

Committee in Session at 8:37 am on Monday, March 26, 1979.

Senator Keith Ashworth in the Chair.

PRESENT: Chairman Keith Ashworth
Senator Clifton Young
Senator Rick Blakemore
Senator Wilbur Faiss
Senator Jim Kosinski
Assemblyman Robert Craddock
Assemblyman Mike Malone

ABSENT: Vice-Chairman Joe Neal

GUESTS: Ms. Jan Wilson, Senate Bill Drafting Adviser, Legislative Counsel Bureau
Mr. Ted Sanders, Superintendent of Public Instruction, Department of Education
Mr. John Gamble, Past Superintendent of Public Instruction, Department of Education
Mr. John Hawkins, School Trustees' Association
Mr. Merlin Anderson, Nevada Commission on Post-secondary Institutional Authorization

Chairman Ashworth opened the meeting and stated that the educational package of bills would be heard at this meeting and on Tuesday, March 27, 1979. He stated that the main bills to be discussed were A.B. 118 and S.B. 25 as these bills are of a parallel nature. Chairman Ashworth stated that he had requested Assemblyman Robert Craddock and Assemblyman Mike Malone to participate in these hearings as members of the committee to help facilitate the processing of the bills.

Assemblyman Robert Craddock, Clark County Assembly District No. 20, stated that A.B. 118 and S.B. 25 were the result of interim study committees. He stated that the staff study, resulting in S.B. 25, was a codification of the education laws with no substantive changes; the proposed law has been realigned, in part, to agree with precedent-setting court rulings. A.B. 118 was introduced for the purpose of making the State Board of Education responsible for policy-making decisions; the Superintendent of Public Instruction responsible for the administrative aspect of the Department of Education. He stated that there had been some discussion by the committee relating to family educational rights of privacy but had decided not to address this issue.

Chairman Ashworth informed the committee that information pertaining to Education Subcommittee Bills and an Updated Education Chart, prepared by Mr. Donald A. Rhodes, Chief Deputy Research Director, Legislative Counsel Bureau, had been distributed for their information (Exhibit "A" and Exhibit "B").

Ms. Jan Wilson, Senate Bill Drafting Adviser, Legislative Counsel Bureau, suggested combining S.B. 25 and A.B. 118 after review as A.B. 118 contains policy-making revisions and S.B. 25 pertains to the codification eliminating duplication.

Mr. Ted Sanders, Superintendent of Public Instruction, Department of Education, stated that the Department had prepared a package comparing the two bills (Exhibit "C").

Assemblyman Craddock stated that there was no pride in authorship as to A.B. 118; rather, the purpose was to clarify the law. He stated that this is the first attempt to codify the education laws in the history of the state.

Ms. Wilson began the explanation by stating that Section 2, Page 1, A.B. 118, is the beginning of the statement that the State Board of Education is responsible for policy; whereas, the Superintendent is responsible for implementing that policy. This is identical to Section 4, Page 1, S.B. 25. She said that S.B. 25, Page 1, contains definitions that are Title-wide.

Chairman Ashworth stated that while reviewing these bills, the committee would make policy decisions to give Ms. Wilson direction on the redrafting of these bills.

Ms. Wilson said that Section 3, Page 1, A.B. 118, lists the duties of the Superintendent of Public Instruction, which presently is listed in another section of NRS. She stated that a change from the present law exists in Section 3, subsection 1, Page 1, A.B. 118, as to the employ of personnel or positions approved by the State Board; this premise exists throughout both bills. The committee concurred that this should be part of the Superintendent's duties.

As to S.B. 25, Page 1, Section 3, Ms. Wilson stated that this is a clarification as to the responsibility of the attorney general to the Board not existing in present law. On Page 2, S.B. 25, Section 5, pertains to the school lunch program and Ms. Wilson stated this appears in the law presently but now is in a different spot; this move was part of the recodification. She said that Section 6, S.B. 25, is the same listing as in A.B. 118. She said that NRS 385.010 has been rewritten in S.B. 25 and deals primarily with the Department itself. She stated that the present law gives responsibility to the "department;" the committee on recodification felt the responsibility should be directed to a person rather than the department as a whole. She said that this premise is contained throughout S.B. 25; a duty is either assigned to the Board or to the Superintendent.

On Page 3 of the worksheet, A.B. 118, NRS 385.011 and NRS 385.012, she stated the language is changed in NRS 385.011 from "department" to "board" and in NRS 385.012, from "department" to "superintendent."

She said that S.B. 25, on Page 3 of the worksheet, gives the provisions for the election of the State Board of Education. She stated that much of this language is dated and no longer necessary. The reference to "lay" members has been removed as the attorney general has given the opinion that the section would not be legal if it means "non-teachers." She said that the dates have been changed as to the election but there was no change to the districts. On Page 4 of the worksheet, Section 9 has been changed as to "lay" members for the same reason.

Ms. Wilson said that Section 10, on Page 4 of the worksheet, S.B. 25, was added at Mr. Gamble's request so action could be taken with the majority of the quorum and approved by all the Board members. Mr. Sanders questioned if action taken at a "special" meeting would be excluded because it is not a "regularly called meeting." After discussion as to terminology, Chairman Ashworth asked for the committee's opinion on substituting "legally called meeting" rather than "regularly called meeting." The committee concurred with Senator Neal taking exception.

On Page 5 of the worksheet, S.B. 25, Section 11, Ms. Wilson stated that the present certification law is unclear as to "other educational personnel" and throughout S.B. 25, other people who do get certificates are included. She stated it was also true of Section 12.

In NRS 385.100, A.B. 118, there exists the substitution of "superintendent of public instruction" for the "state department" dealing with the regulations for receiving federal funds. She said that the other changes consisted of the removal of old language.

On Page 7 of the worksheet, A.B. 118, Ms. Wilson stated that subsection 3 appears to be new language but it is not. She said that it is in present law, just another section. Senator Kosinski questioned the backup for the comments as to where the sections exist in the present law. Ms. Wilson responded that the information is contained in the Legislative Counsel Bureau's Bulletin No. 79-14, Recodification of Nevada's Education Laws (copy with the Research Division, Legislative Counsel Bureau).

Ms. Wilson noted that on Page 8 of the worksheet, A.B. 118, Section 12, reference is made to NRS 385.130 which is repealed by S.B. 25 and restated elsewhere. She said that the annotated version (Bulletin No. 79-14, above) will indicate sections such as this occurring throughout the bill.

On Page 9 of the worksheet, Ms. Wilson stated that the present law provides for the Superintendent to be appointed by the State Board and serve at its pleasure. She said that according to Mr. Frank Daykin, Legal Counsel, Legislative Counsel Bureau, this is unconstitutional and there must be a term. The committee on recodification set that term at three years. Mr. Sanders stated that A.B. 124 tracks with the three year term and sets

the date for that term.

Ms. Wilson continued with Section 19, S.B. 25, stating that the present law addresses "subsistence and travel expenses" in another section; however, it was felt the matter should be addressed under Section 19. Mr. Sanders stated that A.B. 125 changes the entire section and allows outside employment by the Superintendent. He said that A.B. 125 was passed and signed by the Governor.

On Page 10 of the worksheet, S.B. 25, Section 21, subsection 4, the addition notes current practice but is not a part of existing law. She said that the deletions to Section 21 are for the purpose of updating the language.

Page 11 of the worksheet, S.B. 25, Section 24, referring to who may administer oaths, Ms. Wilson said that many sections of the present law address this matter. The committee on recodification consolidated this matter into the one section.

On Page 12 of the worksheet, Section 26, subsection 2, Ms. Wilson stated the section was simply moved from another section in the present law. She said that A.B. 118, Section 15, addresses the provisions of the attorney general which is consolidated in S.B. 25.

On Page 13 of the worksheet, A.B. 118 makes few changes to the provisions of Deputy Superintendent of Public Instruction other than to clarify that he works under the direction of the Superintendent; S.B. 25 goes further by stating the Deputy "may perform any duty required of the superintendent" during his absence. Chairman Ashworth noted that A.B. 120 was indefinitely postponed on March 9, 1979. Ms. Wilson stated that S.B. 25 limits the powers of the Deputy while A.B. 118 leaves the powers as in present law, which are quite broad. Mr. Sanders stated that he did not have any objection to the language in S.B. 25. Chairman Ashworth asked for the committee's opinion as to utilization of the language in S.B. 25. The committee concurred with no objection.

As to the Associate Superintendent of Public Instruction, Page 14 of the worksheet, Ms. Wilson said the language in both bills places the Associate under the responsibility of the Superintendent. She stated that the present law simply assigns the the duties of the Associate Superintendent but does not say to whom he is responsible, except the Board. The committee concurred with no objection. Ms. Wilson stated that neither bill changed the name of the Associate Superintendent of Public Instruction for Administration. The committee concurred to shorten the title to "Associate Superintendent for Administration" throughout the law.

Page 15 of the worksheet, NRS 385.330 further clarifies that the Superintendent is responsible for his subordinates, no longer the Board. Senator Young questioned if there has been a problem in

this regard. Mr. Sanders stated that the problem has been one of timing regarding employment as under the present law, new employees must be approved by the Board. Mr. Gamble stated that this language is necessary as clarification to the present law. Assemblyman Craddock stated that it was his belief that if the Superintendent was going to be the administrator, he should be given that right under the law.

Ms. Wilson stated that on Page 16 of the worksheet, Section 22, it was felt that the State Board should be involved with proposed courses of study on an approval basis. She noted that the section dealing with the consultant for American Indian education has a blank under S.B. 25. She said it appears in another section of the bill; also, A.B. 123, under consideration today, addresses this matter. Chairman Ashworth questioned if the committee would like to take action on A.B. 123. Senator Young questioned why they wished to delete the position as there had been considerable emphasis to obtain it in the first place. Mr. Gamble stated that it was impossible to obtain a qualified individual for the post that was an American Indian, as required by the law. He said that funds were available at one time but these funds have been removed from the state's jurisdiction and given to the tribes themselves. He stated his belief that the assignment of consultants should be left to the Superintendent and the Board. Ms. Wilson stated that A.B. 123 was recommended by the Committee on Structures and Functions, chaired by Assemblyman Vergiels. Senator Kosinski requested holding A.B. 123 until the Indian Commission could be contacted.

Ms. Wilson stated that the section referring to the school district's portion of the Hot Lunch for Senior Citizens program, Page 17 of the Worksheet, S.B. 25, had been simply moved from another section in the existing law. Senator Blakemore asked if the modification of any part of this law would affect the ability of the Superintendent to use the buses for transportation of senior citizens. Ms. Wilson responded that it would not. On the same page of the worksheet, NRS 386.120 referring to the election of the local school boards, Ms. Wilson stated that no substantive change was intended; simply clarification and elimination of obsolete language. Senator Blakemore questioned if the composition of the school board in an area having less than 1,000 pupils is being changed from 5 members to 3 members. Ms. Wilson stated that anything done in this area was done because there is provision for it now under existing law. Senator Blakemore stated that if this is the case, the school districts involved should have input to the committee on this matter. Ms. Wilson stated that she would check this item and report back to the committee tomorrow. Ms. Wilson stated that she did not believe there were any substantive changes through Page 24 of the worksheet.

On Page 24 of the worksheet, Section 42, subsection 4(g), Ms. Wilson stated that this is a clarification of a reference in the present law regarding notice as to policies and regulations.

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Page: 6

As to A.B. 123, Chairman Ashworth questioned the repealed sections under this proposed legislation. Ms. Wilson responded that one section applies to the consultant on American Indians and the other section applies to the consultant on Environment.

Ms. Wilson stated that clarification was needed as to the hiring of private legal counsel, Page 25 of the worksheet, S.B. 25, Section 45. A.B. 118, on the same page of the worksheet, refers to the driver education program; Ms. Wilson stated that it is not found in S.B. 25 on this page because it has been moved. Chairman Ashworth questioned the purpose of A.B. 370. Mr. Sanders stated that this bill would change the fund from driver education to elementary guidance counselors; the bill is presently before the Assembly Committee on Ways and Means.

On Page 26 of the worksheet, NRS 387.040, Ms. Wilson said that there were some changes made in the procedures for handling money. She stated that this conforms with the present practice; this occurs throughout the proposed bill.

Chairman Ashworth stated that it was his understanding that S.B. 25 would be incorporated into A.B. 118 including the changes made during the hearings today and tomorrow.

Ms. Wilson stated that on Page 30 and 31 of the worksheet, under the section titled A.B. 118, is a rewrite of the special education sections to clarify present law; however, this information should be under the section titled S.B. 25.

Mr. John Hawkins, School Trustees' Association, expressed his organization's concern as to A.B. 118, bill page number 12, Line 22, questioning if this addition would change the formula in determining special education allotments to the respective school districts. Ms. Wilson stated that would not occur.

Ms. Wilson stated that the following sections dealing with finance in S.B. 25 contains new provisions written with the intent of clarification. She said the provisions had been reviewed and it was concluded that there were no substantive changes. She said that the majority of the changes in NRS 387 were for the purpose of cleanup.

On Page 43 of the worksheet, Section 79, Ms. Wilson stated that the section pertaining to consultant on Indian education was rewritten but still differs from A.B. 123. Senator Young questioned if the provision for environmental consultant, repealed by A.B. 123, remains in S.B. 25. Ms. Wilson stated that it was but would be repealed should A.B. 123 be enacted. Ms. Wilson said that the same functions remain in the law, just nothing stating that there is a consultant for environmental or American Indian issues.

On Page 47 of the worksheet pertaining to reporting biennially, Assemblyman Malone questioned the difference between the two bills. Mr. Sanders stated that A.B. 118 requires the report to come to

the legislature; S.B. 25 makes the report to the governor, consistent with the present law. Chairman Ashworth stated that it was customary for reports to go to the governor and questioned if the committee concurred with the language in S.B. 25. The committee concurred with no objection as long as the legislature is provided a copy.

On Page 48 of the worksheet, NRS 388.450, Ms. Wilson stated that the intent was to clarify the educationally handicapped portion of the law with appropriate sub-emphasis when related to emotionally disturbed. She stated that this did not substantively change the law.

On Page 52 of the worksheet, Section 96, S.B. 25, Ms. Wilson said that the word "private" is being eliminated as private schools are addressed in a separate section of the bill and this was part of the recodification effort.

On Page 54 of the worksheet, NRS 390.090, Ms. Wilson stated that the sections were eliminated because it is now covered by the open meeting law. On Page 55 of the worksheet, she stated that the new provisions are just the rewrites of existing language for the purpose of clarification.

On Page 56 of the worksheet, S.B. 25, Section 111, subsection 4, Ms. Wilson stated the present law on certification is not very detailed so they have developed their own system by regulation. Senator Neal questioned if Section 112, subsection 2, Lines 26 through 28, is a rewrite of existing law. Ms. Wilson responded that the provisional certificate is now happening without a specific statutory authorization due to a timing problem. Senator Neal questioned the term, "otherwise qualified." Mr. Sanders stated that the transcripts would indicate that the individual would qualify for a certificate on the return of their fingerprints, as a rule. Mr. Gamble stated that the individuals are fully qualified; however, the report on their fingerprints has not been returned prior to the start of the school year. Assemblyman Craddock also noted that in the area of vocational education, obtainment of the history of supervisory performance may not have been received prior to the school year but the individual is fully qualified to teach.

As to Page 59 of the worksheet, Section 118, subsection 4(c), Senator Blakemore questioned if the power to be a peace officer is in existing law. Ms. Wilson said that it is.

On Page 60 of the worksheet, NRS 391.110, Ms. Wilson stated that there is a change from existing law. She said that the term "certificated for the position of administrator" indicates a particular type of endorsement; she added that most superintendents in the state are certificated as administrators. Senator Neal questioned if this should be decided by trustees rather than having it in the law. Senator Young questioned how this endorsement

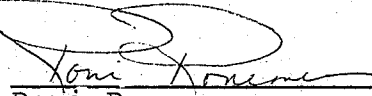
is obtained. Mr. Merlin Anderson, Nevada Commission on Post-secondary Institutional Authorization, stated that additional courses in the area of administration must be obtained. Assemblyman Craddock stated his belief that more emphasis should be placed on administration and less on the educational background regarding administration of the school district. Senator Young questioned where the requirements were as to additional schooling for administrators. Mr. Sanders stated the requirement was contained in State Board regulations. Senator Kosinski questioned if any superintendent presently did not have the certification. Mr. Sanders stated he did not know of anyone. Chairman Ashworth requested that Mr. Sanders check to see if anyone would be affected by this legislation currently holding a superintendent's position. He also requested some history as to the last time a superintendent did not have an administrator's certificate or a degree in public administration. Mr. Sanders agreed to supply the information.

On Page 65 of the worksheet, S.B. 25, Section 133, subsection 2, Ms. Wilson stated that the new language is a clarification of the language deleted above it.

