct, which
10 must include, without limitation, the manner in which to expend any
11 money not used for the purposes described in paragraphs (a), (b) and
12 (c).

13 (e) Any other responsibility for which authority is transferred
14 pursuant to subsection 7.

15 3. Except as otherwise provided in subsection 7, a large school
16 district shall remain responsible for paying for and carrying out all
17 other responsibilities necessary for the operation of the local school
18 precincts and the large school district which have not been
19 transferred to the local school precincts pursuant to subsection 2,
20 including, without limitation, responsibility for:

21 (a) Negotiating the salaries, benefits and other conditions of
22 employment of administrators, teachers and other staff necessary for
23 the operation of the local school precinct;

24 (b) Transportation services;

25 (c) Food services;

26 (d) Risk management services;

27 (e) Financial services, including payroll services;

28 (f) Qualifying employees for any position within the large
29 school district;

30 (g) Services to promote and ensure equity and diversity;

31 (h) Services to ensure compliance with all laws relating to civil
32 rights;

33 (i) Identification, evaluation, program placement, pupil
34 assignment and other services provided to pupils pursuant to the
35 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et
36 seq., and the regulations adopted pursuant thereto, or pursuant to
37 section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and
38 the regulations adopted pursuant thereto;

39 (j) Legal services;

40 (k) Maintenance and repair of buildings;

41 (l) Maintenance of the grounds of the local school precinct;

42 (m) Custodial services;

43 (n) Implementation of the master plan developed for English
44 learners;

45 (o) Internal audits;



- 1 (p) Information technology services;
- 2 (q) Police services;
- 3 (r) Emergency management services;
- 4 (s) Carrying out state mandated assessments and accountability
- 5 reports; ~~and~~
- 6 (t) Capital projects ~~and~~; and
- 7 (u) *Utilities.*

8 4. To the greatest extent possible, the principal of a local
9 school precinct shall select teachers who are licensed and in good
10 standing before selecting substitutes to teach at the local school
11 precinct. The principal, in consultation with the organizational team,
12 shall make every effort to ensure that effective licensed teachers are
13 employed at the local school precinct.

14 5. If a large school district is unable to provide any necessary
15 maintenance or repair of the buildings or grounds of a local school
16 precinct in a timely manner, the large school district must, at the
17 expense of the large school district, procure any equipment, services
18 and supplies necessary from another entity or business to provide
19 such maintenance or repair for the local school precinct or take any
20 other necessary action.

21 6. To the extent that any member of the staff of central services
22 is assigned to provide services at a local school precinct on a
23 temporary or permanent basis, the decision regarding the assignment
24 and any subsequent reassignment of the member of the staff must be
25 made in consultation with the principal of the local school precinct
26 and the school associate superintendent.

27 7. On or before January 15 of each year, the superintendent
28 shall determine, in consultation with the principals, school associate
29 superintendents and organizational teams of each local school
30 precinct, any additional authority that is not listed in subsection 2 to
31 recommend transferring to one or more local school precincts. Such
32 authority may include the authority to carry out any of the
33 responsibilities listed in subsection 3 which is not prohibited by law,
34 other than the responsibility for capital projects, if it is determined
35 that transferring the authority will serve the best interests of the
36 pupils. The recommendation to transfer authority to one or more
37 local school precincts must be submitted for approval by the board
38 of trustees of the large school district. The board of trustees of the
39 large school district shall consider such a recommendation and
40 determine whether to approve the transfer of additional authority at
41 its next regularly scheduled meeting if submitted within 5 working
42 days before the next regularly scheduled meeting and otherwise the
43 recommendation shall be considered at the following meeting.

44 8. If the authority to carry out any responsibility is transferred
45 to a local school precinct pursuant to subsection 7, the large school



1 district must allocate additional money to the local school precinct
2 in an amount equal to the amount that would otherwise be paid by
3 the large school district to carry out the responsibility.

4 **Sec. 1.5.** NRS 388G.620 is hereby amended to read as
5 follows:

6 388G.620 1. The superintendent shall assign a school
7 associate superintendent to oversee ~~each~~ *one or more* local school
8 ~~[precinct. Each school associate superintendent must not be assigned~~
9 ~~to oversee more than 25 local school]~~ precincts.

10 2. Whenever a vacancy occurs in the position of school
11 associate superintendent, the superintendent shall post notice of the
12 vacancy. The superintendent shall interview qualified candidates for
13 the vacant position. At least one, but not more than two
14 representatives of the principals of the local school precincts
15 overseen by the vacant position must be allowed to participate in
16 interviewing candidates for the vacant position. If the local
17 governmental agency which has the most schools that are overseen
18 by the vacant position is:

19 (a) A city, the governing body of the city may appoint one
20 representative to participate in interviewing candidates for the
21 vacant position.

22 (b) Not a city, the board of county commissioners for the county
23 in which the large school district is located may appoint one
24 representative to participate in interviewing candidates for the
25 vacant position.

