

ASSEMBLY BILL NO. 155—ASSEMBLYMEMBERS LA RUE
HATCH, ANDERSON, CARTER AND MILLER

PREFILED JANUARY 30, 2025

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to public employees.
(BDR 23-612)

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

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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 public employees; revising the scope of the mandatory subjects of collective bargaining to include the ratio of pupils per licensed teacher for each classroom and the ratio of pupils per each type of specialized instructional support personnel in public schools; revising the requirement that a school district consider the recommendations developed by the State Board of Education when establishing the ratio of pupils per licensed teacher and specialized instructional support personnel; revising provisions concerning the development of a plan to improve set ratios of pupils to specialized instructional support personnel in certain school districts; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law sets forth the mandatory subjects of bargaining that are subject to
- 2 negotiation with a recognized employee organization for the purposes of a
- 3 collective bargaining agreement. (NRS 288.150) **Section 1** of this bill revises the
- 4 scope of mandatory subjects of bargaining to include the ratio of pupils per licensed
- 5 teacher for each classroom and the ratio of pupils per each type of specialized
- 6 instructional support personnel in public schools.
- 7 Existing law requires the board of trustees of each school district to consider
- 8 the recommendations developed by the State Board of Education when establishing
- 9 the ratio of pupils per licensed teacher or specialized instructional support
- 10 personnel in the school district. (NRS 388.890) **Section 2** of this bill creates an
- 11 exception to this requirement for when a school district is bound to a ratio of pupils
- 12 per licensed teacher or specialized instructional support personnel set by a



13 collective bargaining agreement. **Section 3** of this bill makes conforming changes
14 to a provision relating to the development of a plan to improve the set ratio of
15 pupils to specialized instructional support personnel in certain school districts.

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

1 **Section 1.** NRS 288.150 is hereby amended to read as follows:
2 288.150 1. Except as otherwise provided in subsection 6 and
3 NRS 354.6241, every local government employer shall negotiate in
4 good faith through one or more representatives of its own choosing
5 concerning the mandatory subjects of bargaining set forth in
6 subsection 2 with the designated representatives of the recognized
7 employee organization, if any, for each appropriate bargaining unit
8 among its employees. If either party so requests, agreements reached
9 must be reduced to writing.
10 2. The scope of mandatory bargaining is limited to:
11 (a) Salary or wage rates or other forms of direct monetary
12 compensation.
13 (b) Sick leave.
14 (c) Vacation leave.
15 (d) Holidays.
16 (e) Other paid or nonpaid leaves of absence.
17 (f) Insurance benefits.
18 (g) Total hours of work required of an employee on each
19 workday or workweek.
20 (h) Total number of days' work required of an employee in a
21 work year.
22 (i) Except as otherwise provided in subsections 8 and 11,
23 discharge and disciplinary procedures.
24 (j) Recognition clause.
25 (k) The method used to classify employees in the bargaining
26 unit.
27 (l) Deduction of dues for the recognized employee organization.
28 (m) Protection of employees in the bargaining unit from
29 discrimination because of participation in recognized employee
30 organizations consistent with the provisions of this chapter.
31 (n) No-strike provisions consistent with the provisions of this
32 chapter.
33 (o) Grievance and arbitration procedures for resolution of
34 disputes relating to interpretation or application of collective
35 bargaining agreements.
36 (p) General savings clauses.
37 (q) Duration of collective bargaining agreements.
38 (r) Safety of the employee.



- 1 (s) Teacher preparation time.
- 2 (t) Materials and supplies for classrooms.
- 3 (u) Except as otherwise provided in subsections 9 and 11, the
- 4 policies for the transfer and reassignment of teachers.

5 (v) *The ratio of pupils per licensed teacher for each classroom.*
6 (w) *The ratio of pupils per each type of specialized*
7 *instructional support personnel.*

8 (x) Procedures for reduction in workforce consistent with the
9 provisions of this chapter.

10 ~~{(w)}~~ (y) Procedures consistent with the provisions of subsection
11 6 for the reopening of collective bargaining agreements for
12 additional, further, new or supplementary negotiations during
13 periods of fiscal emergency.

