

SENATE BILL NO. 143—SENATOR HARRIS

PREFILED FEBRUARY 13, 2017

Referred to Committee on Education

SUMMARY—Requires each public school in a school district to establish and maintain a school library. (BDR 34-59)

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 each public school in a school district, including charter schools, to establish and maintain a school library that meets certain standards; requiring the State Board of Education to adopt regulations prescribing the minimum standards for a school library; providing certain exceptions; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the board of trustees of a school district to purchase all
2 new library books which are necessary and have been approved by the State Board
3 of Education to carry out the mandates of the school curriculum to be used by the
4 pupils of the school district. (NRS 393.170) With certain exceptions, existing law
5 also requires a school district to spend in each school year a certain amount of
6 money on library books. (NRS 387.207)
7 This bill requires each public school in a school district, including a charter
8 school, to establish and maintain a school library that provides library services to
9 the pupils, teachers and administrators of the school. This bill requires the State
10 Board of Education to adopt regulations that prescribe the minimum requirements
11 for a school library. This bill also requires each school library to have a licensed
12 librarian unless: (1) the school is a charter school and the governing body of the
13 charter school determines that the school library should not have a licensed
14 librarian; (2) the school is unable to employ a licensed librarian and is granted
15 permission by the superintendent of schools of the school district to share the cost
16 of employing a licensed librarian with another such school; or (3) the school or



17 school district is located in a county whose population is less than 100,000
18 (currently all counties other than Clark and Washoe Counties), is unable to employ
19 a licensed librarian and receives an exemption from the Department of Education.

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

1 **Section 1.** Chapter 393 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Each public school in a school district, including, without*
4 *limitation, each charter school, shall establish and maintain a*
5 *school library that:*

6 (a) *Except as otherwise provided in subsections 3 to 6,*
7 *inclusive, has a librarian who is licensed by the Superintendent of*
8 *Public Instruction;*

9 (b) *Provides library services to the pupils, teachers and*
10 *administrators of the school; and*

11 (c) *Meets or exceeds any minimum requirements established*
12 *by regulation by the State Board.*

13 2. *The State Board shall adopt regulations that prescribe the*
14 *minimum requirements for a school library established pursuant*
15 *to subsection 1. The regulations must include, without limitation:*

16 (a) *The minimum number of books, computers and other*
17 *equipment that must be maintained at the library;*

18 (b) *The type of facilities and the minimum amount of space*
19 *that must be reserved for the library; and*

20 (c) *Methods for providing library services, to the greatest*
21 *extent possible, to pupils in a public school for which physical*
22 *space for such a library may be impracticable, including, without*
23 *limitation, a school with a limited number of rooms substantially*
24 *all of which are used for instruction or a school which provides*
25 *instruction through programs of distance education.*

26 3. *The governing body of each charter school shall determine*
27 *whether the school library required to be established and*
28 *maintained by the charter school pursuant to subsection 1 must*
29 *have a librarian who is licensed by the Superintendent of Public*
30 *Instruction.*

31 4. *If two public schools within a school district are each*
32 *unable to employ a librarian who is licensed by the Superintendent*
33 *of Public Instruction, the two public schools may jointly apply to*
34 *the superintendent of schools of the school district to share the*
35 *cost of employing one librarian who is licensed by the*
36 *Superintendent of Public Instruction to provide support to both*
37 *public schools.*



1 5. *A public school located in a county whose population is*
2 *less than 100,000 that is unable to employ a librarian who is*
3 *licensed by the Superintendent of Public Instruction may apply to*
4 *the Department for an exemption from the requirement of*
5 *paragraph (a) of subsection 1. Unless the board of trustees of the*
6 *school district in which the public school is located has applied for*
7 *and received an exemption from the Department pursuant to*
8 *subsection 6 which is currently in effect, the Department shall*
9 *notify the school district if the Department grants an exemption*
10 *pursuant to this subsection and direct the school district to employ*
11 *one or more librarians who are licensed by the Superintendent of*
12 *Public Instruction to provide support to the public schools within*
13 *the school district which have been granted the exemption.*

14 6. *A school district in a county whose population is less than*
15 *100,000 that is unable to employ a librarian who is licensed by the*
16 *Superintendent of Public Instruction may apply to the Department*
17 *for an exemption from the requirement of subsection 5 to employ*
18 *one or more librarians for public schools granted an exemption*
19 *pursuant to that subsection. When granting an exemption*
20 *pursuant to this subsection, the Department may, upon*
21 *consideration of all the circumstances occurring within or*
22 *affecting the school district, impose conditions or requirements*
23 *upon the school district or offer support to the school district to*
24 *ensure that the pupils of the school district receive, to the greatest*
25 *extent possible, the services that would otherwise be provided by a*
26 *librarian who is licensed by the Superintendent of Public*
27 *Instruction.*

28 7. *An application granted by the superintendent of schools of*
29 *a school district pursuant to subsection 4 or an exemption granted*
30 *by the Department pursuant to subsection 5 or 6 expires at the end*
31 *of the biennium in which the application or exemption is granted.*

32 8. *As used in this section:*

33 (a) *“Library services” means lending library books and other*
34 *materials for use inside and outside of a school for a reasonable*
35 *period of time at no charge.*

36 (b) *“Program of distance education” has the meaning ascribed*
37 *to it in NRS 388.829.*

38 (c) *“School library” means an area or group of areas inside a*
39 *school containing library books and other materials, including,*
40 *without limitation, paperback and hardcover books.*

41 **Sec. 2.** *The provisions of NRS 354.599 do not apply to any*
42 *additional expenses of a local government that are related to the*
43 *provisions of this act.*



- 1 **Sec. 3.** This act becomes effective:
2 1. Upon passage and approval for the purpose of adopting
3 regulations and performing any other preparatory administrative
4 tasks that are necessary to carry out the provisions of this act; and
5 2. On July 1, 2017, for all other purposes.

