
SENATE BILL NO. 25—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED DECEMBER 20, 2014

Referred to Committee on Education

SUMMARY—Revises provisions relating to education.
(BDR 34-316)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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; revising provisions governing the membership of the State Board of Education; revising certain duties of the Superintendent of Public Instruction, the Department of Education and the State Board; revising the membership of the Advisory Council on Parental Involvement and Family Engagement; revising provisions governing certain products used to clean in public schools; authorizing unused allocations for special education program units to be reallocated to a hospital or facility which is licensed by the Division of Public and Behavioral Health of the Department of Health and Human Services that operates a licensed private school in certain circumstances; revising provisions relating to certain programs of distance education; revising provisions governing standards of content and performance for foreign and world language and any other course of study requested by the Superintendent of Public Instruction; revising provisions relating to certain hearings concerning the suspension or revocation of a license to teach; revising provisions concerning minimum standards for the maintenance and operation of certain educational institutions; and providing other matters properly relating thereto.



* S B 2 5 R 2 *

Legislative Counsel's Digest:

1 **Section 1** of this bill prohibits a person who is elected to serve as an officer of
2 this State or any political subdivision thereof from also serving on the State Board
3 of Education. **Section 1** also prohibits a person who is appointed to serve for the
4 unexpired term of such an office from continuing to serve on the State Board, with
5 certain exceptions. **Section 3** of this bill removes certain requirements regarding the
6 use of environmentally sensitive cleaning and maintenance products in public
7 schools and authorizes the board of trustees of a school district to use a product that
8 is not an environmentally sensitive cleaning and maintenance product after posting
9 a notice of the product to be used on the Internet website maintained by the school
10 district. **Sections 4, 10, 11-13, 15, 17 and 18** of this bill replace references to the
11 terms "English" and "foreign language" with references to "English language arts"
12 and "foreign or world language" for consistency with currently accepted
13 terminology.

14 Existing law authorizes certain hospitals or other facilities that are licensed by
15 the Division of Public and Behavioral Health of the Department of Health and
16 Human Services and that operate a licensed private school to request
17 reimbursement, under certain circumstances, from the Department of Education for
18 the cost of providing educational services to a child who attends the licensed
19 private school. (NRS 277.0655, 387.1225) Existing law also: (1) provides for the
20 establishment of a basic support guarantee for special education program units for
21 the purpose of allocating money from the State Distributive School Account; and
22 (2) authorizes the Superintendent to reallocate any unused allocations for special
23 education program units to a school district, charter school or university school for
24 profoundly gifted pupils. (NRS 387.122, 387.1221) **Section 4.5** of this bill
25 authorizes the Superintendent to reallocate any unused allocations to a hospital or
26 facility which is licensed by the Division of Public and Behavioral Health that
27 operates a licensed private school.

28 Existing law requires the Superintendent of Public Instruction to apportion the
29 State Distributive School Account in the State General Fund among the school
30 districts, charter schools and university schools for profoundly gifted pupils in
31 certain amounts based on a formula. This formula bases the State's financial
32 obligation to programs of instruction partially on the number of pupils involved in
33 such programs. (NRS 387.121-387.126) **Sections 5, 6, 8 and 9** of this bill provide
34 that the apportionment for a pupil enrolled part-time in a program of distance
35 education is paid to the school district in which the pupil resides, or the charter
36 school in which the pupil is enrolled. The school district or charter school, as
37 applicable, is required to allocate a percentage of that amount to the school district
38 or charter school that provides the program of distance education in an amount
39 which must be set out in an agreement between them.

40 **Section 2.5** of this bill adds a member to the Advisory Council on Parental
41 Involvement and Family Engagement to represent the Nevada Parent Teacher
42 Association.

43 Because existing law gives the Governor authority over the budgets of the
44 Department of Education, **section 7** of this bill: (1) requires the Superintendent to
45 submit certain recommendations of the Department to the Governor instead of to
46 the State Board; and (2) removes the requirement that the State Board consider the
47 biennial budgets of the Department. **Sections 8 and 9** remove the requirement that
48 certain pupils obtain written permission from the board of trustees of a school
49 district or the governing body of a charter school before enrolling in certain part-
50 time programs of distance education.

51 **Section 12** requires the Council to Establish Academic Standards for Public
52 Schools to establish standards of content and performance for foreign and world
53 languages in addition to other subjects for which it is already required to do so.

54 **Section 13** requires the State Board to prescribe examinations that measure the



55 achievement and proficiency of pupils for grades 9, 10, 11 and 12 in certain
56 subjects to comply with federal law. (20 U.S.C. § 6311(b)(3)) **Section 14** of this
57 bill revises the manner in which the Department provides an informational
58 pamphlet concerning end-of-course examinations and college and career readiness
59 assessments so that the pamphlet is available electronically. **Section 14.5** of this bill
60 removes an incorrect reference to an organization.

61 **Section 16** of this bill allows the parties in a hearing concerning the suspension
62 or revocation of a license to teach to agree to extend the date by which the hearing
63 must be held. **Section 20** of this bill authorizes money in the Educational Trust
64 Account to be expended as authorized by the Interim Finance Committee when the
65 Legislature is not in session. **Section 21** of this bill repeals the requirements that:
66 (1) the State Board adopt and use an official seal in authentication of its acts; and
67 (2) the Department approve or disapprove lists of books for use in public school
68 libraries.

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

1 **Section 1.** NRS 385.021 is hereby amended to read as follows:
2 385.021 1. The State Board of Education is hereby created.
3 The State Board consists of the following voting members:

4 (a) One member elected by the registered voters of each
5 congressional district described in NRS 304.060 to 304.120,
6 inclusive;

7 (b) One member appointed by the Governor;

8 (c) One member appointed by the Governor, nominated by the
9 Majority Leader of the Senate; and

10 (d) One member appointed by the Governor, nominated by the
11 Speaker of the Assembly.

12 2. In addition to the voting members described in subsection 1,
13 the State Board consists of the following four nonvoting members:

14 (a) One member appointed by the Governor who is a member of
15 a board of trustees of a school district, nominated by the Nevada
16 Association of School Boards;

17 (b) One member appointed by the Governor who is the
18 superintendent of schools of a school district, nominated by the
19 Nevada Association of School Superintendents;

20 (c) One member appointed by the Governor who represents the
21 Nevada System of Higher Education, nominated by the Board of
22 Regents of the University of Nevada; and

23 (d) One member appointed by the Governor who is a pupil
24 enrolled in a public school in this State, nominated by the Nevada
25 Association of Student Councils or its successor organization and in
26 consultation with the Nevada Youth Legislature. After the initial
27 term, the term of the member appointed pursuant to this paragraph
28 commences on June 1 and expires on May 31 of the following year.



1 3. Each member of the State Board elected pursuant to
2 paragraph (a) of subsection 1 must be a qualified elector of the
3 district from which that member is elected.

4 4. Each member appointed pursuant to paragraphs (b), (c) and
5 (d) of subsection 1 and each member appointed pursuant to
6 subsection 2 must be a resident of this State.

7 5. *Except as otherwise provided in paragraphs (a) and (c) of*
8 *subsection 2, a person who is elected to serve as an officer of this*
9 *State or any political subdivision thereof or a person appointed to*
10 *serve for the unexpired term of such an office may not serve or*
11 *continue to serve on the State Board.*

12 6. The Governor shall ensure that the members appointed
13 pursuant to paragraphs (b), (c) and (d) of subsection 1 represent the
14 geographic diversity of this State and that:

15 (a) One member is a teacher at a public school selected from a
16 list of three candidates provided by the Nevada State Education
17 Association.

18 (b) One member is the parent or legal guardian of a pupil
19 enrolled in a public school.

20 (c) One member is a person active in a private business or
21 industry of this State.

22 ~~6-7~~ 7. After the initial terms, each member:

23 (a) Elected pursuant to paragraph (a) of subsection 1 serves a
24 term of 4 years. A member may be elected to serve not more than
25 three terms but may be appointed to serve pursuant to paragraph (b),
26 (c) or (d) of subsection 1 or subsection 2 after service as an elected
27 member, notwithstanding the number of terms the member served as
28 an elected member.

29 (b) Appointed pursuant to paragraphs (b), (c) and (d) of
30 subsection 1 serves a term of 2 years ~~7-8~~, *except that each member*
31 *continues to serve until a successor is appointed.* A member may
32 be reappointed for additional terms of 2 years in the same manner as
33 the original appointment.

34 (c) Appointed pursuant to subsection 2 serves a term of 1 year.
35 A member may be reappointed for additional terms of 1 year in the
36 same manner as the original appointment.

37 ~~7-8~~ 8. If a vacancy occurs during the term of:

38 (a) A member who was elected pursuant to paragraph (a) of
39 subsection 1, the Governor shall appoint a member to fill the
40 vacancy until the next general election, at which election a member
41 must be chosen for the balance of the unexpired term. The appointee
42 must be a qualified elector of the district where the vacancy occurs.

43 (b) A voting member appointed pursuant to paragraph (b), (c) or
44 (d) of subsection 1 or a nonvoting member appointed pursuant to



1 subsection 2, the vacancy must be filled in the same manner as the
2 original appointment for the remainder of the unexpired term.

3 **Sec. 2.** (Deleted by amendment.)

4 **Sec. 2.5.** NRS 385.610 is hereby amended to read as follows:

5 385.610 1. The Superintendent of Public Instruction shall
6 establish an Advisory Council on Parental Involvement and Family
7 Engagement. The Advisory Council is composed of ~~10~~ **11**
8 members.

