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SENATE BILL NO. 319—SENATORS DONDERO LOOP, WOODHOUSE,  
DENIS, PARKS; BROOKS, CANCELA, CANNIZZARO, D.  
HARRIS, OHRENSCHALL, RATTI AND SCHEIBLE

MARCH 18, 2019

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Referred to Committee on Education

SUMMARY—Revises provisions relating to education.  
(BDR 34-1063)

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.

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AN ACT relating to education; defining “school counselor,” “school psychologist” and “school social worker” for certain purposes; establishing the duties of a school counselor, psychologist and social worker; requiring certain school counselors, psychologists and social workers to receive an additional 5 percent of the base salary each year; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law provides for the licensing of psychologists and social workers.  
2 (Chapters 641 and 641B of NRS) Existing law authorizes a person who is certified  
3 as a school psychologist by the State Board of Education to use the title “school  
4 psychologist” or “certified school psychologist.” (NRS 641.390) **Section 1** of this  
5 bill defines school counselor, school psychologist and school social worker,  
6 respectively, for the school environment. **Sections 3-5** of this bill establish the  
7 duties of a school counselor, psychologist and social worker, respectively,  
8 employed by a school district.

9 Existing law requires an annual 5 percent salary increase for teachers, speech-  
10 language pathologists and school library media specialists who hold certain  
11 national certifications. (NRS 391.161-391.163) **Section 6** of this bill requires an  
12 additional 5 percent to be added to the base salary of a counselor, psychologist or  
13 social worker who holds a national certification.

14 **Section 7** of this bill makes a conforming change.

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

1       **Section 1.** NRS 385.007 is hereby amended to read as follows:  
2       385.007 As used in this title, unless the context otherwise  
3 requires:

4       1. "Achievement charter school" means a public school  
5 operated by a charter management organization, as defined in NRS  
6 388B.020, an educational management organization, as defined in  
7 NRS 388B.030, or other person pursuant to a contract with the  
8 Achievement School District pursuant to NRS 388B.210 and subject  
9 to the provisions of chapter 388B of NRS.

10      2. "Department" means the Department of Education.

11      3. "English learner" has the meaning ascribed to it in 20 U.S.C.  
12 § 7801(20).

13      4. "Homeschooled child" means a child who receives  
14 instruction at home and who is exempt from compulsory attendance  
15 pursuant to NRS 392.070, but does not include an opt-in child.

16      5. "Local school precinct" has the meaning ascribed to it in  
17 NRS 388G.535.

18      6. "Opt-in child" means a child for whom an education savings  
19 account has been established pursuant to NRS 353B.850, who is not  
20 enrolled full-time in a public or private school and who receives all  
21 or a portion of his or her instruction from a participating entity, as  
22 defined in NRS 353B.750.

23      7. "Public schools" means all kindergartens and elementary  
24 schools, junior high schools and middle schools, high schools,  
25 charter schools and any other schools, classes and educational  
26 programs which receive their support through public taxation and,  
27 except for charter schools, whose textbooks and courses of study are  
28 under the control of the State Board.

29      8. "School bus" has the meaning ascribed to it in  
30 NRS 484A.230.

31      9. *"School counselor" or "counselor" means a person who*  
32 *holds a license issued pursuant to chapter 391 of NRS and an*  
33 *endorsement to serve as a school counselor issued pursuant to*  
34 *regulations adopted by the Commission on Professional Standards*  
35 *in Education or who is otherwise authorized by the*  
36 *Superintendent of Public Instruction to serve as a school*  
37 *counselor.*

38      10. *"School psychologist" or "psychologist" means a*  
39 *psychologist licensed pursuant to chapter 641 of NRS who holds a*  
40 *license issued pursuant to chapter 391 of NRS and an*  
41 *endorsement to serve as a school psychologist issued pursuant to*  
42 *regulations adopted by the Commission on Professional Standards*



1 *in Education or who is otherwise authorized by the*  
2 *Superintendent of Public Instruction to serve as a school*  
3 *psychologist.*

4 *11. "School social worker" or "social worker" means a social*  
5 *worker licensed pursuant to chapter 641B of NRS who holds a*  
6 *license issued pursuant to chapter 391 of NRS and an*  
7 *endorsement to serve as a school social worker issued pursuant to*  
8 *regulations adopted by the Commission on Professional Standards*  
9 *in Education or who is otherwise authorized by the*  
10 *Superintendent of Public Instruction to serve as a school social*  
11 *worker.*

12 *12. "State Board" means the State Board of Education.*

13 ~~H0-1~~ *13. "University school for profoundly gifted pupils" has*  
14 *the meaning ascribed to it in NRS 388C.040.*

15 **Sec. 2.** Chapter 391 of NRS is hereby amended by adding  
16 thereto the provisions set forth as sections 3 to 6, inclusive, of this  
17 act.

18 **Sec. 3. 1.** *A school counselor shall, through consultation or*  
19 *collaboration with other educational personnel or by providing*  
20 *direct services:*

21 *(a) Design and deliver comprehensive programs for school*  
22 *counseling that promote achievement of pupils;*

23 *(b) Analyze data concerning the academic, career, social and*  
24 *emotional development of pupils to identify issues, needs and*  
25 *challenges of pupils;*

26 *(c) Address needs relating to the academic, career, social and*  
27 *emotional development of all pupils;*

28 *(d) Advocate for equitable access to a rigorous education for*  
29 *all pupils and work to remove systemic barriers to such access;*

30 *(e) Deliver school counseling lessons through large-group,*  
31 *classroom, small-group and individual settings to promote pupil*  
32 *success;*

33 *(f) Provide to individual pupils services relating to academic*  
34 *planning and goal setting;*

35 *(g) Provide peer facilitation, crisis counseling and short-term*  
36 *counseling to pupils in individual and small-group settings;*

