
Senate Committee on Education

This measure may be considered for action during today's work session.

SENATE BILL 344

Revises provisions governing education. (BDR 34-4)

Sponsored By: Senator Neal
Date Heard: April 10, 2023
Fiscal Notes: Effect on Local Government: May Have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE

Senate Bill 344 prohibits certain practices that impede public comments at meetings of boards of trustees of large school districts and local school precincts. The bill requires large school districts to undergo an audit every 6 years. The bill also revises qualification requirements for a school associate superintendent and a school superintendent candidate to include experience with academic achievement and pupil performance and requires annual evaluations for these positions.

Finally, SB 344 requires employers to provide leave for certain employees to attend certain school meetings and prohibits certain governing bodies of counties and cities from supporting, sponsoring, or operating a charter school.

Amendments:

Senator Neal proposed the following amendments (see attached):

1. Establish by law a minimum educational requirement of an associate's degree to serve as a substitute teacher of any kind;
2. Amend Section 12 of the bill to allow, rather than require, certain employers not offering paid leave to provide leave to an employee who is a parent or legal guardian of a child to attend certain school or school district meetings;
3. Delete subsection 3(a) of Section 12 (lines 37 and 38) concerning denying an employee the right to use paid leave;
4. Require a Superintendent of a school district to learn 10 years of academic policy, Nevada education law, and programs for the district that he or she intends to lead and be evaluated on that information;
5. Require an Associate Superintendent of a school to learn five years of academic policy, Nevada education law, and programs for the district that he or she intends to lead and be evaluated on that information;
6. Allow, rather than prohibit, boards of county commissioners to award a grant to any corporation for public benefit or nonprofit organization for the purpose of supporting, but cannot expend funds for operating a charter school;
7. Allow, rather than prohibit, the city council or other governing body of an incorporated city to award a grant to any corporation for public benefit or nonprofit organization for the purpose of supporting, but cannot expend funds for operating a charter school, with certain activities grandfathered in;
8. Amend subsection 1 of Section 11 to allow, rather than require, certain public service employees who are a parent or legal guardian of a child to be granted leave to attend certain school or school district meetings;
9. Provide that an employee must provide 24 hours, rather than 12 hours, of notice to his or her employer that the employee intends to use paid leave for this purpose;
10. Replace the purposes by which an employee may use such leave to include parent/teacher conferences, award ceremonies, and meetings related to student grades or performance;

11. Add to the licensing for substitutes that "a highly qualified skill certificate is required, as approved by the Board of Regents"; and
12. Clarifies that a person can obtain a license to serve as a substitute teacher with an associate's degree or 60 semester hours of college or university credit.

Proposed Conceptual Amendment for Senate Bill No. 344

(Prepared by the Legal Division for Senator Neal)

Add a provision to chapter 391 of NRS) to: (1) require a person to hold, at a minimum, an associate's degree to receive any endorsement or license to serve as a substitute teacher; (2) prohibit the Superintendent of Public Instruction from issuing an endorsement or license of any kind to serve as a substitute teacher, including, without limitation, to serve as an emergency substitute teacher, unless the applicant holds at least an associate's degree; and (3) void any regulation of the Commission on Professional Standards in Education to the contrary.

Context: Existing law establishes 6 different kinds of license issued pursuant to chapter 391 of NRS. Five of these licenses are traditionally known as "teaching licenses:" (1) a license to teach early childhood education (NRS 391.031(1)); (2) a license to teach elementary education (NRS 391.031(2)); (3) a license to teach middle school/junior high (NRS 391.031(3)); (4) a license to teach secondary education (NRS 391.031(4)); and (5) a license to teach special education (NRS 391.031(5)). The sixth kind of license, called a "special license," authorizes the holder to perform other educational functions in a school or program.

In addition to a license, each person licensed pursuant to chapter 391 of NRS holds at least one endorsement on the license. The kinds of endorsements and requirements for endorsements are established by regulation in chapter 391 of NAC. For a teaching license, these are often subject matters in which a teacher can teach. For a special license, this defines what the license can be used for -- for example, serving as a school nurse (NAC 391.305), school psychologist (NAC 391.315) or substitute teacher (NAC 391.0897). Existing regulations additionally authorize the issuance of a special license as an emergency substitute teacher. The only educational requirement for such a special license is holding a high school diploma. (NAC 391.0896)

Intent: The intent of this amendment is to establish by law a minimum educational requirement of an associate's degree to serve as a substitute teacher of any kind.

SB 344
Senator Dina Neal

Second Conceptual amendment

- 1. Amend section 12: Chapter 608 is hereby amended by adding thereto a new section to read as follows:**
 - a. In addition to paid leave provided pursuant to NRS 608.0197 every employer in private employment, who is not offering paid leave, may provide to each employee who is a parent or legal guardian of child for the purpose of attending any meeting of the school or school district in which the attendance of a parent or legal guardian is required or encouraged.**
 - b. Sect 12, sub (3) DELETE LINES 37 and Line 38.**

Senate Bill 344
Third Conceptual Amendment
By Senator Dina Neal

Public Policy Purpose: In order to lead you must have knowledge of the District in which you lead, you must know where the district has been, its troubles, and its successes in order to lead a District.

1. Amend Section 8, Subsection 1: Upon being hired as a Superintendent, you must learn 10 years of academic policy, Nevada education law, and programs for the district that you intend to lead and be evaluated on that information.
2. Amend the Section related to School Associate Superintendent: Upon being hired as a School Associate Superintendent, you must learn 5 years of academic policy, Nevada education law, and programs for the district that you intend to lead and be evaluated on that information.
3. Amend Section 9 (c): NRS 244: MAY Award a grant to any corporation for public benefit or nonprofit organization for the purpose of supporting, BUT SHALL NOT EXPEND FUNDS for operating a charter school.
4. Amend Section 10 (c) NRS 268: MAY Award a grant to any corporation for public benefit or nonprofit organization for the purpose of supporting, BUT SHALL NOT EXPEND FUNDS for operating a charter school. The activities under NRS 279.405 is grandfathered in where it overlaps under NRS 268. However, they cannot expand upon the existing purposes in NRS 279.405.
5. Amend Section 11, line 13: Delete the word “**must**” and change to “**may**”.
6. Amend Section 12, line 30: Delete “12 hours” and change it to “24 hours”.
7. Amend Section 12, Line 26, remove: “purpose of attending any meeting” and replace with: “Parent/Teacher conferences, award ceremonies, any school meeting related to student grades or student performance.”
8. Add to the licensing for substitutes “a highly qualified skill certificate is required, as approved by the Board of Regents.”

**Nevada Department of Education
Amendment for SB344**

Submitted to: Senator Dina Neal

Submitted by: Katie Broughton, katherine.broughton@doe.nv.gov, 775-443-5519, on behalf of the Department of Education

Statement of Intent: Clarifies that a person can obtain a substitute license with 60 semester hours of college or university credit OR with an associate's degree.

Proposed Amendment:

Add a provision to chapter 391 of NRS to: (1) require a person to hold, at a minimum, an associate's degree **OR have completed at least 60 semester hours of credit from an accredited college or university** to receive any endorsement or license to serve as a substitute teacher; (2) prohibit the Superintendent of Public Instruction from issuing an endorsement or license of any kind to serve as a substitute teacher, including, without limitation, to serve as an emergency substitute teacher, unless the applicant holds at least an associates' degree **OR has completed at least 60 semester hours of credit from an accredited college or university**; and (3) void any regulation of the Commission on Professional Standards in Education to the contrary.