9 2. The Superintendent of Public Instruction shall appoint the
10 following members to the Advisory Council:

11 (a) Two parents or legal guardians of pupils enrolled in public
12 schools;

13 (b) Two teachers in public schools;

14 (c) One administrator of a public school;

15 (d) One representative of a private business or industry;

16 (e) One member of the board of trustees of a school district in a
17 county whose population is 100,000 or more; ~~and~~

18 (f) One member of the board of trustees of a school district in a
19 county whose population is less than 100,000 ~~and~~; **and**

20 ***(g) One member who is the President of the Board of***
21 ***Managers of the Nevada Parent Teacher Association or its***
22 ***successor organization, or a designee nominated by the President.***

23 ➤ The Superintendent of Public Instruction shall, to the extent
24 practicable, ensure that the members the Superintendent appoints to
25 the Advisory Council reflect the ethnic, economic and geographic
26 diversity of this State.

27 3. The Speaker of the Assembly shall appoint one member of
28 the Assembly to the Advisory Council.

29 4. The Majority Leader of the Senate shall appoint one member
30 of the Senate to the Advisory Council.

31 5. The Advisory Council shall elect a Chair and Vice Chair
32 from among its members. The Chair and Vice Chair serve a term of
33 1 year.

34 6. After the initial terms:

35 (a) The term of each member of the Advisory Council who is
36 appointed by the Superintendent of Public Instruction is 3 years.

37 (b) The term of each member of the Advisory Council who is
38 appointed by the Speaker of the Assembly and the Majority Leader
39 of the Senate is 2 years.

40 7. The Department shall provide:

41 (a) Administrative support to the Advisory Council; and

42 (b) All information that is necessary for the Advisory Council to
43 carry out its duties.

44 8. For each day or portion of a day during which a member of
45 the Advisory Council who is a Legislator attends a meeting of the



1 Advisory Council or is otherwise engaged in the business of the
2 Advisory Council, except during a regular or special session of
3 the Legislature, the member is entitled to receive the:

4 (a) Compensation provided for a majority of the members of the
5 Legislature during the first 60 days of the preceding regular session;

6 (b) Per diem allowance provided for state officers generally; and

7 (c) Travel expenses provided pursuant to NRS 218A.655.

8 ➔ The compensation, per diem allowances and travel expenses of
9 the legislative members of the Advisory Council must be paid from
10 the Legislative Fund.

11 9. A member of the Advisory Council who is not a Legislator
12 is entitled to receive the per diem allowance and travel expenses
13 provided for state officers and employees generally for each day or
14 portion of a day during which the member attends a meeting of the
15 Advisory Council or is otherwise engaged in the business of the
16 Advisory Council. The per diem allowance and travel expenses for
17 the members of the Advisory Council who are not Legislators must
18 be paid by the Department.

19 **Sec. 3.** NRS 386.4195 is hereby amended to read as follows:

20 386.4195 1. ~~{The Department of Education shall, in~~
21 ~~consultation with each school district, the State Department of~~
22 ~~Conservation and Natural Resources, the Department of Health and~~
23 ~~Human Services and other interested parties, including, without~~
24 ~~limitation, representatives of the cleaning and maintenance product~~
25 ~~industry, nongovernmental agencies and organizations, and parents~~
26 ~~and legal guardians of pupils enrolled in the school district, adopt~~
27 ~~regulations setting forth the standards for environmentally sensitive~~
28 ~~cleaning and maintenance products for use in the cleaning of all~~
29 ~~floor surfaces in the public schools.~~

30 ~~—2.— The Department shall provide a sample list of approved~~
31 ~~environmentally sensitive cleaning and maintenance products for~~
32 ~~use in the cleaning of all floor surfaces to each school district based~~
33 ~~upon the standards prescribed pursuant to subsection 1.~~

34 ~~—3.— The Department shall, at least every 2 years, review and may~~
35 ~~amend the sample list developed pursuant to subsection 2 as~~
36 ~~necessary.~~

37 ~~—4.—~~ Except as otherwise provided in ~~{subsections 6 and 7,}~~
38 **subsection 2**, each school district shall ensure that the public
39 schools within the school district use only environmentally sensitive
40 cleaning and maintenance products in the cleaning of all floor
41 surfaces in the public schools within the school district . ~~{in~~
42 ~~accordance with the regulations adopted pursuant to subsection 1.~~

43 ~~—5.— The board of trustees of a school district may consult with~~
44 ~~persons who are knowledgeable and have experience in~~



~~environmentally sensitive cleaning and maintenance products to determine if the board of trustees should:~~

~~—(a) Submit a written request to the Department pursuant to subsection 6 or 7.~~

~~—(b) Use any other environmentally sensitive cleaning and maintenance products in the public schools within the school district pursuant to subsection 9.~~

~~6.] 2.~~ If the board of trustees of a school district determines that the costs associated with the purchase or use of environmentally sensitive cleaning and maintenance products for use in the cleaning of floor surfaces are unreasonable and would place an undue burden on the efficient operation of the school district or a particular school within the school district, the board of trustees may ~~submit a written request to the Department for a waiver from purchasing and using environmentally sensitive~~ , *after posting notice of the product to be used on the Internet website maintained by the school district, purchase and use a cleaning and maintenance* ~~products for use~~ *product that is not an environmentally sensitive cleaning and maintenance product* in the cleaning of floor surfaces for the school district as a whole or for a particular school or schools within the school district.

~~7.] If the board of trustees of a school district determines that an environmentally sensitive cleaning and maintenance product for use in the cleaning of floor surfaces which is not included in the sample list developed pursuant to subsection 2 is more economically feasible or is a more effective environmentally sensitive cleaning and maintenance product, the board of trustees may submit a written request to the Department for a waiver to purchase and use such an environmentally sensitive cleaning and maintenance product that complies with the standards prescribed pursuant to subsection 1.~~

~~8.] If a waiver is granted by the Department pursuant to subsection 6 or 7, the waiver is effective for 1 year after the date of its approval and a renewal may be requested on an annual basis in the manner set forth in subsection 6 or 7, as applicable.~~

~~9.] 3.~~ In addition to the environmentally sensitive cleaning and maintenance products for use in the cleaning of floor surfaces in the public schools within the school district required pursuant to subsection 1, the board of trustees of a school district may use environmentally sensitive cleaning products for use in the cleaning of any other surfaces.

~~10.] The regulations adopted by the Department must not prohibit the use of any disinfectant, sanitizer, antimicrobial product or other cleaning product when necessary to protect the health and welfare of the pupils enrolled in a school within the school district and the educational personnel of the school district.~~



1 ~~11.1~~ 4. As used in this section, “environmentally sensitive
2 cleaning and maintenance products” means cleaning and
3 maintenance products that reduce the chemicals, hazardous wastes
4 and other environmental hazards to which pupils and school
5 personnel may be exposed.

6 **Sec. 4.** NRS 386.590 is hereby amended to read as follows:

7 386.590 1. Except as otherwise provided in this subsection,
8 at least 70 percent of the teachers who provide instruction at a
9 charter school must be licensed teachers. If a charter school is a
10 vocational school, the charter school shall, to the extent practicable,
11 ensure that at least 70 percent of the teachers who provide
12 instruction at the school are licensed teachers, but in no event may
13 more than 50 percent of the teachers who provide instruction at the
14 school be unlicensed teachers.

15 2. A governing body of a charter school shall employ:

16 (a) If the charter school offers instruction in kindergarten or
17 grade 1, 2, 3, 4, 5, 6, 7 or 8, a licensed teacher to teach pupils who
18 are enrolled in those grades. If required by subsection 3 or 4, such a
19 teacher must possess the qualifications required by 20 U.S.C. §
20 6319(a).

21 (b) If the charter school offers instruction in grade 9, 10, 11 or
22 12, a licensed teacher to teach pupils who are enrolled in those
23 grades for the subjects set forth in subsection 4. If required by
24 subsection 3 or 4, such a teacher must possess the qualifications
25 required by 20 U.S.C. § 6319(a).

26 (c) In addition to the requirements of paragraphs (a) and (b):

27 (1) If a charter school specializes in arts and humanities,
28 physical education or health education, a licensed teacher to teach
29 those courses of study.

30 (2) If a charter school specializes in the construction industry
31 or other building industry, licensed teachers to teach courses of
32 study relating to the industry if those teachers are employed
33 full-time.

34 (3) If a charter school specializes in the construction industry
35 or other building industry and the school offers courses of study in
36 computer education, technology or business, licensed teachers to
37 teach those courses of study if those teachers are employed
38 full-time.

39 3. A person who is initially hired by the governing body of a
40 charter school on or after January 8, 2002, to teach in a program
41 supported with money from Title I must possess the qualifications
42 required by 20 U.S.C. § 6319(a). For the purposes of this
43 subsection, a person is not “initially hired” if the person has been
44 employed as a teacher by another school district or charter school in



1 this State without an interruption in employment before the date of
2 hire by his or her current employer.

3 4. A teacher who is employed by a charter school, regardless of
4 the date of hire, must, on or before July 1, 2006, possess the
5 qualifications required by 20 U.S.C. § 6319(a) if the teacher teaches
6 one or more of the following subjects:

- 7 (a) English ~~[-reading-or]~~ language arts;
- 8 (b) Mathematics;
- 9 (c) Science;
- 10 (d) ~~Foreign~~ *A foreign or world* language;
- 11 (e) Civics or government;
- 12 (f) Economics;
- 13 (g) Geography;
- 14 (h) History; or
- 15 (i) The arts.

16 5. Except as otherwise provided in NRS 386.588, a charter
17 school may employ a person who is not licensed pursuant to the
18 provisions of chapter 391 of NRS to teach a course of study for
19 which a licensed teacher is not required pursuant to subsections 2, 3
20 and 4 if the person has:

- 21 (a) A degree, a license or a certificate in the field for which the
22 person is employed to teach at the charter school; and
- 23 (b) At least 2 years of experience in that field.

24 6. Except as otherwise provided in NRS 386.588, a charter
25 school shall employ such administrators for the school as it deems
26 necessary. A person employed as an administrator must possess:

- 27 (a) A valid teacher's license issued pursuant to chapter 391 of
28 NRS with an administrative endorsement;
- 29 (b) A master's degree in school administration, public
30 administration or business administration; or
- 31 (c) At least 5 years of experience in school administration,
32 public administration or business administration and a baccalaureate
33 degree.