14 3. Those subject matters which are not within the scope of
15 mandatory bargaining and which are reserved to the local
16 government employer without negotiation include:

17 (a) Except as otherwise provided in paragraph (u) of subsection
18 2, the right to hire, direct, assign or transfer an employee, but
19 excluding the right to assign or transfer an employee as a form of
20 discipline.

21 (b) The right to reduce in force or lay off any employee because
22 of lack of work or lack of money, subject to paragraph ~~{(v)}~~ (x) of
23 subsection 2.

24 (c) The right to determine:

25 (1) ~~{Appropriate}~~ *Except as otherwise provided in*
26 *paragraphs (v) and (w) of subsection 2, appropriate* staffing levels
27 and work performance standards, except for safety considerations;

28 (2) The content of the workday, including, without
29 limitation, workload factors, except for safety considerations;

30 (3) The quality and quantity of services to be offered to the
31 public; and

32 (4) The means and methods of offering those services.

33 (d) Safety of the public.

34 4. The provisions of NRS 245.063, 268.4069 and 391.1605 are
35 not subject to negotiations with an employee organization. Any
36 provision of a collective bargaining agreement negotiated pursuant
37 to this chapter which differs from or conflicts in any way with the
38 provisions of NRS 245.063, 268.4069 or 391.1605 is unenforceable
39 and void.

40 5. If the local government employer is a school district, any
41 money appropriated by the State to carry out increases in salaries or
42 benefits for the employees of the school district is subject to
43 negotiations with an employee organization.



1 6. Notwithstanding the provisions of any collective bargaining
2 agreement negotiated pursuant to this chapter, a local government
3 employer is entitled to:

4 (a) Reopen a collective bargaining agreement for additional,
5 further, new or supplementary negotiations relating to compensation
6 or monetary benefits during a period of fiscal emergency.
7 Negotiations must begin not later than 21 days after the local
8 government employer notifies the employee organization that a
9 fiscal emergency exists. For the purposes of this section, a fiscal
10 emergency shall be deemed to exist:

11 (1) If the amount of revenue received by the general fund of
12 the local government employer during the last preceding fiscal year
13 from all sources, except any nonrecurring source, declined by 5
14 percent or more from the amount of revenue received by the general
15 fund from all sources, except any nonrecurring source, during the
16 next preceding fiscal year, as reflected in the reports of the annual
17 audits conducted for those fiscal years for the local government
18 employer pursuant to NRS 354.624; or

19 (2) If the local government employer has budgeted an
20 unreserved ending fund balance in its general fund for the current
21 fiscal year in an amount equal to 4 percent or less of the actual
22 expenditures from the general fund for the last preceding fiscal year,
23 and the local government employer has provided a written
24 explanation of the budgeted ending fund balance to the Department
25 of Taxation that includes the reason for the ending fund balance and
26 the manner in which the local government employer plans to
27 increase the ending fund balance.

28 (b) Take whatever actions may be necessary to carry out its
29 responsibilities in situations of emergency such as a riot, military
30 action, natural disaster or civil disorder. Those actions may include
31 the suspension of any collective bargaining agreement for the
32 duration of the emergency.

33 ↪ Any action taken under the provisions of this subsection must not
34 be construed as a failure to negotiate in good faith.

35 7. The provisions of this chapter, including, without limitation,
36 the provisions of this section, recognize and declare the ultimate
37 right and responsibility of the local government employer to manage
38 its operation in the most efficient manner consistent with the best
39 interests of all its citizens, its taxpayers and its employees.

40 8. If the sponsor of a charter school reconstitutes the governing
41 body of a charter school pursuant to NRS 388A.330, the new
42 governing body may terminate the employment of any teachers or
43 other employees of the charter school, and any provision of any
44 agreement negotiated pursuant to this chapter that provides
45 otherwise is unenforceable and void.



1 9. The board of trustees of a school district in which a school is
2 designated as a turnaround school pursuant to NRS 388G.400 or the
3 principal of such a school, as applicable, may take any action
4 authorized pursuant to NRS 388G.400, including, without
5 limitation:

6 (a) Reassigning any member of the staff of such a school; or

7 (b) If the staff member of another public school consents,
8 reassigning that member of the staff of the other public school to
9 such a school.