Page 67 of the worksheet, Section 137, S.B. 25, applying to the hearing officer, Ms. Wilson stated that this clarifies the procedure to be followed in conformance with regulations. In response to a question posed by Senator Neal, Ms. Wilson stated that Page 68 of the worksheet, S.B. 25, Section 140, pertains to challenges to the hearing officer. She stated that the section covering revocation of a certificate does not appear in the present law so it has been included on Page 71 of the worksheet, S.B. 25, Section 145, subsection 2. Senator Neal questioned if the suspension would apply to those conditions enumerated in Section 146. Ms. Wilson stated that it would. Senator Neal questioned the action of the Superintendent. Ms. Wilson replied that the Superintendent would be able to suspend for the same reasons that would constitute a formal revocation. Senator Young questioned the length of the suspension. Mr. Sanders stated that he believed the suspension would have to specify the length of time determined in the hearing; however, the intent is not specific. Ms. Wilson stated that the present law is indefinite as to the length of time of suspension.

At the conclusion of NRS Chapter 391, Chairman Ashworth recessed the hearing until March 27, 1979 at 8:30 am.

Respectfully submitted,



Roni Ronemus
Committee Secretary

Approved:

Chairman
Senator Keith Ashworth

(Committee Minutes)

LEGISLATIVE COMMISSION (702) 885-5627

DONALD R. MELLO, *Assemblyman, Chairman*
Arthur J. Palmer, *Director, Secretary*

INTERIM FINANCE COMMITTEE (702) 885-5640

FLOYD R. LAMB, *Senator, Chairman*
Ronald W. Sparks, *Senate Fiscal Analyst*
William A. Bible, *Assembly Fiscal Analyst*

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March 22, 1979

MAR 22 1979

TO: Senator Keith Ashworth
FROM: Donald A. Rhodes, *Chief Deputy Research Director*
SUBJECT: Updated Education Charts

Enclosed are updated versions of the charts showing the status of the education related interim study committees' bill draft requests.

DAR/llp
Enc.

STATUS OF THE EDUCATION RELATED
INTERIM STUDY COMMITTEES'
BILL DRAFT REQUESTS
(1977-79 Interim)
As of 3-20-79

I

STRUCTURES AND FUNCTIONS OF THE
STATE BOARD OF EDUCATION AND
STATE DEPARTMENT OF EDUCATION

SUBJECT	BDR #	BILL NO.	STATUS
Appointment of the Members of the State Board of Education	34-35	A.B. 180	In Assembly Committee on Education.
Clarifies Functions of State Board of Education and Superintendent	34-36	A.B. 118	In Senate Committee on Human Resources & Facilities.
Number of Meetings for Which State Board May Be Paid	34-37	A.B. 132	Approved by Governor - 3-13-79; Chapter 58.
Establishes Term of Office for Superintendent	34-38	A.B. 124	In Assembly Committee on Education.
Eligibility Requirements for State Superintendent of Public Instruction	34-39	A.B. 133	In Senate Committee on Human Resources & Facilities.
Qualifications and Duties of Deputy and Associate Superintendents	34-40	A.B. 120	In Senate Committee on Human Resources & Facilities.
Method of Fixing Superintendent's Salary	34-42	A.B. 121	In Assembly Committee on Education.
Removes Professional Staff of State Department of Education from Civil Service	34-43	A.B. 122	In Assembly Committee on Education.
Provides Deputy Attorney General for State Department of Education	34-44	A.B. 126	In Ways and Means.

STATUS OF THE EDUCATION RELATED
INTERIM STUDY COMMITTEES'
BILL DRAFT REQUESTS
(1977-79 Interim)
As of 3-20-79

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I

STRUCTURES AND FUNCTIONS OF THE
STATE BOARD OF EDUCATION AND
STATE DEPARTMENT OF EDUCATION

SUBJECT	HDR #	BILL NO.	STATUS
Deletes Statutory Reference to Consultants on Indian and Environmental Education	34-84	A.B. 123	In Senate Committee on Human Resources & Facilities.
Permits Superintendent to Have Outside Occupation Only if Approved by State Board of Education	34-85	A.B. 125	Approved by Governor - 3-13-79; Chapter 56.

STATUS OF THE EDUCATION RELATED
INTERIM STUDY COMMITTEES'
BILL DRAFT REQUESTS
(1977-79 Interim)
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II

PUPIL ACHIEVEMENT IN NEVADA

SUBJECT	BDR #	BILL NO.	STATUS
Extends Public School Attendance Requirements to Certain 6 Year Olds	34-2	A.B. 90	In Assembly Committee on Education.
Establishes Provisions for Transfers and Annual Allocations of Balances in the State Distributive School Funds	34-3	A.B. 39	In Ways and Means.
Provides for State Regulations on Collection of Information from School Districts on Pupil Achievement	34-4	A.B. 38	In Assembly Committee on Education.
Requires Development of State Standards for Public School Curriculum in Basic Subject Areas	34-5	A.B. 128	In Senate Committee on Human Resources and Facilities.
Requires Identification on Diploma of Public School Pupils Who Demonstrate Outstanding Achievement	34-7	A.B. 35	In Assembly Committee on Education.
Provides for Disciplinary Code for Pupils in Public Schools	34-9	A.B. 91	In Assembly Committee on Education.
Requires state board of education to develop course of study for junior high schools and middle schools.	34-58	A.B. 37	In Assembly Committee on Education.

STATUS OF THE EDUCATION RELATED
INTERIM STUDY COMMITTEES'
BILL DRAFT REQUESTS
(1977-79 Interim)
As of 3-20-79

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II

PUPIL ACHIEVEMENT IN NEVADA

SUBJECT	BDR #	BILL NO.	STATUS
Urges School Districts to Instruct in Certain Concepts as Related to Current Events Throughout the World	6	A.C.R. 6	In Senate Committee on Human Resources & Facilities.
Requires School Districts to Gather and Analyze Information on High School Seniors' Use of Time Within School Day	86	A.C.R. 1	Enrolled and delivered to Secretary of State, File No. 42.
Appropriates \$83,400 for the 1979-80 fiscal year and \$26,520 for the 1980-81 fiscal year from the general fund to the state dept. of education for the development and scoring of tests to determine the proficiency of pupils. (Note the BDR is <u>not</u> from the interim sub-committee. It only made the recommendation for the funding for the development of the competency based test. Executive Budget recommends a \$110,000 "one shot" appropriation.)	S-685	S.B. 341	In Senate Committee on Finance.

STATUS OF THE EDUCATION RELATED
INTERIM STUDY COMMITTEES'
BILL DRAFT REQUESTS
(1977-79 Interim)
As of 3-20-79

III

RECODIFICATION OF EDUCATION LAWS

SUBJECT	BDR #	BILL NO.	STATUS
Recodifies Education Laws Relating to Elementary and Secondary Education	34-59	S.B. 25	In Senate Committee on Human Resources & Facilities.

STATE OF NEVADA
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March 2, 1979

TO: Senator Keith Ashworth
FROM: Donald A. Rhodes, *Chief Deputy Research Director*
SUBJECT: Status of Interim Education Subcommittee Bills
and Resolutions

Enclosed is a chart showing the status of the bills and resolutions, proposed by the interim subcommittees from the last legislative interim, which studied elementary and secondary educational matters. I am also sending you each study's committee membership, abstract, resolution and summary of recommendations. Please let me know when you have a few minutes for me to give an overview of the studies' recommendations to you and Senator Young.

DAR/llp
Enc.

S.C.R. 36 - 1977 Session

BULLETIN 79-14

RECODIFICATION OF NEVADA'S EDUCATION LAWS

Oversight Committee

Senator Carl F. Dodge, Chairman
Assemblyman Robert G. Craddock

Senate Concurrent Resolution No. 36—Senator Dodge

FILE NUMBER.....

SENATE CONCURRENT RESOLUTION—Directing the legislative commission to conduct a study recodifying Nevada's education laws.

WHEREAS, Existing laws which govern Nevada's public education were drafted in 1956; and

WHEREAS, Many of these laws have been amended and rewritten numerous times which tends to create confusion and could lead to varying interpretations; now, therefore, be it

Resolved by the Senate of the State of Nevada, the Assembly concurring, That the legislative commission is hereby directed to conduct a study and recodification of Nevada's education laws; and be it further

Resolved, That the results of the study along with recommendations for legislation be reported to the 60th session of the Nevada legislature.

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ABSTRACT (STATEMENT)

RECODIFICATION OF NEVADA'S EDUCATION LAWS

The document contains BDR 34-59 which is the bill proposed as a recodification of Nevada's education laws. Since the purpose of the recodification was to modernize, simplify, clarify and resolve conflicts in the existing statutes, the bill does not embrace substantial changes of a substantive nature. It does, however, clarify that the state board of education is in charge of policymaking and the superintendent of public instruction is responsible for administration.

SUMMARY OF RECOMMENDATIONS

The recommended recodification of Nevada's education laws is contained in BDR 34-59 and printed in the report.

S.C.R. 14 - 1977 Session

BULLETIN 79-10

PUPIL ACHIEVEMENT IN NEVADA

Interim Subcommittee

Senator Richard H. Bryan, Chairman
Assemblyman Nancy A. Gomes, Vice Chairman
Senator Gary A. Sheerin
Assemblyman Darrell H. Dreyer
Assemblyman Nicholas J. Horn
Mrs. Carole Doughty, Winnemucca, NV
Dr. James L. Pughsley, Las Vegas, NV
Mr. Jim Sale, Reno, NV
Mr. Rudolph Schiller, Las Vegas, NV

Advisers

Mr. Warren J. Scott, Winnemucca, NV
Mrs. Janet Sobel, Las Vegas, NV

Senate Concurrent Resolution No. 14—Senators Bryan, Gibson, Close and Hilbrecht

FILE NUMBER.....

SENATE CONCURRENT RESOLUTION—Directing the legislative commission to study and make recommendations on the subject of pupil achievement.

WHEREAS, There is growing concern in the State of Nevada over allegations that the high school diploma no longer indicates that the recipient has acquired satisfactory skills in basic subject areas; and

WHEREAS, Legislators as policymakers, as well as educators, parents and others, will benefit from additional information concerning the nature of the alleged inadequacies, the possible causes and proposals for improvement; and

WHEREAS, There is need for greater understanding of the relationship between pupil achievement and such factors as curriculum requirements, classroom discipline, pupil-teacher ratios and competency testing; now, therefore, be it

Resolved by the Senate of the State of Nevada, the Assembly concurring, That the legislative commission is directed to study the subject of pupil achievement in the public schools of this state. The study may include such questions as:

1. How pupil achievement in Nevada compares with that of other states;
2. Whether pupil achievement in Nevada is significantly lower today than in the past;
3. Whether school curriculum requirements throughout the state are sufficiently comprehensive and whether the standards are sufficiently rigid to ensure that pupils are adequately prepared for work or further education;
4. Whether there is need for the legislature to mandate certain basic curriculum standards;
5. Whether classroom discipline is a serious problem in Nevada schools and, if so, the extent to which it affects pupil achievement;
6. Whether there is a relationship between pupil achievement and pupil-teacher ratios, and whether in Nevada the ratios have reached a critical level; and
7. What types of legislative action might be advisable if classroom discipline and pupil-teacher ratios are found to be adversely affecting pupil achievement; and be it further

Resolved, That the legislative commission include persons representing teachers, school administrators, parents and taxpayers, as well as legislators, as members of the subcommittee appointed to conduct the study; and be it further

Resolved, That the legislative commission report the results of the study to the 60th session of the legislature, together with any recommendations for necessary and appropriate legislation.

ABSTRACT

PUPIL ACHIEVEMENT IN NEVADA

The 1977 legislature took two steps in response to the nationwide concern about declining test scores among students. It enacted A.B. 400 which established proficiency tests for pupils in grades 3, 6, 9 and 12 in reading, writing and mathematics, and it adopted Senate Concurrent Resolution 14 which directed that a study be conducted of pupil achievement in Nevada. Five legislators were appointed to the study subcommittee along with two school teachers, one school administrator and the president of the Nevada Parent-Teacher Association. In addition, two school board members served as nonvoting advisers to the subcommittee.

Public hearings were held in northern and southern Nevada. Data was collected on test scores, curriculum, discipline and pupil-teacher ratios. A search of the literature on these subjects also was conducted.

When the subcommittee looked at how pupil achievement in Nevada compared with that of other states, it found that our students compared favorably on the college entrance examination known as Scholastic Aptitude Test (SAT). Results from American College Testing (ACT), however, show that in 1976-77 Nevada for the first time fell slightly below the national average. Nevada students taking the ACT outnumber those taking the SAT by 4 to 1.

When the subcommittee looked at whether pupil achievement in Nevada is lower today than in the past, it found that the preponderance of statistical and testimonial evidence showed that student achievement is significantly lower today. One problem the subcommittee found is the lack of historical data measuring achievement of students who are not college-bound.

In addition to reviewing the actual state of pupil achievement in Nevada, the subcommittee examined some of the factors which were perceived as possible causes for the decline. Among these factors were curriculum, pupil-teacher ratios, classroom discipline and time spent in classroom instruction. In order to improve the declining achievement

reflected in test scores, the subcommittee recommends that uniform curriculum standards be developed in basic subjects and that a separate course of study be created for junior high and middle schools. A high school diploma program for outstanding achievement in academics and in vocational education is proposed. While the subcommittee did not find high school graduation requirements sufficiently rigid, it declined to recommend that they be altered at the legislative level. The subcommittee proposes that the state board of education develop a model discipline code and that every school district adopt its own written code. Finally, the subcommittee recommends legislation which will strengthen the state board of education's ability to collect all data pertaining to pupil achievement and maintain it in a central location.

SUMMARY OF RECOMMENDATIONS

1. Nevada Revised Statutes shall be amended to strengthen and clarify the state board of education's role in statewide data gathering responsibilities relating to pupil achievement. (Bill)
2. The state board of education and the local school districts, collectively, should establish uniform standards for course offerings and course contents.
3. The legislature shall require the state board of education to direct the superintendent of public instruction to develop curriculum standards in concert with the local school districts and take a more active role in developing, monitoring and enforcing uniformity of quality and standards of excellence in the basics--reading, writing, mathematics, social studies and science. (Bill)
4. While the subcommittee does not favor changing the collective bargaining law, teachers should have direct access to school boards to present their ideas for developing curriculum.
5. Although the subcommittee does not favor legislatively changing the 19 required units for high school graduation, local school districts should review curriculum requirements and consider mandating additional courses.
6. School districts should expose all students to social, political and economic concepts as they relate to world current events sometime in grades 9 through 12. (Resolution)
7. School districts are mandated to develop a diploma program for outstanding achievement to be available for both academic and vocational students. The area of achievement (academic or vocational) shall be designated on the diploma and on the high school transcripts. (Bill)
8. Junior high students should have less freedom of choice in curriculum. The state board of education shall be required to develop a separate course of study, with emphasis on the basics, for junior high and middle schools for those school districts which have these schools. (Bill)

A.C.R. 54 - 1977 Session

BULLETIN 79-8

STRUCTURES AND FUNCTIONS OF THE STATE BOARD OF
EDUCATION AND STATE DEPARTMENT OF EDUCATION

Interim Subcommittee

Assemblyman John M. Vergiels, Chairman
Senator Margie Foote, Vice Chairman
Assemblyman Robert G. Craddock
Assemblyman Nancy A. Gomes
Assemblyman Dale Goodman
Assemblyman Nicholas J. Horn
Assemblyman James W. Schofield

Assembly Concurrent Resolution No. 54—Committee on Education

FILE NUMBER.....

ASSEMBLY CONCURRENT RESOLUTION—Directing the legislative commission to study the structures and functions of the state board of education and the state department of education.

WHEREAS, The legislature wishes to determine whether the structures and functions of the state board of education and the state department of education should be changed or retained in their present forms; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the legislative commission is hereby directed to study the structures and functions of the state board of education and the state department of education, including:

1. The need for the board and, if needed, whether membership on the board should be elective or appointive; and

2. The department's staffing patterns, salary structure and services it performs, statewide as well as regionally, for Clark, Washoe and the smaller counties; and be it further

Resolved, That the legislative commission report the results of the study and any recommended legislation to the 60th session of the legislature.

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ABSTRACTSTRUCTURES AND FUNCTIONS OF THE STATE BOARD OF
EDUCATION AND STATE DEPARTMENT OF EDUCATION

Legislative concern about the proper structures and roles of the state board of education and the state department of education can be traced back over several legislative sessions. This concern manifested itself during the 1977 legislative session in a legislative review of the state department of education's staffing patterns which resulted in a substantial reduction in the department's general fund support level. The legislative concern also resulted in passage of A.C.R. 54.

In line with the mandate in A.C.R. 54, a subcommittee of the legislative commission evaluated the entire operation of the state board of education and the state department of education. The subcommittee's study included: (1) A review of a substantial number of publications and articles relating to the governance of education; (2) Communication with several national organizations familiar with the operation and structure of both state boards of education and state departments of education; (3) A review of the structures and functions of other states' boards of education and departments of education; (4) A review of the method of selection of the membership on all the other states' boards of education; (5) Private interviews between subcommittee members and all of the state department of education's professional staff; (6) Correspondence with administrators and board members in all the county school districts in the state; (7) Correspondence with over 300 representatives of parent-teacher associations, other interest groups and the general public; and (8) A review of materials supplied by the state department of education.

