

LCB File No. T035-99

**ADOPTED TEMPORARY REGULATION OF THE
NEVADA STATE BOARD OF EDUCATION**

(Effective April 23, 1999)

Explanation: Matter underlined is new; matter in brackets [] is material to be omitted.

AUTHORITY: NRS 385.080, 388.800, and 388.805

TRUST FUND FOR EDUCATIONAL TECHNOLOGY

SECTION 1. NAC 388 is hereby amended by new language as follows:

SECTION 2 . Definitions.

1. “Commission” means the Commission on Educational Technology.
2. “Trust Fund” means the Trust Fund for Educational Technology.

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SECTION 3. Process for Application for Funds from the Trust Fund for Educational Technology as administered by the Superintendent of Public Instruction.

1. A date for the annual application period will be established by the Commission.
2. Guidelines for each application period will include but not be limited to special projects that are outside the definition of NRS 388.805.
3. The department will notify all school districts of the application period. An application will be provided to all requesting school districts.
4. Applications will be due to the department thirty days prior to the date on which the Commission will review the applications.
5. The Commission will review and approve the applications that will be funded in the annual application period. All school districts will receive notification of the status of their application ten working days after the Commission’s review. School districts receiving funding will be notified with a subgrant award thirty days after the Commission has reviewed and approved the applications.

6. Within one year of receiving the funding, School districts will provide to the Commission and the department with a written report in the format required by the department. The report will include at a minimum:

- (a) A statement of the amount of money distributed to the school district;
- (b) A record of the manner in which the money was expended;
- (c) The purpose of each such expenditure;
- (d) An evaluation of the benefit to the teachers and students in the district;

and

(e) Any other expenditures for similar purposes from other money available to the school district.

7. If any gift or grant of money that is deposited in the Trust Fund stipulates any terms and conditions, those terms and conditions will be included in the guidelines for the application period.

8. A school district that receives money from the Trust Fund shall:

- (a) Account for the money separately.
- (b) Use the money to supplement and not replace the money that the school district would otherwise expend for educational technology.

9. A school district that receives money from the Trust Fund shall not use the money to:

(a) Settle or arbitrate disputes or negotiate settlements between an organization that represents licensed employees of the school district and the school district.

(b) Adjust the schedule of salaries and benefits of the employees of the school district.

INFORMATIONAL STATEMENT

**NEVADA STATE BOARD OF EDUCATION
NEVADA STATE BOARD FOR OCCUPATIONAL EDUCATION**

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
NAC 388, Trust Fund for Educational Technology**

IMPACT STATEMENT

The following statement is submitted for adopted new language to Nevada Administrative Code (NAC) 388, Trust Fund for Educational Technology:

- 1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.**

Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately one-hundred twenty-five individuals and educational organizations. One workshop was held March 5, 1999. There were no comments from the public. No written comments from the public were received.

The Notice of Intent to Act Upon a Regulation for public hearing on the proposed revisions was sent to approximately one-hundred twenty-five individuals and educational organizations. Two public hearings were conducted on March 6, 1999, and April 16, 1999, to provide the opportunity for comments by affected parties and the public. There were no comments from the public. No written comments were received.

- 2. The Number of Persons Who:**

a) **Attended Each Hearing:** Workshop: 10 First Hearing: 25 Second Hearing: 14

b) **Testified at Each Hearing;** Workshop: 0 First Hearing: 0 Second Hearing: 0

and,

c) **Submitted Written Statements:** Workshop: 0 First Hearing: 0 Second Hearing: 0

A copy of any written comments may be obtained by calling LaDonna Byrd, Board Secretary, at the Department of Education (775) 687-9225, or by writing to the Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

- 3. A description of how comment was solicited from affected businesses, a summary of the response and an explanation how other interested parties may obtain a copy of the summary.**

Comment was solicited through the workshop notice of February 2, 1999, and public hearing notices of February 2, 1999, and March 15, 1999.

A copy of the summary and/or minutes of the public hearing may be obtained by calling LaDonna Byrd, Board Secretary, at the Department of Education (775) 687-9225, or by writing to the Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

4. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.

The temporary regulation was adopted by the Nevada State Board of Education at the public hearing on April 16, 1999, without change.

5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

There is no economic effect on the school districts. There is no estimated economic effect on the public.

6. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of this regulation.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

No other state or government agency regulations will be overlapped or duplicated by the above noted regulations. There is no duplication or overlap of federal regulations.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

There are none.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation does not provide or involve a new fee.