26 3. Each person who participates in interviewing candidates
27 pursuant to subsection 2 shall comply with all laws that apply to an
28 employer when making a decision about employment.

29 4. Upon completion of the interviews pursuant to subsection 2
30 and before the superintendent makes a final determination about
31 which candidate to hire, the superintendent must notify the
32 governing body of the city or the board of county commissioners for
33 the county, as applicable, regarding the candidate whom the
34 superintendent intends to hire. After receiving such notice, the
35 governing body of the city or the board of county commissioners, as
36 applicable, may hold a public meeting within 10 days to question
37 the superintendent and the candidate for the vacant position and
38 receive public input. After any such meeting or, if no such meeting
39 is held, after 10 days, the superintendent shall, in his or her sole
40 discretion, hire a candidate for the vacant position.

41 5. After the school associate superintendent is hired, the
42 superintendent may, in his or her sole discretion, reassign and make
43 other employment decisions concerning the school associate
44 superintendent.

45 **Sec. 2.** (Deleted by amendment.)



1 **Sec. 2.5.** NRS 388G.660 is hereby amended to read as
2 follows:

3 388G.660 1. On or before January 15 of each year, the
4 superintendent shall establish for the next school year:

5 (a) The estimated total amount of money to be received by the
6 large school district from all sources, including any year-end
7 balance that is carried forward, and shall identify the sources of such
8 a year-end balance and whether the year-end balance is restricted. If
9 the year-end balance is restricted, the superintendent shall identify
10 the source of the restriction and the total of amount of money to be
11 received by the large school district that is unrestricted. Money may
12 only be identified as restricted if it ~~is~~:

13 (1) *Is* required by state or federal law ~~is~~;

14 (2) *Is* proscribed by the Department ;

15 (3) *Is necessary for the large school district to carry out its*
16 *responsibilities pursuant to subsection 3 of NRS 388G.610;* or ~~if it~~
17 ~~has~~

18 (4) *Has* been otherwise encumbered.

19 (b) The estimated percentage of the amount of money
20 determined pursuant to paragraph (a) to be unrestricted that will be
21 allocated to the local school precincts. The percentage must equal:

22 (1) For the first school year in which the large school district
23 operates pursuant to the provisions of NRS 388G.500 to 388G.810,
24 inclusive, not less than 80 percent of the total amount of money
25 from all sources received by the large school district that is
26 unrestricted for the school year; ~~and~~

27 (2) For each subsequent school year ~~is~~ *until 2019*, 85
28 percent of the total amount of money from all sources received by
29 the large school district that is unrestricted for the school year ~~is~~ ;
30 *and*

31 (3) *For the school year beginning in 2019 and each*
32 *subsequent school year, 90 percent of the total amount of money*
33 *from all sources received by the large school district that is*
34 *unrestricted for the school year.*

35 (c) The estimated amount of categorical funding to be received
36 by the large school district and whether such funding is restricted in
37 a manner that prohibits the large school district from including that
38 categorical funding in the amount of funding per pupil that is
39 allocated to the local school precincts.

40 (d) The total estimated amount of money that will be
41 allocated to each local school precinct as determined pursuant to
42 NRS 388G.680.

43 2. The superintendent shall post the information established
44 pursuant to subsection 1 on the Internet website of the large school



1 district and make the information available to any person upon
2 request.

3 **Sec. 3.** NRS 388G.680 is hereby amended to read as follows:

4 388G.680 1. On or before January 15 of each year, the
5 superintendent shall inform each local school precinct of the
6 estimated amount of money that will be allocated to the local school
7 precinct for the next school year. The allocation must be based upon
8 *estimates by the large school district of* the number of pupils in
9 each category who *will* attend the local school precinct after
10 applying the appropriate weight to each category of pupil as
11 determined pursuant to NRS 388G.670.

12 2. ~~Except as otherwise provided in subsections 3 and 4, the~~
13 ~~number and category of pupils must be determined based upon~~
14 ~~the report of the pupils attending each local school precinct for the~~
15 ~~previous calendar quarter pursuant to NRS 387.1223.~~

16 ~~—3.]~~ If an additional local school precinct is added in the large
17 school district, for the purpose of determining the first allocation for
18 the new local school precinct, the large school district must estimate
19 the number of pupils in each category who will attend the new local
20 school precinct and the effect on any existing local school precinct.
21 If the opening of a new local school precinct is anticipated to reduce
22 the number of pupils who will attend another local school precinct,
23 for purposes of determining the allocation, the number of pupils
24 must be adjusted accordingly.

25 ~~[4.]~~ 3. The estimated amount of money allocated to each local
26 school precinct for the next school year must be adjusted on or
27 before November 1 of each year to reflect the actual number of
28 pupils in each category who attend the local school precinct.

29 **Sec. 4.** This act becomes effective on July 1, 2019.