Subcommittee meetings were held in Carson City, Ely, Elko, Winnemucca and Las Vegas.

The subcommittee's report reflects the recommendations and legislative proposals for changes which at least a majority of the members felt are needed to improve the operations of

the state board of education and state department of education. The report is divided into three main parts: the narrative, bill drafts and information provided by the department of education about its operations. The report contains 27 recommendations, 12 of which will require changes in the law.

SUMMARY OF RECOMMENDATIONS

This summary represents the major conclusions reached by the subcommittee. The conclusions are based upon suggestions which came from public hearings, written communications to the subcommittee, staff research and the experience of the subcommittee's members.

The subcommittee recommends that:

1. A nine-member state board of education, whose members are appointed by the governor for 4-year staggered terms, be created. Geographic representation on the board should consist of four members from Clark County, three members from Washoe County and two members from the remainder of the state. Four members of the board should qualify for their positions by demonstrated interest in, and expert knowledge of, public school education and its governance. Five members of the board should be representatives of the general public. No member of the board should be an elected state or local official or be an employee of the state in any capacity, and no more than five members of the board should be of the same political party. Board members should be permitted to be reappointed. Each board member incumbent on the effective date of this recommendation should be permitted to serve out the term for which he was elected. (BDR 34-35)
2. Title 34 of NRS be amended to clarify that the state board of education has the responsibility and authority for policymaking for the state department of education. All administrative, technical and procedural activities, including the employment of personnel within the state department of education, should be the responsibility of the superintendent of public instruction. (BDR 34-36)
3. The number of meetings for which each member of the state board of education shall be compensated for attending be increased from 8 to 12 meetings in any calendar year. (BDR 34-37)
4. All staff within the state department of education be given increased opportunities to express their views to the state board of education and the legislature.
5. The superintendent of public instruction be appointed by the state board of education for a term of 3 years. The subcommittee recommends further that the term of the superintendent of public instruction incumbent on the

STATUS OF THE EDUCATION RELATED
 INTERIM STUDY COMMITTEES'
 BILL DRAFT REQUESTS
 (1977-79 Interim)
 As of 3/1/79

I

STRUCTURES AND FUNCTIONS OF THE
 STATE BOARD OF EDUCATION AND
 STATE DEPARTMENT OF EDUCATION

SUBJECT	BDR #	BILL NO.	STATUS
Appointment of the Members of the State Board of Education	34-35	A.B. 180	In Assembly Committee on Education.
Clarifies Functions of State Board of Education and Superintendent	34-36	A.B. 118	To Senate From Assembly.
Number of Meetings for Which State Board May Be Paid	34-37	A.B. 132	In Senate Committee on Human Resources & Facilities.
Establishes Term of Office for Superintendent	34-38	A.B. 124	In Assembly Committee on Education.
Eligibility Requirements for State Superintendent of Public Instruction	34-39	A.B. 133	In Senate Committee on Human Resources & Facilities.
Qualifications and Duties of Deputy and Associate Superintendents	34-40	A.B. 120	In Senate Committee on Human Resources & Facilities.
Method of Fixing Superintendent's Salary	34-42	A.B. 121	In Assembly Committee on Education.
Removes Professional Staff of State Department of Education from Civil Service	34-43	A.B. 122	In Assembly Committee on Education.
Provides Deputy Attorney General for State Department of Education	34-44	A.B. 126	In Ways and Means.

EXHIBIT B

STATUS OF THE EDUCATION RELATED
INTERIM STUDY COMMITTEES'
BILL DRAFT REQUESTS
(1977-79 Interim)
As of 3/1/79

I

STRUCTURES AND FUNCTIONS OF THE
STATE BOARD OF EDUCATION AND
STATE DEPARTMENT OF EDUCATION

OBJECT	BDR #	BILL NO.	STATUS
Deletes Statutory Reference to consultants on Indian and Environ- mental Education	34-84	A.B. 123	In Senate Committee on Human Resources & Facilities.
Permits Superintendent to Have Outside Occupation Only if Approved by State Board of Education	34-85	A.B. 125	In Senate Committee on Human Resources & Facilities.

STATUS OF THE EDUCATION RELATED
 INTERIM STUDY COMMITTEES'
 BILL DRAFT REQUESTS
 (1977-79 Interim)
 As of 3/1/79

II

PUPIL ACHIEVEMENT IN NEVADA

SUBJECT	BDR #	BILL NO.	STATUS
Extends Public School Attendance Requirements to Certain 6 Year Olds	34-2	A.B. 90	In Assembly Committee on Education.
Establishes Provisions for Transfers and Annual Allocations of Balances in the State Distributive School Funds	34-3	A.B. 39	In Ways and Means.
Provides for State Regulations on Collection of Information from School Districts on Pupil Achievement	34-4	A.B. 38	In Assembly Committee on Education.
Requires Development of State Standards for Public School Curriculum in Basic Subject Areas	34-5	A.B. 128	In Senate.
Requires Identification on Diploma of Public School Pupils Who Demonstrate Outstanding Achievement	34-7	A.B. 35	In Assembly Committee on Education.
Provides for Disciplinary Code For Pupils in Public Schools	34-9	A.B. 91	In Assembly Committee on Education.
Urges School Districts to Instruct in Certain Concepts as Related to Current Events Throughout the World	6	A.C.R. 6	In Senate Committee on Human Resources & Facilities.

EXHIBIT B

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STATUS OF THE ACTION RELATED
INTERIM STUDY COMMITTEES'
BILL DRAFT REQUESTS
(1977-79 Interim)
As of 3/1/79

II

PUPIL ACHIEVEMENT IN NEVADA

SUBJECT	BDR #	BILL NO.	STATUS
Requires School Districts to Gather and Analyze Information on High School Seniors' Use of Time within School Day	86	A.C.R. 1	In Senate Committee on Human Resources & Facilities.

STATUS OF THE EDUCATION RELATED
INTERIM STUDY COMMITTEES'
BILL DRAFT REQUESTS
(1977-79 Interim)
As of 3/1/79

III

RECODIFICATION OF EDUCATION LAWS

SUBJECT	BDR #	BILL NO.	STATUS
Recodifies Education Laws relating to Elementary and Secondary Education	34-59	S.B. 25	In Senate Committee on Human Resources & Facilities.

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EXHIBIT B

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 1</p> <p>1 SECTION 1. Chapter 385 of NRS is hereby amended by adding 2 thereto the provisions set forth as sections 2 and 3 of this act. 3 ① SEC. 2. The state board of education shall establish policies to govern 4 the administration of all functions of the state relating to supervision, 5 management and control of public schools not conferred by law on some 6 other agency. 7 ② SEC. 3. The superintendent of public instruction shall: 8 1. Execute, direct or supervise all administrative, technical and pro- 9 cedural activities of the state department of education in accordance with 10 policies prescribed by the state board of education. 11 2. Employ personnel for the positions approved by the state board 12 and necessary for the efficient operation of the department. 13 3. Organize the department in a manner which will assure efficient 14 operation and service. 15 4. Maintain liaison and coordinate activities with other state agencies 16 performing educational functions. 17 5. Perform such other duties as are prescribed by law.</p>		<p>PAGE 1</p> <p>1 SECTION 1. Chapter 385 of NRS is hereby amended by adding 2 thereto the provisions set forth as sections 2 to 6, inclusive, of this act. 3 SEC. 2. As used in this Title, unless the context otherwise requires: 4 1. "Department" means the department of education. 5 2. "Public schools" means all kindergartens and elementary schools, 6 junior high schools and middle schools, high schools and any other 7 schools, classes and educational programs which receive their support 8 through public taxation and whose textbooks and courses of study are 9 under the control of the state board. 10 3. "State board" means the state board of education. 11 SEC. 3. When required, the attorney general shall give his opinion 12 in writing and without fee to the state board and the superintendent of 13 public instruction on matters relating to the powers and duties of the 14 department. 15 SEC. 4. The state board shall establish policies to govern the admin- 16 istration of all functions of the state relating to supervision, management 17 and control of public schools not conferred by law on some other 18 agency.</p> <p>PAGE 2</p> <p>1 SEC. 5. The state board shall: 2 1. Cooperate with the aging services division of the department of 3 human resources in the planning of programs whereby the school dis- 4 tricts may prepare hot lunches for persons 60 years of age or older and 5 their spouses or any group of such persons by utilizing the systems and 6 procedures already developed for use in the operation of school lunch 7 programs; and 8 2. Adopt regulations containing guidelines for boards of trustees 9 of school districts entering into such agreements. 10 SEC. 6. The superintendent of public instruction shall: 11 1. Execute, direct or supervise all administrative, technical and pro- 12 cedural activities of the department in accordance with policies pre- 13 scribed by the state board. 14 2. Employ personnel for the positions approved by the state board 15 and necessary for the efficient operation of the department. 16 3. Organize the department in a manner which will assure efficient 17 operation and service. 18 4. Maintain liaison and coordinate activities with other state agen- 19 cies performing educational functions. 20 5. Perform such other duties as are prescribed by law.</p>		<p>THESE COMMENTS USE AB 118 AS A BASE AND AMEND AS FOLLOWS FROM SB 25.</p> <p>① INSERT LINES 3-10. PAGE 1.</p> <p>② INSERT LINES 1-9 PAGE 2</p>

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EXHIBIT "C"

COMPARISON OF BILLS - 1979

PAGE 2.

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 1</p> <p><u>385.010</u></p>		<p>PAGE 2</p> <p><u>385.010</u></p>		
<p>18 Sec. 4. NRS 385.010 is hereby amended to read as follows:</p> <p>19 385.010 1. A state department of education is hereby created.</p> <p>20 [The state department of education shall function under the direction</p>		<p>21 Sec. 7. NRS 385.010 is hereby amended to read as follows:</p> <p>22 385.010 1. A [state] department of education is hereby created.</p> <p>23 [The state department of education shall function under the direction</p> <p>24 and control of the state board of education, and the superintendent of</p> <p>25 public instruction shall be the executive head.]</p>		
<p>PAGE 2</p>		<p>26 2. The [state] department [of education shall consist] consists</p> <p>27 of the state board of education, the state board for vocational education,</p> <p>28 the state textbook [commission, and such other agencies and officers</p> <p>29 as are added by law to the state department of education and the admin-</p> <p>30 istrative organizations and staffs required for the performance of their</p> <p>31 functions.</p>		
<p>1 and control of the state board of education, and the superintendent of</p> <p>2 public instruction shall be the executive head.]</p> <p>3 2. The state department of education [shall consist] consists of the</p> <p>4 state board of education, the state board for vocational education, the</p> <p>5 state textbook [commission, and such other agencies and officers as are</p> <p>6 added by law to the state department of education and the administrative</p> <p>7 organizations and staffs required for the performance of their functions.</p>		<p>32 3. All administrative functions of the state board of education and</p> <p>33 of the superintendent of public instruction shall be exercised through the</p> <p>34 state department of education, and the department shall exercise all</p> <p>35 administrative functions of the state relating to supervision, management</p> <p>36 and control of schools not conferred by law on some other agency.</p>		
<p>8 3. All administrative functions of the state board of education and</p> <p>9 of the superintendent of public instruction shall be exercised through the</p> <p>10 state department of education, and the department shall exercise all</p> <p>11 administrative functions of the state relating to supervision, management</p> <p>12 and control of schools not conferred by law on some other agency.</p>		<p>37 4. Establishment of the state department of education shall not affect</p> <p>38 the exercise of any educational function now conferred by law upon any</p> <p>39 other state agency or officer.</p>		
<p>13 4. Establishment of the state department of education shall not affect</p> <p>14 the exercise of any educational function now conferred by law upon any</p> <p>15 other state agency or officer.</p>		<p>40 5. As executive head of the state department of education, the</p> <p>41 superintendent of public instruction shall perform duties prescribed by</p> <p>42 law and also:</p>		
<p>16 5. As executive head of the state department of education, the</p> <p>17 superintendent of public instruction shall perform duties prescribed by</p> <p>18 law and also:</p>		<p>43 (a) Execute, direct and supervise all administrative and technical</p> <p>44 activities of the department in accord with the policies prescribed by</p> <p>45 the state board of education.</p>		
<p>19 (a) Execute, direct and supervise all administrative and technical</p> <p>20 activities of the department in accord with the policies prescribed by</p> <p>21 the state board of education.</p>		<p>46 (b) Employ such personnel as are approved by the state board of</p> <p>47 education and as are necessary for efficient operation of the department.</p>		
<p>22 (b) Employ such personnel as are approved by the state board of</p> <p>23 education and as are necessary for efficient operation of the department.</p> <p>24 (c) Be responsible for organizing the department in a manner which</p> <p>25 will assure efficient operation and service.</p>		<p>48 (c) Be responsible for organizing the department in a manner which</p> <p>49 will assure efficient operation and service.</p>		
<p>26 (d) Be responsible for maintaining liaison and coordinating activities</p> <p>27 with other state agencies exercising educational functions.] commission</p> <p>28 and the superintendent of public instruction.</p>		<p>1 (d) Be responsible for maintaining liaison and coordinating activities</p> <p>2 with other state agencies exercising educational functions.] commission</p> <p>3 and the superintendent of public instruction.</p>		
<p>29 3. The superintendent of public instruction is the executive head</p> <p>30 of the state department of education.</p>		<p>4 3. The superintendent of public instruction is the executive head</p> <p>5 of the department.</p>		

EXHIBIT C

COMPARISON OF BILLS - 1979

Page 3.

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 2</p> <p>385.011</p> <p>31 SEC. 5. NRS 385.011 is hereby amended to read as follows:</p> <p>32 385.011 The state [department] board of education shall [grade</p> <p>33 the schools in the state.] establish regulations for designating which</p> <p>34 schools in the state are secondary schools and which are elementary</p> <p>35 schools [], and the superintendent of public instruction shall grade</p> <p>36 the schools accordingly.</p> <p>385.012</p> <p>37 SEC. 6. NRS 385.012 is hereby amended to read as follows:</p> <p>38 385.012 The [state department of education] superintendent of</p> <p>39 public instruction shall file with the clerk of the board of trustees of</p> <p>40 each county school district a directory of all teachers who [shall be] are</p> <p>41 entitled to draw salaries from the county school district fund, and shall</p> <p>42 advise the clerk of the board of trustees from time to time of any changes</p> <p>43 or additions to the directory.</p> <p>(3)</p>		<p>PAGE 3</p> <p>385.021</p> <p>6 SEC. 8. NRS 385.021 is hereby amended to read as follows:</p> <p>7 385.021 1. [On July 1, 1971, the state board of education shall</p> <p>8 be composed of the seven members elected at the general election in</p> <p>9 1970 and the two members, representative of labor and agriculture,</p> <p>10 appointed by the elected members of the board pursuant to law. The</p> <p>11 terms of the appointive members shall expire on January 1, 1973. If a</p> <p>12 vacancy occurs in the office of an appointive member between July 1,</p> <p>13 1971, and January 1, 1973, the elected members shall fill the vacancy</p> <p>14 by the appointment of a new member without regard to representation</p> <p>15 of labor or agriculture for the remainder of the unexpired term but</p> <p>16 not beyond January 1, 1973.</p> <p>17 2. On and after the 1st Monday in January 1973, the] The state</p> <p>18 board of education [shall consist] consists of nine [lay] members [to</p> <p>19 be] elected by the registered voters within the following districts:</p> <p>20 (a) Washoe County shall be known as district No. 1.</p> <p>21 (b) Clark County shall be known as district No. 2.</p> <p>22 (c) The remainder of the state shall be known as district No. 3.</p> <p>23 [3. The board in existence on January 1, 1972, shall determine, by</p> <p>24 lot or otherwise, two members of such board whose terms will expire</p> <p>25 on January 1, 1973, making such determination in a manner best</p> <p>26 designed to effectuate the geographical districts established by NRS</p> <p>27 385.022 and the staggered terms established by this section. The board</p> <p>28 shall also determine the particular subdistrict to be represented by</p> <p>29 each member.</p> <p>30 4. For the general election in 1974 and thereafter each] 2. Each</p> <p>31 board member must be a resident of the subdistrict from which that</p> <p>32 member is elected. [as prescribed in NRS 385.022.</p> <p>33 5.] 3. At the general election in [1972,] 1980 and every 4 years</p> <p>34 thereafter:</p> <p>35 (a) From district No. 1, one member of the board shall be elected</p> <p>36 for a term of 4 years.</p> <p>37 (b) From district No. 2, two members of the board shall be elected</p> <p>38 for a term of 4 years.</p> <p>39 (c) From district No. 3, one member of the board shall be elected</p> <p>40 for a term of 4 years.</p> <p>41 [6.] 4. At the general election in [1974,] 1982 and every 4 years</p> <p>42 thereafter:</p> <p>43 (a) From district No. 1, one member of the board shall be elected</p> <p>44 for a term of 4 years.</p> <p>45 (b) From district No. 2, three members of the board shall be elected</p> <p>46 for a term of 4 years.</p> <p>47 (c) From district No. 3, one member of the board shall be elected</p> <p>48 for a term of 4 years.</p> <p>49 [7.] 5. If a vacancy occurs on the state board, [of education from</p> <p>50 among the elected members,] the governor shall appoint a member to</p>		<p>(3) INSERT FROM LINE 3 PAGE 3 THROUGH LINE 22 PAGE 5</p>

EXHIBIT C

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COMPARISON OF BILLS - 1979

PAGE 4.

