
ASSEMBLY BILL NO. 483—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE GOVERNOR)

MARCH 23, 2015

Referred to Committee on Ways and Means

SUMMARY—Makes various changes relating to the compensation of certain public school employees. (BDR 34-1198)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(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 the board of trustees of each school district annually to reserve money for the payment of an increase in salaries to certain teachers and administrators employed by the school district; revising provisions relating to the program of performance pay and enhanced compensation to be established for each school district; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the board of trustees of each school district to establish a
2 program of performance pay and enhanced compensation for the recruitment and
3 retention of teachers and administrators employed by the school district, and to
4 implement the program beginning with the 2015-2016 school year. Under existing
5 law, the program must be negotiated by the board of trustees in accordance with the
6 provisions governing collective bargaining. (NRS 391.168)
7 For the purposes of that program, **section 1** of this bill requires the board of
8 trustees of each school district annually to reserve for each fiscal year a sum of
9 money sufficient to pay an increase in base salaries, not to exceed 10 percent, for
10 not less than 5 percent of the teachers and administrators employed by the school
11 district. **Section 3** of this bill requires that the initial reservation of money be made
12 for Fiscal Year 2016-2017 and that the initial increase in salaries be effective for
13 the 2016-2017 school year.
14 **Section 2** of this bill: (1) eliminates the requirement that the program of
15 performance pay and enhanced compensation be the subject of collective



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16 bargaining; and (2) requires that consideration be given to implementation of the
17 program in the lowest-rated schools rated as underperforming pursuant to the
18 statewide system of accountability for public schools.

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

1 **Section 1.** Chapter 391 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *The board of trustees of each school district shall reserve*
4 *for each fiscal year, for the purposes of the program of*
5 *performance pay and enhanced compensation established by the*
6 *board of trustees pursuant to NRS 391.168, an amount of money*
7 *sufficient to provide an increase in base salaries, not including*
8 *monetary benefits, for not less than 5 percent of the teachers and*
9 *administrators employed by the school district. The amount of the*
10 *increase must not exceed 10 percent of the annual base salary of*
11 *each teacher and administrator to whom the increase is paid.*

12 2. *After making the reservation required by subsection 1, the*
13 *board of trustees shall provide written notice of its action to*
14 *the Department and the State Board, with information about the*
15 *amount of money reserved and the increase in salaries to be paid.*
16 *The State Board shall review that information at a meeting of the*
17 *State Board.*

18 3. *Except as otherwise provided in subsection 4, the money*
19 *reserved by the board of trustees pursuant to subsection 1:*

20 (a) *Must be accounted for separately by the school district.*

21 (b) *Is not subject to negotiations with an employee*
22 *organization for the purposes of chapter 288 of NRS.*

23 (c) *Must be used only to pay an increase in salaries in*
24 *accordance with this section and NRS 391.168 and not to increase*
25 *the salaries or monetary benefits of other employees of the school*
26 *district.*

27 4. *Any money reserved pursuant to subsection 1 for a fiscal*
28 *year that remains in the account established pursuant to*
29 *subsection 3:*

30 (a) *At the end of that fiscal year does not revert to the general*
31 *fund of the school district, but must be carried forward to the next*
32 *fiscal year.*

33 (b) *At the end of the next fiscal year reverts to the general fund*
34 *of the school district and may be expended by the board of trustees*
35 *of the school district pursuant to the provisions of chapter 288 of*
36 *NRS.*

37 **Sec. 2.** NRS 391.168 is hereby amended to read as follows:

38 391.168 1. The board of trustees of each school district shall:



1 (a) Establish a program of performance pay and enhanced
2 compensation for the recruitment and retention of licensed teachers
3 and administrators ; ~~which must be negotiated pursuant to chapter~~
4 ~~288 of NRS;~~ and

5 (b) Commencing with the 2015-2016 school year, implement
6 the program established pursuant to paragraph (a).

7 2. The program of performance pay and enhanced
8 compensation established by a school district pursuant to subsection
9 1 must have as its primary focus the improvement in the academic
10 achievement of pupils and must give appropriate consideration to
11 implementation in at-risk schools ~~+~~ *and schools receiving the*
12 *lowest rating possible indicating underperformance of a public*
13 *school, as determined by the Department pursuant to the statewide*
14 *system of accountability for public schools.* In addition, the
15 program may include, without limitation, the following components:

16 (a) Career leadership advancement options to maximize the
17 retention of teachers in the classroom and the retention of
18 administrators;

19 (b) Professional development;

20 (c) Group incentives; and

21 (d) Multiple assessments of individual teachers and
22 administrators, with primary emphasis on individual pupil
23 improvement and growth in academic achievement, including,
24 without limitation, portfolios of instruction, leadership and
25 professional growth, and other appropriate measures of teacher and
26 administrator performance which must be considered.

27 **Sec. 3.** The board of trustees of each school district shall:

28 1. Make the initial reservation of money required by section 1
29 of this act for Fiscal Year 2016-2017; and

30 2. Effectuate the initial increase in salaries required by that
31 section for the 2016-2017 school year.

32 **Sec. 4.** Insofar as they conflict with the provisions of such an
33 agreement, the amendatory provisions of this act do not apply
34 during the current term of any collective bargaining agreement
35 entered into before January 1, 2016, and in effect on that date, but
36 do apply to any extension or renewal of such an agreement and to
37 any such agreement entered into on or after January 1, 2016. For the
38 purposes of this section, the term of a collective bargaining
39 agreement ends on the date provided in the agreement,
40 notwithstanding any provision of the agreement that it remains in
41 effect, in whole or in part, after that date until a successor agreement
42 becomes effective.

43 **Sec. 5.** The provisions of NRS 354.599 do not apply to any
44 additional expenses of a local government that are related to the
45 provisions of this act.



1 **Sec. 6.** This act becomes effective on January 1, 2016.

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