
SENATE BILL NO. 481—COMMITTEE ON FINANCE
(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 25, 2013

Referred to Committee on Finance

SUMMARY—Extends the temporary waiver from certain minimum expenditure requirements for textbooks for school districts and the temporary allowance for an increase in class sizes for grades 1 through 3. (BDR S-1132)

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; extending the prospective expiration of the temporary waiver from certain requirements governing expenditures for textbooks, instructional supplies, instructional software and instructional hardware by school districts, charter schools and university schools for profoundly gifted pupils; extending the prospective expiration of the temporary waiver from certain requirements governing expenditures for library books, software for computers, the purchase of equipment relating to instruction and the maintenance and repair of equipment, vehicles, and buildings and facilities by school districts; authorizing school districts to increase class sizes for grades 1 through 3 by two pupils for the 2013-2015 biennium; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Department of Education to determine the amount of
2 money that each school district, charter school and university school for profoundly
3 gifted pupils is required to expend during each fiscal year on textbooks,
4 instructional supplies, instructional software and instructional hardware. (NRS
5 387.206) Existing law also authorizes the board of trustees of a school district, the
6 governing body of a charter school or the governing body of a university school for
7 profoundly gifted pupils that is experiencing an economic hardship to submit a



* S B 4 8 1 *

8 request to the Department for a waiver of all or a portion of the minimum
9 expenditure requirements. (NRS 387.2065) Assembly Bill No. 5 of the 26th Special
10 Session provided a temporary waiver for the 2009-2011 biennium from these
11 requirements without requiring the school districts, charter schools or university
12 schools for profoundly gifted pupils to submit a request for such a waiver. (Chapter
13 6, Statutes of Nevada 2010, 26th Special Session, p. 41) The 2011 Legislative
14 Session extended the temporary waiver from these minimum expenditure
15 requirements for the 2011-2013 biennium. This temporary waiver is scheduled to
16 expire on June 30, 2013. (Chapter 417, Statutes of Nevada 2011, p. 2569) **Sections**
17 **1 and 2** of this bill extend the prospective expiration of the temporary waiver to
18 June 30, 2015, thereby extending the temporary waiver from the minimum
19 expenditure requirements for the 2013-2015 biennium.

20 Existing law requires each school district to expend each school year for library
21 books, software for computers, the purchase of equipment relating to instruction
22 and the maintenance and repair of equipment, vehicles, and buildings and facilities
23 an amount of money, expressed as an amount per pupil, that is at least equal to the
24 average of the total amount of money that was expended per year for those items in
25 the immediately preceding 3 years. (NRS 387.207) The 2011 Legislative Session
26 provided a temporary waiver for the 2011-2013 biennium to each school district
27 from these minimum expenditure requirements, which is scheduled to expire on
28 June 30, 2013. (Chapter 417, Statutes of Nevada 2011, p. 2569) **Sections 1 and 2**
29 of this bill extend the prospective expiration of the temporary waiver to June 30,
30 2015, thereby extending the temporary waiver from the minimum expenditure
31 requirements for the 2013-2015 biennium.

32 Existing law prescribes certain ratios of pupils per licensed teacher in grades 1
33 through 3. (NRS 388.700) The 26th Special Session of the Nevada Legislature
34 temporarily revised provisions governing class-size reduction, in recognition of
35 budget shortfalls, by allowing a school district to elect to increase class sizes by not
36 more than two pupils to achieve ratios of 18 pupils per teacher in grades 1 and 2,
37 and 21 pupils per teacher in grade 3. (Chapter 7, Statutes of Nevada 2010, 26th
38 Special Session, pp. 42-45) If a school district elected to increase class sizes in this
39 manner, all money that would have otherwise been expended by the school district
40 to achieve the lower class sizes in grades 1 through 3 must have been used by the
41 school district to minimize the impact of the budget reductions on class sizes in
42 grades 4 through 12. This temporary increase in class sizes applied to the 2010-
43 2011 school year and expired by limitation on June 30, 2011. The 2011 Legislative
44 Session also authorized school districts, in recognition of the impact of budget
45 reductions, to temporarily increase class sizes by two pupils for grades 1 through 3
46 for the 2011-2013 biennium. (Chapter 370, Statutes of Nevada 2011, p. 2146)
47 **Section 3** of this bill similarly authorizes school districts to increase class sizes by
48 two pupils for grades 1 through 3 for the 2013-2015 biennium.