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 4</p> <p>385.021 (continued)</p> <p>1 fill the vacancy until the next general election, at which election a 2 member shall be chosen for the balance of the unexpired term. The 3 appointee must be a resident of the subdistrict where the vacancy occurs. 4 [8.] 6. No member of the state board [of education] may be 5 elected to such office more than three times. 6 [9.] No person who has been a member of the state board of educa- 7 tion at any time prior to July 1, 1971, may be elected to the office again 8 more than twice.]</p> <p>385.030</p> <p>9 SEC. 9. NRS 385.030 is hereby amended to read as follows: 10 385.030 1. At its first meeting after each election and qualification 11 of [the lay] newly elected members, the state board of education shall 12 organize by electing one of its members as president, to serve at the 13 pleasure of the board. 14 2. The superintendent of public instruction [shall be] is the secre- 15 tary of the board and shall serve without additional salary.</p> <p>385.040</p> <p>16 SEC. 10. NRS 385.040 is hereby amended to read as follows: 17 385.040 1: The state board of education shall hold at least four 18 regular meetings annually at the state capital. The secretary shall call all 19 regular meetings. 20 2. The board may hold special meetings at such other times and 21 places as the board may direct. The secretary shall call special meetings 22 upon the written request of the president or any three members of the 23 board. 24 3. A majority of the board [shall constitute] constitutes a quorum 25 for the transaction of business [.] , and no action of the board is valid 26 unless that action receives, at a regularly called meeting, the approval of 27 a majority of all board members.</p>		

EXHIBIT C

6/17

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 2 385.100</p> <p>44 SEC. 7. NRS 385.100 is hereby amended to read as follows: 45 385.100 1. The state board of education shall prescribe regulations 46 under which contracts, agreements or arrangements may be made with 47 agencies of the Federal Government for [funds,] money, services, com- 48 modities or equipment to be made available to the public schools and 49 school systems [under], subject to the supervision [or] and control of 50 the [state department of education.] superintendent of public instruction.</p>		<p>PAGE 4. 385.080</p> <p>28 SEC. 11. NRS 385.080 is hereby amended to read as follows: 29 385.080 The state board may adopt regulations which are not incon- 30 sistent with the constitution and laws of the State of Nevada for its own 31 government and which are proper or necessary for the execution of the 32 powers and duties conferred upon it by law except that: 33 1. Any change made by the state board, [of education,] by which 34 the required scholarship, training or experience [of any teacher,] for 35 any certificate for teachers or other educational personnel is increased, 36 shall be announced when made and shall not be made effective before 37 3 months from the date when the change is announced; and 38 2. Any such change shall not be made to affect certificates [or 39 diplomas] then in force.</p> <p>385.090</p> <p>40 SEC. 12. NRS 385.090 is hereby amended to read as follows: 41 385.090 The state board of education shall prescribe regulations 42 for: 43 1. The issuance and renewal of all [teachers' certificates,] certifi- 44 cates for teachers and other educational personnel; and 45 2. State [teachers'] examinations for teachers and other educational 46 personnel on Nevada school law, the constitution of the State of Nevada, 47 and the Constitution of the United States.</p> <p>PAGE 4 385.100</p> <p>48 SEC. 13. NRS 385.100 is hereby amended to read as follows: 49 385.100 1. The state board of education shall prescribe regulations 50 under which contracts, agreements or arrangements may be made with</p> <p>PAGE 5</p> <p>1 agencies of the Federal Government for [funds,] money, services, com- 2 modities or equipment to be made available to the public schools [and 3 school systems under], subject to the supervision [or] and control of 4 the [state department of education.] superintendent of public instruc- 5 tion.</p>		

EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 3 385.100 (continued)</p> <p>1 2. All contracts, agreements or arrangements made by public schools 2 and school systems in the State of Nevada involving [funds.] money, 3 services, commodities or equipment which may be provided by agencies 4 of the Federal Government, [shall] must be entered into in accordance 5 with the regulations prescribed by the state board of education and in 6 no other manner. 7 3. [Nothing contained in this section shall be construed to] This 8 section does not apply to any [funds] money received by any school 9 district in the State of Nevada pursuant to the provisions of: 10 (a) "An Act to provide financial assistance for local educational 11 agencies in areas affected by federal activities, and for other purposes," 12 being Public Law 874—81st Congress; and 13 (b) "An Act relating to the construction of school facilities in areas 14 affected by federal activities, and for other purposes," being Public Law 15 815—81st Congress, 16 as [the same have been amended or] these statutes were enacted and 17 may be [hereafter] amended.</p>		<p>PAGE 5 385.100 (continued)</p> <p>6 2. All contracts, agreements or arrangements made by public schools 7 [and school systems] in the State of Nevada involving [funds.] money, 8 services, commodities or equipment which may be provided by agencies 9 of the Federal Government, [shall] must be entered into in accordance 10 with the regulations prescribed by the state board [of education] and in 11 no other manner. 12 3. [Nothing contained in this section shall be construed to] This 13 section does not apply to any [funds] money received by any school 14 district in the State of Nevada pursuant to the provisions of: 15 (a) "An Act to provide financial assistance for local educational 16 agencies in areas affected by federal activities, and for other purposes," 17 being Public Law 874—81st Congress; and 18 (b) "An Act relating to the construction of school facilities in areas 19 affected by federal activities, and for other purposes," being Public Law 20 815—81st Congress, 21 as [the same have been amended or] these statutes were enacted and 22 may be [hereafter] amended.</p>		
<p>PAGE 3 385.102</p> <p>18 Sec. 8. NRS 385.102 is hereby amended to read as follows: 19 385.102 As used in NRS 385.104, [to 385.108, inclusive.] "insti- 20 tution of higher education" means an educational institution which: 21 1. Admits as regular students only persons having received a certifi- 22 cate of graduation from high school, or the recognized equivalent of such 23 a certificate, or those approved by the [state department of education] 24 superintendent of public instruction for training at a vocational-technical 25 level. 26 2. Is authorized to provide a program of education beyond high 27 school; 28 3. Awards a bachelor's degree or a 2-year degree or certificate of 29 graduation or a certificate of completion of a program beyond high 30 school; 31 4. Is an institution with full approval of the State of Nevada or the 32 Office of Education of the United State Department of Health, Educa- 33 tion, and Welfare; and 34 5. Has recognized accreditation.</p>		<p>PAGE 5 385.102</p> <p>23 Sec. 14. NRS 385.102 is hereby amended to read as follows: 24 385.102 As used in NRS 385.104, [to 385.108, inclusive.] "insti- 25 tution of higher education" means an educational institution which: 26 1. Admits as regular students only persons having received a certifi- 27 cate of graduation from high school, or the recognized equivalent of 28 such a certificate, or those approved by the [state department of edu- 29 cation] superintendent of public instruction for training at a vocational- 30 technical level [.] ; 31 2. Is authorized to provide a program of education beyond high 32 school; 33 3. Awards a bachelor's degree or a 2-year degree or certificate of 34 graduation or a certificate of completion of a program beyond high 35 school; 36 4. Is an institution with full approval of the State of Nevada or the 37 Office of Education of the United States Department of Health, Educa- 38 tion, and Welfare; and 39 5. Has recognized accreditation.</p>		

EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 3 385.104</p> <p>35 SEC. 9. NRS 385.104 is hereby amended to read as follows: 36 385.104 1. The higher education student loan program is hereby 37 established. 38 2. [[The]] Money available for the higher education student loan 39 program [[shall]] must be used to provide loans to further the educational 40 goals of Nevada residents who are admitted to and attending institutions 41 of higher [[learning.]] education. 42 3. The state board of education shall establish policies and may 43 adopt regulations for the administration of the higher education student 44 loan program.</p>		<p>PAGE 5 385.104</p> <p>40 SEC. 15. NRS 385.104 is hereby amended to read as follows: 41 385.104 1. The higher education student loan program is hereby 42 established. 43 2. [[The]] Money available for the higher education student loan 44 program [[shall]] must be used to provide loans to further the educational 45 goals of Nevada residents who are admitted to and attending institutions 46 of higher [[learning.]] education. 47 3. The state board shall establish policies and may adopt regulations 48 for the administration of the higher education student loan program.</p>		
<p>385.106</p> <p>45 SEC. 10. NRS 385.106 is hereby amended to read as follows: 46 385.106 1. The [[state board of education]] is responsible for the 47 administration of] superintendent of public instruction shall administer 48 the higher education student loan program and may consult with any 49 public official or private person in the state who may have an interest in 50 higher education or in the program.</p>		<p>PAGE 6 385.106</p> <p>1 SEC. 16. NRS 385.106 is hereby amended to read as follows: 2 385.106 1. The [[state board of education]] is responsible for the 3 administration of] superintendent of public instruction shall administer 4 the higher education student loan program and may consult with any 5 public official or private person in the state who may have an interest in 6 higher education or in the program. 7 2. The state board may: 8 (a) Negotiate and accept federal and other [[funds]] money appro- 9 priated and available to insure loans for student educational purposes 10 [[and to negotiate]] under the program. 11 (b) Negotiate and enter into such agreements with other agencies as 12 it deems proper for the administration and conduct of the program. 13 [[b)]] (c) Accept gifts, grants and contributions from any source 14 that will facilitate and assist the higher education of Nevada residents.</p>		
<p>PAGE 4 385.106 (continued)</p> <p>1 2. The state board of education may: 2 (a) Negotiate and accept federal and other [[funds]] money appro- 3 priated and available to insure loans for student educational purposes 4 [[and to negotiate]] under the program. 5 (b) Negotiate and enter into such agreements with other agencies as 6 it deems proper for the administration and conduct of the program. 7 [[b)]] (c) Accept gifts, grants and contributions from any source 8 that will facilitate and assist the higher education of Nevada residents.</p>				

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 4 385.108</p> <p>9 Sec. 11. NRS 385.108 is hereby amended to read as follows: 10 385.108 1. The [state board of education] superintendent of public 11 instruction shall certify to the state controller all withdrawals [in] for 12 purposes of the higher education student loan program. [for any of the 13 purposes of NRS 385.102 to 385.108, inclusive.] The state controller 14 shall then issue a warrant to the state treasurer in the amount of the 15 certification. The state treasurer shall disburse such amount in accord- 16 ance with the warrant. 17 2. All money received [by the state board of education pursuant to 18 the program established under the provisions of NRS 385.102 to 385- 19 108, inclusive, shall be used in] for the higher education student loan 20 program must be used for that program. 21 3. The [board is responsible for the establishment and maintenance 22 of] superintendent shall establish and maintain such records for the 23 program as are required by good accounting practices. [The board may 24 adopt regulations for the administration of NRS 385.102 to 385.108, 25 inclusive.]</p>		<p>PAGE 6 385.108</p> <p>15 Sec. 17. NRS 385.108 is hereby amended to read as follows: 16 385.108 1. The [state board of education] superintendent of public 17 instruction shall certify to the state controller all withdrawals [in] for 18 purposes of the higher education student loan program. [for any of the 19 purposes of NRS 385.102 to 385.108, inclusive.] The state controller 20 shall then issue a warrant to the state treasurer in the amount of the 21 certification. The state treasurer shall disburse such amount in accord- 22 ance with the warrant. 23 2. All money received [by the state board of education pursuant to 24 the program established under the provisions of NRS 385.102 to 385- 25 108, inclusive, shall be used in] for the higher education student loan 26 program must be used for that program. 27 3. The [board is responsible for the establishment and maintenance 28 of] superintendent shall establish and maintain such records for the 29 program as are required by good accounting practices. [The board may 30 adopt regulations for the administration of NRS 385.102 to 385.108, 31 inclusive.]</p>		
<p>385.130</p> <p>26 Sec. 12. NRS 385.130 is hereby amended to read as follows: 27 385.130 The [board] superintendent of public instruction shall 28 cause the superintendent of the state printing and records division of the 29 department of general services to do any printing [required by the board, 30 such as Title 34 of NRS, state courses of study, the proceedings of 31 teachers' institutes, blank forms, and such other matter as the board may 32 require.] the state board of education requires. Textbooks [shall] must 33 not be printed by the superintendent of the state printing and records 34 division of the department of general services.</p>				
<p>385.140</p> <p>35 Sec. 13. NRS 385.140 is hereby amended to read as follows: 36 385.140 The [board may] state board of education may direct the 37 superintendent of public instruction to publish a bulletin as the official 38 organ of the state department of education. The bulletin may be mimeo- 39 graphed, printed, or reproduced by any other method in the state printing 40 and records division of the department of general services, within the 41 [funds] money available for such purpose.</p>				<p>④ INSERT LINES 32 P. 6 THROUGH LINE 45 PAGE 7</p>

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 6 385.150</p> <p>32 SEC. 18. NRS 385.150 is hereby amended to read as follows: 33 385.150 1. The superintendent of public instruction shall be 34 appointed by the state board of education [; but any person elected to 35 the office of superintendent of public instruction prior to March 6, 1957, 36 shall continue to hold such office until the expiration of the term for 37 which he may have been elected.] for a term of 3 years. The state board 38 shall fill any vacancy for the unexpired term. 39 2. The superintendent of public instruction [shall: 40 (a) Hold office subject to being removed at the pleasure of the state 41 board of education. 42 (b) Be] is in the unclassified service [as provided by the provisions 43 of chapter 284 or NRS.] of the state.</p> <p>385.170</p> <p>44 SEC. 19. NRS 385.170 is hereby amended to read as follows: 45 385.170 The superintendent of public instruction [shall] is entitled 46 to receive an annual salary in an amount determined pursuant to the 47 provisions of NRS 284.182 [.] , and subsistence and travel expenses 48 as provided by law. The superintendent shall devote his entire time and 49 attention to the business of his office and shall not pursue any other 50 business or occupation or hold any other office of profit.</p> <p>PAGE 7 385.180</p> <p>1 SEC. 20. NRS 385.180 is hereby amended to read as follows: 2 385.180 [1.] The superintendent of public instruction or a staff 3 member of the [state] department [of education] designated by him 4 [for each county] shall: 5 [(a)] 1. Visit each county in the state at least once each school 6 year, and shall conduct institutes, visit schools, consult with school 7 officers, or address public assemblies on subjects pertaining to the 8 schools. 9 [(b)] 2. Consult and study with school officers and educators of 10 this and other states on topics of school administration, school methods 11 and school law. 12 [2.] The necessary traveling expenses incurred by the superintendent 13 of public instruction or his designated staff members in the performance 14 of such duties, including the cost of transportation and board and 15 lodging while absent from his place of residence, shall be allowed, 16 audited and paid at the rate authorized by law. Funds to carry out the 17 provisions of this section shall be provided by direct legislative appropriation 18 from the general fund, and shall be paid out on claims as other 19 claims against the state are paid.]</p>		

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>5</p> <p>PAGE 4 385, 200</p> <p>42 SEC. 14. NRS 385.200 is hereby amended to read as follows: 43 385.200 The superintendent of public instruction shall: 44 1. Prescribe and modify proper and necessary [rules and] regula- 45 tions for making all reports and conducting all necessary proceedings 46 under the provisions of NRS 385.150 to 385.270, inclusive [.] , and 47 section 3 of this act. 48 2. Furnish suitable blanks upon which the required reports [shall] 49 must be made.</p> <p>PAGE 5 385, 200 (continued)</p> <p>1 3. Cause the blanks, with such instructions as [shall be deemed] 2 he deems necessary and proper for the organization and government of 3 schools, to be transmitted to the local school officers, who [shall be] are 4 governed [in accordance with] by the instructions.</p>		<p>PAGE 7 385, 190</p> <p>20 Sec. 21. NRS 385.190 is hereby amended to read as follows: 21 385.190 1. The superintendent of public instruction or a staff 22 member designated by him shall: 23 (a) Convene teachers' conferences in the various sections of the 24 state in such places and at such times as he [may deem] deems 25 advisable. 26 (b) Engage such conference lecturers and leaders as he [shall deem] 27 deems advisable. 28 (c) Preside over and regulate the programs of all teachers' con- 29 ferences. 30 2. No teachers' conference [shall] may continue more than 5 days. 31 [The expenses of holding such conferences shall be paid from the state 32 distributive school fund, but the amount for teachers' conferences shall 33 not exceed \$8,400 in any one biennium. The state controller is author- 34 ized and directed to draw his warrants for such expenses upon the 35 order of the superintendent of public instruction. 36 2.] 3. The superintendent of public instruction or his designated 37 staff member shall convene, in such places and at such times as he may 38 designate, conferences of school administrators. 39 [3. This section does not prohibit altering the character of any con- 40 ference in line with advanced educational procedure.] 41 4. The expenses of holding teachers' and administrators' conferences 42 shall be paid from the state distributive school fund, but the amount 43 shall not exceed \$8,400 in any one biennium. The state controller shall 44 draw his warrants for such expenses upon the order of the superintendent 45 of public instruction.</p> <p>PAGE 7 385, 200</p> <p>46 SEC. 22. NRS 385.200 is hereby amended to read as follows: 47 385.200 The superintendent of public instruction shall [: 48 1. Prescribe and modify] prescribe proper and necessary [rules 49 and] regulations for making [all reports and] reports to the department</p> <p>PAGE 8 385, 200 (continued)</p> <p>1 and for conducting all necessary proceedings [under the provisions of 2 NRS 385.150 to 385.270, inclusive. 3 2. Furnish suitable blanks upon which the required reports shall be 4 made. 5 3. Cause the blanks, with such instructions as shall be deemed 6 necessary and proper for the organization and government of schools, 7 to be transmitted to the local school officers, who shall be governed 8 in accordance with the instructions.] for which he is responsible.</p>		<p>5 INSERT LINE 46 PAGE 7 THROUGH LINE 15 PAGE 9</p> <p>6 DELETE LINE 42 PAGE 4 THROUGH LINE 4 PAGE 5 OF AB 118</p>

