

**Amendment No. 58**

Senate Amendment to Senate Bill No. 25	(BDR 34-316)
<b>Proposed by:</b> Senate Committee on Education	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date			
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

RBL



Date: 3/31/2015

S.B. No. 25—Revises provisions relating to public schools. (BDR 34-316)



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 public schools. (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; 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.

**Legislative Counsel’s Digest:**

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

Existing law requires the Superintendent of Public Instruction to apportion the State Distributive School Account in the State General Fund among the school districts, charter schools and university schools for profoundly gifted pupils in certain amounts based on a

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17 formula. This formula bases the State's financial obligation to programs of instruction  
 18 partially on the number of pupils involved in such programs. (NRS 387.121-387.126)  
 19 ~~Sections 5, 6, 8 and 9 of this bill revise this formula by requiring the Superintendent~~  
 20 ~~to count) provide that the apportionment for a pupil enrolled part-time in a program of~~  
 21 ~~distance education (according to the percentage of the total number of courses provided to him~~  
 22 ~~or her per school day rather than the total time services are provided to him or her per school~~  
 23 ~~day) is paid to the school district in which the pupil resides, or the charter school in~~  
 24 ~~which the pupil is enrolled. The school district or charter school, as applicable, is~~  
 25 ~~required to allocate a percentage of that amount to the school district or charter school~~  
 26 ~~that provides the program of distance education in an amount which must be set out in~~  
 27 ~~an agreement between them.~~

28 Section 2.5 of this bill adds a member to the Advisory Council on Parental  
 29 Involvement and Family Engagement to represent the Nevada Parent Teacher  
 30 Association.

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

38 **Section 12** requires the Council to Establish Academic Standards for Public Schools to  
 39 establish standards of content and performance for foreign and world languages ~~(and any~~  
 40 ~~other course of study requested by the Superintendent)~~ in addition to other subjects for which  
 41 it is already required to do so. **Section 13** requires the State Board to prescribe examinations  
 42 that measure the achievement and proficiency of pupils for grades 9, 10, 11 and 12 in certain  
 43 subjects to comply with federal law. (20 U.S.C. § 6311(b)(3)) **Section 14** of this bill revises  
 44 the manner in which the Department provides an informational pamphlet concerning end-of-  
 45 course examinations and college and career readiness assessments so that the pamphlet is  
 46 available electronically. Section 14.5 of this bill removes an incorrect reference to an  
 47 organization.

48 **Section 16** of this bill allows the parties in a hearing concerning the suspension or  
 49 revocation of a license to teach to agree to extend the date by which the hearing must be held.  
 50 **Section 20** of this bill authorizes money in the Educational Trust Account to be expended as  
 51 authorized by the Interim Finance Committee when the Legislature is not in session. **Section**  
 52 **21** of this bill repeals the requirements that: (1) the State Board adopt and use an official seal  
 53 in authentication of its acts; and (2) the Department approve or disapprove lists of books for  
 54 use in public school libraries.

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

1 **Section 1.** NRS 385.021 is hereby amended to read as follows:

2 385.021 1. The State Board of Education is hereby created. The State Board  
 3 consists of the following voting members:

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

6 (b) One member appointed by the Governor;

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

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

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

1 (a) One member appointed by the Governor who is a member of a board of  
2 trustees of a school district, nominated by the Nevada Association of School  
3 Boards;

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

7 (c) One member appointed by the Governor who represents the Nevada System  
8 of Higher Education, nominated by the Board of Regents of the University of  
9 Nevada; and

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

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

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

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

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

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

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

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

34 ~~6.~~ 7. After the initial terms, each member:

35 (a) Elected pursuant to paragraph (a) of subsection 1 serves a term of 4 years.  
36 A member may be elected to serve not more than three terms but may be appointed  
37 to serve pursuant to paragraph (b), (c) or (d) of subsection 1 or subsection 2 after  
38 service as an elected member, notwithstanding the number of terms the member  
39 served as an elected member.

40 (b) Appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 serves a  
41 term of 2 years ~~+~~, *except that each member continues to serve until a successor*  
42 *is appointed.* A member may be reappointed for additional terms of 2 years in the  
43 same manner as the original appointment.

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

47 ~~7.~~ 8. If a vacancy occurs during the term of:

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

52 (b) A voting member appointed pursuant to paragraph (b), (c) or (d) of  
53 subsection 1 or a nonvoting member appointed pursuant to subsection 2, the

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

3 **Sec. 2.** ~~NRS 385.175 is hereby amended to read as follows:~~

4 ~~385.175 The Superintendent of Public Instruction is the educational leader for~~  
5 ~~the system of K-12 public education in this State. The Superintendent of Public~~  
6 ~~Instruction shall:~~

7 ~~1. Execute, direct or supervise all administrative, technical and procedural~~  
8 ~~activities of the Department in accordance with policies prescribed by the State~~  
9 ~~Board.~~

10 ~~2. Employ personnel for the positions approved by the State Board and~~  
11 ~~necessary for the efficient operation of the Department.~~

12 ~~3. Organize the Department in a manner which will assure efficient operation~~  
13 ~~and service.~~

