

**PROPOSED REGULATION OF THE  
DEPARTMENT OF EDUCATION**

**LCB FILE NO. R084-25I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 11/05/2025**

**Section 1.** NAC 391A is hereby amended by adding thereto the provisions set forth in sections 2 through 11 of this regulation.

**Sec. 2.** *1. As used in this regulation, the terms defined in this section have the meanings ascribed to them in this section.*

*2. “Board” means the governing body created by section 56.5, Statutes of Nevada 2025, chapter 506.*

*3. “Center” means the Education Service Center, the agency created by section 56.5, Statutes of Nevada 2025, chapter 506.*

*4. “Department” means the Nevada Department of Education.*

*5. “Executive Director” means the person appointed to serve as the administrative officer of the Education Service Center.*

*6. “State Board” means the State Board of Education created by NRS 385.021.*

*7. “Superintendent” means the state superintendent of public instruction appointed pursuant to NRS 385.150.*

**Sec. 3.** *1. The following qualifications for members of the Board are hereby established:*

*a) The governor shall make preferences in appointing one person representing higher education and one person with a background in public administration and finance.*

*b) The majority leader of the Senate, minority leader of the Senate, speaker of the Assembly, and minority leader of the Assembly shall make preferences in their appointments to establish a Board composed of members with the following categories of individuals:*

*1) One person with administrative experience in a school district in this state, including but not limited to a local school trustee, district superintendent, or other person with senior administrative responsibilities at the system level;*

*2) One person who is or has served as a principal of a district or charter school which attained a star rating of the highest or second highest level in the Nevada School Performance Framework, while the individual was serving as principal;*

*3) One person who is a member of a governing board of a regional training program established by NRS 391A.120; and*

*4) One classroom teacher who is currently working in a district or charter school which attained a star rating of the highest or second highest level on the Nevada School Performance Framework, while the individual was a teacher at the school.*

*2. The Superintendent shall prepare a list of qualified persons that would meet the qualifications contained in section 3, subsection 1 of this regulation and submit to the governor and legislative leadership whenever a member of the Board must be appointed. When preparing the list of potential appointees, the Superintendent shall include at least two nominees for each category. All four categories of qualification should be represented in the final appointments made by the legislative leaders.*

*3. In all appointments, attention shall be given to the representation of large and small school districts, as well as the geographic distribution of school districts in this state. Attention shall also be given to representation of charter schools in this state.*

*4. The member appointed by the State Board shall be one of the four elected members of the State Board.*

5. *No person may be appointed to serve for more than six consecutive years.*
6. *A vacancy in any appointment shall be filled for the remaining unexpired term of the original appointment.*

**Sec. 4. 1.** *To be eligible to the position of Executive Director, a person shall:*

- a) *Have attained the age of 21 years at the time of his or her appointment;*
- b) *Possess the knowledge and ability to oversee the activities of the Center set forth in subsection 8, section 56.5, Statutes of Nevada, Chapter 506;*
- c) *Have demonstrated experience administering large public agencies, programs, or systems; and*
- d) *Have demonstrated experience with establishing or administering programs to improve the performance of schools.*

**Sec. 5.** *Within the limits of available funds, the Executive Director may employ such employees and independent contractors as deemed necessary to carry out the duties of the Education Service Center, with a preference for experience in system governance, public administration, or finance; experience identifying and evaluating evidence-based education practices; and experience as an administrator, principal, or teacher in an elementary or secondary school.*

**Sec. 6.** *The Board may establish its own process and procedure for hiring the Executive Director. In the event the Governor makes an interim appointment before the Board holds its first meeting, or during any subsequent period when a vacancy occurs, the Board shall subsequently ratify that interim appointment or conduct a new hiring process.*

**Sec. 7. 1.** *The Executive Director may enter into contracts with a business licensed in this state or with individuals to conduct research, evaluations, and provide services in the discharge of Center activities.*

- a) *Except as otherwise provided in this section, the Center will comply with all provisions of NRS 333 and NAC 333 for the purchasing of goods and services and the issuing of contracts. The Executive Director will collaborate with the Administrator of the Division of Purchasing to ensure that professionals hired as independent contractors by the Center can be contracted expeditiously and without competitive selection pursuant to NAC 333.150 (2).*
- b) *Any contracts singly or cumulatively in excess of \$50,000 during a single fiscal year must be approved by the Board before being executed by the Executive Director. A list of all contracts with a value of less than \$50,000 must be provided to the Board at least annually.*

**Sec. 8.** *The Executive Director may enter into interlocal agreements for the operation and support of the Center with the Department, the Nevada System of Higher Education, and any governmental agency, including but not limited to school districts, charter school authorizers, and the regional training programs established by NRS 391A.*

**Sec. 9.** *The Center shall maintain a public website that includes, without limitation, all requests received from schools districts for its services, an annual summary of services provided disaggregated by school district and charter school sponsor, the resumes and qualifications of persons employed or contracted, and the sources of all its funding.*

**Sec. 10.** *The Executive Director shall annually, no later than June 30 of each year, provide a written report of Center activities to the Governor, State Superintendent, and Director of the Legislative Counsel Bureau for transmittal to legislative leadership.*