37 *(h) Provide referrals to a pupil and the parent or legal*  
38 *guardian of a pupil, as needed, for additional support services*  
39 *provided by the school or within the community;*

40 *(i) Participate on committees within the school and the school*  
41 *district, as appropriate; and*

42 *(j) Participate in planning for and implementing a response to*  
43 *a crisis at the school.*

44 *2. Each school counselor must be supervised by a licensed*  
45 *administrator.*



1     **Sec. 4. 1.** *A school psychologist shall, through consultation*  
2 *or collaboration with other educational personnel or by providing*  
3 *direct services:*

4     *(a) Deliver mental and behavioral health services to pupils in a*  
5 *school;*

6     *(b) Collaborate with the school, community and parents or*  
7 *legal guardians of pupils to promote a safe and supportive*  
8 *learning environment;*

9     *(c) Provide preventative, intervention and postintervention*  
10 *services through integrated systems of support;*

11     *(d) Collect and analyze data on the mental and behavioral*  
12 *health of pupils;*

13     *(e) Administer applicable assessments to pupils;*

14     *(f) Monitor the progress of the academic, mental and*  
15 *behavioral health of pupils;*

16     *(g) Assist with the development and implementation of school-*  
17 *wide practices to promote learning;*

18     *(h) Analyze resilience and risk factors of pupils;*

19     *(i) Provide instructional support to other educational*  
20 *personnel;*

21     *(j) Evaluate and make recommendations for the improvement*  
22 *of special education services;*

23     *(k) Promote diversity in development and learning;*

24     *(l) Conduct research and evaluate programs related to the*  
25 *mental and behavioral health of pupils; and*

26     *(m) Participate in planning for and implementing a response*  
27 *to a crisis at the school.*

28     **2.** *In a school district in which more than 50,000 pupils were*  
29 *enrolled during the preceding school year, each school*  
30 *psychologist must be supervised by a psychologist licensed*  
31 *pursuant to chapter 641 of NRS who is a licensed administrator.*

32     **3.** *In a school district in which not more than 50,000 pupils*  
33 *were enrolled during the preceding school year, each school*  
34 *psychologist must be supervised by a licensed administrator.*

35     **Sec. 5. 1.** *A school social worker shall, through*  
36 *consultation or collaboration with other educational personnel or*  
37 *by providing direct services:*

38     *(a) Act as a liaison between the home, school and community;*

39     *(b) Provide therapy, counseling and support services for pupils*  
40 *and the families of pupils;*

41     *(c) Provide individual and small-group therapy, counseling*  
42 *and support services;*

43     *(d) Provide mediation services;*

44     *(e) Advocate for the academic, social and emotional success of*  
45 *pupils;*



- 1 (f) Assist other educational personnel with case management;
- 2 (g) Write applications for grants, as necessary;
- 3 (h) Assist other educational personnel, including, without
- 4 limitation, a school psychologist, with developing a plan for
- 5 providing prevention and intervention services to pupils;
- 6 (i) Administer biopsychosocial assessments to pupils, as
- 7 necessary;
- 8 (j) Support the learning of pupils;
- 9 (k) Provide services for professional development of staff;
- 10 (l) Provide support and consultation to the school, the pupils
- 11 and the parents or legal guardians of pupils at the school
- 12 regarding, without limitation, education law and services related
- 13 to special education;
- 14 (m) Provide strengths-based assessments for the school, the
- 15 pupils and the parents or legal guardians of pupils at the school;
- 16 (n) Assist parents or legal guardians with problem solving;
- 17 (o) Assist pupils with developing social skills;
- 18 (p) Provide referrals to pupils and parents or legal guardians
- 19 of pupils for education services; and
- 20 (q) Participate in planning for and implementing a response to
- 21 a crisis at the school.

22 2. Each school social worker must be supervised by a licensed

23 administrator.

24 **Sec. 6.** Each year when determining the salary of a person

25 who is employed by a school district as a school counselor,

26 psychologist or social worker, the school district shall add 5

27 percent to the salary that the person would otherwise receive in 1

28 year for the person's classification on the schedule of salaries of

29 the school district if:

30 1. On or before September 15 of the school year, the person

31 has submitted evidence satisfactory to the school district of the

32 current certification of the person:

33 (a) As a school counselor by the National Board for

34 Professional Teaching Standards or its successor organization;

35 (b) As a national certified school counselor by the National

36 Board for Certified Counselors or its successor organization;

37 (c) As a nationally certified school psychologist by the

38 National Association of School Psychologists or its successor

39 organization;

40 (d) As a school psychologist by the American Board of School

41 Psychology or its successor organization; or

42 (e) As a certified school social work specialist by the National

43 Association of Social Workers or its successor organization; and



1       2. *The person is assigned by the school district to serve as a*  
2 *school counselor, psychologist or social worker, as applicable,*  
3 *during that school year.*

4       ↳ *No increase in salary may be given pursuant to this section*  
5 *during a particular school year to a person who submits evidence*  
6 *of certification after September 15 of that school year. Once a*  
7 *person has submitted evidence of such certification to the school*  
8 *district, the school district shall retain the evidence in its records,*  
9 *as applicable, for future school years. An increase in salary given*  
10 *in accordance with this section is in addition to any other increase*  
11 *to which the person may otherwise be entitled.*

12       **Sec. 7.** NRS 391.160 is hereby amended to read as follows:

13       391.160 The salaries of teachers and other employees must be  
14 determined by the character of the service required as described in  
15 NRS 391.161 to 391.169, inclusive ~~§~~, *and section 6 of this act.* A  
16 school district shall not discriminate between male and female  
17 employees in the matter of salary.

18       **Sec. 8.** This act becomes effective on July 1, 2019.