10 10. Any provision of an agreement negotiated pursuant to this
11 chapter which differs from or conflicts in any way with the
12 provisions of subsection 9 or imposes consequences on the board of
13 trustees of a school district or the principal of a school for taking
14 any action authorized pursuant to subsection 9 is unenforceable and
15 void.

16 11. The board of trustees of a school district or the governing
17 body of a charter school or university school for profoundly gifted
18 pupils may use a substantiated report of the abuse or neglect of a
19 child or a violation of NRS 201.540, 201.553, 201.560, 392.4633 or
20 394.366 obtained from the Statewide Central Registry for the
21 Collection of Information Concerning the Abuse or Neglect of a
22 Child established by NRS 432.100 or an equivalent registry
23 maintained by a governmental agency in another jurisdiction for the
24 purposes authorized by NRS 388A.515, 388C.200, 391.033,
25 391.104 or 391.281, as applicable. Such purposes may include,
26 without limitation, making a determination concerning the
27 assignment, discipline or termination of an employee. Any provision
28 of any agreement negotiated pursuant to this chapter which conflicts
29 with the provisions of this subsection is unenforceable and void.

30 12. This section does not preclude, but this chapter does not
31 require, the local government employer to negotiate subject matters
32 enumerated in subsection 3 which are outside the scope of
33 mandatory bargaining. The local government employer shall discuss
34 subject matters outside the scope of mandatory bargaining but it is
35 not required to negotiate those matters.

36 13. Contract provisions presently existing in signed and ratified
37 agreements as of May 15, 1975, at 12 p.m. remain negotiable.

38 14. As used in this section, "abuse or neglect of a child" has
39 the meaning ascribed to it in NRS 392.281.

40 **Sec. 2.** NRS 388.890 is hereby amended to read as follows:

41 388.890 1. The State Board shall develop nonbinding
42 recommendations for the ratio of pupils per licensed teacher and
43 specialized instructional support personnel in the public schools of
44 this State for kindergarten and grades 1 to 12, inclusive. ~~[The]~~
45 *Unless a school district is bound to a ratio of pupils per licensed*



1 *teacher or specialized instructional support personnel set by a*
2 *collective bargaining agreement established pursuant to NRS*
3 *288.150, the* board of trustees of each school district shall consider
4 the recommendations in establishing the ratio of pupils per licensed
5 teacher or specialized instructional support personnel, as applicable,
6 in the school district.

7 2. The recommendations developed by the State Board must:

8 (a) Prescribe a suggested ratio of pupils per licensed teacher for
9 each classroom and course of instruction, except choir, orchestra
10 and band, in kindergarten and grades 1 to 12, inclusive;

11 (b) Prescribe a suggested ratio of pupils per each type of
12 specialized instructional support personnel for each kind of public
13 school described in NRS 388.020;

14 (c) Be based on evidence-based national standards set forth by
15 the licensing body for teachers and the licensing body for each type
16 of specialized instructional support personnel;

17 (d) Take into account the unique needs of certain pupils,
18 including, without limitation, pupils who are English learners;

19 (e) Require that administrators and other licensed educational
20 personnel, including, without limitation, counselors, coaches and
21 special education teachers, who may be present in a classroom but
22 do not teach every pupil in the classroom may not be counted in
23 determining the ratio of pupils per licensed teacher; and

24 (f) Count only teachers who are actively teaching pupils during
25 a class period and teach a subject, and are the teacher of record
26 assigned to the classroom of pupils, for which the ratio of pupils per
27 licensed teacher is being determined.

28 3. Nothing in this section shall be deemed to relieve a school
29 district of its obligation to comply with the requirements of NRS
30 388.700 and 388.720, as applicable to the school district.

31 4. Not later than 30 days after the beginning of each school
32 year, the board of trustees of each school district shall post on an
33 Internet website maintained by the school district the ratio of pupils
34 per licensed teacher that has been approved for each class in the
35 district.