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

1 **Section 1.** Section 1 of chapter 6, Statutes of Nevada 2010, as
2 amended by chapter 417, Statutes of Nevada 2011, at page 2569, is
3 hereby amended to read as follows:

4 Section 1. 1. Notwithstanding the provisions of NRS
5 387.206, 387.2065 and 387.207 to the contrary for the ~~2011-~~
6 ~~2013~~ **2013-2015** biennium:



1 (a) The Department of Education is not required to
2 comply with the provisions of NRS 387.206 and 387.2065.

3 (b) Each school district, charter school and university
4 school for profoundly gifted pupils is not required to comply
5 with the provisions governing the minimum amount of money
6 that must be expended for each fiscal year in that biennium
7 for textbooks, instructional supplies, instructional software
8 and instructional hardware as prescribed pursuant to NRS
9 387.206 and is not required to submit a request for a waiver
10 pursuant to NRS 387.2065. The restrictions on the use of the
11 money that would have otherwise been expended by the
12 school district, charter school or university school for
13 profoundly gifted pupils to meet the requirements of NRS
14 387.206 as set forth in subsection 7 of NRS 387.2065 apply
15 during this period.

16 (c) Each school district is not required to comply with the
17 provisions governing the minimum amount of money that
18 must be expended for each school year in that biennium for
19 library books, software for computers, the purchase of
20 equipment relating to instruction and the maintenance and
21 repair of equipment, vehicles, and buildings and facilities as
22 prescribed pursuant to NRS 387.207.

23 2. If, before the effective date of this act, the board of
24 trustees of a school district, the governing body of a charter
25 school or the governing body of a university school for
26 profoundly gifted pupils submitted a request for a waiver
27 pursuant to NRS 387.2065, the Department of Education shall
28 return the request to the applicant.

29 **Sec. 2.** Section 2 of chapter 6, Statutes of Nevada 2010, as
30 amended by chapter 417, Statutes of Nevada 2011, at page 2569, is
31 hereby amended to read as follows:

32 Sec. 2. This act becomes effective upon passage and
33 approval and applies retroactively from and after July 1,
34 2009, and expires by limitation on June 30, ~~2013~~ 2015.

35 **Sec. 3.** 1. The Legislature hereby finds and declares that:

36 (a) The intended goal of the Legislature is to achieve a pupil-
37 teacher ratio of not more than 15 pupils per teacher or 30 pupils per
38 two teachers in kindergarten and grades 1, 2 and 3 where core
39 curriculum is taught; and

40 (b) Available money is estimated to provide a sufficient number
41 of teachers to achieve in each school district pupil-teacher ratios of
42 16 pupils per teacher in selected kindergarten classrooms in which
43 pupils are most at risk of failure and in grades 1 and 2 in Fiscal
44 Years 2013-2014 and 2014-2015, and to achieve a pupil-teacher



1 ratio in grade 3 of 19 pupils per teacher in Fiscal Years 2013-2014
2 and 2014-2015; and

3 2. For the 2013-2014 Fiscal Year and the 2014-2015 Fiscal
4 Year, available money is estimated to achieve the ratios set forth in
5 paragraph (a) of subsection 1. However, in recognition of the
6 significant downturn in the national and state economies and to
7 allow school districts flexibility in addressing budget shortfalls
8 during this fiscal crisis and notwithstanding the provisions of NRS
9 388.700, 388.710 and 388.720 to the contrary, a school district may,
10 for the 2013-2014 school year and the 2014-2015 school year, elect
11 to increase the class size by not more than two pupils per teacher to
12 achieve ratios of 18 pupils per teacher in grades 1 and 2, and 21
13 pupils per teacher in grade 3. If a school district elects to increase
14 class size as authorized by this subsection:

15 (a) All money that would have otherwise been expended by the
16 school district to achieve the class sizes set forth in paragraph (a) of
17 subsection 1 must be used to minimize the impact of budget
18 reductions on class sizes in grades 4 to 12, inclusive;

19 (b) The reduction of class sizes in grades 4 to 12, inclusive, must
20 be fiscally neutral such that the plan to reduce the ratios in those
21 grades will not cost more to carry out than complying with the ratios
22 prescribed by paragraph (a) of subsection 1; and

23 (c) All plans and reports concerning class size made by the
24 school district to the Department of Education must include the
25 pupil-teacher ratios achieved for each grade level, including grades
26 1, 2 and 3 and grades 4 to 12, inclusive.

27 **Sec. 4.** 1. This act becomes effective upon passage and
28 approval.

29 2. Section 3 of this act expires by limitation on June 30, 2015.

