

SENATE BILL NO. 381—SENATOR ROBERSON

MARCH 20, 2017

Referred to Committee on Education

SUMMARY—Revises provisions relating to the board of trustees of certain school districts. (BDR 34-212)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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; requiring the creation of a community education advisory board by certain local governmental entities; providing for the appointment by a community education advisory board of the trustees of certain school districts; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the board of trustees of a school district in which more
2 than 75,000 pupils are enrolled (currently the Clark County School District) to
3 establish election districts for school trustees which are as nearly equal in
4 population as practicable and composed of contiguous territory. (NRS 386.165)
5 **Section 2** of this bill replaces these election districts with trustee districts, which
6 also must be as nearly equal in population as practicable and composed of
7 contiguous territory. **Section 1** of this bill requires the creation of a community
8 education advisory board for each trustee district.
9 Under existing law, the board of trustees of a school district in which more than
10 75,000 pupils are enrolled (currently the Clark County School District) is
11 comprised of seven members who are elected from election districts established
12 by the board of trustees. (NRS 386.165) **Section 2** instead requires that the
13 members of the board of trustees be appointed by the community education
14 advisory board for the trustee district he or she represents.



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

1 **Section 1.** Chapter 386 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *To facilitate broad community input on issues relating to*
4 *public education and to provide advice and assistance to the board*
5 *of trustees of each school district in which more than 75,000*
6 *pupils are enrolled, a community education advisory board must*
7 *be created in each trustee district established pursuant to*
8 *subsection 1 of NRS 386.165. Each community education advisory*
9 *board must be created by the governing body of the largest city in*
10 *the trustee district, or, if there are no cities in the trustee district,*
11 *by the board of county commissioners of the county.*

12 2. *The members of a community education advisory board*
13 *may include, without limitation:*

14 (a) *A member of the board of trustees of the school district*
15 *which represents the city or county, as applicable, in which the*
16 *community education advisory board is located;*

17 (b) *Parents or legal guardians of pupils enrolled in public*
18 *schools within the city or county, as applicable;*

19 (c) *Pupils enrolled in public schools within the city or county,*
20 *as applicable;*

21 (d) *Principals, teachers or other licensed educational*
22 *personnel employed at public schools within the city or county, as*
23 *applicable;*

24 (e) *Support staff employed at public schools within the city or*
25 *county, as applicable;*

26 (f) *Officers or employees of a local government, as applicable;*
27 *and*

28 (g) *Any other person, agency or organization which has a role*
29 *in public education within the city or county, as applicable.*

30 3. *Each community education advisory board shall establish*
31 *rules for its organization and such procedural rules as are*
32 *necessary, including, without limitation:*

33 (a) *The number of members who may be selected to serve;*

34 (b) *The term of each member;*

35 (c) *Which members are entitled to vote;*

36 (d) *The manner in which to call meetings; and*

37 (e) *Any other rules necessary to carry out the provisions of this*
38 *section.*

39 **Sec. 2.** NRS 386.165 is hereby amended to read as follows:

40 386.165 1. In each county school district in which more than
41 75,000 pupils are enrolled, the board of trustees ~~shall~~ :



1 (a) *Shall* establish seven ~~election~~ trustee districts for school
2 trustees. The districts must be:

3 ~~(a)~~ (1) As nearly equal in population as practicable; and

4 ~~(b)~~ (2) Composed of contiguous territory.

5 (b) *Consists of seven members, each of whom must be*
6 *appointed by the community education advisory board created*
7 *pursuant to section 1 of this act for the trustee district he or she*
8 *represents.*

9 2. *After the initial terms, the term of a school trustee*
10 *appointed pursuant to subsection 1 is 4 years. Any vacancy*
11 *occurring on the board of trustees must be filled by the community*
12 *education advisory board that made the initial appointment. A*
13 *member appointed to fill a vacancy pursuant to this subsection:*

14 (a) *Must have the qualifications provided in NRS 386.240;*
15 *and*

16 (b) *Shall serve for the balance of the unexpired term, but may*
17 *be reappointed.*

18 3. In each county school district in which more than 25,000
19 pupils but not more than 75,000 pupils are enrolled ~~to the~~ :

20 (a) *The* board of trustees shall establish seven election districts
21 for school trustees, as follows:

22 ~~(a)~~ (1) Five districts which are as nearly equal in population as
23 practicable, each of which includes approximately one-fifth of the
24 population of the county; and

25 ~~(b)~~ (2) Two districts which are as nearly equal in population
26 as practicable, each of which includes approximately one-half of the
27 population of the county.

28 ↪ The districts must be composed of contiguous territory.

29 ~~(b)~~ Each trustee of ~~the~~ *the* school district ~~to which this~~
30 ~~section applies~~ must reside in the election district which the trustee
31 represents and be elected by the voters of that election district.