34 7. Except as otherwise provided in subsection 8, the portion of
35 the salary or other compensation of an administrator employed by a
36 charter school that is derived from public funds must not exceed the
37 salary or other compensation, as applicable, of the highest paid
38 administrator in a comparable position in the school district in
39 which the charter school is located. For purposes of determining the
40 salary or other compensation of the highest paid administrator in a
41 comparable position in the school district, the salary or other
42 compensation of the superintendent of schools of that school district
43 must not be included in the determination.

44 8. If the salary or other compensation paid to an administrator
45 employed by a charter school from public funds exceeds the



1 maximum amount prescribed in subsection 7, the sponsor of the
2 charter school shall conduct an audit of the salary or compensation.
3 The audit must include, without limitation, a review of the reasons
4 set forth by the governing body of the charter school for the
5 salary or other compensation and the interests of the public in using
6 public funds to pay that salary or compensation. If the sponsor
7 determines that the payment of the salary or other compensation
8 from public funds is justified, the sponsor shall provide written
9 documentation of its determination to the governing body of the
10 charter school and to the Department. If the sponsor determines that
11 the payment of the salary or other compensation from public funds
12 is not justified, the governing body of the charter school shall reduce
13 the salary or compensation paid to the administrator from public
14 funds to an amount not to exceed the maximum amount prescribed
15 in subsection 7.

16 9. A charter school shall not employ a person pursuant to this
17 section if the person's license to teach or provide other educational
18 services has been revoked or suspended in this State or another
19 state.

20 10. On or before November 15 of each year, a charter school
21 shall submit to the Department, in a format prescribed by the
22 Superintendent of Public Instruction, the following information for
23 each person who is licensed pursuant to chapter 391 of NRS and
24 who is employed by the governing body on October 1 of that year:

25 (a) The amount of salary or compensation of the licensed
26 person, including, without limitation, verification of compliance
27 with subsection 7, if applicable to that person; and

28 (b) The designated assignment, as that term is defined by the
29 Department, of the licensed person.

30 **Sec. 4.5.** NRS 387.1221 is hereby amended to read as follows:

31 387.1221 1. The basic support guarantee for any special
32 education program unit maintained and operated during a period of
33 less than 9 school months is in the same proportion to the amount
34 established by law for that school year as the period during which
35 the program unit actually was maintained and operated is to 9 school
36 months.

37 2. Any unused allocations for special education program units
38 may be reallocated *by the Superintendent of Public Instruction* to
39 other school districts, charter schools, ~~for~~ university schools for
40 profoundly gifted pupils ~~by the Superintendent of Public~~
41 ~~Instruction.~~ *or hospitals or facilities which are licensed by the*
42 *Division of Public and Behavioral Health of the Department of*
43 *Health and Human Services that provide residential treatment to*
44 *children and which operate a private school licensed pursuant to*
45 *chapter 394 of NRS.* In such a reallocation, first priority must be



1 given to special education programs with statewide implications,
2 and second priority must be given to special education programs
3 maintained and operated within counties whose allocation is less
4 than or equal to the amount provided by law. If there are more
5 unused allocations than necessary to cover programs of first and
6 second priority but not enough to cover all remaining special
7 education programs eligible for payment from reallocations, then
8 payment for the remaining programs must be prorated. If there are
9 more unused allocations than necessary to cover programs of first
10 priority but not enough to cover all programs of second priority,
11 then payment for programs of second priority must be prorated. If
12 unused allocations are not enough to cover all programs of first
13 priority, then payment for programs of first priority must be
14 prorated.

15 **3. *Any unused allocation of a special education program unit***
16 ***that is reallocated to a hospital or facility which is licensed by the***
17 ***Division of Public and Behavioral Health pursuant to subsection 2***
18 ***must be provided as a percentage of a unit as determined based***
19 ***upon the number of days that such a program is provided***
20 ***compared to the total number of school days for the year.***

21 **4.** A school district, a charter school or a university school for
22 profoundly gifted pupils may, after receiving the approval of the
23 Superintendent of Public Instruction, contract with any person, state
24 agency or legal entity to provide a special education program unit
25 for pupils of the district pursuant to NRS 388.440 to 388.520,
26 inclusive.

27 ~~4.~~ **5.** A school district in a county whose population is less
28 than 700,000, a charter school or a university school for profoundly
29 gifted pupils that receives an allocation for special education
30 program units may use not more than 15 percent of its allocation to
31 provide early intervening services.

32 **6. *As used in this section:***

33 **(a) *“Hospital” has the meaning ascribed to it in NRS 449.012.***

34 **(b) *“Private school” has the meaning ascribed to it in***
35 ***NRS 394.103.***

36 **Sec. 5.** NRS 387.1233 is hereby amended to read as follows:

37 387.1233 1. Except as otherwise provided in subsection 2,
38 basic support of each school district must be computed by:

39 (a) Multiplying the basic support guarantee per pupil established
40 for that school district for that school year by the sum of:

41 (1) Six-tenths the count of pupils enrolled in the kindergarten
42 department on the last day of the first school month of the school
43 district for the school year, including, without limitation, the count
44 of pupils who reside in the county and are enrolled in any charter



1 school on the last day of the first school month of the school district
2 for the school year.

3 (2) The count of pupils enrolled in grades 1 to 12, inclusive,
4 on the last day of the first school month of the school district for the
5 school year, including, without limitation, the count of pupils who
6 reside in the county and are enrolled in any charter school on the last
7 day of the first school month of the school district for the school
8 year and the count of pupils who are enrolled in a university school
9 for profoundly gifted pupils located in the county.

10 (3) The count of pupils not included under subparagraph (1)
11 or (2) who are enrolled full-time in a program of distance education
12 provided by that school district or a charter school located within
13 that school district on the last day of the first school month of the
14 school district for the school year.

15 (4) The count of pupils who reside in the county and are
16 enrolled:

17 (I) In a public school of the school district and are
18 concurrently enrolled part-time in a program of distance education
19 provided by another school district or a charter school on the last
20 day of the first school month of the school district for the school
21 year . ~~}; expressed as a percentage of the total time services are
22 provided to those pupils per school day in proportion to the total
23 time services are provided during a school day to pupils who are
24 counted pursuant to subparagraph (2).;~~

25 (II) In a charter school and are concurrently enrolled part-
26 time in a program of distance education provided by a school district
27 or another charter school on the last day of the first school month of
28 the school district for the school year . ~~}; expressed as a percentage
29 of the total time services are provided to those pupils per school day
30 in proportion to the total time services are provided during a school
31 day to pupils who are counted pursuant to subparagraph (2).;~~

32 (5) The count of pupils not included under subparagraph (1),
33 (2), (3) or (4), who are receiving special education pursuant to the
34 provisions of NRS 388.440 to 388.520, inclusive, on the last day of
35 the first school month of the school district for the school year,
36 excluding the count of pupils who have not attained the age of 5
37 years and who are receiving special education pursuant to
38 subsection 1 of NRS 388.475 on that day.

39 (6) Six-tenths the count of pupils who have not attained the
40 age of 5 years and who are receiving special education pursuant to
41 subsection 1 of NRS 388.475 on the last day of the first school
42 month of the school district for the school year.

43 (7) The count of children detained in facilities for the
44 detention of children, alternative programs and juvenile forestry
45 camps receiving instruction pursuant to the provisions of



1 NRS 388.550, 388.560 and 388.570 on the last day of the first
2 school month of the school district for the school year.

3 (8) The count of pupils who are enrolled in classes for at
4 least one semester pursuant to subsection 5 of NRS 386.560,
5 subsection 5 of NRS 386.580 or subsection 3 of NRS 392.070,
6 expressed as a percentage of the total time services are provided to
7 those pupils per school day in proportion to the total time services
8 are provided during a school day to pupils who are counted pursuant
9 to subparagraph (2).

10 (b) Multiplying the number of special education program units
11 maintained and operated by the amount per program established for
12 that school year.

13 (c) Adding the amounts computed in paragraphs (a) and (b).

14 2. Except as otherwise provided in subsection 4, if the
15 enrollment of pupils in a school district or a charter school that is
16 located within the school district on the last day of the first school
17 month of the school district for the school year is less than or equal
18 to 95 percent of the enrollment of pupils in the same school district
19 or charter school on the last day of the first school month of the
20 school district for the immediately preceding school year, the largest
21 number from among the immediately preceding 2 school years must
22 be used for purposes of apportioning money from the State
23 Distributive School Account to that school district or charter school
24 pursuant to NRS 387.124.

25 3. Except as otherwise provided in subsection 4, if the
26 enrollment of pupils in a school district or a charter school that is
27 located within the school district on the last day of the first school
28 month of the school district for the school year is more than 95
29 percent of the enrollment of pupils in the same school district or
30 charter school on the last day of the first school month of the school
31 district for the immediately preceding school year, the larger
32 enrollment number from the current year or the immediately
33 preceding school year must be used for purposes of apportioning
34 money from the State Distributive School Account to that school
35 district or charter school pursuant to NRS 387.124.

36 4. If the Department determines that a school district or charter
37 school deliberately causes a decline in the enrollment of pupils in
38 the school district or charter school to receive a higher
39 apportionment pursuant to subsection 2 or 3, including, without
40 limitation, by eliminating grades or moving into smaller facilities,
41 the enrollment number from the current school year must be used
42 for purposes of apportioning money from the State Distributive
43 School Account to that school district or charter school pursuant to
44 NRS 387.124.



1 5. Pupils who are excused from attendance at examinations or
2 have completed their work in accordance with the rules of the board
3 of trustees must be credited with attendance during that period.