36 5. The board of trustees of a school district with one or more
37 schools that exceed the recommended ratio of pupils to specialized
38 instructional support personnel shall develop a 15-year strategic
39 plan to achieve the ratio of pupils to specialized instructional
40 support personnel in the district.

41 6. On or before February 1 of each odd-numbered year, the
42 board of trustees of each school district shall submit a report on the
43 progress of the school district in obtaining the ratio of pupils per
44 licensed teacher and specialized instructional support personnel
45 recommended pursuant to this section to the Director of the



1 Legislative Counsel Bureau for transmittal to the Senate and
2 Assembly Standing Committees on Education.

3 7. As used in this section:

4 (a) "English learner" has the meaning ascribed to it in 20 U.S.C.
5 § 7801(20).

6 (b) "Specialized instructional support personnel" includes
7 persons employed by each school to provide necessary services such
8 as assessment, diagnosis, counseling, educational services,
9 therapeutic services and related services, as defined in 20 U.S.C. §
10 1401(26), to pupils. Such persons employed by a school include,
11 without limitation:

- 12 (1) A school counselor;
- 13 (2) A school psychologist;
- 14 (3) A school social worker;
- 15 (4) A school nurse;
- 16 (5) A speech-language pathologist;
- 17 (6) A school library media specialist; and
- 18 (7) Any other qualified professional.

19 **Sec. 3.** NRS 388.892 is hereby amended to read as follows:

20 388.892 1. The board of trustees of a school district in a
21 county whose population is 100,000 or more shall develop a plan to
22 improve the ratio of pupils to specialized instructional support
23 personnel to meet the ratio ~~recommended~~ :

24 (a) *Recommended* by the State Board pursuant to NRS 388.890
25 ~~§~~; or

26 (b) *Required by a collective bargaining agreement established*
27 *pursuant to NRS 288.150, if applicable.*

28 2. The plan *developed pursuant to subsection 1* must include,
29 without limitation:

30 (a) Strategies to recruit and retain school counselors, school
31 psychologists and school social workers and other specialized
32 instructional support personnel; and

33 (b) Annual targets to meet the ratio of pupils to specialized
34 instructional support personnel ~~recommended~~ :

35 (1) *Recommended* by the State Board pursuant to NRS
36 388.890 ~~§~~; or

37 (2) *Required by a collective bargaining agreement*
38 *established pursuant to NRS 288.150, if applicable.*

39 ~~§~~ 3. On or before October 1 of each year, the board of
40 trustees of a school district in a county whose population is 100,000
41 or more shall submit to the Department a report on the
42 implementation of the plan developed pursuant to subsection 1 for
43 the immediately preceding school year. The report must include,
44 without limitation:



1 (a) The ratio of pupils to specialized instructional support
2 personnel for the immediately preceding school year, disaggregated
3 by type of specialized instructional support personnel, and any
4 progress made to meet the recommended *or required* ratio;

5 (b) An evaluation of the strategies to recruit and retain
6 specialized instructional support personnel implemented pursuant to
7 paragraph (a) of subsection ~~H-1~~ 2; and

8 (c) A strategy to be implemented over the next school year to
9 meet the annual targets identified pursuant to paragraph (b) of
10 subsection ~~H-1~~ 2.

11 ~~F-3~~ 4. On or before February 1 of each year, the Department
12 shall submit a compilation of the reports submitted to the
13 Department pursuant to subsection ~~F-2~~ 3 to:

14 (a) The Governor;

15 (b) In odd-numbered years, the Director of the Legislative
16 Counsel Bureau for transmittal to the Senate and Assembly
17 Standing Committees on Education;

18 (c) In even-numbered years, the Joint Interim Standing
19 Committee on Education; and

20 (d) The State Board.

21 ~~F-4~~ 5. The compilation prepared by the Department pursuant to
22 subsection ~~F-3~~ 4 must allow the information included in the report to
23 be disaggregated by school district. The Department shall post a
24 copy of the compilation on its Internet website.

25 ~~F-5~~ 6. As used in this section, “specialized instructional
26 support personnel” has the meaning ascribed to it in NRS 388.890.

27 **Sec. 4.** The amendatory provisions of this act do not apply to a
28 collective bargaining agreement entered into before October 1,
29 2025.