14 ~~4. Maintain liaison and coordinate activities with other state agencies~~  
15 ~~performing educational functions.~~

16 ~~5. Enforce the observance of this title and all other statutes and regulations~~  
17 ~~governing K-12 public education.~~

18 ~~6. Request a plan of corrective action from the board of trustees of a school~~  
19 ~~district or the governing body of a charter school if the Superintendent of Public~~  
20 ~~Instruction determines that the school district or charter school has not complied~~  
21 ~~with a requirement of this title or any other statute or regulation governing K-12~~  
22 ~~public education. The plan of corrective action must provide a timeline approved by~~  
23 ~~the Superintendent of Public Instruction for compliance with the statute or~~  
24 ~~regulation.~~

25 ~~7. Coordinate educational programs for children from birth through~~  
26 ~~prekindergarten.~~

27 ~~8. Perform such other duties as are prescribed by law.~~ **(Deleted by**  
28 **amendment.)**

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

30 385.610 1. The Superintendent of Public Instruction shall establish an  
31 Advisory Council on Parental Involvement and Family Engagement. The Advisory  
32 Council is composed of ~~10~~ **11** members.

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

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

36 (b) Two teachers in public schools;

37 (c) One administrator of a public school;

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

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

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

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

46 **↪** The Superintendent of Public Instruction shall, to the extent practicable, ensure that  
47 the members the Superintendent appoints to the Advisory Council reflect the  
48 ethnic, economic and geographic diversity of this State.

49 3. The Speaker of the Assembly shall appoint one member of the Assembly to  
50 the Advisory Council.

51 4. The Majority Leader of the Senate shall appoint one member of the Senate  
52 to the Advisory Council.

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

3 6. After the initial terms:

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

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

8 7. The Department shall provide:

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

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

12 8. For each day or portion of a day during which a member of the Advisory  
13 Council who is a Legislator attends a meeting of the Advisory Council or is  
14 otherwise engaged in the business of the Advisory Council, except during a regular  
15 or special session of the Legislature, the member is entitled to receive the:

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

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

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

20 ➤ The compensation, per diem allowances and travel expenses of the legislative  
21 members of the Advisory Council must be paid from the Legislative Fund.

22 9. A member of the Advisory Council who is not a Legislator is entitled to  
23 receive the per diem allowance and travel expenses provided for state officers and  
24 employees generally for each day or portion of a day during which the member  
25 attends a meeting of the Advisory Council or is otherwise engaged in the business  
26 of the Advisory Council. The per diem allowance and travel expenses for the  
27 members of the Advisory Council who are not Legislators must be paid by the  
28 Department.

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

30 386.4195 1. ~~The Department of Education shall, in consultation with each~~  
31 ~~school district, the State Department of Conservation and Natural Resources, the~~  
32 ~~Department of Health and Human Services and other interested parties, including,~~  
33 ~~without limitation, representatives of the cleaning and maintenance product~~  
34 ~~industry, nongovernmental agencies and organizations, and parents and legal~~  
35 ~~guardians of pupils enrolled in the school district, adopt regulations setting forth the~~  
36 ~~standards for environmentally sensitive cleaning and maintenance products for use~~  
37 ~~in the cleaning of all floor surfaces in the public schools.~~

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

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

44 ~~4.] Except as otherwise provided in [subsections 6 and 7.] subsection 2,~~ each  
45 school district shall ensure that the public schools within the school district use only  
46 environmentally sensitive cleaning and maintenance products in the cleaning of all  
47 floor surfaces in the public schools within the school district. ~~in accordance with~~  
48 ~~the regulations adopted pursuant to subsection 1.~~

49 ~~5. The board of trustees of a school district may consult with persons who are~~  
50 ~~knowledgeable and have experience in environmentally sensitive cleaning and~~  
51 ~~maintenance products to determine if the board of trustees should:~~

52 ~~(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.~~

~~11.} 4. As used in this section, "environmentally sensitive cleaning and maintenance products" means cleaning and maintenance products that reduce the chemicals, hazardous wastes and other environmental hazards to which pupils and school personnel may be exposed.~~

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

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

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

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

(b) If the charter school offers instruction in grade 9, 10, 11 or 12, a licensed teacher to teach pupils who are enrolled in those grades for the subjects set forth in

1 subsection 4. If required by subsection 3 or 4, such a teacher must possess the  
2 qualifications required by 20 U.S.C. § 6319(a).

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

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

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

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

13 3. A person who is initially hired by the governing body of a charter school  
14 on or after January 8, 2002, to teach in a program supported with money from Title  
15 I must possess the qualifications required by 20 U.S.C. § 6319(a). For the purposes  
16 of this subsection, a person is not "initially hired" if the person has been employed  
17 as a teacher by another school district or charter school in this State without an  
18 interruption in employment before the date of hire by his or her current employer.

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

22 (a) English ~~+, reading or~~ language arts;

23 (b) Mathematics;

24 (c) Science;

25 (d) ~~Foreign~~ *A foreign or world* language;

26 (e) Civics or government;

27 (f) Economics;

28 (g) Geography;

29 (h) History; or

30 (i) The arts.

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

35 (a) A degree, a license or a certificate in the field for which the person is  
36 employed to teach at the charter school; and

37 (b) At least 2 years of experience in that field.