4 6. Pupils who are incarcerated in a facility or institution
5 operated by the Department of Corrections must not be counted for
6 the purpose of computing basic support pursuant to this section. The
7 average daily attendance for such pupils must be reported to the
8 Department of Education.

9 7. Pupils who are enrolled in courses which are approved by
10 the Department as meeting the requirements for an adult to earn a
11 high school diploma must not be counted for the purpose of
12 computing basic support pursuant to this section.

13 **Sec. 6.** NRS 387.124 is hereby amended to read as follows:

14 387.124 Except as otherwise provided in this section and
15 NRS 387.528:

16 1. On or before August 1, November 1, February 1 and May 1
17 of each year, the Superintendent of Public Instruction shall
18 apportion the State Distributive School Account in the State General
19 Fund among the several county school districts, charter schools and
20 university schools for profoundly gifted pupils in amounts
21 approximating one-fourth of their respective yearly apportionments
22 less any amount set aside as a reserve. Except as otherwise provided
23 in NRS 387.1244, the apportionment to a school district, computed
24 on a yearly basis, equals the difference between the basic support
25 and the local funds available pursuant to NRS 387.1235, minus all
26 the funds attributable to pupils who reside in the county but attend a
27 charter school, all the funds attributable to pupils who reside in the
28 county and are enrolled full-time or part-time in a program of
29 distance education provided by another school district or a charter
30 school and all the funds attributable to pupils who are enrolled in a
31 university school for profoundly gifted pupils located in the county.
32 No apportionment may be made to a school district if the amount of
33 the local funds exceeds the amount of basic support.

34 2. Except as otherwise provided in subsection 3 and NRS
35 387.1244, the apportionment to a charter school, computed on a
36 yearly basis, is equal to the sum of the basic support per pupil in the
37 county in which the pupil resides plus the amount of local funds
38 available per pupil pursuant to NRS 387.1235 and all other funds
39 available for public schools in the county in which the pupil resides
40 minus the sponsorship fee prescribed by NRS 386.570 and minus all
41 the funds attributable to pupils who are enrolled in the charter
42 school but are concurrently enrolled part-time in a program of
43 distance education provided by a school district or another charter
44 school. If the apportionment per pupil to a charter school is more
45 than the amount to be apportioned to the school district in which a



1 pupil who is enrolled in the charter school resides, the school district
2 in which the pupil resides shall pay the difference directly to the
3 charter school.

4 3. Except as otherwise provided in NRS 387.1244, the
5 apportionment to a charter school that is sponsored by the State
6 Public Charter School Authority or by a college or university within
7 the Nevada System of Higher Education, computed on a yearly
8 basis, is equal to the sum of the basic support per pupil in the county
9 in which the pupil resides plus the amount of local funds available
10 per pupil pursuant to NRS 387.1235 and all other funds available for
11 public schools in the county in which the pupil resides, minus the
12 sponsorship fee prescribed by NRS 386.570 and minus all funds
13 attributable to pupils who are enrolled in the charter school but are
14 concurrently enrolled part-time in a program of distance education
15 provided by a school district or another charter school.

16 4. Except as otherwise provided in NRS 387.1244, in addition
17 to the apportionments made pursuant to this section, *if a pupil is*
18 *enrolled part-time in a program of distance education and part-*
19 *time in a:*

20 (a) *Public school other than a charter school*, an
21 apportionment must be made to ~~a school district or charter school~~
22 ~~that provides a program of distance education for each pupil who is~~
23 ~~enrolled part-time in the program. The amount of the apportionment~~
24 ~~must be equal to the percentage of the total time services are~~
25 ~~provided to the pupil through the program of distance education per~~
26 ~~school day in proportion to the total time services are provided~~
27 ~~during a school day to pupils who are counted pursuant to~~
28 ~~subparagraph (2) of paragraph (a) of subsection 1 of NRS 387.1233~~
29 ~~for~~ the school district in which the pupil resides. *The school district*
30 *in which the pupil resides shall allocate a percentage of the*
31 *apportionment to the school district or charter school that provides*
32 *the program of distance education in the amount set forth in the*
33 *agreement entered into pursuant to NRS 388.854.*

34 (b) *Charter school*, an apportionment must be made to the
35 *charter school in which the pupil is enrolled. The charter school*
36 *in which the pupil is enrolled shall allocate a percentage of the*
37 *apportionment to the school district or charter school that provides*
38 *the program of distance education in the amount set forth in the*
39 *agreement entered into pursuant to NRS 388.858.*

40 5. The governing body of a charter school may submit a
41 written request to the Superintendent of Public Instruction to
42 receive, in the first year of operation of the charter school, an
43 apportionment 30 days before the apportionment is required to be
44 made pursuant to subsection 1. Upon receipt of such a request, the
45 Superintendent of Public Instruction may make the apportionment



1 30 days before the apportionment is required to be made. A charter
2 school may receive all four apportionments in advance in its first
3 year of operation.

4 6. Except as otherwise provided in NRS 387.1244, the
5 apportionment to a university school for profoundly gifted pupils,
6 computed on a yearly basis, is equal to the sum of the basic support
7 per pupil in the county in which the university school is located plus
8 the amount of local funds available per pupil pursuant to NRS
9 387.1235 and all other funds available for public schools in the
10 county in which the university school is located. If the
11 apportionment per pupil to a university school for profoundly gifted
12 pupils is more than the amount to be apportioned to the school
13 district in which the university school is located, the school district
14 shall pay the difference directly to the university school. The
15 governing body of a university school for profoundly gifted pupils
16 may submit a written request to the Superintendent of Public
17 Instruction to receive, in the first year of operation of the university
18 school, an apportionment 30 days before the apportionment is
19 required to be made pursuant to subsection 1. Upon receipt of such a
20 request, the Superintendent of Public Instruction may make the
21 apportionment 30 days before the apportionment is required to be
22 made. A university school for profoundly gifted pupils may receive
23 all four apportionments in advance in its first year of operation.

24 7. The Superintendent of Public Instruction shall apportion, on
25 or before August 1 of each year, the money designated as the
26 "Nutrition State Match" pursuant to NRS 387.105 to those school
27 districts that participate in the National School Lunch Program, 42
28 U.S.C. §§ 1751 et seq. The apportionment to a school district must
29 be directly related to the district's reimbursements for the Program
30 as compared with the total amount of reimbursements for all school
31 districts in this State that participate in the Program.

32 8. If the State Controller finds that such an action is needed to
33 maintain the balance in the State General Fund at a level sufficient
34 to pay the other appropriations from it, the State Controller may pay
35 out the apportionments monthly, each approximately one-twelfth of
36 the yearly apportionment less any amount set aside as a reserve. If
37 such action is needed, the State Controller shall submit a report to
38 the Department of Administration and the Fiscal Analysis Division
39 of the Legislative Counsel Bureau documenting reasons for the
40 action.

41 **Sec. 7.** NRS 387.3035 is hereby amended to read as follows:
42 387.3035 The Department shall:

43 1. Determine the apportionment of all state school money to
44 schools of the State as prescribed by law.



1 2. Develop for public schools of the State a uniform system of
2 budgeting and accounting. The system must provide for the separate
3 reporting of expenditures for each:

- 4 (a) School district; and
- 5 (b) School within a school district.

6 ↪ Upon approval of the State Board, the system is mandatory for all
7 public schools in this State and must be enforced as provided in
8 subsection 2 of NRS 387.3037.

9 3. Carry on a continuing study of school finance in the State,
10 particularly the method by which schools are financed on the state
11 level, and make such recommendations to the Superintendent of
12 Public Instruction for submission to the ~~{State Board}~~ *Governor* as
13 the Department deems advisable.

14 4. Recommend to the Superintendent of Public Instruction for
15 submission to the ~~{State Board}~~ *Governor* such changes in
16 budgetary and financial procedures as the studies may show to be
17 advisable.

18 5. Perform such other statistical and financial duties pertaining
19 to the administration and finances of the schools of the State as may
20 be required by the Superintendent of Public Instruction.

21 6. Prepare for the Superintendent of Public Instruction the
22 biennial budgets of the Department for ~~{consideration by the State
23 Board and}~~ submission to the Governor.

24 **Sec. 8.** NRS 388.854 is hereby amended to read as follows:

25 388.854 1. Before a pupil may enroll full-time in a program
26 of distance education that is provided by a school district other than
27 the school district in which the pupil resides, ~~{the pupil must obtain
28 the written permission of the board of trustees of the school district
29 in which the pupil resides. Before a pupil who is enrolled in a public
30 school of a school district may enroll part-time in a program of
31 distance education that is provided by a charter school,}~~ the pupil
32 must obtain the written permission of the board of trustees of the
33 school district in which the pupil resides. Except as otherwise
34 provided in NRS 388.850 or other specific statute, a board of
35 trustees from whom permission is requested pursuant to this
36 subsection shall grant the requested permission.

37 2. A pupil who enrolls part-time in a program of distance
38 education that is provided by a school district other than the school
39 district in which the pupil resides or ~~{enrolls full-time in a program
40 of distance education}~~ that is provided by a charter school is not
41 required to obtain the approval of the board of trustees of the school
42 district in which the pupil resides.

43 3. If the board of trustees of a school district grants permission
44 *for a pupil to enroll full-time in a program of distance education*
45 pursuant to subsection 1 ~~{}~~ *or if a pupil enrolls part-time in a*



1 *program of distance education pursuant to subsection 2*, the board
2 of trustees *of the school district in which the pupil resides* shall
3 enter into a written agreement with the board of trustees *of the*
4 *school district* or *the* governing body ~~†~~ *of the charter school*, as
5 applicable, that provides the program of distance education. *If the*
6 *pupil enrolls part-time in a program of distance education,*
7 *the agreement must include, without limitation, the amount of the*
8 *apportionment provided to the school district where the pupil*
9 *resides that will be allocated pursuant to paragraph (a) of*
10 *subsection 4 of NRS 387.124 to the school district or charter*
11 *school, as applicable, that provides the program of distance*
12 *education.*

13 4. A separate agreement must be prepared for each year that a
14 pupil enrolls in a program of distance education. If permission is
15 granted pursuant to subsection 1, the written agreement required by
16 this subsection is not a condition precedent to the pupil's enrollment
17 in the program of distance education.

