

ASSEMBLY BILL NO. 27—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED DECEMBER 20, 2014

Referred to Committee on Education

SUMMARY—Makes various changes regarding the licensure of educational personnel. (BDR 34-315)

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

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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; revising provisions governing the licensure of certain teachers who are not citizens or lawful permanent residents of the United States; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Upon request of a school district, existing law authorizes the Superintendent of
2 Public Instruction to issue a license to teach to a person who is not a citizen or
3 lawful permanent resident of the United States but who is otherwise entitled to
4 work in the United States pursuant to federal laws and regulations if: (1) the school
5 district has demonstrated to the satisfaction of the Superintendent that a shortage of
6 teachers exists in the subject area for which the person is qualified; (2) the person is
7 otherwise qualified to teach in the subject area for which there is a shortage of
8 teachers; and (3) the school district agrees to employ the person to teach in the
9 subject area for which there is a shortage of teachers. (NRS 391.060) This bill
10 removes the requirement that a school district demonstrate that a shortage of
11 teachers exists in a particular subject area and instead allows such a person to be
12 hired to teach if: (1) the school district can demonstrate that any shortage of
13 teachers exists; (2) the person is otherwise qualified to teach; and (3) the school
14 district agrees to employ the person.

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

1 **Section 1.** NRS 391.060 is hereby amended to read as follows:
2 391.060 1. Except as otherwise provided in this section and
3 NRS 391.070, it is unlawful for:



1 (a) The Superintendent of Public Instruction to issue a
2 license to, or a board of trustees of a school district or a governing
3 body of a charter school to employ, any teacher, instructor, principal
4 or superintendent of schools who is not a citizen of the United States
5 or a person who has filed a valid declaration to become a citizen or
6 valid petition for naturalization, or who is not a lawful permanent
7 resident of the United States.

8 (b) The State Controller or any county auditor to issue any
9 warrant to any teacher, instructor, principal or superintendent of
10 schools who is not a citizen of the United States or a person who has
11 filed a valid declaration to become a citizen or valid petition for
12 naturalization, or who is not a lawful permanent resident of the
13 United States.

14 2. Upon the request of a school district, the Superintendent of
15 Public Instruction may issue a license to a person who does not meet
16 the requirements of subsection 1 but is otherwise entitled to work in
17 the United States pursuant to federal laws and regulations if:

18 (a) The school district has demonstrated to the satisfaction of the
19 Superintendent of Public Instruction that a shortage of teachers
20 exists ; ~~{in the subject area for which the person is qualified;}~~

21 (b) The person is otherwise qualified to teach , ~~{in the subject
22 area for which there is a shortage of teachers.}~~ except that the person
23 does not meet the requirements of subsection 1; and

24 (c) The school district agrees to employ the person . ~~{to teach in
25 the subject area for which there is a shortage of teachers.}~~

26 3. A license issued by the Superintendent of Public Instruction
27 pursuant to subsection 2:

28 (a) Automatically expires on the date that the licensee is no
29 longer entitled to work in the United States pursuant to federal laws
30 and regulations; and

31 (b) Authorizes the person who holds the license to teach only in
32 the:

33 (1) School district that submitted the request for the issuance
34 of the license to that person; and

35 (2) Subject area for which the person is qualified.

36 4. Upon compliance with all applicable federal laws and
37 regulations, the board of trustees of a school district may employ a
38 person who does not meet the requirements of subsection 1 if the
39 person holds a license issued by the Superintendent of Public
40 Instruction pursuant to subsection 2. A teacher's employment with a
41 school district pursuant to this subsection automatically expires on
42 the date that he or she is no longer entitled to work in the United
43 States pursuant to federal laws and regulations.

44 5. The State Controller or a county auditor may issue a warrant
45 to a teacher who is employed pursuant to subsection 4.



1 6. Any person who violates any of the provisions of this
2 section is guilty of a misdemeanor.

3 **Sec. 2.** This act becomes effective upon passage and approval.