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

41 (a) A valid teacher's license issued pursuant to chapter 391 of NRS with an  
42 administrative endorsement;

43 (b) A master's degree in school administration, public administration or  
44 business administration; or

45 (c) At least 5 years of experience in school administration, public  
46 administration or business administration and a baccalaureate degree.

47 7. Except as otherwise provided in subsection 8, the portion of the salary or  
48 other compensation of an administrator employed by a charter school that is derived  
49 from public funds must not exceed the salary or other compensation, as applicable,  
50 of the highest paid administrator in a comparable position in the school district in  
51 which the charter school is located. For purposes of determining the salary or other  
52 compensation of the highest paid administrator in a comparable position in the



1 school district, the salary or other compensation of the superintendent of schools of  
2 that school district must not be included in the determination.

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

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

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

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

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

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

29 387.1233 1. Except as otherwise provided in subsection 2, basic support of  
30 each school district must be computed by:

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

33 (1) Six-tenths the count of pupils enrolled in the kindergarten department  
34 on the last day of the first school month of the school district for the school year,  
35 including, without limitation, the count of pupils who reside in the county and are  
36 enrolled in any charter school on the last day of the first school month of the school  
37 district for the school year.

38 (2) The count of pupils enrolled in grades 1 to 12, inclusive, on the last day  
39 of the first school month of the school district for the school year, including,  
40 without limitation, the count of pupils who reside in the county and are enrolled in  
41 any charter school on the last day of the first school month of the school district for  
42 the school year and the count of pupils who are enrolled in a university school for  
43 profoundly gifted pupils located in the county.

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

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

49 (I) In a public school of the school district and are concurrently  
50 enrolled part-time in a program of distance education provided by another school  
51 district or a charter school on the last day of the first school month of the school  
52 district for the school year, ~~expressed as a percentage of the total time services~~  
53 ~~are number of courses provided to those pupils per school day in proportion to the~~

1 ~~total time services are number of courses provided during a school day to pupils~~  
2 ~~who are counted pursuant to subparagraph (2).]~~

3 (II) In a charter school and are concurrently enrolled part-time in a  
4 program of distance education provided by a school district or another charter  
5 school on the last day of the first school month of the school district for the school  
6 year, ~~], expressed as a percentage of the total time services are number of courses~~  
7 ~~provided to those pupils per school day in proportion to the total time services are~~  
8 ~~number of courses provided during a school day to pupils who are counted~~  
9 ~~pursuant to subparagraph (2).]~~

10 (5) The count of pupils not included under subparagraph (1), (2), (3) or (4),  
11 who are receiving special education pursuant to the provisions of NRS 388.440 to  
12 388.520, inclusive, on the last day of the first school month of the school district for  
13 the school year, excluding the count of pupils who have not attained the age of 5  
14 years and who are receiving special education pursuant to subsection 1 of NRS  
15 388.475 on that day.

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

19 (7) The count of children detained in facilities for the detention of children,  
20 alternative programs and juvenile forestry camps receiving instruction pursuant to  
21 the provisions of NRS 388.550, 388.560 and 388.570 on the last day of the first  
22 school month of the school district for the school year.

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

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

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

32 2. Except as otherwise provided in subsection 4, if the enrollment of pupils in  
33 a school district or a charter school that is located within the school district on the  
34 last day of the first school month of the school district for the school year is less  
35 than or equal to 95 percent of the enrollment of pupils in the same school district or  
36 charter school on the last day of the first school month of the school district for the  
37 immediately preceding school year, the largest number from among the  
38 immediately preceding 2 school years must be used for purposes of apportioning  
39 money from the State Distributive School Account to that school district or charter  
40 school pursuant to NRS 387.124.

41 3. Except as otherwise provided in subsection 4, if the enrollment of pupils in  
42 a school district or a charter school that is located within the school district on the  
43 last day of the first school month of the school district for the school year is more  
44 than 95 percent of the enrollment of pupils in the same school district or charter  
45 school on the last day of the first school month of the school district for the  
46 immediately preceding school year, the larger enrollment number from the current  
47 year or the immediately preceding school year must be used for purposes of  
48 apportioning money from the State Distributive School Account to that school  
49 district or charter school pursuant to NRS 387.124.

50 4. If the Department determines that a school district or charter school  
51 deliberately causes a decline in the enrollment of pupils in the school district or  
52 charter school to receive a higher apportionment pursuant to subsection 2 or 3,  
53 including, without limitation, by eliminating grades or moving into smaller

1 facilities, the enrollment number from the current school year must be used for  
2 purposes of apportioning money from the State Distributive School Account to that  
3 school district or charter school pursuant to NRS 387.124.

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

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

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

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

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

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

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

43 3. Except as otherwise provided in NRS 387.1244, the apportionment to a  
44 charter school that is sponsored by the State Public Charter School Authority or by  
45 a college or university within the Nevada System of Higher Education, computed  
46 on a yearly basis, is equal to the sum of the basic support per pupil in the county in  
47 which the pupil resides plus the amount of local funds available per pupil pursuant  
48 to NRS 387.1235 and all other funds available for public schools in the county in  
49 which the pupil resides, minus the sponsorship fee prescribed by NRS 386.570 and  
50 minus all funds attributable to pupils who are enrolled in the charter school but are  
51 concurrently enrolled part-time in a program of distance education provided by a  
52 school district or another charter school.