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>9 Sec. 23. NRS 385.210 is hereby amended to read as follows:</p> <p>10 385.210 1. The superintendent of public instruction shall [</p> <p>11 1. Prepare] prescribe a convenient form of school register for the</p> <p>12 purpose of securing accurate returns from the teachers of public schools.</p> <p>13 [, and shall furnish such registers to each school board to be delivered</p> <p>14 as needed to each of the teachers of its schools.]</p> <p>15 2. [Prepare] The superintendent shall prepare pamphlet copies of</p> <p>16 the school law, and shall transmit a copy to each school, school trustee,</p> <p>17 and other school officer in the state. When additions or amendments are</p> <p>18 made to the school law, he shall have them printed and transmitted</p> <p>19 immediately thereafter. Each pamphlet shall be marked "State property;</p> <p>20 —to be turned over to your successor in office."</p> <p>21 3. [Prepare and have printed teachers' contracts, school registers,</p> <p>22 and other necessary forms and supplies, and shall supply the same to</p> <p>23 school trustees and teachers.</p> <p>24 4. Have done, by the state printing and records division of the</p> <p>25 department of general services in accordance with law, all printing</p> <p>26 required in the performance of his duties.] The superintendent shall, if</p> <p>27 directed by the state board, prepare and publish a bulletin as the official</p> <p>28 publication of the department.</p> <p>385.210</p> <p>385.220</p> <p>29 Sec. 24. NRS 385.220 is hereby amended to read as follows:</p> <p>30 385.220 The superintendent of public instruction [shall have power:</p> <p>31 1. To administer oaths to teachers.</p> <p>32 2. To] and members of the professional staff within the department</p> <p>33 designated by the superintendent may administer [other] oaths relating</p> <p>34 to public schools.</p> <p>385.230</p> <p>35 Sec. 25. NRS 385.230 is hereby amended to read as follows:</p> <p>36 385.230 [1.] The superintendent of public instruction shall report</p> <p>37 to the governor biennially, on or before December 1, in the year immediately</p> <p>38 preceding a regular session of the legislature. [The governor shall</p> <p>39 transmit the report to the legislature at its first regular session thereafter.</p> <p>40 2. The report shall contain:</p> <p>41 (a) A statement of the public school affairs in the state.</p> <p>42 (b) A statement of the condition and amount of all funds and</p> <p>43 property apportioned and dedicated to the purposes of public education</p> <p>44 or under the control or supervision of the superintendent of public</p> <p>45 instruction.</p> <p>46 (c) The amount of public school moneys apportioned to each county.</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 5 385.270</p> <p>5 SEC. 15. NRS 385.270 is hereby amended to read as follows: 6 385.270 When required, the attorney general shall give his opinion 7 in writing and without fee to the state board of education and the super- 8 intendent of public instruction on matters relating to the powers and 9 duties of the [office of the superintendent.] state department of educa- 10 tion.</p>		<p>PAGE 8 385.230 (continued)</p> <p>17 (d) The separate amount of money raised by county taxation and 18 the sources thereof. 19 (e) The amount of money raised for building public schoolhouses.</p> <p>PAGE 9. 385.230 (continued)</p> <p>1 (f) A statement of plans for the management and improvement of 2 public schools. 3 (g) Such other information relative to the educational affairs of the 4 public schools of the state as the superintendent of public instruction 5 shall deem proper.]</p> <p>386.240</p> <p>6 SEC. 26. NRS 385.240 is hereby amended to read as follows: 7 385.240 1. The superintendent of public instruction shall approve 8 or disapprove lists of books for use in public school libraries, but such 9 lists [shall] <i>must</i> not include books containing or including any story 10 in prose or poetry the tendency of which would be to influence the 11 minds of children in the formation of ideals not in harmony with truth 12 and morality or the American way of life, or not in harmony with the 13 Constitution and laws of the United States or of the State of Nevada. 14 2. <i>Actions of the superintendent with respect to lists of books are</i> 15 <i>subject to review and approval or disapproval by the state board.</i></p>		

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>Page 5 385.290</p> <p>11 Sec. 16. NRS 385.290 is hereby amended to read as follows: 12 385.290 1. The superintendent of public instruction [shall have 13 power to] may appoint a deputy superintendent of public instruction, 14 who: [shall: 15 (a) Be] (a) Is a graduate of the University of Nevada or a college 16 of equal standard. 17 (b) [Have] Has had at least 20 semester hours in educational sub- 18 jects by attendance at a standard college or university. 19 (c) [Have] Has had at least 50 months of administrative experi- 20 ence, 30 months of which shall have been in Nevada. 21 2. The deputy superintendent of public instruction: [shall: 22 (a) Assist] (a) Shall assist in the work of the office of the superin- 23 tendent of public instruction, and do such work as the [state board of 24 education or the] superintendent [of public instruction] may direct 25 under the laws of the state. 26 (b) [Have] Has the power to perform all duties required of the 27 superintendent of public instruction.</p>		<p>Page 9 385.290</p> <p>16 Sec. 27. NRS 385.290 is hereby amended to read as follows: 17 385.290 1. The superintendent of public instruction [shall have 18 power to] may appoint a deputy superintendent of public instruction, 19 who: [shall: 20 (a) Be] (a) Is a graduate of the University of Nevada or a college 21 of equal standard. 22 (b) [Have] Has had at least 20 semester hours in educational sub- 23 jects by attendance at a standard college or university. 24 (c) [Have] Has had at least 50 months of administrative experience, 25 30 months of which shall have been in Nevada. 26 2. The deputy superintendent of public instruction [shall: 27 (a) Assist in the work of the office of the superintendent of public 28 instruction, and] may perform any duty required of the superintendent 29 of public instruction during the absence of the superintendent and shall 30 do such work as the [state board of education or the] superintendent 31 [of public instruction] may direct under the laws of the state. 32 [(b) Have the power to perform all duties required of the superin- 33 tendent of public instruction.]</p>		<p>SPECIAL NOTE: AB120 IF ENACTED WILL ALTER THIS SECTION</p>
<p>Page 5 385.310</p> <p>28 Sec. 17. NRS 385.310 is hereby amended to read as follows: 29 385.310 The [powers and duties of the] associate superintendent 30 of public instruction for administration, [shall be: 31 1. To perform all duties pursuant to the contract of integration of 32 the public school teachers' retirement system with the public employees' 33 retirement system. 34 2. To apportion] under the direction of the superintendent of 35 public instruction, shall: 36 1. Determine the apportionment of all state school [funds] money 37 to schools of the state as prescribed by law. 38 [3. To develop for] 2. Develop for public schools of the state a 39 uniform system of budgeting and accounting, which system, when 40 approved by [the superintendent of public instruction and] the state 41 board of education, shall be made mandatory for all public schools in 42 the state, and shall be enforced as provided for in subsection 2 of NRS 43 385.315. 44 [4. To carry] 3. Carry on a continuing study of school finance 45 in the state, and particularly of the method by which schools are financed 46 on the state level, and [to] make such recommendations to the superin- 47 tendent of public instruction [and] for submission to the state board of 48 education as he may, from time to time, deem advisable. 49 [5. To recommend] 4. Recommend to the superintendent of public 50 instruction [and] for submission to the state board of education such</p>		<p>Page 9 385.310</p> <p>34 Sec. 28. NRS 385.310 is hereby amended to read as follows: 35 385.310 The [powers and duties of the] associate superintendent 36 of public instruction for administration [shall be: 37 1. To perform all duties pursuant to the contract of integration of 38 the public school teachers' retirement system with the public employees' 39 retirement system. 40 2. To apportion] , under the direction of the superintendent of 41 public instruction, shall: 42 1. Determine the apportionment of all state school [funds] money 43 to schools of the state as prescribed by law. 44 [3. To develop for] 2. Develop for public schools of the state a 45 uniform system of budgeting and accounting, which system, when 46 approved by [the superintendent of public instruction and] the state 47 board [of education, shall be made] is mandatory for all public schools 48 in the state, and shall be enforced as provided for in subsection 2 of 49 NRS 385.315. 50 [4. To carry] 3. Carry on a continuing study of school finance in</p>		<p>SPECIAL NOTE: AB120 IF ENACTED WILL ALTER THIS SECTION</p>

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 6 385.310 (continued)</p>		<p>PAGE 10 385.310 (continued)</p>		
<p>1 changes in budget and financial procedures as his studies may show to 2 be advisable. 3 [6. To perform any] 5. Perform such other statistical and finan- 4 cial duties pertaining to the administration and finance of the schools 5 of the state as may, from time to time, be required by the superintendent 6 of public instruction. 7 [7. To prepare the] 6. Prepare for the superintendent the biennial 8 budgets of the state department of education for [biennial] consideration 9 by the state board of education and submission to the governor.</p>		<p>1 the state, and particularly of the method by which schools are financed on 2 the state level, and [10] make such recommendations to the superin- 3 tendent of public instruction [and] for submission to the state board [of 4 education] as he may, from time to time, deem advisable. 5 [5. To recommend] 4. Recommend to the superintendent of 6 public instruction [and] for submission to the state board [of education] 7 such changes in budget and financial procedures as his studies may show 8 to be advisable. 9. [6. To perform any] 5. Perform such other statistical and financial 10 duties pertaining to the administration and finance of the schools of the 11 state as may, from time to time, be required by the superintendent of 12 public instruction. 13 [7. To prepare the] 6. Prepare for the superintendent the biennial 14 budgets of the [state] department [of education] for [biennial] con- 15 sideration by the state board and submission to the governor.</p>		
<p>PAGE 6 385.315</p>		<p>PAGE 10 385.315</p>		
<p>10 SEC. 18. NRS 385.315 is hereby amended to read as follows: 11 385.315 In addition to [the powers and] his other duties, [pre- 12 scribed in NRS 385.310,] the associate superintendent of public instruc- 13 tion for administration, under the direction of the superintendent of 14 public instruction, shall: 15 1. Investigate any claim against any school fund or separate account 16 established under NRS 354.603 whenever a written protest against the 17 drawing of a warrant, check or order in payment of the claim [against 18 any school fund or separate account established under NRS 354.603 19 shall be] is filed with the county auditor. If, upon investigation, the 20 associate superintendent [of public instruction for administration] finds 21 that any such claim [against any school fund or separate account estab- 22 lished under NRS 354.603] is unearned, illegal or unreasonably exces- 23 sive, he shall notify the county auditor and the clerk of the board of 24 trustees who drew the order for such claim, stating the reasons in writing 25 why such order is unearned, illegal or excessive. If so notified, the 26 county auditor shall not draw his warrant in payment of [such] the 27 claim nor shall the board of trustees draw a check or order in payment 28 of [such] the claim from a separate account established under NRS 29 354.603. If the associate superintendent [of public instruction for adminis- 30 tration] finds that any protested claim is legal and actually due the 31 claimant, he shall authorize the county auditor or the board of trustees 32 to draw his warrant or its check or order [drawn] on an account estab- 33 lished under NRS 354.603 for such claim, and the county auditor or 34 the board of trustees shall immediately draw his warrant or its check 35 or order [drawn on an account established under NRS 354.603] in 36 payment of the claim.</p>		<p>16 SEC. 29. NRS 385.315 is hereby amended to read as follows: 17 385.315. In addition to [the powers and] his other duties, [pre- 18 scribed in NRS 385.310,] the associate superintendent of public instruc- 19 tion for administration, under the direction of the superintendent of 20 public instruction, shall: 21 1. Investigate any claim against any school fund or separate account 22 established under NRS 354.603 whenever a written protest against the 23 drawing of a warrant, check or order in payment of the claim [against 24 any school fund or separate account established under NRS 354.603 25 shall be] is filed with the county auditor. If, upon investigation, the 26 associate superintendent [of public instruction for administration] finds 27 that any such claim [against any school fund or separate account estab- 28 lished under NRS 354.603] is unearned, illegal or unreasonably exces- 29 sive, he shall notify the county auditor and the clerk of the board of 30 trustees who drew the order for such claim, stating the reasons in writing 31 why such order is unearned, illegal or excessive. If so notified, the county 32 auditor shall not draw his warrant in payment of [such] the claim 33 nor shall the board of trustees draw a check or order in payment of 34 [such] the claim from a separate account established under NRS 354.- 35 603. If the associate superintendent [of public instruction for adminis- 36 tration] finds that any protested claim is legal and actually due the 37 claimant, he shall authorize the county auditor or the board of trustees 38 to draw his warrant or its check or order [drawn] on an account 39 established under NRS 354.603 for such claim, and the county auditor 40 or the board of trustees shall immediately draw his warrant or its check 41 or order [drawn on an account established under NRS 354.603] in 42 payment of the claim.</p>		