18 5. *If the school district in which the pupil resides and the*
19 *board of trustees of the school district or governing body of the*
20 *charter school, as applicable, that provides the program of*
21 *distance education in which the pupil is enrolled part-time are*
22 *unable to reach an agreement as required pursuant to subsection*
23 *3, the Superintendent of Public Instruction will determine the*
24 *amount of the apportionment which the school district where the*
25 *pupil resides will be required to allocate pursuant to paragraph (a)*
26 *of subsection 4 of NRS 387.124 to the school district or charter*
27 *school, as applicable, that provides the program of distance*
28 *education.*

29 **Sec. 9.** NRS 388.858 is hereby amended to read as follows:

30 388.858 1. If a pupil is enrolled in a charter school, the pupil
31 may enroll full-time in a program of distance education only if the
32 charter school in which the pupil is enrolled provides the program of
33 distance education.

34 2. ~~†Before a†~~ A pupil who is enrolled in a charter school may
35 enroll part-time in a program of distance education that is provided
36 by a school district or another charter school ~~†, the pupil must†~~ *and*
37 *is not required to* obtain the ~~†written permission†~~ *approval* of the
38 governing body of the charter school in which the pupil is enrolled.

39 3. If ~~†the governing body of†~~ a *pupil who is enrolled in a*
40 *charter school* ~~†grants permission pursuant to subsection 2, the†~~
41 *enrolls in a part-time program of distance education that is*
42 *provided by a school district or another charter school, the*
43 governing body *of the charter school in which the pupil is enrolled*
44 shall enter into a written agreement with the board of trustees *of the*
45 *school district* or governing body ~~†~~ *of the charter school*, as



1 applicable, that provides the program of distance education. *The*
2 *agreement must include, without limitation, the amount of the*
3 *apportionment provided to the charter school in which the pupil is*
4 *enrolled that will be allocated pursuant to paragraph (b) of*
5 *subsection 4 of NRS 387.124 to the school district or charter*
6 *school, as applicable, that provides the program of distance*
7 *education.*

8 4. A separate agreement must be prepared for each year that a
9 pupil enrolls in a program of distance education.

10 5. *If the charter school in which the pupil is enrolled and the*
11 *board of trustees of the school district or governing body of the*
12 *charter school, as applicable, that provides the program of*
13 *distance education are unable to reach an agreement as required*
14 *pursuant to subsection 3, the Superintendent of Public Instruction*
15 *will determine the amount of the apportionment which the charter*
16 *school in which the pupil is enrolled is required to allocate*
17 *pursuant to paragraph (b) of subsection 4 of NRS 387.124 to the*
18 *school district or charter school, as applicable, that provides the*
19 *program of distance education.*

20 **Sec. 10.** NRS 389.012 is hereby amended to read as follows:

21 389.012 1. The State Board shall:

22 (a) In accordance with guidelines established by the National
23 Assessment Governing Board and National Center for Education
24 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the
25 regulations adopted pursuant thereto, adopt regulations requiring the
26 schools of this State that are selected by the National Assessment
27 Governing Board or the National Center for Education Statistics to
28 participate in the examinations of the National Assessment of
29 Educational Progress.

30 (b) Report the results of those examinations to the:

31 (1) Governor;

32 (2) Board of trustees of each school district of this State;

33 (3) Legislative Committee on Education created pursuant to
34 NRS 218E.605; and

35 (4) Legislative Bureau of Educational Accountability and
36 Program Evaluation created pursuant to NRS 218E.625.

37 (c) Include in the report required pursuant to paragraph (b) an
38 analysis and comparison of the results of pupils in this State on the
39 examinations required by this section with:

40 (1) The results of pupils throughout this country who
41 participated in the examinations of the National Assessment of
42 Educational Progress; and

43 (2) The results of pupils on the achievement and proficiency
44 examinations administered pursuant to this chapter.



1 2. If the report required by subsection 1 indicates that the
2 percentage of pupils enrolled in the public schools in this State who
3 are proficient on the National Assessment of Educational Progress
4 differs by more than 10 percent of the pupils who are proficient on
5 the examinations administered pursuant to NRS 389.550 and
6 the examinations administered pursuant to NRS 389.805, the
7 Department shall prepare a written report describing the
8 discrepancy. The report must include, without limitation, a
9 comparison and evaluation of:

10 (a) The standards of content and performance for English
11 *language arts* and mathematics established pursuant to NRS
12 389.520 with the standards for English *language arts* and
13 mathematics that are tested on the National Assessment.

14 (b) The standards for proficiency established for the National
15 Assessment with the standards for proficiency established for the
16 examinations that are administered pursuant to NRS 389.550 and
17 the examinations administered pursuant to NRS 389.805.

18 3. The report prepared by the Department pursuant to
19 subsection 2 must be submitted to the:

20 (a) Governor;

21 (b) Legislative Committee on Education;

22 (c) Legislative Bureau of Educational Accountability and
23 Program Evaluation; and

24 (d) Council to Establish Academic Standards for Public Schools.

25 4. The Council to Establish Academic Standards for Public
26 Schools shall review and evaluate the report provided to the Council
27 pursuant to subsection 3 to identify any discrepancies in the
28 standards of content and performance established by the Council
29 that require revision and a timeline for carrying out the revision, if
30 necessary. The Council shall submit a written report of its review
31 and evaluation to the Legislative Committee on Education and
32 Legislative Bureau of Educational Accountability and Program
33 Evaluation.

34 **Sec. 11.** NRS 389.018 is hereby amended to read as follows:

35 389.018 1. The following subjects are designated as the core
36 academic subjects that must be taught, as applicable for the grade
37 levels, in all public schools, the Caliente Youth Center, the Nevada
38 Youth Training Center and any other state facility for the detention
39 of children that is operated pursuant to title 5 of NRS:

40 (a) English ~~[, including reading, composition and writing,]~~
41 *language arts*;

42 (b) Mathematics;

43 (c) Science; and

44 (d) Social studies, which includes only the subjects of history,
45 geography, economics and government.



1 2. Except as otherwise provided in this subsection, a pupil
2 enrolled in a public high school must enroll in a minimum of:

3 (a) Four units of credit in English ~~+~~ *language arts*;

4 (b) Four units of credit in mathematics, including, without
5 limitation, Algebra I and geometry, or an equivalent course of study
6 that integrates Algebra I and geometry;

7 (c) Three units of credit in science, including two laboratory
8 courses; and

9 (d) Three units of credit in social studies, including, without
10 limitation:

11 (1) American government;

12 (2) American history; and

13 (3) World history or geography.

14 ↪ A pupil is not required to enroll in the courses of study and
15 credits required by this subsection if the pupil, the parent or legal
16 guardian of the pupil and an administrator or a counselor at the
17 school in which the pupil is enrolled mutually agree to a modified
18 course of study for the pupil and that modified course of study
19 satisfies at least the requirements for a standard high school diploma
20 or an adjusted diploma, as applicable.

21 3. Except as otherwise provided in this subsection, in addition
22 to the core academic subjects, the following subjects must be taught
23 as applicable for grade levels and to the extent practicable in all
24 public schools, the Caliente Youth Center, the Nevada Youth
25 Training Center and any other state facility for the detention of
26 children that is operated pursuant to title 5 of NRS:

27 (a) The arts;

28 (b) Computer education and technology;

29 (c) Health; and

30 (d) Physical education.

31 ↪ If the State Board requires the completion of course work in a
32 subject area set forth in this subsection for graduation from high
33 school or promotion to the next grade, a public school shall offer the
34 required course work. Except as otherwise provided for a course of
35 study in health prescribed by subsection 1 of NRS 389.0185, unless
36 a subject is required for graduation from high school or promotion
37 to the next grade, a charter school is not required to comply with
38 this subsection.

39 **Sec. 12.** NRS 389.520 is hereby amended to read as follows:

40 389.520 1. The Council shall:

41 (a) Establish standards of content and performance, including,
42 without limitation, a prescription of the resulting level of
43 achievement, for the grade levels set forth in subsection 3, based
44 upon the content of each course, that is expected of pupils for the
45 following courses of study:



- 1 (1) English ~~[- including reading, composition and writing;]~~
2 *language arts;*
- 3 (2) Mathematics;
- 4 (3) Science;
- 5 (4) Social studies, which includes only the subjects of
6 history, geography, economics and government;
- 7 (5) The arts;
- 8 (6) Computer education and technology;
- 9 (7) Health; ~~and~~
- 10 (8) Physical education ~~[-]~~; *and*
- 11 (9) *A foreign or world language.*

12 (b) Establish a schedule for the periodic review and, if
13 necessary, revision of the standards of content and performance. The
14 review must include, without limitation, the review required
15 pursuant to NRS 389.570 of the results of pupils on the
16 examinations administered pursuant to NRS 389.550.

17 (c) Assign priorities to the standards of content and performance
18 relative to importance and degree of emphasis and revise the
19 standards, if necessary, based upon the priorities.