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

4 (a) Public school other than a charter school, an apportionment must be made  
5 to ~~in a school district or charter school that provides a program of distance education~~  
6 ~~for each pupil who is enrolled part time in the program. The amount of the~~  
7 ~~apportionment must be equal to the percentage of the total time services are~~  
8 ~~number of courses provided to the pupil through the program of distance education~~  
9 ~~per school day in proportion to the total time services are number of courses~~  
10 ~~provided during a school day to pupils who are counted pursuant to subparagraph~~  
11 ~~(2) of paragraph (a) of subsection 1 of NRS 387.1233 for~~ the school district in  
12 which the pupil resides. The school district in which the pupil resides shall  
13 allocate a percentage of the apportionment to the school district or charter school  
14 that provides the program of distance education in the amount set forth in the  
15 agreement entered into pursuant to NRS 388.854.

16 (b) Charter school, an apportionment must be made to the charter school in  
17 which the pupil is enrolled. The charter school in which the pupil is enrolled  
18 shall allocate a percentage of the apportionment to the school district or charter  
19 school that provides the program of distance education in the amount set forth in  
20 the agreement entered into pursuant to NRS 388.858.

21 5. The governing body of a charter school may submit a written request to the  
22 Superintendent of Public Instruction to receive, in the first year of operation of the  
23 charter school, an apportionment 30 days before the apportionment is required to be  
24 made pursuant to subsection 1. Upon receipt of such a request, the Superintendent  
25 of Public Instruction may make the apportionment 30 days before the  
26 apportionment is required to be made. A charter school may receive all four  
27 apportionments in advance in its first year of operation.

28 6. Except as otherwise provided in NRS 387.1244, the apportionment to a  
29 university school for profoundly gifted pupils, computed on a yearly basis, is equal  
30 to the sum of the basic support per pupil in the county in which the university  
31 school is located plus the amount of local funds available per pupil pursuant to NRS  
32 387.1235 and all other funds available for public schools in the county in which the  
33 university school is located. If the apportionment per pupil to a university school  
34 for profoundly gifted pupils is more than the amount to be apportioned to the school  
35 district in which the university school is located, the school district shall pay the  
36 difference directly to the university school. The governing body of a university  
37 school for profoundly gifted pupils may submit a written request to the  
38 Superintendent of Public Instruction to receive, in the first year of operation of the  
39 university school, an apportionment 30 days before the apportionment is required to  
40 be made pursuant to subsection 1. Upon receipt of such a request, the  
41 Superintendent of Public Instruction may make the apportionment 30 days before the  
42 apportionment is required to be made. A university school for profoundly gifted  
43 pupils may receive all four apportionments in advance in its first year of operation.

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

51 8. If the State Controller finds that such an action is needed to maintain the  
52 balance in the State General Fund at a level sufficient to pay the other  
53 appropriations from it, the State Controller may pay out the apportionments

1 monthly, each approximately one-twelfth of the yearly apportionment less any  
 2 amount set aside as a reserve. If such action is needed, the State Controller shall  
 3 submit a report to the Department of Administration and the Fiscal Analysis  
 4 Division of the Legislative Counsel Bureau documenting reasons for the action.

5 **Sec. 7.** NRS 387.3035 is hereby amended to read as follows:

6 387.3035 The Department shall:

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

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

12 (a) School district; and

13 (b) School within a school district.

14 ➤ Upon approval of the State Board, the system is mandatory for all public schools  
 15 in this State and must be enforced as provided in subsection 2 of NRS 387.3037.

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

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

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

26 6. Prepare for the Superintendent of Public Instruction the biennial budgets of  
 27 the Department for ~~{consideration by the State Board and}~~ submission to the  
 28 Governor.

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

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

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

45 3. If the board of trustees of a school district grants permission for a pupil to  
 46 enroll full-time in a program of distance education pursuant to subsection 1, or  
 47 if a pupil enrolls part-time in a program of distance education pursuant to  
 48 subsection 2, the board of trustees of the school district in which the pupil resides  
 49 shall enter into a written agreement with the board of trustees of the school district  
 50 or the governing body, or of the charter school, as applicable, that provides the  
 51 program of distance education. If the pupil enrolls part-time in a program of  
 52 distance education, the agreement must include, without limitation, the amount  
 53 of the apportionment provided to the school district where the pupil resides that

1 will be allocated pursuant to paragraph (a) of subsection 4 of NRS 387.124 to the  
2 school district or charter school, as applicable, that provides the program of  
3 distance education.

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

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

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

18 388.858 1. If a pupil is enrolled in a charter school, the pupil may enroll  
19 full-time in a program of distance education only if the charter school in which the  
20 pupil is enrolled provides the program of distance education.

21 2. ~~Before a~~ A pupil who is enrolled in a charter school ~~may enroll~~ ~~and who~~  
22 ~~enrolls~~ part-time in a program of distance education that is provided by a school  
23 district or another charter school ~~the pupil must~~ and is not required to obtain the  
24 ~~written permission~~ approval of the governing body of the charter school in which  
25 the pupil is enrolled.