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 6 385.315 (continued)</p> <p>37 2. Inspect the record books and accounts of boards of trustees, [and 38 he shall authorize] and enforce [an efficient] <i>the uniform method</i> 39 of keeping the financial records and accounts of [the school district.] 40 <i>school districts.</i></p> <p>41 3. Inspect the school fund accounts of the county auditors of the 42 several counties, and [he shall] report the condition of the funds of 43 any school district to the board of trustees thereof.</p> <p>44 4. Inspect the separate accounts established by boards of trustees 45 under NRS 354.603, and [he shall] report the condition of such 46 accounts to the respective boards of county commissioners and county 47 treasurers.</p> <p>PAGE 6</p> <p>385.330</p>		<p>PAGE 10 385.315 (continued)</p> <p>43 2. Inspect the record books and accounts of boards of trustees, 44 [and he shall authorize] and enforce [an efficient] <i>the uniform method</i> 45 of keeping the financial records and accounts of [the school district.] 46 <i>school districts.</i></p> <p>47 3. Inspect the school fund accounts of the county auditors of the 48 several counties, and [he shall] report the condition of the funds of any 49 school district to the board of trustees thereof.</p> <p>50 4. Inspect the separate accounts established by boards of trustees</p> <p>PAGE 11 385.315 (continued)</p> <p>1 under NRS 354.603, and [he shall] report the condition of such 2 accounts to the respective boards of county commissioners and county 3 treasurers.</p> <p>PAGE 11 385.330</p>		
<p>48 SEC. 19. NRS 385.330 is hereby amended to read as follows: 49 385.330 1. [The superintendent of public instruction, with the 50 approval of the state board of education, may appoint such number of</p> <p>PAGE 7 385.330 (continued)</p> <p>1 professional staff and other supervisory personnel as is necessary, to 2 carry out the duties of his office.] <i>Professional staff and other personnel</i> 3 <i>appointed by the superintendent of public instruction shall perform</i> 4 <i>such duties as are assigned by the superintendent.</i></p> <p>5 2. The [office of such personnel shall be located where, in the 6 judgment of the] superintendent of public instruction [and], <i>under</i> 7 <i>the policies of the state board of education, shall locate the offices of</i> 8 <i>professional staff and other personnel where the needs of the education</i> 9 <i>program can best be served.</i></p> <p>10 [3. Such personnel shall perform such duties as are assigned by the 11 superintendent of public instruction and the state board of education.]</p>		<p>4 SEC. 30. NRS 385.330 is hereby amended to read as follows: 5 385.330 1. [The superintendent of public instruction, with the 6 approval of the state board of education, may appoint such number of 7 professional staff and other supervisory personnel as is necessary to 8 carry out the duties of his office.] <i>Professional staff and other personnel</i> 9 <i>appointed by the superintendent of public instruction shall perform such</i> 10 <i>duties as are assigned by the superintendent.</i></p> <p>11 2. The [office of such personnel shall be located where, in the 12 judgment of the] superintendent of public instruction [and], <i>under</i> 13 <i>the policies of the state board [of education,], shall locate the offices</i> 14 <i>of professional staff and other personnel where the needs of the education</i> 15 <i>program can best be served.</i></p> <p>16 [3. Such personnel shall perform such duties as are assigned by 17 the superintendent of public instruction and the state board of edu- 18 cation.]</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 7 385.340 12 Sec. 20. NRS 385.340 is hereby amended to read as follows: 13 385.340 The qualifications for the professional staff and [for] other 14 [supervisory] personnel appointed by the superintendent of public 15 instruction shall be fixed by the personnel division of the department 16 of administration. 385.370 17 Sec. 21. NRS 385.370 is hereby amended to read as follows: 18 385.370 When the superintendent of public instruction or the state 19 board of education [shall order] orders his attendance, a member of 20 the professional staff shall attend the meetings of the state board of 21 education to furnish such information as [may be required by] the state 22 board [of education.] requires. 385.390 23 Sec. 22. NRS 385.390 is hereby amended to read as follows: 24 385.390 The superintendent of public instruction may appoint mem- 25 bers of the professional staff to act as examiners at teachers' examina- 26 tions, and to assist [the state board of education] him in preparing 27 proposed courses of study [.] for review and approval by the state 28 board of education. 385.465 29 Sec. 23. NRS 385.465 is hereby amended to read as follows: 30 385.465 1. The [superintendent of public instruction shall appoint 31 a] state board of education shall establish the position of special consult- 32 ant on American Indian education within the state department of educa- 33 tion. [The appointment shall be approved by the state board of 34 education.] 35 2. The special consultant on American Indian education [shall] 36 must be an American Indian who holds a degree in education from an 37 accredited institution of higher learning and has at least 3 years of experi- 38 ence as a teacher or school administrator. An advanced degree in educa- 39 tion may be substituted for 1 year of the required experience. 40 3. The special consultant on American Indian education shall work 41 within the state department of education and with the American Indian 42 tribes in establishing programs and curricula designed to meet the special 43 educational needs of American Indians in this state. 44 4. The special consultant on Indian education has primary respon- 45 sibility within the state department of education for the approval of the 46 granting of federal funds authorized under the state Johnson-O'Malley 47 contract to local school districts for meeting the special educational needs 48 of Indians.]</p>		<p>PAGE 11 385.340 19 Sec. 31. NRS 385.340 is hereby amended to read as follows: 20 385.340 The qualifications for the professional staff and [for] 21 other [supervisory] personnel appointed by the superintendent of 22 public instruction who are not in the unclassified service shall be fixed by 23 the personnel division of the department of administration.</p>		<p>⑦ INSERT LINE 19 PAGE 11 THROUGH LINE 23 PAGE 11 ⑧ DELETE LINES 12-16 PAGE 7 OF AB118 SPECIAL NOTE: AB123 IF ENACTED WILL ALTER THIS SECTION</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 11 386.</p> <p>24 SEC. 32. Chapter 386 of NRS is hereby amended by adding thereto 25 a new section which shall read as follows: 26 1. The board of trustees of any school district may enter into an 27 agreement with any individual, firm, partnership, corporation, associa- 28 tion or public agency which has been approved for such purpose by the 29 aging services division of the department of human resources, whereby 30 the school district agrees to prepare hot lunches for persons 60 years of 31 age or older and their spouses or any group of such persons by utilizing 32 the systems and procedures already developed for use in the school 33 lunch program of such district. 34 2. No agreement entered into by a board of trustees of a school dis- 35 trict pursuant to the provisions of this section may: 36 (a) Involve the expenditure by the school district of any school lunch 37 money or other public school money or the use of any school lunch com- 38 modities or public school personnel, equipment or facilities unless the 39 agreement includes a provision requiring full reimbursement therefor. 40 (b) Provide for payment to the school district of any amount in 41 excess of the estimated actual cost of food, personnel, equipment, facili- 42 ties and other necessary expenditures involved in the performance of 43 the agreement. The estimated actual cost shall be negotiated by the 44 board of trustees and the aging services division of the department of 45 human resources. 46 (c) Permit any program of hot lunches for persons 60 years of age 47 or over and their spouses to interfere in any way with the use of school 48 lunch facilities for public school purposes.</p> <p>PAGE 12 386.120</p> <p>1 SEC. 33. NRS 386.120 is hereby amended to read as follows: 2 386.120 [1.] The board of trustees of a county school district [in 3 counties having a population of less than 100,000, as determined by the 4 last preceding national census of the Bureau of the Census of the 5 United States Department of Commerce shall consist] consists of five 6 or seven members as [may be determined by the appropriate board of 7 county commissioners. 8 2. Unless otherwise provided by law, in any county school district 9 where] follows: 10 1. If 1,000 or more pupils were enrolled during the school year next 11 preceding any general election, the board of trustees [shall consist] 12 consists of seven members. Except in the Clark County school district 13 and the Washoe County school district the board members shall be 14 elected at large until such time as the appropriate board of county 15 commissioners adopts the alternate manner of election provided in 16 NRS 386.200.</p>		<p>⑨ INSERT LINE 24 PAGE 11 THROUGH LINE 50 PAGE 18</p>

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ASSEMBLY BILL 118	NOTE SENATE BILL 25	NOTE COMMENTS
	<p>PAGE 12 386.120 (continued)</p> <p>17 [3. Unless otherwise provided by law, in any county school district 18 where less] 2. If fewer than 1,000 pupils were enrolled during the 19 school year next preceding any general election, the board of trustees 20 [shall consist] consists of five members. The board members shall be 21 elected as provided in NRS 386.160 until such time as the appropriate 22 board of county commissioners adopts the alternate manner of election 23 provided in NRS 386.200.</p> <p>PAGE 12 386.160</p> <p>24 Sec. 34. NRS 386.160 is hereby amended to read as follows: 25 386.160 1. At the general election in [1956,] 1980 and every 4 26 years thereafter, in a county school district where [less] fewer than 27 1,000 pupils were enrolled during the preceding school year, [five] 28 three trustees shall be elected at large within the [county school] dis- 29 trict, as follows: 30 (a) [One person who resides at the county seat shall be elected for 31 a term of 2 years; but if less than 20 percent of the residents of the 32 county reside at the county seat then such person need not reside at the 33 county seat. 34 (b)] One person who resides at the county seat; [shall be elected 35 for a term of 4 years;] but if less than 40 percent of the residents of 36 the county resides at the county seat then such person need not reside 37 at the county seat. 38 [(c) One person who resides in the county but who resides neither 39 at the county seat nor in any incorporated city within the county shall 40 be elected for a term of 2 years. 41 (d)] (b) One person who resides in the county but not at the 42 county seat. [shall be elected for a term of 4 years. 43 (e)] (c) One person who resides in the county but not at the 44 county seat; [shall be elected for a term of 4 years;] but if 80 percent 45 or more of the residents of the county reside at the county seat then a 46 person who resides at the county seat may be elected to the office. 47 2. [Thereafter, at each general election, the offices of school trustees 48 shall be filled for terms of 4 years in the order in which the terms of 49 office expire.] At the general election in 1982 and every 4 years there- 50 after, in a county school district where fewer than 1,000 pupils were</p>	

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 13 386.160 (continued)</p> <p>1 enrolled during the preceding school year, two trustees shall be elected 2 at large within the district, as follows: 3 (a) One person who resides at the county seat; but if less than 20 per- 4 cent of the residents of the county reside at the county seat then such 5 person need not reside at the county seat. 6 (b) One person who resides in the county but who resides neither at 7 the county seat nor in any incorporated city within the county. 8 3. The term of each person elected to the office of school trustee is 9 4 years.</p> <p>PAGE 13 386.170</p> <p>10 SEC. 35. NRS 386.170 is hereby amended to read as follows: 11 386.170 1. At the general election in 1972, and every 4 years 12 thereafter, in [a county] the Clark County school district, [in any 13 county having a population of 200,000 or more as determined by the 14 last preceding national census of the Bureau of the Census of the United 15 States Department of Commerce,] four trustees shall be elected, one 16 from each of the school trustee election districts, designated districts A, 17 B, C and E, herein created. 18 2. At the general election in 1974 and every 4 years thereafter, in 19 such school [districts,] district, three trustees shall be elected, one from 20 each of the school trustee election districts designated districts D, F and 21 G, herein created. 22 3. Seven school trustee election districts are hereby created within 23 [such county school districts] the school district as follows: 24 (a) District A shall be composed of assembly districts Nos. 16, 21 25 and 22 and enumeration districts Nos. 228A, 228B and 236 in assembly 26 district No. 13. 27 (b) District B shall be composed of assembly districts Nos. 17 and 28 20, enumeration districts Nos. 45, 46B and 48 in assembly district No. 29 11 and enumeration districts Nos. 250, 253, 266, 267, 268, 269, 270, 30 271, 272, 273, 274, 275 and 276 in assembly district No. 19. 31 (c) District C shall be composed of assembly districts Nos. 6, 7 and 32 18. 33 (d) District D shall be composed of assembly district No. 9; enumera- 34 tion districts Nos. 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 35 120, 121, 123, 126, 127, 128, 129, 165A and 166 in assembly district 36 No. 8; enumeration districts Nos. 35, 41, 42, 46A, 47, 52, 53 and 55 in 37 assembly district No. 11; enumeration districts Nos. 57, 58, 130, 131, 38 132, 135, 137, 138, 139, 140, 141, 142, 143, 145 and 159 in assembly 39 district No. 12.</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 13 386.170 (continued)</p> <p>40 (e) District E shall be composed of assembly districts Nos. 2, 3 and 41 4 and enumeration districts Nos. 85, 87, 108 and 147 in assembly 42 district No. 8. 43 (f) District F shall be composed of assembly districts Nos. 1 and 5; 44 enumeration districts Nos. 176A, 176B, 176C, 176D, 177, 178A, 178D 45 and 235 in assembly district No. 10 and enumeration districts Nos. 99B, 46 178B, 178C, 180, 181, 182, 195, 201, 227, 229, 230, 231, 232, 237B 47 and 238A in assembly district No. 13. 48 (g) District G shall be composed of assembly districts Nos. 14 and 49 15; enumeration districts Nos. 165B, 173A, 175A, 175B, 175C, 175D 50 and 175E in assembly district No. 10; enumeration districts Nos. 51B,</p> <p>PAGE 14 (386.170 continued)</p> <p>1 54 and 56 in assembly district No. 11; enumeration district No. 164A 2 in assembly district No. 12; enumeration districts Nos. 167, 168, 169, 3 172, 179, 184 and 185 in assembly district No. 13 and enumeration 4 district No. 287 in assembly district No. 19. 5 4. Assembly districts and enumeration districts, as used in sub- 6 section 3, refer to and have the meaning conferred by the appropriate 7 provisions of chapter 218 of NRS. 8 [5. The members of the board of trustees of such school district 9 as such board is constituted on June 1, 1972, shall continue to hold 10 office for the terms for which they were elected.]</p> <p>386.180</p> <p>11 SEC. 36. NRS 386.180 is hereby amended to read as follows: 12 386.180 1. [At the general election in 1958, if] // the certificate 13 of the superintendent of public instruction filed with the county clerk 14 states that the pupil enrollment during the preceding school year in a 15 county school district other than Clark or Washoe was less than 1,000, 16 and the board of trustees of the [county school] district is composed 17 of seven [elected] members elected at large based upon a previous 18 pupil enrollment of 1,000 or more, then two of the offices of trustee 19 [provided for in NRS 386.170] shall not be filled [by election.] at the 20 next succeeding general election. 21 2. Thereafter, while continued pupil enrollment in the county school 22 district is less than 1,000, the offices of school trustees shall be filled 23 as provided [in NRS 386.160.] by law for school districts having pupil 24 enrollments of that size.</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>Page 14 386.190</p> <p>25 Sec. 37. NRS 386.190 is hereby amended to read as follows: 26 386.190 1. [At the general election in 1958, if] If the certificate of 27 the superintendent of public instruction filed with the county clerk 28 states that the pupil enrollment during the preceding school year in a 29 county school district was 1,000 or more, and the board of trustees of 30 the [county school] district is composed of five [elected] members 31 elected as provided in NRS 386.160, based upon a previous pupil enroll- 32 ment of less than 1,000, then at the next succeeding general election one 33 additional trustee who resides at the county seat shall be elected for a 34 term of 4 years, and one additional trustee who resides in the county 35 but not at the county seat shall be elected for a term of [4] 2 years. 36 2. Thereafter, while continued pupil enrollment in the county school 37 district is 1,000 or more, the offices of school trustees shall be filled as 38 provided [in NRS 386.120.] by law for school districts having pupil 39 enrollments of that size.</p> <p>386.200</p> <p>40 Sec. 38. NRS 386.200 is hereby amended to read as follows: 41 386.200 1. [Notwithstanding the provisions of NRS 386.160 and 42 386.170, or any other section of this Title of NRS, the] The trustees 43 of a county school district may be elected from school trustee election 44 areas in the alternate manner [hereinafter] provided in this section. 45 2. Within 30 days prior to May 1 of any year in which a general 46 election is to be held in the state, 10 percent or more of the registered 47 voters of a county school district other than Clark or Washoe may file 48 a written petition with the board of county commissioners of the county 49 praying for the creation of school trustee election areas within the county 50 school district in the manner provided in this section. The petition shall</p> <p>Page 15 - 386.200 (continued)</p> <p>1 specify with particularity the school trustee election areas proposed to 2 be created, the number of trustees to be elected from each such area, and 3 the manner of their nomination and election. The number of school 4 trustee election areas proposed shall not exceed the number of trustees 5 authorized by law for the particular county school district. [pursuant 6 to NRS 386.120.] The description of the proposed school trustee elec- 7 tion areas need not be given by metes and bounds or by legal subdivis- 8 ions, but shall be sufficient to enable a person to ascertain what territory 9 is proposed to be included within a particular school trustee election 10 area. The signatures to the petition need not all be appended to one 11 paper, but each signer must add to his name his place of residence, giving 12 the street and number whenever practicable. One of the signers of each 13 paper shall make oath, before an officer competent to administer oaths, 14 that each signature to the paper appended is the genuine signature of the 15 person whose name it purports to be.</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 15 - § 386.200 (continued)</p> <p>16 3. Immediately after the receipt of the petition, the board of county 17 commissioners shall fix a date for a public hearing to be held during the 18 month of May, and shall give notice thereof by publication at least 19 once in a newspaper published in the county, or if no such newspaper 20 is published therein then in a newspaper published in the State of Nevada 21 and having a general circulation in the county. The costs of publication 22 of such notice shall be a proper charge against the county school district 23 fund.</p> <p>24 4. If, as a result of the public hearing, the board of county com- 25 missioners finds that the creation of school trustee election areas within 26 the county school district is desirable, the board of county commissioners 27 shall, by resolution regularly adopted prior to June 1, divide the county 28 school district into the number of school trustee election areas specified 29 in the petition, designate them by number and define their boundaries. 30 The territory comprising each school trustee election area shall be con- 31 tiguous. The resolution shall further set forth the number of trustees 32 to be elected from each school trustee election area and the manner of 33 their nomination and election.</p> <p>34 5. Prior to June 1 and immediately following the adoption of the 35 resolution creating school trustee election areas within a county school 36 district, the clerk of the board of county commissioners shall transmit 37 a certified copy of the resolution to the superintendent of public instruc- 38 tion.</p> <p>39 6. Upon the creation of school trustee election areas within a 40 county school district the terms of office of all trustees then in office 41 [shall] expire on the 1st Monday of January thereafter next following a 42 general election. At the general election held following the creation of 43 school trustee election areas within a county school district, school 44 trustees to represent the odd-numbered school trustee election areas 45 shall be elected for terms of 4 years and school trustees to represent the 46 even-numbered school trustee election areas shall be elected for terms 47 of 2 years. Thereafter, at each general election, the offices of school 48 trustees shall be filled for terms of 4 years in the order in which the terms 49 of office expire.</p> <p>PAGE 16 - § 386.200 (continued).</p> <p>1 7. A candidate for the office of trustee of a county school district in 2 which school trustee election areas have been created shall be a qualified 3 elector and shall be a resident of the school trustee election area which 4 he seeks to represent.</p> <p>5 8. The board of county commissioners may by resolution change 6 the boundaries of school trustee election areas or the manner of nomina- 7 tion or election of school trustees after: 8 (a) Holding a public hearing of which notice shall be given as pro- 9 vided in subsection 3; and 10 (b) Receiving, at such hearing or by resolution, the consent of the 11 board of trustees of the school district.</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 16 386.200 (continued)</p> <p>12 9. If the [certificate of the] superintendent of public instruction 13 [, filed with] certifies to the county clerk [in compliance with the pro- 14 visions of NRS 386.150, states] that the pupil enrollment during the 15 preceding school year in a county school district was less than 1,000, 16 and the board of trustees of the county school district is composed of 17 seven elected members based upon a previous pupil enrollment of 1,000 18 or more, then the board of county commissioners shall alter such school 19 trustee election areas or change the number of trustees to be elected from 20 such areas, or the manner of their nomination and election, as may be 21 necessary to provide for reduction of the membership of the board of 22 trustees of the county school board from seven to five members, and only 23 five school trustees shall thereafter be nominated and elected at the 24 forthcoming elections.</p> <p>25 10. If the [certificate of the] superintendent of public instruction 26 [, filed with] certifies to the county clerk [in compliance with the pro- 27 visions of NRS 386.150, states] that the pupil enrollment during the 28 preceding school year in a county school district was 1,000 or more, 29 and the board of trustees of the county school district is composed of 30 five elected members based upon a previous pupil enrollment of less 31 than 1,000, then the board of county commissioners shall alter such 32 school trustee election areas or change the number of trustees to be 33 elected from such areas, or the manner of their nomination and election, 34 as may be necessary to provide for increasing the membership of the 35 board of trustees of the county school district from five to seven mem- 36 bers, and two additional school trustees shall thereafter be nominated 37 and elected at the forthcoming elections.</p> <p>PAGE 16 386.310</p> <p>38 Sec. 39. NRS 386.310 is hereby amended to read as follows: 39 386.310 1. On the date fixed by its rules for the first meeting in 40 January following a general election, the board of trustees shall meet 41 and organize by: 42 (a) Electing one of its members as president. 43 (b) Electing one of its members as clerk, or by selecting some other 44 qualified person as clerk. 45 (c) Electing additional officers as may be deemed necessary. 46 2. A record of the organization of the board of trustees [shall] 47 must be entered in the minutes, together with the amount of salary to 48 be paid to the clerk. 49 3. Immediately after the organization of the board of trustees, the 50 clerk shall file the names of the president, the clerk and the members</p> <p>PAGE 17 386.310 (continued)</p> <p>1 of the board of trustees with the [state] department [of education] 2 and the county auditor of the county whose boundaries are contiguous 3 with the boundaries of the county school district.</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 17 386.320</p> <p>4 Sec. 40. NRS 386.320 is hereby amended to read as follows: 5 386.320 1. If the [average daily attendance of pupils between the 6 ages of 6 years and 17 years attending school] total pupil enrollment 7 in the school district for the immediately preceding school year is less 8 than 1,000: 9 (a) The clerk and president of the board of trustees may each receive 10 a salary of \$20 for each board of trustees meeting they attend, not to 11 exceed \$40 a month. 12 (b) The other trustees may each receive a salary of \$15 for each 13 board of trustees meeting they attend, not to exceed \$30 a month. 14 (c) The board of trustees may hire a stenographer to take the minutes 15 of the meetings of the board of trustees, and such stenographer may be 16 paid a reasonable fee for each meeting attended. 17 2. If the [average daily attendance of pupils between the ages of 18 6 years and 17 years attending school] total pupil enrollment in the 19 school district for the immediately preceding school year is 1,000 or 20 more: 21 (a) The clerk and president of the board of trustees may each receive 22 a salary of \$40 for each board of trustees meeting they attend, not to 23 exceed \$160 a month. 24 (b) The other trustees may each receive a salary of \$35 for each 25 board of trustees meeting they attend, not to exceed \$140 a month. 26 (c) The board of trustees may hire a stenographer to take the minutes 27 of the meetings of the board of trustees; and such stenographer may be 28 paid a reasonable fee for each meeting attended.</p> <p>386.345</p> <p>29 Sec. 41. NRS 386.345 is hereby amended to read as follows: 30 386.345 1. The board of trustees of a school district may: 31 (a) Acquire and maintain membership in county, state and national 32 school board associations and pay dues to such associations. 33 (b) [Notwithstanding any limitations contained in NRS 386.290, 34 pay] Pay the travel expenses and per diem allowances of trustees at the 35 same rate authorized by law for state officers when the trustees attend 36 county, state or national school board association meetings. 37 2. Claims for dues, travel expenses and per diem allowances author- 38 ized in subsection 1 shall be presented and allowed as provided by law for 39 other claims against the school district.</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 17 386.365</p> <p>40 Sec. 42. NRS 386.365 is hereby amended to read as follows: 41 386.365 1. Except as provided in subsection 3, each board of trust- 42 ces in any county having a population of 100,000 or more as determined 43 by the last preceding national census of the Bureau of the Census of the 44 United States Department of Commerce shall give 30 days' notice of its 45 intention to adopt, repeal or amend a policy or regulation of the board 46 concerning any of the subjects set forth in subsection 4. The notice 47 [shall:] <i>must</i>: 48 (a) Include a description of the subject or subjects involved and [shall] 49 <i>must</i> state the time and place of the meeting at which the matter will be 50 considered by the board; and</p> <p>PAGE 18 386.365 (continued)</p> <p>1 (b) Be mailed to the following persons from each of the schools 2 affected: 3 (1) The principal; 4 (2) The president of the parent-teacher association or similar body; 5 and 6 (3) The president of the classroom teachers' organization or other 7 collective bargaining agent. 8 A copy of the notice and of the terms of each proposed policy or regula- 9 tion, or change in a policy or regulation, [shall] <i>must</i> be made available 10 for inspection by the public in the office of the superintendent of schools 11 of the school district at least 30 days before its adoption. 12 2. All persons interested in a proposed policy or regulation or change 13 in a policy or regulation [shall] <i>must</i> be afforded a reasonable oppor- 14 tunity to submit data, views or arguments, orally or in writing. The board 15 of trustees shall consider all written and oral submissions respecting the 16 proposal or change before taking final action. 17 3. Emergency policies may be adopted by the board upon its own 18 finding that an emergency exists. 19 4. This section applies to policies and regulations concerning: 20 (a) Attendance rules; 21 (b) Zoning; 22 (c) Grading; 23 (d) District staffing patterns; 24 (e) Curriculum and program; 25 (f) Pupil discipline; and 26 (g) Personnel, except with respect to dismissals and refusals to reem- 27 ploy covered by contracts entered into as a result of the Local Govern- 28 ment Employee-Management Relations Act, as provided in [chapter 391 29 of NRS.] NRS 391.3116.</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>(10)</p> <p>PAGE 7 387.033</p> <p>49 Sec. 24. NRS 387.033 is hereby amended to read as follows: 50 387.033 1. The automobile driver education program is hereby</p>		<p>PAGE 18 386.370</p> <p>30 Sec. 43. NRS 386.370 is hereby amended to read as follows: 31 386.370 Annually, on or before July 1 [.] and at such other times 32 as the superintendent of public instruction may require, each board of 33 trustees shall make or cause to be made a report to the superintendent of 34 public instruction, in the manner and form [and on the blanks] pre- 35 scribed by [the superintendent of public instruction.] him.</p> <p>386.380</p> <p>36 Sec. 44. NRS 386.380 is hereby amended to read as follows: 37 386.380 Every member of a board of trustees of a school district 38 [shall have power to administer: 39 1. Oaths or affirmations of office to teachers. 40 2. All other] may administer oaths and affirmations relating to 41 public schools.</p> <p>386.410</p> <p>42 Sec. 45. NRS 386.410 is hereby amended to read as follows: 43 386.410 [In addition to other duties imposed by law concerning 44 school districts, each district attorney of a county whose boundaries are 45 coterminous with the boundaries of a county school district shall, when 46 required, give his written opinion without fee to the board of trustees 47 of the county school district on matters relating to the duties of the 48 board.] The board of trustees of a school district may employ private 49 legal counsel when the board determines that such employment is 50 necessary.</p>		<p>(10) INSERT LINE 1 PAGE 19 THROUGH LINE 7 PAGE 20</p> <p>EXHIBIT C</p>