20 2. The standards for computer education and technology must
21 include a policy for the ethical, safe and secure use of computers
22 and other electronic devices. The policy must include, without
23 limitation:

24 (a) The ethical use of computers and other electronic devices,
25 including, without limitation:

26 (1) Rules of conduct for the acceptable use of the Internet
27 and other electronic devices; and

28 (2) Methods to ensure the prevention of:

29 (I) Cyber-bullying;

30 (II) Plagiarism; and

31 (III) The theft of information or data in an electronic
32 form;

33 (b) The safe use of computers and other electronic devices,
34 including, without limitation, methods to:

35 (1) Avoid cyber-bullying and other unwanted electronic
36 communication, including, without limitation, communication with
37 on-line predators;

38 (2) Recognize when an on-line electronic communication is
39 dangerous or potentially dangerous; and

40 (3) Report a dangerous or potentially dangerous on-line
41 electronic communication to the appropriate school personnel;

42 (c) The secure use of computers and other electronic devices,
43 including, without limitation:

44 (1) Methods to maintain the security of personal identifying
45 information and financial information, including, without limitation,



1 identifying unsolicited electronic communication which is sent for
2 the purpose of obtaining such personal and financial information for
3 an unlawful purpose;

4 (2) The necessity for secure passwords or other unique
5 identifiers;

6 (3) The effects of a computer contaminant;

7 (4) Methods to identify unsolicited commercial material; and

8 (5) The dangers associated with social networking Internet
9 sites; and

10 (d) A designation of the level of detail of instruction as
11 appropriate for the grade level of pupils who receive the instruction.

12 3. The Council shall establish standards of content and
13 performance for each grade level in kindergarten and grades 1 to 8,
14 inclusive, for English *language arts* and mathematics. The Council
15 shall establish standards of content and performance for the grade
16 levels selected by the Council for the other courses of study
17 prescribed in subsection 1.

18 4. The Council shall forward to the State Board the standards
19 of content and performance established by the Council for each
20 course of study. The State Board shall:

21 (a) Adopt the standards for each course of study, as submitted
22 by the Council; or

23 (b) If the State Board objects to the standards for a course of
24 study or a particular grade level for a course of study, return those
25 standards to the Council with a written explanation setting forth the
26 reason for the objection.

27 5. If the State Board returns to the Council the standards of
28 content and performance for a course of study or a grade level, the
29 Council shall:

30 (a) Consider the objection provided by the State Board and
31 determine whether to revise the standards based upon the objection;
32 and

33 (b) Return the standards or the revised standards, as applicable,
34 to the State Board.

35 ➔ The State Board shall adopt the standards of content and
36 performance or the revised standards, as applicable.

37 6. The Council shall work in cooperation with the State Board
38 to prescribe the examinations required by NRS 389.550.

39 7. As used in this section:

40 (a) "Computer contaminant" has the meaning ascribed to it in
41 NRS 205.4737.

42 (b) "Cyber-bullying" has the meaning ascribed to it in
43 NRS 388.123.

44 (c) "Electronic communication" has the meaning ascribed to it
45 in NRS 388.124.



1 **Sec. 13.** NRS 389.550 is hereby amended to read as follows:

2 389.550 1. The State Board shall, in consultation with the
3 Council, prescribe examinations that comply with 20 U.S.C. §
4 6311(b)(3) and that measure the achievement and proficiency of
5 pupils:

6 (a) For grades 3, 4, 5, 6, 7 and 8 , in the standards of content
7 established by the Council for the subjects of English *language arts*
8 and mathematics.

9 (b) For grades 5 and 8, in the standards of content established by
10 the Council for the subject of science.

11 (c) *For grades 9, 10, 11 and 12, in the standards of content*
12 *established by the Council for the subjects required to comply with*
13 *20 U.S.C. § 6311(b)(3).*

14 ↪ The examinations prescribed pursuant to this subsection must be
15 written, developed, printed and scored by a nationally recognized
16 testing company.

17 2. In addition to the examinations prescribed pursuant to
18 subsection 1, the State Board shall, in consultation with the Council,
19 prescribe a writing examination for grades 5 and 8.

20 3. The board of trustees of each school district and the
21 governing body of each charter school shall administer the
22 examinations prescribed by the State Board. The examinations must
23 be:

24 (a) Administered to pupils in each school district and each
25 charter school at the same time during the spring semester, as
26 prescribed by the State Board.

27 (b) Administered in each school in accordance with uniform
28 procedures adopted by the State Board. The Department shall
29 monitor the school districts and individual schools to ensure
30 compliance with the uniform procedures.

31 (c) Administered in each school in accordance with the plan
32 adopted pursuant to NRS 389.616 by the Department and with the
33 plan adopted pursuant to NRS 389.620 by the board of trustees of
34 the school district in which the examinations are administered. The
35 Department shall monitor the compliance of school districts and
36 individual schools with:

37 (1) The plan adopted by the Department; and

38 (2) The plan adopted by the board of trustees of the
39 applicable school district, to the extent that the plan adopted by the
40 board of trustees of the school district is consistent with the plan
41 adopted by the Department.

42 **Sec. 14.** NRS 389.809 is hereby amended to read as follows:

43 389.809 1. The Department shall develop an informational
44 pamphlet concerning the end-of-course examinations required
45 pursuant to NRS 389.805 and the college and career readiness



1 assessment administered pursuant to NRS 389.807 for pupils who
2 are enrolled in junior high, middle school and high school, and their
3 parents and legal guardians. The pamphlet must include a written
4 explanation of the:

5 (a) Importance of passing the end-of-course examinations and
6 the importance of taking the college and career readiness
7 assessment;

8 (b) Courses of study for which the end-of-course examinations
9 are administered and the subject areas tested on the college and
10 career readiness assessment;

11 (c) Format for the end-of-course examinations and the college
12 and career readiness assessment, including, without limitation, the
13 range of items that are contained on the examinations and the
14 assessment; and

15 (d) Maximum number of times, if any, that a pupil is allowed to
16 take the end-of-course examinations if the pupil fails to pass the
17 examinations after the first administration.

18 2. The Department shall review the pamphlet on an annual
19 basis and make such revisions to the pamphlet as it considers
20 necessary to ensure that pupils and their parents or legal guardians
21 fully understand the end-of-course examinations and the college and
22 career readiness assessment.

23 3. On or before September 1, the Department shall ~~provide a~~ :

24 (a) *Provide an electronic* copy of the pamphlet or revised
25 pamphlet to the board of trustees of each school district and the
26 governing body of each charter school that includes pupils enrolled
27 in a junior high, middle school or high school grade level ~~H~~ ; and

28 (b) *Post a copy of the pamphlet or revised pamphlet on the*
29 *Internet website maintained by the Department.*

30 4. The board of trustees of each school district shall provide a
31 copy of the pamphlet to each junior high, middle school or high
32 school within the school district for posting. The governing body of
33 each charter school shall ensure that a copy of the pamphlet is
34 posted at the charter school. Each principal of a junior high, middle
35 school, high school or charter school shall ensure that the teachers,
36 counselors and administrators employed at the school fully
37 understand the contents of the pamphlet.

38 5. On or before October 1, the:

39 (a) Board of trustees of each school district shall provide a copy
40 of the pamphlet to each pupil who is enrolled in a junior high,
41 middle school or high school of the school district and to the parents
42 or legal guardians of such a pupil.

43 (b) Governing body of each charter school shall provide a copy
44 of the pamphlet to each pupil who is enrolled in the charter school at



1 a junior high, middle school or high school grade level and to the
2 parents or legal guardians of such a pupil.

3 **Sec. 14.5.** NRS 391.038 is hereby amended to read as follows:

4 391.038 1. The State Board, in consultation with educational
5 institutions in this State which offer courses of study and training
6 for the education of teachers, the board of trustees of each school
7 district in this State and other educational personnel, shall review
8 and evaluate a course of study and training offered by an
9 educational institution which is designed to provide the education
10 required for:

11 (a) The licensure of teachers or other educational personnel;

12 (b) The renewal of licenses of teachers or other educational
13 personnel; or

14 (c) An endorsement in a field of specialization.

15 ➔ If the course of study and training meets the requirements
16 established by the State Board, it must be approved by the State
17 Board. The State Board shall not approve a course of study or
18 training unless the course of study and training provides instruction,
19 to the extent deemed necessary by the State Board, in the standards
20 of content and performance prescribed by the Council to Establish
21 Academic Standards for Public Schools pursuant to NRS 389.520.

22 2. The State Board may review and evaluate such courses of
23 study and training itself or may recognize a course of study and
24 training approved by a national agency for accreditation acceptable
25 to the Board.

26 3. The State Board shall adopt regulations establishing fees for
27 the review by the Board of a course of study and training submitted
28 to the Board by an educational institution.

29 4. The State Board, in consultation with educational
30 institutions in this State which offer courses of study and training
31 for the education of teachers and other educational personnel, ~~and~~
32 ~~the Nevada Association of Colleges for Teacher Education and the~~
33 ~~Nevada Association of Teacher Educators,]~~ shall adopt regulations
34 governing the approval by the State Board of courses of study and
35 training . ~~[which are accredited by the National Council for~~
36 ~~Accreditation of Teacher Education, and those which are not so~~
37 ~~accredited.]~~

38 5. If the State Board denies or withdraws its approval of a
39 course of study or training, the educational institution is entitled to a
40 hearing and judicial review of the decision of the State Board.

41 **Sec. 15.** NRS 391.100 is hereby amended to read as follows:

42 391.100 1. The board of trustees of a school district may
43 employ a superintendent of schools, teachers and all other necessary
44 employees.



1 2. A person who is initially hired by the board of trustees of a
2 school district on or after January 8, 2002, to teach in a program
3 supported with money from Title I must possess the qualifications
4 required by 20 U.S.C. § 6319(a). For the purposes of this
5 subsection, a person is not “initially hired” if he or she has been
6 employed as a teacher by another school district or charter school in
7 this State without an interruption in employment before the date of
8 hire by the person’s current employer.

9 3. A person who is employed as a teacher, regardless of the
10 date of hire, must possess, on or before July 1, 2006, the
11 qualifications required by 20 U.S.C. § 6319(a) if the person teaches:

- 12 (a) English ~~[-reading or]~~ language arts;
- 13 (b) Mathematics;
- 14 (c) Science;
- 15 (d) ~~Foreign~~ *A foreign or world* language;
- 16 (e) Civics or government;
- 17 (f) Economics;
- 18 (g) Geography;
- 19 (h) History; or
- 20 (i) The arts.