26 3. If ~~the governing body of~~ a pupil who is enrolled in a charter school  
27 ~~grants permission pursuant to subsection 2, the~~ enrolls in a part-time program of  
28 distance education that is provided by a school district or another charter school,  
29 the governing body of the charter school in which the pupil is enrolled shall enter  
30 into a written agreement with the board of trustees of the school district or  
31 governing body ~~of~~ of the charter school, as applicable, that provides the program of  
32 distance education. The agreement must include, without limitation, the  
33 amount of the apportionment provided to the charter school in which the pupil is  
34 enrolled that will be allocated pursuant to paragraph (b) of subsection 4 of NRS  
35 387.124 to the school district or charter school, as applicable, that provides the  
36 program of distance education.

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

39 5. If the charter school in which the pupil is enrolled and the board of  
40 trustees of the school district or governing body of the charter school, as  
41 applicable, that provides the program of distance education are unable to reach  
42 an agreement as required pursuant to subsection 3, the Superintendent of Public  
43 Instruction will determine the amount of the apportionment which the charter  
44 school in which the pupil is enrolled is required to allocate pursuant to  
45 paragraph (b) of subsection 4 of NRS 387.124 to the school district or charter  
46 school, as applicable, that provides the program of distance education.

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

48 389.012 1. The State Board shall:

49 (a) In accordance with guidelines established by the National Assessment  
50 Governing Board and National Center for Education Statistics and in accordance  
51 with 20 U.S.C. §§ 6301 et seq. and the regulations adopted pursuant thereto, adopt  
52 regulations requiring the schools of this State that are selected by the National

1 Assessment Governing Board or the National Center for Education Statistics to  
2 participate in the examinations of the National Assessment of Educational Progress.

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

4 (1) Governor;

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

6 (3) Legislative Committee on Education created pursuant to NRS  
7 218E.605; and

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

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

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

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

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

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

27 (b) The standards for proficiency established for the National Assessment with  
28 the standards for proficiency established for the examinations that are administered  
29 pursuant to NRS 389.550 and the examinations administered pursuant to NRS  
30 389.805.

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

33 (a) Governor;

34 (b) Legislative Committee on Education;

35 (c) Legislative Bureau of Educational Accountability and Program Evaluation;  
36 and

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

38 4. The Council to Establish Academic Standards for Public Schools shall  
39 review and evaluate the report provided to the Council pursuant to subsection 3 to  
40 identify any discrepancies in the standards of content and performance established  
41 by the Council that require revision and a timeline for carrying out the revision, if  
42 necessary. The Council shall submit a written report of its review and evaluation to  
43 the Legislative Committee on Education and Legislative Bureau of Educational  
44 Accountability and Program Evaluation.

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

46 389.018 1. The following subjects are designated as the core academic  
47 subjects that must be taught, as applicable for grade levels, in all public schools, the  
48 Caliente Youth Center, the Nevada Youth Training Center and any other state  
49 facility for the detention of children that is operated pursuant to title 5 of NRS:

50 (a) English ~~[-, including reading, composition and writing-] language arts;~~

51 (b) Mathematics;

52 (c) Science; and

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

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

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

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

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

10 (d) Three units of credit in social studies, including, without 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 credits required by  
15 this subsection if the pupil, the parent or legal guardian of the pupil and an  
16 administrator or a counselor at the school in which the pupil is enrolled mutually  
17 agree to a modified course of study for the pupil and that modified course of study  
18 satisfies at least the requirements for a standard high school diploma or an adjusted  
19 diploma, as applicable.

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

25 (a) The arts;

26 (b) Computer education and technology;

27 (c) Health; and

28 (d) Physical education.

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

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

36 389.520 1. The Council shall:

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

41 (1) English ~~+, including reading, composition and writing;~~ *language arts*;

42 (2) Mathematics;

43 (3) Science;

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

46 (5) The arts;

47 (6) Computer education and technology;

48 (7) Health; ~~and~~

49 (8) Physical education ~~+~~; *and*

50 (9) *A foreign or world language, ~~+~~ and*

51 ~~(10) Any other course of study requested by the Superintendent of Public  
52 Instruction.~~



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

5 (c) Assign priorities to the standards of content and performance relative to  
6 importance and degree of emphasis and revise the standards, if necessary, based  
7 upon the priorities.

8 2. The standards for computer education and technology must include a  
9 policy for the ethical, safe and secure use of computers and other electronic  
10 devices. The policy must include, without limitation:

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

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

15 (2) Methods to ensure the prevention of:

16 (I) Cyber-bullying;

17 (II) Plagiarism; and

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

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

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

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

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

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

29 (1) Methods to maintain the security of personal identifying information  
30 and financial information, including, without limitation, identifying unsolicited  
31 electronic communication which is sent for the purpose of obtaining such personal  
32 and financial information for an unlawful purpose;

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

34 (3) The effects of a computer contaminant;

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

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

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

39 3. The Council shall establish standards of content and performance for each  
40 grade level in kindergarten and grades 1 to 8, inclusive, for English *language arts*  
41 and mathematics. The Council shall establish standards of content and performance  
42 for the grade levels selected by the Council for the other courses of study prescribed  
43 in subsection 1.