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 8 387.033 (continued)</p> <p>1 established for the purpose of assisting school districts in this state which 2 establish and maintain automobile driver education classes pursuant to 3 NRS 389.090. Money for the automobile driver education program shall 4 be provided by direct legislative appropriation. 5 2. The state board of education [is authorized] may direct the 6 superintendent of public instruction to make semiannual apportionments, 7 payable on or before February 1 and July 1 of each year, to the several 8 school districts. The semiannual apportionment made on or before 9 February 1 shall be made on the basis of \$15 times the number of esti- 10 mated pupil completions in the district during the current school year, 11 which shall be estimated by the [state department of education.] superin- 12 tendent of public instruction. The semiannual apportionment made on 13 or before July 1 shall be made on the basis of \$35 times the actual 14 number of pupil completions in the district during the current year, less 15 any amount previously apportioned to the district for estimated pupil 16 completions during the current school year. 17 3. If the money available for the automobile driver education pro- 18 gram [does not provide sufficient money] is not sufficient to make full 19 current school year apportionments, so determined under subsection 2, 20 apportionment payments to the various school districts shall be prorated 21 so that each school district is apportioned the same amount per pupil 22 completion, such amount to be derived by dividing the total money 23 available by the total number of completions during the current school 24 year. 25 4. Money received by school districts for the automobile driver 26 education program shall not be expended for the purchase or repair of 27 motor vehicles or the purchase or repair of automobile driver education 28 training equipment.</p>	<p>NOTE</p>	<p>SENATE BILL 25</p>	<p>NOTE</p>	<p>COMMENTS</p> <p>SPECIAL NOTE: AB 370 IF ENACTED WILL CHANGE THE SECTIONS RELATED TO DRIVER EDUCATION</p>
<p>387.040</p> <p>29 SEC. 25. NRS 387.040 is hereby amended to read as follows: 30 387.040 The state treasurer shall pay over all public school 31 [moneys] money received by him only on warrants of the state con- 32 troller issued: 33 1. Upon the orders of the superintendent of public instruction 34 [under the seal of the state board of education,] in favor of county 35 treasurers; or 36 2. Upon orders of the state board of [education,] finance, for 37 purposes of investment as provided in NRS 387.010, 38 which orders, duly endorsed, shall be valid vouchers in the hands of 39 the state controller for the disbursement of public school [moneys.] 40 money.</p>	<p>NOTE</p>	<p>PAGE 20 387.040</p> <p>8 SEC. 50. NRS 387.040 is hereby amended to read as follows: 9 387.040 The state treasurer shall pay over all public school 10 [moneys] money received by him only on warrants of the state con- 11 troller issued: 12 1. Upon the orders of the superintendent of public instruction 13 [under the seal of the state board of education,] in favor of county 14 treasurers; or 15 2. Upon orders of the state board of [education,] finance, for pur- 16 poses of investment as provided in NRS 387.010, 17 which orders, duly endorsed, [shall be] are valid vouchers in the hands 18 of the state controller for the disbursement of public school [moneys.] 19 money.</p>	<p>NOTE</p>	<p>COMMENTS</p>

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COMPARISON OF BILLS - 1979

PAGE 27

ASSEMBLY BILL 118

SENATE BILL 25

COMMENTS

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387.050

41 SEC. 26. NRS 387.050 is hereby amended to read as follows:
42 387.050 1. The State of Nevada accepts the provisions of, and
43 [each] all of the [funds] money provided by, the Act of Congress
44 entitled "An act to provide the promotion of vocational education; to
45 provide for cooperation with the States in the promotion of such educa-
46 tion in agriculture and the trades and industries; to provide cooperation
47 with the States in the preparation of teachers in vocational subjects; and
48 to appropriate money and regulate its expenditure," known as the Smith-
49 Hughes Vocational Education Act, and approved February 23, 1917,
50 and any amendments thereof or supplements thereto.

PAGE 9 (continued) 387.050

1 2. The State of Nevada accepts the provisions of, and [each] all
2 of the [funds] money provided by, the Act of Congress entitled "An act
3 to provide for the further development of vocational education in the
4 several states and territories," known as the Vocational Education Act
5 of 1946, approved June 8, 1936, and amended August 1, 1946, and
6 any amendments thereof or supplements thereto.

7 3. In addition to the provisions of subsections 1 and 2, the state
8 board for vocational education [is authorized to] may accept and
9 [direct] adopt regulations or establish policies for the disbursement of
10 [funds] money appropriated by any Act of Congress and apportioned
11 to the State of Nevada for use in connection with the vocational educa-
12 tion program.

13 4. In accepting the benefits of the Acts of Congress referred to in
14 subsections 1, 2 and 3, the State of Nevada agrees to comply with all
15 of their provisions and to observe all of their requirements.

16 5. The state treasurer is designated [and appointed] custodian of
17 all [moneys] money received by the State of Nevada from the appropri-
18 ations made by the Acts of Congress referred to in subsections 1, 2 and 3,
19 and he [is authorized to] may receive and provide for the proper custody
20 [of the same] thereof and [to] make disbursements therefrom in the
21 manner provided in the acts and for the purposes therein specified [.]
22 on warrants of the state controller issued upon the order of the executive
23 officer of the state board for vocational education.

24 6. [Upon] On warrants of the state controller issued upon the
25 order of the executive officer of the state board for vocational educa-
26 tion [.] pursuant to regulations or policies of the board, the state treas-
27 urer shall also pay out any [moneys] money appropriated by the State
28 of Nevada for the purpose of carrying out the provisions of this section.

NOTE

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387.050

20 SEC. 51. NRS 387.050 is hereby amended to read as follows:
21 387.050 1. The State of Nevada accepts the provisions of, and
22 [each] all of the [funds] money provided by, the [Act of Congress
23 entitled "An act to provide for the promotion of vocational education;
24 to provide for cooperation with the States in the promotion of such
25 education in agriculture and the trades and industries; to provide coop-
26 eration with the States in the preparation of teachers in vocational
27 subjects; and to appropriate money and regulate its expenditure,"
28 known as the Smith-Hughes Vocational Education Act, and approved
29 February 23, 1917, and any amendments thereof or supplements thereto.

30 2. The State of Nevada accepts the provisions of, and each of the
31 funds provided by, the Act of Congress entitled "An act to provide for
32 the further development of vocational education in the several states
33 and territories," known as the Vocational Education Act of 1946,
34 approved June 8, 1936, and amended August 1, 1946, [Vocational
35 Education Act of 1963, and any amendments thereof or supplements
36 thereto.

37 [3.] 2. In addition to the provisions of [subsections 1 and 2,] sub-
38 section 1, the state board for vocational education [is authorized to]
39 may accept and [direct] adopt regulations or establish policies for the
40 disbursement of [funds] money appropriated by any Act of Congress and
41 apportioned to the State of Nevada for use in connection with the voca-
42 tional education program.

43 [4.] 3. In accepting the benefits of the Acts of Congress referred to
44 in subsections [1, 2 and 3,] 1 and 2, the State of Nevada agrees to com-
45 ply with all of their provisions and to observe all of their requirements.

46 [5.] 4. The state treasurer is designated [and appointed] custodian
47 of all [moneys] money received by the State of Nevada from the appro-
48 priations made by the Acts of Congress referred to in subsections [1, 2
49 and 3,] 1 and 2, and he [is authorized to] may receive and provide for
50 the proper custody [of the same] thereof and [to] make disbursements

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387.050

1 therefrom in the manner provided in the acts and for the purposes therein
2 specified [.] on warrants of the state controller issued upon the order of
3 the executive officer of the state board for vocational education.

4 [6. Upon] 5. On warrants of the state controller issued upon the
5 order of the executive officer of the state board for vocational educa-
6 tion [.] pursuant to regulations or policies of the board, the state treas-
7 urer shall also pay out any [moneys] money appropriated by the State
8 of Nevada for the purpose of carrying out the provisions of this section.

