

ASSEMBLY BILL NO. 352—ASSEMBLYWOMAN GONZÁLEZ

MARCH 22, 2021

Referred to Committee on Education

SUMMARY—Grants pupils in this State a legal right to a high-quality education. (BDR 34-779)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; granting pupils in this State a legal right to a high-quality education; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law grants this State and school districts in this State the power to
2 implement and promulgate regulations, laws, policies and practices regarding K-12
3 public education in this State. (Nev. Const. Art. 11, §§ 2, 5; NRS 385.005, 385.010,
4 385.075, 385.080, 386.010) This bill grants all pupils enrolled in kindergarten and
5 grades 1 to 12, inclusive, in this State a legal right to a high-quality public
6 education. This bill further prohibits any agency or local government from
7 subordinating the educational interests of all pupils in this State, or a class of
8 pupils, to any other interest unless the regulation, policy or practice is narrowly
9 tailored to achieve a compelling governmental interest.

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

1 **Section 1.** Chapter 388 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. Each pupil enrolled in kindergarten and grades 1 to 12,*
4 *inclusive, at a public school in this State has a legal right to a*
5 *high-quality public education.*

6 *2. An agency of this State or a local government, including,*
7 *without limitation, a school district, shall not adopt any regulation,*
8 *policy or practice that subordinates the educational interests of*
9 *any class of pupils or all pupils generally to any other interest*



1 *unless the regulation, policy or practice is narrowly tailored to*
2 *achieve a compelling governmental interest.*

3 *3. A pupil or a parent or legal guardian of a pupil who is*
4 *aggrieved by a violation of subsection 2 may apply to the district*
5 *court for an injunction to prevent the occurrence or continuance*
6 *of such a violation.*

7 **Sec. 2.** This act becomes effective on July 1, 2021.