21 4. The board of trustees of a school district:

22 (a) May employ teacher aides and other auxiliary,
23 nonprofessional personnel to assist licensed personnel in the
24 instruction or supervision of children, either in the classroom or at
25 any other place in the school or on the grounds thereof. A person
26 who is initially hired as a paraprofessional by a school district on or
27 after January 8, 2002, to work in a program supported with Title I
28 money must possess the qualifications required by 20 U.S.C. §
29 6319(c). A person who is employed as a paraprofessional by a
30 school district, regardless of the date of hire, to work in a program
31 supported with Title I money must possess, on or before January 8,
32 2006, the qualifications required by 20 U.S.C. § 6319(c). For the
33 purposes of this paragraph, a person is not “initially hired” if he or
34 she has been employed as a paraprofessional by another school
35 district or charter school in this State without an interruption in
36 employment before the date of hire by the person’s current
37 employer.

38 (b) Shall establish policies governing the duties and
39 performance of teacher aides.

40 5. Each applicant for employment pursuant to this section,
41 except a teacher or other person licensed by the Superintendent of
42 Public Instruction, must, as a condition to employment, submit to
43 the school district a full set of the applicant’s fingerprints and
44 written permission authorizing the school district to forward the
45 fingerprints to the Central Repository for Nevada Records of



1 Criminal History for its report on the criminal history of the
2 applicant and for submission to the Federal Bureau of Investigation
3 for its report on the criminal history of the applicant.

4 6. Except as otherwise provided in subsection 7, the board of
5 trustees of a school district shall not require a licensed teacher or
6 other person licensed by the Superintendent of Public Instruction
7 pursuant to NRS 391.033 who has taken a leave of absence from
8 employment authorized by the school district, including, without
9 limitation:

10 (a) Sick leave;

11 (b) Sabbatical leave;

12 (c) Personal leave;

13 (d) Leave for attendance at a regular or special session of the
14 Legislature of this State if the employee is a member thereof;

15 (e) Maternity leave; and

16 (f) Leave permitted by the Family and Medical Leave Act of
17 1993, 29 U.S.C. §§ 2601 et seq.,

18 ➔ to submit a set of his or her fingerprints as a condition of return
19 to or continued employment with the school district if the employee
20 is in good standing when the employee began the leave.

21 7. A board of trustees of a school district may ask the
22 Superintendent of Public Instruction to require a person licensed by
23 the Superintendent of Public Instruction pursuant to NRS 391.033
24 who has taken a leave of absence from employment authorized by
25 the school district to submit a set of his or her fingerprints as a
26 condition of return to or continued employment with the school
27 district if the board of trustees has probable cause to believe that the
28 person has committed a felony or an offense involving moral
29 turpitude during the period of his or her leave of absence.

30 8. The board of trustees of a school district may employ or
31 appoint persons to serve as school police officers. If the board of
32 trustees of a school district employs or appoints persons to serve as
33 school police officers, the board of trustees shall employ a law
34 enforcement officer to serve as the chief of school police who is
35 supervised by the superintendent of schools of the school district.
36 The chief of school police shall supervise each person appointed or
37 employed by the board of trustees as a school police officer. In
38 addition, persons who provide police services pursuant to subsection
39 9 or 10 shall be deemed school police officers.

40 9. The board of trustees of a school district in a county that has
41 a metropolitan police department created pursuant to chapter 280 of
42 NRS may contract with the metropolitan police department for the
43 provision and supervision of police services in the public schools
44 within the jurisdiction of the metropolitan police department and on
45 property therein that is owned by the school district. If a contract is



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1 entered into pursuant to this subsection, the contract must make
2 provision for the transfer of each school police officer employed by
3 the board of trustees to the metropolitan police department. If the
4 board of trustees of a school district contracts with a metropolitan
5 police department pursuant to this subsection, the board of trustees
6 shall, if applicable, cooperate with appropriate local law
7 enforcement agencies within the school district for the provision and
8 supervision of police services in the public schools within the school
9 district and on property owned by the school district, but outside the
10 jurisdiction of the metropolitan police department.

11 10. The board of trustees of a school district in a county that
12 does not have a metropolitan police department created pursuant to
13 chapter 280 of NRS may contract with the sheriff of that county for
14 the provision of police services in the public schools within the
15 school district and on property therein that is owned by the school
16 district.

17 **Sec. 16.** NRS 391.323 is hereby amended to read as follows:

18 391.323 1. ~~Within~~ *Unless the parties agree to a later date,*
19 *within* 30 days after the selection of a hearing officer pursuant to
20 NRS 391.322, the hearing officer shall conduct a hearing. Within 15
21 days after the conclusion of the hearing, the hearing officer shall
22 prepare and file with the Superintendent of Public Instruction a
23 report containing:

24 (a) A recommendation as to whether the license of the licensee
25 should be suspended or revoked; and

26 (b) Findings of fact and conclusions of law which support the
27 recommendation.

28 2. The State Board may accept or reject the recommendation or
29 refer the report back to the hearing officer for further evidence and
30 recommendation, and shall notify the teacher, administrator or other
31 licensed employee in writing of its decision. The decision of the
32 State Board is a final decision in a contested case.

33 **Sec. 17.** NRS 392.033 is hereby amended to read as follows:

34 392.033 1. The State Board shall adopt regulations which
35 prescribe the courses of study required for promotion to high school,
36 including, without limitation, English ~~and~~ *language arts,*
37 mathematics, science and social studies. The regulations may
38 include the credits to be earned in each course.

39 2. Except as otherwise provided in subsection 4, the board of
40 trustees of a school district shall not promote a pupil to high school
41 if the pupil does not complete the course of study or credits required
42 for promotion. The board of trustees of the school district in which
43 the pupil is enrolled may provide programs of remedial study to
44 complete the courses of study required for promotion to high school.



1 3. The board of trustees of each school district shall adopt a
2 procedure for evaluating the course of study or credits completed by
3 a pupil who transfers to a junior high or middle school from a junior
4 high or middle school in this State or from a school outside of this
5 State.

6 4. The board of trustees of each school district shall adopt a
7 policy that allows a pupil who has not completed the courses of
8 study or credits required for promotion to high school to be placed
9 on academic probation and to enroll in high school. A pupil who is
10 on academic probation pursuant to this subsection shall complete
11 appropriate remediation in the subject areas that the pupil failed to
12 pass. The policy must include the criteria for eligibility of a pupil to
13 be placed on academic probation. A parent or guardian may elect
14 not to place his or her child on academic probation but to remain in
15 grade 8.

16 5. A homeschooled child who enrolls in a public high school
17 shall, upon initial enrollment:

18 (a) Provide documentation sufficient to prove that the child has
19 successfully completed the courses of study required for promotion
20 to high school through an accredited program of homeschool study
21 recognized by the board of trustees of the school district;

22 (b) Demonstrate proficiency in the courses of study required for
23 promotion to high school through an examination prescribed by the
24 board of trustees of the school district; or

25 (c) Provide other proof satisfactory to the board of trustees of
26 the school district demonstrating competency in the courses of study
27 required for promotion to high school.

28 **Sec. 18.** NRS 392.700 is hereby amended to read as follows:

29 392.700 1. If the parent of a child who is subject to
30 compulsory attendance wishes to homeschool the child, the parent
31 must file with the superintendent of schools of the school district in
32 which the child resides a written notice of intent to homeschool the
33 child. The Department shall develop a standard form for the notice
34 of intent to homeschool. The form must not require any information
35 or assurances that are not otherwise required by this section or other
36 specific statute. The board of trustees of each school district shall, in
37 a timely manner, make only the form developed by the Department
38 available to parents who wish to homeschool their child.

39 2. The notice of intent to homeschool must be filed before
40 beginning to homeschool the child or:

41 (a) Not later than 10 days after the child has been formally
42 withdrawn from enrollment in public school; or

43 (b) Not later than 30 days after establishing residency in this
44 State.



1 3. The purpose of the notice of intent to homeschool is to
2 inform the school district in which the child resides that the child is
3 exempt from the requirement of compulsory attendance.

4 4. If the name or address of the parent or child as indicated on a
5 notice of intent to homeschool changes, the parent must, not later
6 than 30 days after the change, file a new notice of intent to
7 homeschool with the superintendent of schools of the school district
8 in which the child resides.

9 5. A notice of intent to homeschool must include only the
10 following:

11 (a) The full name, age and gender of the child;

12 (b) The name and address of each parent filing the notice of
13 intent to homeschool;

14 (c) A statement signed and dated by each such parent declaring
15 that the parent has control or charge of the child and the legal right
16 to direct the education of the child, and assumes full responsibility
17 for the education of the child while the child is being homeschooled;

18 (d) An educational plan for the child that is prepared pursuant to
19 subsection 12;

20 (e) If applicable, the name of the public school in this State
21 which the child most recently attended; and

22 (f) An optional statement that the parent may sign which
23 provides:
24

25 I expressly prohibit the release of any information contained
26 in this document, including, without limitation, directory
27 information as defined in 20 U.S.C. § 1232g(a)(5)(A),
28 without my prior written consent.
29

30 6. Each superintendent of schools of a school district shall
31 accept notice of intent to homeschool that is filed with the
32 superintendent pursuant to this section and meets the requirements
33 of subsection 5, and shall not require or request any additional
34 information or assurances from the parent who filed the notice.

35 7. The school district shall provide to a parent who files a
36 notice a written acknowledgment which clearly indicates that the
37 parent has provided notification required by law and that the child is
38 being homeschooled. The written acknowledgment shall be deemed
39 proof of compliance with Nevada's compulsory school attendance
40 law. The school district shall retain a copy of the written
41 acknowledgment for not less than 15 years. The written
42 acknowledgment may be retained in electronic format.