44 4. The Council shall forward to the State Board the standards of content and  
45 performance established by the Council for each course of study. The State Board  
46 shall:

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

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

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

1 (a) Consider the objection provided by the State Board and determine whether  
2 to revise the standards based upon the objection; and

3 (b) Return the standards or the revised standards, as applicable, to the State  
4 Board.

5 ↪ The State Board shall adopt the standards of content and performance or the  
6 revised standards, as applicable.

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

9 7. As used in this section:

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

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

12 (c) "Electronic communication" has the meaning ascribed to it in NRS  
13 388.124.

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

15 389.550 1. The State Board shall, in consultation with the Council,  
16 prescribe examinations that comply with 20 U.S.C. § 6311(b)(3) and that measure  
17 the achievement and proficiency of pupils:

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

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

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

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

26 2. In addition to the examinations prescribed pursuant to subsection 1, the  
27 State Board shall, in consultation with the Council, prescribe a writing examination  
28 for grades 5 and 8. ~~and for such other grades as may be prescribed by the State~~  
29 ~~Board.~~

30 3. The board of trustees of each school district and the governing body of  
31 each charter school shall administer the examinations prescribed by the State  
32 Board. The examinations must be:

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

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

38 (c) Administered in each school in accordance with the plan adopted pursuant  
39 to NRS 389.616 by the Department and with the plan adopted pursuant to NRS  
40 389.620 by the board of trustees of the school district in which the examinations are  
41 administered. The Department shall monitor the compliance of school districts and  
42 individual schools with:

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

44 (2) The plan adopted by the board of trustees of the applicable school  
45 district, to the extent that the plan adopted by the board of trustees of the school  
46 district is consistent with the plan adopted by the Department.

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

48 389.809 1. The Department shall develop an informational pamphlet  
49 concerning the end-of-course examinations required pursuant to NRS 389.805 and  
50 the college and career readiness assessment administered pursuant to NRS 389.807  
51 for pupils who are enrolled in junior high, middle school and high school, and their  
52 parents and legal guardians. The pamphlet must include a written explanation of  
53 the:

1 (a) Importance of passing the end-of-course examinations and the importance  
2 of taking the college and career readiness assessment;

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

6 (c) Format for the end-of-course examinations and the college and career  
7 readiness assessment, including, without limitation, the range of items that are  
8 contained on the examinations and the assessment; and

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

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

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

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

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

23 4. The board of trustees of each school district shall provide a copy of the  
24 pamphlet to each junior high, middle school or high school within the school  
25 district for posting. The governing body of each charter school shall ensure that a  
26 copy of the pamphlet is posted at the charter school. Each principal of a junior high,  
27 middle school, high school or charter school shall ensure that the teachers,  
28 counselors and administrators employed at the school fully understand the contents  
29 of the pamphlet.

30 5. On or before October 1, the:

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

34 (b) Governing body of each charter school shall provide a copy of the  
35 pamphlet to each pupil who is enrolled in the charter school at a junior high, middle  
36 school or high school grade level and to the parents or legal guardians of such a  
37 pupil.

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

39 391.038 1. The State Board, in consultation with educational institutions in  
40 this State which offer courses of study and training for the education of teachers,  
41 the board of trustees of each school district in this State and other educational  
42 personnel, shall review and evaluate a course of study and training offered by an  
43 educational institution which is designed to provide the education required for:

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

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

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

47 ↪ If the course of study and training meets the requirements established by the  
48 State Board, it must be approved by the State Board. The State Board shall not  
49 approve a course of study or training unless the course of study and training  
50 provides instruction, to the extent deemed necessary by the State Board, in the  
51 standards of content and performance prescribed by the Council to Establish  
52 Academic Standards for Public Schools pursuant to NRS 389.520.

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

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

7           4. The State Board, in consultation with educational institutions in this State  
8 which offer courses of study and training for the education of teachers and other  
9 educational personnel, ~~and the Nevada Association of Colleges for Teacher~~  
10 ~~Education and the Nevada Association of Teacher Educators,~~ shall adopt  
11 regulations governing the approval by the State Board of courses of study and  
12 training, ~~which are accredited by the National Council for Accreditation of~~  
13 ~~Teacher Education, and those which are not so accredited.~~

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

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

18           391.100 1. The board of trustees of a school district may employ a  
19 superintendent of schools, teachers and all other necessary employees.

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

27           3. A person who is employed as a teacher, regardless of the date of hire, must  
28 possess, on or before July 1, 2006, the qualifications required by 20 U.S.C. §  
29 6319(a) if the person teaches:

- 30           (a) English ~~+, reading or~~ language arts;  
31           (b) Mathematics;  
32           (c) Science;  
33           (d) ~~Foreign~~ *A foreign or world* language;  
34           (e) Civics or government;  
35           (f) Economics;  
36           (g) Geography;  
37           (h) History; or  
38           (i) The arts.

