

(Reprinted with amendments adopted on April 16, 2019)

FIRST REPRINT

S.B. 191

SENATE BILL NO. 191— SENATORS WOODHOUSE;
AND DONDERO LOOP

FEBRUARY 18, 2019

Referred to Committee on Education

SUMMARY—Requires each public school in a school district to establish and maintain a school library. (BDR 34-562)

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

CONTAINS UNFUNDED MANDATE (§§ 7-9)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~for mitted material~~ is material to be omitted.

AN ACT relating to education; requiring each public school in a school district, including a charter school, 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; prescribing requirements and exceptions for employing a teacher librarian; 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. (NRS 393.170)
4 With certain exceptions, existing law also requires a school district to spend in each
5 school year a certain amount of money on library books. (NRS 387.207)

6 **Section 7** of this bill requires each public school in a school district, including
7 each charter school, to establish and maintain a school library that provides library
8 services to the pupils, teachers and administrators of the school. **Section 2.5** of this
9 bill defines “charter school” as a charter school that enrolls 500 or more pupils and
10 excludes a charter school that only offers a full-time program of distance education.
11 **Section 7** also requires the State Board of Education to adopt regulations that
12 prescribe the minimum requirements of a school library.

13 With certain exceptions provided in **section 9** of this bill, **section 8** of this bill
14 requires each public school and each charter school to employ a teacher librarian.
15 **Section 6.7** of this bill defines “teacher librarian” as a person who provides library



16 services in a school library and who: (1) holds a license to teach; and (2) may hold
17 a certification as a professional school library media specialist issued by the
18 National Board for Professional Teaching Standards. **Section 8** prohibits the board
19 of trustees of a school district and the governing body of a charter school from
20 giving preference to certain employees who provide library services. **Section 9**
21 provides that a school is not required to employ a teacher librarian if: (1) the school
22 is unable to employ a teacher librarian and is granted permission by the
23 superintendent of schools of the school district or the sponsor of the charter school,
24 as applicable, to jointly employ a teacher librarian with another such school; or (2)
25 the school is located in a county whose population is less than 100,000 (currently
26 all counties other than Clark and Washoe Counties), is unable to employ certain
27 persons to provide library services and is granted a waiver by the State Board of
28 Education.
29 **Section 9.5** of this bill grandfathers in current school library assistants until
30 July 1, 2025, so that those school library assistants may perform the duties assigned
31 to a teacher librarian set forth in this bill without obtaining a license to teach or any
32 other credentials or endorsements until that date.

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

1 **Section 1.** Chapter 388 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 9, inclusive, of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 9, inclusive, of this act, unless*
5 *the context otherwise requires, the words and terms defined in*
6 *sections 2.5 to 6.7, inclusive, of this act have the meanings*
7 *ascribed to them in those sections.*

8 **Sec. 2.5.** *“Charter school” means a charter school that*
9 *enrolls 500 or more pupils. The term does not include a charter*
10 *school that only offers a full-time program of distance education.*

11 **Sec. 3.** *“Library services” means lending library books and*
12 *other materials for use inside and outside of a school for a*
13 *reasonable period of time at no charge, providing instruction on*
14 *access and use of library materials, teaching the proper and*
15 *effective use of information technology and providing reference*
16 *services and assistance to pupils.*

17 **Sec. 4.** *“Program of distance education” has the meaning*
18 *ascribed to it in NRS 388.829.*

19 **Sec. 5.** (Deleted by amendment.)

20 **Sec. 6.** *“School library” means an area or group of areas*
21 *inside a school containing library books and other materials,*
22 *including, without limitation, paperback and hardcover books.*

23 **Sec. 6.3.** *“School library assistant” means a person who*
24 *provides library services in a school library established and*
25 *maintained pursuant to section 7 of this act and includes a person:*



1 *1. Employed as a paraprofessional to provide support in a*
2 *school library; or*

3 *2. Who holds an associate's degree or higher in library*
4 *science.*

5 **Sec. 6.7.** *“Teacher librarian” means a person who provides*
6 *library services in a school library established and maintained*
7 *pursuant to section 7 of this act and who:*

8 *1. Holds a current license to teach issued pursuant to chapter*
9 *391 of NRS; and*

10 *2. May hold a certification as a professional school library*
11 *media specialist issued by the National Board for Professional*
12 *Teaching Standards as described in NRS 391.163.*

13 **Sec. 7.** *1. Each public school in a school district, including,*
14 *without limitation, each charter school, shall establish and*
15 *maintain a school library that:*

16 *(a) Provides library services to the pupils, teachers and*
17 *administrators of the school; and*