43 8. The superintendent of schools of a school district shall
44 process a written request for a copy of the records of the school
45 district, or any information contained therein, relating to a child who



1 is being or has been homeschooled not later than 5 days after
2 receiving the request. The superintendent of schools may only
3 release such records or information:

4 (a) To a person or entity specified by the parent of the child, or
5 by the child if the child is at least 18 years of age, upon suitable
6 proof of identity of the parent or child; or

7 (b) If required by specific statute.

8 9. If a child who is or was homeschooled seeks admittance or
9 entrance to any school in this State, the school may use only
10 commonly used practices in determining the academic ability,
11 placement or eligibility of the child. If the child enrolls in a charter
12 school, the charter school shall, to the extent practicable, notify the
13 board of trustees of the school district in which the child resides
14 of the child's enrollment in the charter school. Regardless of
15 whether the charter school provides such notification to the board of
16 trustees, the charter school may count the child who is enrolled for
17 the purposes of the calculation of basic support pursuant to NRS
18 387.1233. A homeschooled child seeking admittance to public high
19 school must comply with NRS 392.033.

20 10. A school or organization shall not discriminate in any
21 manner against a child who is or was homeschooled.

22 11. Each school district shall allow homeschooled children to
23 participate in all college entrance examinations offered in this State,
24 including, without limitation, the SAT, the ACT, the Preliminary
25 SAT and the National Merit Scholarship Qualifying Test. Each
26 school district shall ensure that the homeschooled children who
27 reside in the school district have adequate notice of the availability
28 of information concerning such examinations on the Internet
29 website of the school district maintained pursuant to NRS 389.004.

30 12. The parent of a child who is being homeschooled shall
31 prepare an educational plan of instruction for the child in the subject
32 areas of English ~~including reading, composition and writing,~~
33 *language arts*, mathematics, science and social studies, including
34 history, geography, economics and government, as appropriate for
35 the age and level of skill of the child as determined by the parent.
36 The educational plan must be included in the notice of intent to
37 homeschool filed pursuant to this section. If the educational plan
38 contains the requirements of this section, the educational plan must
39 not be used in any manner as a basis for denial of a notice of intent
40 to homeschool that is otherwise complete. The parent must be
41 prepared to present the educational plan of instruction and proof of
42 the identity of the child to a court of law if required by the court.
43 This subsection does not require a parent to ensure that each subject
44 area is taught each year that the child is homeschooled.



1 13. No regulation or policy of the State Board, any school
2 district or any other governmental entity may infringe upon the right
3 of a parent to educate his or her child based on religious preference
4 unless it is:

5 (a) Essential to further a compelling governmental interest; and

6 (b) The least restrictive means of furthering that compelling
7 governmental interest.

8 14. As used in this section, "parent" means the parent,
9 custodial parent, legal guardian or other person in this State who has
10 control or charge of a child and the legal right to direct the education
11 of the child.

12 **Sec. 19.** NRS 394.241 is hereby amended to read as follows:

13 394.241 1. An elementary or secondary educational
14 institution must be maintained and operated, or a new institution
15 must demonstrate that it can be maintained and operated, in
16 compliance with the following minimum standards:

17 (a) The quality and content of each course of instruction,
18 training or study reasonably and adequately achieve the stated
19 objective for which the course or program is offered.

20 (b) The institution has adequate space, equipment, instructional
21 materials and personnel to provide education of good quality.

22 (c) The education and experience qualifications of directors,
23 administrators, supervisors and instructors reasonably ensure that
24 the students will receive education consistent with the objectives of
25 the course or program of study.

26 (d) The institution provides pupils and other interested persons
27 with a catalog or brochure containing information describing the
28 grades or programs offered, program objectives, length of school
29 year or program, schedule of tuition, fees and all other charges and
30 expenses necessary for completion of the course of study,
31 cancellation and refund policies, and such other material facts
32 concerning the institution as are reasonably likely to affect the
33 decision of the parents or pupil to enroll in the institution, together
34 with any other disclosures specified by the Superintendent or
35 defined in the regulations of the Board, and the information is
36 provided to parents or prospective pupils before enrollment.

37 (e) Upon satisfactory completion of training or instruction, the
38 pupil is given appropriate educational credentials by the institution
39 indicating that the course of instruction or study has been
40 satisfactorily completed.

41 (f) Adequate records are maintained by the institution to show
42 attendance, progress and performance.

43 (g) The institution is maintained and operated in compliance
44 with all pertinent ordinances and laws, including regulations



1 adopted relative to the safety and health of all persons upon the
2 premises.

3 (h) The institution is financially sound and capable of fulfilling
4 its commitments.

5 (i) Neither the institution nor its agents engage in advertising,
6 sales, collection, credit or other practices of any type which are
7 false, deceptive, misleading or unfair.

8 (j) The chief executive officer, trustees, directors, owners,
9 administrators, supervisors, staff, instructors and agents are of good
10 reputation and character.

11 (k) The pupil housing owned, maintained or approved by the
12 institution, if any, is appropriate, safe and adequate.

13 (l) The institution has a fair and equitable cancellation and
14 refund policy.

15 2. Accreditation by national or regional accrediting agencies
16 recognized by the United States Department of Education ,
17 *including, without limitation, the Middle States Commission on*
18 *Higher Education, the New England Association of Schools and*
19 *Colleges, the North Central Association of Colleges and Schools,*
20 *the Southern Association of Colleges and Schools and the*
21 *Accrediting Commission for Schools, Western Association of*
22 *Schools and Colleges,* may be accepted as evidence of compliance
23 with the minimum standards established pursuant to this section.
24 Accreditation by a recognized, specialized accrediting agency may
25 be accepted as evidence of such compliance only as to the portion or
26 program of an institution accredited by the agency if the institution
27 as a whole is not accredited.

28 **Sec. 20.** NRS 120A.610 is hereby amended to read as follows:

29 120A.610 1. Except as otherwise provided in subsections 4 to
30 8, inclusive, all abandoned property other than money delivered to
31 the Administrator under this chapter must, within 2 years after the
32 delivery, be sold by the Administrator to the highest bidder at public
33 sale in whatever manner affords, in his or her judgment, the most
34 favorable market for the property. The Administrator may decline
35 the highest bid and reoffer the property for sale if the Administrator
36 considers the bid to be insufficient.

37 2. Any sale held under this section must be preceded by a
38 single publication of notice, at least 3 weeks before sale, in a
39 newspaper of general circulation in the county in which the property
40 is to be sold.

41 3. The purchaser of property at any sale conducted by the
42 Administrator pursuant to this chapter takes the property free of all
43 claims of the owner or previous holder and of all persons claiming
44 through or under them. The Administrator shall execute all
45 documents necessary to complete the transfer of ownership.



1 4. Except as otherwise provided in subsection 5, the
2 Administrator need not offer any property for sale if the
3 Administrator considers that the probable cost of the sale will
4 exceed the proceeds of the sale. The Administrator may destroy or
5 otherwise dispose of such property or may transfer it to:

6 (a) The Nevada State Museum Las Vegas, the Nevada State
7 Museum or the Nevada Historical Society, upon its written request,
8 if the property has, in the opinion of the requesting institution,
9 historical, artistic or literary value and is worthy of preservation; or

10 (b) A genealogical library, upon its written request, if the
11 property has genealogical value and is not wanted by the Nevada
12 State Museum Las Vegas, the Nevada State Museum or the Nevada
13 Historical Society.

14 ➤ An action may not be maintained by any person against the
15 holder of the property because of that transfer, disposal or
16 destruction.

17 5. The Administrator shall transfer property to the Department
18 of Veterans Services, upon its written request, if the property has
19 military value.

20 6. Securities delivered to the Administrator pursuant to this
21 chapter may be sold by the Administrator at any time after the
22 delivery. Securities listed on an established stock exchange must be
23 sold at the prevailing price for that security on the exchange at the
24 time of sale. Other securities not listed on an established stock
25 exchange may be sold:

26 (a) Over the counter at the prevailing price for that security at
27 the time of sale; or

28 (b) By any other method the Administrator deems acceptable.

29 7. The Administrator shall hold property that was removed
30 from a safe-deposit box or other safekeeping repository for 1 year
31 after the date of the delivery of the property to the Administrator,
32 unless that property is a will or a codicil to a will, in which case the
33 Administrator shall hold the property for 10 years after the date of
34 the delivery of the property to the Administrator. If no claims are
35 filed for the property within that period and the Administrator
36 determines that the probable cost of the sale of the property will
37 exceed the proceeds of the sale, it may be destroyed.

38 8. All proceeds received by the Administrator from abandoned
39 gift certificates must be accounted for separately in the Abandoned
40 Property Trust Account in the State General Fund. At the end of
41 each fiscal year, before any other money in the Abandoned Property
42 Trust Account is transferred pursuant to NRS 120A.620, the balance
43 in the subaccount created pursuant to this subsection, less any costs,
44 service charges or claims chargeable to the subaccount, must be
45 transferred to the Educational Trust Account, which is hereby



1 created in the State General Fund. The money in the Educational
2 Trust Account may be expended only as authorized by the
3 Legislature , *if it is in session, or by the Interim Finance*
4 *Committee, if the Legislature is not in session*, for educational
5 purposes.

6 **Sec. 21.** NRS 385.060 and 390.400 are hereby repealed.

7 **Sec. 22.** This act becomes effective on July 1, 2015.

TEXT OF REPEALED SECTIONS

385.060 Seal. The Board shall adopt and use an official seal in authentication of its acts.

390.400 Approval for use in public schools; exception for charter schools; actions subject to review by State Board.

1. The Department shall approve or disapprove lists of books for use in public school libraries except for the libraries of charter schools. Such lists must not include books containing or including any story in prose or poetry the tendency of which would be to influence the minds of children in the formation of ideals not in harmony with truth and morality or the American way of life, or not in harmony with the Constitution and laws of the United States or of the State of Nevada.

2. Actions of the Department with respect to lists of books are subject to review and approval or disapproval by the State Board.