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

40           (a) May employ teacher aides and other auxiliary, nonprofessional personnel to  
41 assist licensed personnel in the instruction or supervision of children, either in the  
42 classroom or at any other place in the school or on the grounds thereof. A person  
43 who is initially hired as a paraprofessional by a school district on or after January 8,  
44 2002, to work in a program supported with Title I money must possess the  
45 qualifications required by 20 U.S.C. § 6319(c). A person who is employed as a  
46 paraprofessional by a school district, regardless of the date of hire, to work in a  
47 program supported with Title I money must possess, on or before January 8, 2006,  
48 the qualifications required by 20 U.S.C. § 6319(c). For the purposes of this  
49 paragraph, a person is not “initially hired” if he or she has been employed as a  
50 paraprofessional by another school district or charter school in this State without an  
51 interruption in employment before the date of hire by the person’s current  
52 employer.

1 (b) Shall establish policies governing the duties and performance of teacher  
2 aides.

3 5. Each applicant for employment pursuant to this section, except a teacher or  
4 other person licensed by the Superintendent of Public Instruction, must, as a  
5 condition to employment, submit to the school district a full set of the applicant's  
6 fingerprints and written permission authorizing the school district to forward the  
7 fingerprints to the Central Repository for Nevada Records of Criminal History for  
8 its report on the criminal history of the applicant and for submission to the Federal  
9 Bureau of Investigation for its report on the criminal history of the applicant.

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

15 (a) Sick leave;

16 (b) Sabbatical leave;

17 (c) Personal leave;

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

20 (e) Maternity leave; and

21 (f) Leave permitted by the Family and Medical Leave Act of 1993, 29 U.S.C.  
22 §§ 2601 et seq.,

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

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

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

42 9. The board of trustees of a school district in a county that has a metropolitan  
43 police department created pursuant to chapter 280 of NRS may contract with the  
44 metropolitan police department for the provision and supervision of police services  
45 in the public schools within the jurisdiction of the metropolitan police department  
46 and on property therein that is owned by the school district. If a contract is entered  
47 into pursuant to this subsection, the contract must make provision for the transfer of  
48 each school police officer employed by the board of trustees to the metropolitan  
49 police department. If the board of trustees of a school district contracts with a  
50 metropolitan police department pursuant to this subsection, the board of trustees  
51 shall, if applicable, cooperate with appropriate local law enforcement agencies  
52 within the school district for the provision and supervision of police services in the

1 public schools within the school district and on property owned by the school  
2 district, but outside the jurisdiction of the metropolitan police department.

3 10. The board of trustees of a school district in a county that does not have a  
4 metropolitan police department created pursuant to chapter 280 of NRS may  
5 contract with the sheriff of that county for the provision of police services in the  
6 public schools within the school district and on property therein that is owned by  
7 the school district.

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

9 391.323 1. ~~Within~~ *Unless the parties agree to a later date, within* 30 days  
10 after the selection of a hearing officer pursuant to NRS 391.322, the hearing officer  
11 shall conduct a hearing. Within 15 days after the conclusion of the hearing, the  
12 hearing officer shall prepare and file with the Superintendent of Public Instruction a  
13 report containing:

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

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

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

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

22 392.033 1. The State Board shall adopt regulations which prescribe the  
23 courses of study required for promotion to high school, including, without  
24 limitation, English ~~+~~ *language arts*, mathematics, science and social studies. The  
25 regulations may include the credits to be earned in each course.

26 2. Except as otherwise provided in subsection 4, the board of trustees of a  
27 school district shall not promote a pupil to high school if the pupil does not  
28 complete the course of study or credits required for promotion. The board of  
29 trustees of the school district in which the pupil is enrolled may provide programs  
30 of remedial study to complete the courses of study required for promotion to high  
31 school.

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

36 4. The board of trustees of each school district shall adopt a policy that allows  
37 a pupil who has not completed the courses of study or credits required for  
38 promotion to high school to be placed on academic probation and to enroll in high  
39 school. A pupil who is on academic probation pursuant to this subsection shall  
40 complete appropriate remediation in the subject areas that the pupil failed to pass.  
41 The policy must include the criteria for eligibility of a pupil to be placed on  
42 academic probation. A parent or guardian may elect not to place his or her child on  
43 academic probation but to remain in grade 8.

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

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

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

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

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

5 392.700 1. If the parent of a child who is subject to compulsory attendance  
6 wishes to homeschool the child, the parent must file with the superintendent of  
7 schools of the school district in which the child resides a written notice of intent to  
8 homeschool the child. The Department shall develop a standard form for the notice  
9 of intent to homeschool. The form must not require any information or assurances  
10 that are not otherwise required by this section or other specific statute. The board of  
11 trustees of each school district shall, in a timely manner, make only the form  
12 developed by the Department available to parents who wish to homeschool their  
13 child.

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

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

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

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

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

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

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

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

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

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

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

37 (f) An optional statement that the parent may sign which provides:

38 I expressly prohibit the release of any information contained in this  
39 document, including, without limitation, directory information as defined in  
40 20 U.S.C. § 1232g(a)(5)(A), without my prior written consent.

41  
42 6. Each superintendent of schools of a school district shall accept notice of  
43 intent to homeschool that is filed with the superintendent pursuant to this section  
44 and meets the requirements of subsection 5, and shall not require or request any  
45 additional information or assurances from the parent who filed the notice.