18 *(b) Meets or exceeds any minimum requirements established*
19 *by regulation by the State Board pursuant to subsection 2.*

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

23 *(a) The minimum number of books, computers and other*
24 *equipment that must be maintained at each school library;*

25 *(b) The type of facilities and the minimum amount of space*
26 *that must be reserved for each school library; and*

27 *(c) Methods for providing library services, to the greatest*
28 *extent possible, to pupils in a public school for which physical*
29 *space for such a school library may be impracticable, including,*
30 *without limitation, a school with a limited number of rooms,*
31 *substantially all of which are used for instruction, or a school*
32 *which provides instruction through programs of distance*
33 *education.*

34 **Sec. 8.** *1. Except as otherwise provided in this section or*
35 *section 9 of this act, each public school in a school district,*
36 *including, without limitation, a charter school, shall employ a*
37 *teacher librarian.*

38 *2. The board of trustees of a school district or the governing*
39 *body of a charter school, as applicable, shall provide professional*
40 *development to assist employees interested in obtaining the*
41 *qualifications necessary to become a teacher librarian.*

42 *3. Until July 1, 2025, the board of trustees of a school district*
43 *or the governing body of a charter school, as applicable, shall not*
44 *make a decision to lay off, dismiss, refuse to reemploy or otherwise*
45 *terminate the employment of any person employed as a school*



1 *library assistant to provide support in a school library only to give*
2 *preference to employing a teacher librarian.*

3 **Sec. 9. 1.** *If two public schools within a school district,*
4 *including, without limitation, two charter schools with the same*
5 *sponsor, are unable to employ a teacher librarian as required by*
6 *section 8 of this act, the public schools may apply to the*
7 *superintendent of schools of the school district or the sponsor of*
8 *the charter schools, as applicable, to jointly employ one teacher*
9 *librarian to provide library services for each of the public schools.*
10 *Such an application must identify the reasons each public school*
11 *is unable to employ a teacher librarian. The superintendent of*
12 *schools of the school district or the sponsor of the charter schools,*
13 *as applicable, may approve such an application if it is determined*
14 *that each public school made a good faith effort to employ a*
15 *teacher librarian, but was unable to do so because of:*

16 (a) *Inability to obtain qualified applicants; or*

17 (b) *Any other reason determined to be valid by the*
18 *superintendent of schools of the school district or the sponsor of*
19 *the charter schools, as applicable.*

20 2. *If a public school, including, without limitation, a charter*
21 *school, located in a county whose population is less than 100,000*
22 *is unable to employ a teacher librarian as required by section 8 of*
23 *this act, the public school may apply to the State Board for a*
24 *waiver. Such an application must:*

25 (a) *Identify the reasons the public school is unable to employ a*
26 *teacher librarian; and*

27 (b) *Explain in detail the manner in which the public school*
28 *will provide library services to all pupils enrolled at the school.*

29 3. *A waiver granted pursuant to subsection 1 or 2 expires on*
30 *June 30 of the following odd-numbered year.*

31 **Sec. 9.5. 1.** *A school library assistant who is employed at a*
32 *school in a school district or a charter school on July 1, 2019, shall*
33 *be deemed to be a teacher librarian for purposes of sections 8 and 9*
34 *of this act at that school and any school within that school district or*
35 *any charter school which has the same sponsor, as applicable,*
36 *without obtaining a license to teach or any additional credentials or*
37 *endorsements until July 1, 2025.*

38 2. *As used in this section:*

39 (a) *“Charter school” means a charter school that enrolls 500 or*
40 *more pupils. The term does not include a charter school that only*
41 *offers a full-time program of distance education.*

42 (b) *“School library assistant” means a person who provides*
43 *library services in a school library established and maintained*
44 *pursuant to section 7 of this act and includes a person:*



1 (1) Employed as a paraprofessional to provide support in a
2 school library; or

3 (2) Who holds an associate's degree or higher in library
4 science.

5 (c) "Teacher librarian" means a person who provides library
6 services in a school library established and maintained pursuant to
7 section 7 of this act and includes a person who:

8 (1) Holds a current license to teach issued pursuant to
9 chapter 391 of NRS; and

10 (2) May hold a certification as a professional school library
11 media specialist issued by the National Board for Professional
12 Teaching Standards as described in NRS 391.163.

13 **Sec. 10.** The provisions of NRS 354.599 do not apply to any
14 additional expenses of a local government that are related to the
15 provisions of this act.

16 **Sec. 11.** This act becomes effective:

17 1. Upon passage and approval for the purpose of adopting
18 regulations and performing any other preparatory administrative
19 tasks that are necessary to carry out the provisions of this act; and

20 2. On July 1, 2019, for all other purposes.