32 ~~4. In each school district in which more than 25,000 pupils are~~
33 ~~enrolled, the~~

34 (c) *The* term of *such* a school trustee is 4 years. Three trustees
35 must be elected at the general election of 1982 and four trustees
36 must be elected at the general election of 1984.

37 **Sec. 3.** NRS 386.240 is hereby amended to read as follows:

38 386.240 A candidate for *election to* the office of trustee of a
39 school district shall:

40 1. Be a qualified elector.

41 2. Have the qualifications of residence within the county
42 school district required for the office for which he or she seeks
43 election.



1 **Sec. 4.** NRS 386.250 is hereby amended to read as follows:
2 386.250 1. Candidates for *election to* the office of trustee
3 shall be nominated in the manner provided by the primary election
4 laws of this state.

5 2. The declaration of candidacy and the acceptance of a
6 candidacy by candidates for *election to* the office of trustee of
7 county school districts shall be filed with the county clerk of the
8 county whose boundaries are conterminous with the county school
9 district boundaries.

10 **Sec. 5.** NRS 386.260 is hereby amended to read as follows:
11 386.260 1. ~~Trustees shall~~ *Except as otherwise provided in*
12 *subsection 1 of NRS 386.165, trustees must* be elected as provided
13 in the election laws of this state.

14 2. After the close of any election, and in accordance with law,
15 the board of county commissioners shall make abstracts of the votes
16 cast for trustees and shall order the county clerk to issue election
17 certificates to the candidates elected.

18 3. Immediately, the county clerk shall transmit a copy of each
19 election certificate to the Superintendent of Public Instruction.

20 **Sec. 6.** NRS 386.270 is hereby amended to read as follows:
21 386.270 Except as otherwise provided in *subsection 2 of* NRS
22 *386.165 and NRS 386.275*:

23 1. Any vacancy occurring in a board of trustees must be filled
24 by appointment by the remaining members of the board at a public
25 meeting held after notice of the meeting is published at least once
26 each week for 2 weeks in a newspaper qualified pursuant to the
27 provisions of chapter 238 of NRS. The appointee shall serve until
28 the next general election, at which time his or her successor must be
29 elected for the balance of the unexpired term.

30 2. Any person appointed to fill a vacancy *pursuant to this*
31 *section* must have the qualifications provided in NRS 386.240.

32 **Sec. 7.** NRS 386.275 is hereby amended to read as follows:

33 386.275 1. ~~if~~ *Except as otherwise provided in subsection 2*
34 *of NRS 386.165, if* a vacancy occurs, or will occur, in a board of
35 trustees because a member of the board has entered, or is entering,
36 into active military service, the board of trustees may appoint a
37 person to serve as a temporary replacement for that member. Such a
38 temporary appointment must be made in the manner, and subject to
39 the requirements, otherwise prescribed in NRS 386.270, except that
40 the member of the board of trustees who has entered, or is entering,
41 into active military service may participate in the process to appoint
42 his or her temporary replacement.

43 2. If a person is temporarily appointed to serve on a board of
44 trustees pursuant to this section:



1 (a) The person fully assumes the duties, rights and
2 responsibilities of a member of the board of trustees, and is entitled
3 to the compensation, allowances and expenses otherwise payable to
4 a member, for the duration of his or her appointment.

5 (b) The member of a board of trustees who is temporarily
6 replaced shall be deemed to be on leave without pay from the board
7 of trustees for the duration of the appointment of his or her
8 temporary replacement.

9 3. A person appointed to serve on the board of trustees
10 pursuant to this section serves:

11 (a) Until the member of the board of trustees being temporarily
12 replaced returns from active military service; or

13 (b) For the remainder of the unexpired term of that member,
14 ↪ whichever occurs first.

15 **Sec. 8.** NRS 386.300 is hereby amended to read as follows:

16 386.300 Each *elected* trustee shall:

17 1. Enter upon the duties of office on the 1st Monday in January
18 next following the election of the trustee.

19 2. Hold office until his or her successor is elected and
20 qualified.

21 3. Take and subscribe to the official oath.

22 4. File with the Superintendent of Public Instruction a copy of
23 his or her official oath together with a statement showing the term
24 for which the trustee has been elected or appointed.

25 **Sec. 9.** 1. Notwithstanding the provisions of NRS 386.165,
26 as amended by section 2 of this act, the members of a board of
27 trustees:

28 (a) Of a school district in which more than 75,000 pupils are
29 enrolled; and

30 (b) Who are incumbent on July 1, 2017,
31 ↪ shall continue to serve until the expiration of the terms for which
32 they are elected.

33 2. The successors of the members of the board of trustees
34 described in subsection 1 whose terms expire must be appointed by
35 the community education advisory board of the trustee district that
36 corresponds to the election district from which the member whose
37 term expired was elected.

38 **Sec. 10.** This act becomes effective on July 1, 2017.