46 7. The school district shall provide to a parent who files a notice a written  
47 acknowledgment which clearly indicates that the parent has provided notification  
48 required by law and that the child is being homeschooled. The written  
49 acknowledgment shall be deemed proof of compliance with Nevada's compulsory  
50 school attendance law. The school district shall retain a copy of the written  
51 acknowledgment for not less than 15 years. The written acknowledgment may be  
52 retained in electronic format.

1           8. The superintendent of schools of a school district shall process a written  
2 request for a copy of the records of the school district, or any information contained  
3 therein, relating to a child who is being or has been homeschooled not later than 5  
4 days after receiving the request. The superintendent of schools may only release  
5 such records or information:

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

9           (b) If required by specific statute.

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

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

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

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

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

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

46           (b) The least restrictive means of furthering that compelling governmental  
47 interest.

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



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

2       394.241 1. An elementary or secondary educational institution must be  
3 maintained and operated, or a new institution must demonstrate that it can be  
4 maintained and operated, in compliance with the following minimum standards:

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

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

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

13       (d) The institution provides pupils and other interested persons with a catalog  
14 or brochure containing information describing the grades or programs offered,  
15 program objectives, length of school year or program, schedule of tuition, fees and  
16 all other charges and expenses necessary for completion of the course of study,  
17 cancellation and refund policies, and such other material facts concerning the  
18 institution as are reasonably likely to affect the decision of the parents or pupil to  
19 enroll in the institution, together with any other disclosures specified by the  
20 Superintendent or defined in the regulations of the Board, and the information is  
21 provided to parents or prospective pupils before enrollment.

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

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

27       (g) The institution is maintained and operated in compliance with all pertinent  
28 ordinances and laws, including regulations adopted relative to the safety and health  
29 of all persons upon the premises.

30       (h) The institution is financially sound and capable of fulfilling its  
31 commitments.

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

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

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

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

40       2. Accreditation by national or regional accrediting agencies recognized by  
41 the United States Department of Education , *including, without limitation, the*  
42 *Middle States Commission on Higher Education, the New England Association*  
43 *of Schools and Colleges, the North Central Association of Colleges and Schools,*  
44 *the Southern Association of Colleges and Schools and the Accrediting*  
45 *Commission for Schools, Western Association of Schools and Colleges,* may be  
46 accepted as evidence of compliance with the minimum standards established  
47 pursuant to this section. Accreditation by a recognized, specialized accrediting  
48 agency may be accepted as evidence of such compliance only as to the portion or  
49 program of an institution accredited by the agency if the institution as a whole is  
50 not accredited.

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

52       120A.610 1. Except as otherwise provided in subsections 4 to 8, inclusive,  
53 all abandoned property other than money delivered to the Administrator under this

1 chapter must, within 2 years after the delivery, be sold by the Administrator to the  
2 highest bidder at public sale in whatever manner affords, in his or her judgment, the  
3 most favorable market for the property. The Administrator may decline the highest  
4 bid and reoffer the property for sale if the Administrator considers the bid to be  
5 insufficient.

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

9 3. The purchaser of property at any sale conducted by the Administrator  
10 pursuant to this chapter takes the property free of all claims of the owner or  
11 previous holder and of all persons claiming through or under them. The  
12 Administrator shall execute all documents necessary to complete the transfer of  
13 ownership.

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

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

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

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

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

29 6. Securities delivered to the Administrator pursuant to this chapter may be  
30 sold by the Administrator at any time after the delivery. Securities listed on an  
31 established stock exchange must be sold at the prevailing price for that security on  
32 the exchange at the time of sale. Other securities not listed on an established stock  
33 exchange may be sold:

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

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

37 7. The Administrator shall hold property that was removed from a safe-  
38 deposit box or other safekeeping repository for 1 year after the date of the delivery  
39 of the property to the Administrator, unless that property is a will or a codicil to a  
40 will, in which case the Administrator shall hold the property for 10 years after the  
41 date of the delivery of the property to the Administrator. If no claims are filed for  
42 the property within that period and the Administrator determines that the probable  
43 cost of the sale of the property will exceed the proceeds of the sale, it may be  
44 destroyed.

45 8. All proceeds received by the Administrator from abandoned gift  
46 certificates must be accounted for separately in the Abandoned Property Trust  
47 Account in the State General Fund. At the end of each fiscal year, before any other  
48 money in the Abandoned Property Trust Account is transferred pursuant to NRS  
49 120A.620, the balance in the subaccount created pursuant to this subsection, less  
50 any costs, service charges or claims chargeable to the subaccount, must be  
51 transferred to the Educational Trust Account, which is hereby created in the State  
52 General Fund. The money in the Educational Trust Account may be expended only

- 1 as authorized by the Legislature , *if it is in session, or by the Interim Finance*  
2 *Committee, if the Legislature is not in session*, for educational purposes.  
3 **Sec. 21.** NRS 385.060 and 390.400 are hereby repealed.  
4 **Sec. 22.** This act becomes effective on July 1, 2015.

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**TEXT OF REPEALED SECTIONS**

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**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.