11 USE SB 25
LANGUAGE IN LIEU
OF AB 118

EXHIBIT C

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 9 387.067</p> <p>29 Sec. 27. NRS 387.067 is hereby amended to read as follows: 30 387.067 1. The state board of education [is hereby authorized to] 31 may accept and [direct] adopt regulations or establish policies for the 32 disbursement of [funds] money appropriated and apportioned to the 33 State of Nevada or the school districts of the State of Nevada under 34 the Elementary and Secondary Education Act of 1965. 35 2. The [state board of education] superintendent of public instruc- 36 tion shall deposit such [funds] money with the state treasurer, who 37 shall make disbursements therefrom [upon the direction of the state 38 board of education in the same manner as other claims against the 39 state are paid.] on warrants of the state controller issued upon the 40 order of the superintendent of public instruction. 41 3. The state board of education and any school district within the 42 state may, within the limits provided in this section, make such applica- 43 tions and agreements and give such assurances to the Federal Govern- 44 ment and conduct such programs as may be required as a condition 45 precedent to receipt of [funds] money under the Elementary and 46 Secondary Education Act of 1965. Neither the state board of education 47 nor a school district may enter into an agreement or give an assurance 48 which requires the state or a school district to provide [funds] money 49 above the amount appropriated or otherwise lawfully available for such 50 purpose.</p>		<p>PAGE 21 387.067</p> <p>9 Sec. 52. NRS 387.067 is hereby amended to read as follows: 10 387.067 1. The state board of education [is hereby authorized to] 11 may accept and [direct] adopt regulations or establish policies for the 12 disbursement of [funds] money appropriated and apportioned to the State 13 of Nevada or the school districts of the State of Nevada under the Ele- 14 mentary and Secondary Education Act of 1965. 15 2. The [state board of education] superintendent of public instruc- 16 tion shall deposit such [funds] money with the state treasurer, who shall make 17 disbursements therefrom [upon the direction of the state board of educa- 18 tion in the same manner as other claims against the state are paid.] on 19 warrants of the state controller issued upon the order of the superintendent 20 of public instruction. 21 3. The state board of education and any school district within the 22 state may, within the limits provided in this section, make such applica- 23 tions and agreements and give such assurances to the Federal Government 24 and conduct such programs as may be required as a condition precedent 25 to receipt of [funds] money under the Elementary and Secondary Educa- 26 tion Act of 1965. Neither the state board of education nor a school dis- 27 trict may enter into an agreement or give an assurance which requires the 28 state or a school district to provide [funds] money above the amount 29 appropriated or otherwise lawfully available for such purpose.</p>		
<p>PAGE 10 387.075</p> <p>1 Sec. 28. NRS 387.075 is hereby amended to read as follows: 2 387.075 1. The state board of education may accept and [direct] 3 adopt regulations or establish policies for the disbursements of [funds] 4 money appropriated by any Act of Congress and apportioned to the 5 State of Nevada for use in connection with school lunch programs. 6 2. The [state board of education] superintendent of public instruc- 7 tion shall deposit with the state treasurer all money received from the 8 Federal Government or from other sources for school lunch programs. 9 The state treasurer shall make disbursements for such programs [upon 10 the direction of the state board of education in the same manner as other 11 claims against the state are paid.] on warrants of the state controller 12 issued upon the order of the superintendent of public instruction</p>		<p>PAGE 21 387.070</p> <p>30 Sec. 53. NRS 387.070 is hereby amended to read as follows: 31 387.070 As used in NRS 387.070 to [387.111,] 387.105, inclusive: 32 1. "School" means any public [elementary school and any public 33 high] school. 34 2. "School lunch program" means a program under which lunches 35 are served by any public school in this state on a nonprofit basis to 36 children in attendance, including any such program under which a 37 [public] school receives assistance out of funds appropriated by the 38 Congress of the United States. 39 PAGE 21 387.075</p> <p>39 Sec. 54. NRS 387.075 is hereby amended to read as follows: 40 387.075 1. The state board of education may accept and [direct] 41 adopt regulations or establish policies for the disbursement of [funds] 42 money appropriated by any Act of Congress and apportioned to the 43 State of Nevada for use in connection with school lunch programs. 44 2. The [state board of education] superintendent of public instruc- 45 tion shall deposit with the state treasurer all money received from the 46 Federal Government or from other sources for school lunch programs. 47 The state treasurer shall make disbursements for such programs [upon 48 the direction of the state board of education in the same manner as 49 other claims against the state are paid.] on warrants of the state con- 50 troller issued upon the order of the superintendent of public instruction.</p>		<p>(12) INSERT LINE 29 - 38 PAGE 21</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">EXHIBIT C</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 10 387.080</p>		<p>PAGE 22 387.080</p>		
<p>13 SEC. 29. NRS 387.080 is hereby amended to read as follows: 14 387.080 1. The state board of education may [: 15 1. Enter] <i>enter</i> into agreements with any agency of the Federal 16 Government, with any board of trustees of a school district, or with any 17 other agency or person, and <i>establish policies and</i> prescribe [such] 18 regulations, [employ] <i>authorize the employment of</i> such personnel, and 19 take such other action as it may deem necessary to provide for the 20 establishment, maintenance, operation and expansion of any school lunch 21 program. 22 2. [Direct the disbursement of] <i>The state treasurer shall disburse</i> 23 federal and state [funds in accordance with any applicable provisions 24 of federal-state law.] <i>money designated for a school lunch program on</i> 25 <i>warrants of the state controller issued upon the order of the superin-</i> 26 <i>tendent of public instruction pursuant to regulations or policies of the</i> 27 <i>board.</i> 28 3. <i>The superintendent of public instruction may:</i> 29 (a) Give technical advice and assistance to any board of trustees of a 30 school district in connection with the establishment and operation of 31 any school lunch program. 32 [4.] (b) Assist in training personnel engaged in the operation of 33 any school lunch program.</p>		<p>1 SEC. 55. NRS 387.080 is hereby amended to read as follows: 2 387.080 1. The state board of education may [: 3 1. Enter] <i>enter</i> into agreements with any agency of the Federal 4 Government, with any board of trustees of a school district, or with 5 any other agency or person, and <i>establish policies and</i> prescribe [such] 6 regulations, [employ] <i>authorize the employment of</i> such personnel, and 7 take such other action as it may deem necessary to provide for the 8 establishment, maintenance, operation and expansion of any school 9 lunch program. 10 2. [Direct the disbursement of] <i>The state treasurer shall disburse</i> 11 federal and state [funds in accordance with any applicable provisions 12 of federal-state law.] <i>money designated for a school lunch program on</i> 13 <i>warrants of the state controller issued upon the order of the superin-</i> 14 <i>tendent of public instruction pursuant to regulations or policies of the</i> 15 <i>board.</i> 16 3. <i>The superintendent of public instruction may:</i> 17 (a) Give technical advice and assistance to any board of trustees of 18 a school district in connection with the establishment and operation of 19 any school lunch program. 20 [4.] (b) Assist in training personnel engaged in the operation of 21 any school lunch program.</p>		
<p>3) 387.095</p>		<p>PAGE 22 387.090</p>		<p>13) INSERT LINES 12- 34 PAGE 22</p>
<p>34 SEC. 30. NRS 387.095 is hereby amended to read as follows: 35 387.095 The state board of education shall [: 36 1. Prescribe regulations for the] <i>prescribe regulations for:</i> 37 1. <i>The keeping of accounts and records with respect to school lunch</i> 38 <i>programs and the making of reports on such programs by or under the</i> 39 <i>supervision of boards of trustees of school districts. Such accounts and</i> 40 <i>records [shall.] must, at all times, be available for inspection and audit</i> 41 <i>by authorized officials, and [shall.] must be preserved for such period</i> 42 <i>of time, not in excess of 5 years, as the state board of education [shall</i> 43 <i>prescribe.</i> 44 2. <i>Conduct or cause to be conducted] prescribes.</i> 45 2. <i>The conduct of</i> such audits, inspections and administrative 46 reviews of accounts, records and operations with respect to school lunch 47 programs as may be necessary to determine whether its agreements with 48 boards of trustees of school districts and regulations [made pursuant to 49 NRS 387.070 to 387.111, inclusive.] <i>on such programs are being</i></p>		<p>22 SEC. 56. NRS 387.090 is hereby amended to read as follows: 23 387.090 Boards of trustees of school districts [are authorized:] 24 <i>may:</i> 25 1. [To operate] <i>Operate</i> or provide for the operation of school 26 lunch programs in the public schools under their jurisdiction. 27 2. [To use] <i>Use</i> therefor [funds] <i>money</i> disbursed to them under 28 the provisions of NRS 387.070 to [387.111,] 387.105, inclusive, gifts, 29 donations and other [funds] <i>money</i> received from the sale of school 30 lunches under such programs. 31 3. [To deposit] <i>Deposit</i> such [funds] <i>money</i> in one or more 32 accounts in a bank or banks within the state. 33 4. [To contract] <i>Contract</i> with respect to food, services, supplies, 34 equipment and facilities for the operation of such programs.</p>		<p>14) INSERT LINE 35 PAGE 22 THROUGH LINE 5 PAGE 23</p>
<p>PAGE 11 - 387.095 (continued)</p>				
<p>1 complied with, and to insure that school lunch programs are administered 2 effectively.</p>				

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 22 387.100</p> <p>35 SEC. 57. NRS 387.100 is hereby amended to read as follows: 36 387.100 The state board of education [is authorized,] may, to the 37 extent that [funds are] money is available for that purpose, and in 38 cooperation with other appropriate agencies and organizations: 39 1. [To conduct] Conduct studies of methods of improving and 40 expanding school lunch programs and promoting nutritional education 41 in the public schools. 42 2. [To conduct] Conduct appraisals of the nutritive benefits of 43 school lunch programs. 44 [3. To report its findings and recommendations, from time to time, 45 to the governor.]</p> <p>387.105</p> <p>46 SEC. 58. NRS 387.105 is hereby amended to read as follows: 47 387.105 To enable the state board of education to provide for the 48 establishment, maintenance, operation and expansion of school lunch 49 programs, [including the cost of supervisors' and clerical salaries, office 50 supplies and equipment, travel and per diem allowances, postage and</p>		
<p>PAGE 19 387.121-126</p> <p>1 SEC. 46. Chapter 387 of NRS is hereby amended by adding thereto 2 the provisions set forth as sections 47 to 49, inclusive, of this act. 3 SEC. 47. As used in NRS 387.121 to 387.126, inclusive, section 4 48 of this act and this section: 5 1. "Average daily attendance—highest 3 months" means the average 6 daily attendance of pupils enrolled in programs of instruction of a school 7 district during the 3 months of highest average daily attendance of the 8 school year. 9 2. "Enrollment" means the count of pupils enrolled in and sched- 10 uled to attend programs of instruction of a school district at a specified 11 time during the school year. 12 3. "Special education program unit" means an organized instruc- 13 tional unit which includes full-time services of certificated personnel 14 providing a program of instruction in accordance with minimum stand- 15 ards prescribed by the state board.</p>		<p>PAGE 23 387.105 (continued)</p> <p>1 express, telephone, telegraph and printing, funds] money shall be pro- 2 vided by legislative appropriation from the general fund as a budgeted 3 part of the appropriation for the support of the [state] department, 4 [of education,] and shall be paid out on claims as other claims against 5 the state are paid.</p>		

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 19 387.121-126 (continued)</p>				
<p>16 SEC. 48. 1. The basic support guarantee for any special education 17 program unit maintained and operated during a period of less than 9 18 school months is in the same proportion to the amount established by 19 law for that school year as the period during which such program unit 20 actually was maintained and operated is to 9 school months.</p>				
<p>21 2. Any unused allocations for special education program units may 22 be reallocated to other school districts by the superintendent of public 23 instruction. In such reallocation, first priority must be given to special 24 education programs with statewide implications, and second priority 25 must be given to special education programs maintained and operated 26 by school districts whose allocation is less than or equal to the amount 27 provided by law. If there are more unused allocations than necessary 28 to cover programs of first and second priority but not enough to cover 29 all remaining special education programs eligible for payment from 30 reallocations, then payment for such remaining programs must be pro- 31 rated. If there are more unused allocations than necessary to cover 32 programs of first priority but not enough to cover all programs of second 33 priority, then payment for programs of second priority must be prorated. 34 If unused allocations are not enough to cover all programs of first pri- 35 ority, then payment for programs of first priority must be prorated.</p>				
<p>36 3. A school district may, after receiving the approval of the superin- 37 tendent of public instruction, contract with any person, state agency or 38 legal entity to provide a special education program unit for handicapped 39 pupils of the district.</p>				
<p>40 SVC. 49. In addition to the requirements of NRS 354.596, not later 41 than 30 days prior to the time of filing its tentative budget, each board 42 of trustees of a school district shall submit, simultaneously to the super- 43 intendent of public instruction and the department of taxation, a report 44 showing the estimated number of persons to be employed whose salaries 45 will be paid from amounts to be included in its tentative and final budgets 46 for the ensuing fiscal year. The report must be made on forms prescribed 47 by the superintendent of public instruction and must include, without 48 limitation:</p>				
<p>PAGE 20 387.121-126 (continued)</p>				
<p>1 1. A schedule showing, according to account and fund classification, 2 the estimated number of persons to be employed who are fully funded 3 thereby;</p>				
<p>4 2. A schedule showing, according to classification, the estimated 5 number of persons to be employed who are funded by more than one 6 account or fund; and</p>				
<p>7 3. The projected salary schedule for the next fiscal year.</p>				

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EXHIBIT 1

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 11 387.122</p>		<p>PAGE 23 387.122</p>		
<p>3 Sec. 31. NRS 387.122 is hereby amended to read as follows: 4 387.122 1. For making the apportionments of the state distributive 5 school fund required [to be made pursuant to] by the provisions of 6 [Title 34 of NRS,] <i>this Title</i>, the basic support guarantee per pupil 7 for each school district and the basic support guarantee for each special 8 education program unit maintained and operated during at least 9 9 months of a school year are established by law for each school year, 10 contingent upon the following limitations: 11 (a) As used in this section, "special education program unit" means 12 an organized instructional unit which includes full-time services of 13 certificated personnel providing a program of instruction in accordance 14 with minimum standards prescribed by the state board of education. 15 (b) Support guarantee for any special education program unit main- 16 tained and operated during a period of less than 9 school months [shall 17 be] <i>is</i> in the same proportion to the amount established by law for that 18 school year as the period during which such program unit actually was 19 maintained and operated is to 9 school months. 20 2. Any unused allocations for special education program units may 21 be reallocated to other county school districts by the [state department 22 of education,] <i>superintendent of public instruction</i>. In such reallocation, 23 first priority shall be given to special education programs with statewide 24 implications, and second priority shall be given to special education 25 programs maintained and operated by school districts whose allocation 26 is less than or equal to the amount provided by law. If there are more 27 unused allocations than necessary to cover programs of first and second 28 priority but not enough to cover all remaining special education pro- 29 grams eligible for payment from reallocations, then payment for such 30 remaining programs shall be prorated. If there are more unused alloca- 31 tions than necessary to cover programs of first priority, but not enough 32 to cover all programs of second priority, then payment for programs of 33 second priority shall be prorated. If unused allocations are not enough 34 to cover all programs of first priority, then payment for programs of 35 first priority shall be prorated. 36 3. A school district may, after receiving the approval of the [state 37 department of education,] <i>superintendent of public instruction</i>, contract 38 with any person, state agency or legal entity to provide a special educa- 39 tion program unit for handicapped pupils of the district.</p>		<p>6 Sec. 59. NRS 387.122 is hereby amended to read as follows: 7 387.122 [1.] For making the apportionments of the state distribu- 8 tive school fund required [to be made pursuant to] by the provisions 9 of [Title 34 of NRS,] <i>this Title</i>, the basic support guarantee per pupil 10 for each school district and the basic support guarantee for each special 11 education program unit maintained and operated during at least 9 12 months of a school year are established by law for each school year. 13 [contingent upon the following limitations: 14 (a) As used in this section, "special education program unit" means: 15 an organized instructional unit which includes full-time services of 16 certificated personnel providing a program of instruction in accordance 17 with minimum standards prescribed by the state board of education. 18 (b) Support guarantee for any special education program unit main- 19 tained and operated during a period of less than 9 school months 20 shall be in the same proportion to the amount established by law for 21 that school year as the period during which such program unit actually 22 was maintained and operated is to 9 school months. 23 2. Any unused allocations for special education program units may 24 be reallocated to other county school districts by the state department 25 of education. In such reallocations, first priority shall be given to special 26 education programs with statewide implications, and second priority 27 shall be given to special education programs maintained and operated 28 by school districts whose allocation is less than or equal to the amount 29 provided by law. If there are more unused allocations than necessary 30 to cover programs of first and second priority but not enough to cover 31 all remaining special education programs eligible for payment from 32 reallocations, then payment for such remaining programs shall be pro- 33 rated. If there are more unused allocations than necessary to cover 34 programs of first priority, but not enough to cover all programs of 35 second priority, then payment for programs of second priority shall be 36 prorated. If unused allocations are not enough to cover all programs 37 of first priority, then payment for programs of first priority shall be 38 prorated. 39 3. A school district may, after receiving the approval of the state 40 department of education, contract with any person, state agency or 41 legal entity to provide a special education program unit for handicapped 42 pupils of the district.]</p>		

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 11 387.123</p> <p>40 Sec. 32. NRS 387.123 is hereby amended to read as follows: 41 387.123 1. "Enrollment" means the count of pupil's enrolled in 42 and scheduled to attend programs of instruction in the public schools for: 43 (a) Pupils in the kindergarten department. 44 (b) Pupils in grades 1 to 12, inclusive. 45 (c) Handicapped minors receiving special education pursuant to the 46 provisions of NRS 388.440 to 388.520, inclusive. 47 (d) Children detained in detention homes and juvenile forestry camps 48 receiving instruction pursuant to the provisions of NRS 388.550 to 49 388.580, inclusive.</p>		<p>PAGE 23 387.123</p> <p>43 Sec. 60. 387.123 is hereby amended to read as follows: 44 387.123 1. ["Enrollment" means the] The count of pupils for 45 apportionment purposes includes all those who are enrolled in [and 46 scheduled to attend] programs of instruction [in the public schools] 47 of the school district for: 48 (a) Pupils in the kindergarten department. 49 (b) Pupils in grades 1 to 12, inclusive.</p>		<p>NOTE: THE COMMITTEE WILL NEED TO DECIDE WHICH OF THESE SECTIONS ARE MORE APPROPRIATE</p>
<p>PAGE 12 387.123 (continued)</p> <p>1 (e) Part-time pupils enrolled in classes and taking courses necessary 2 to receive a high school diploma. 3 2. "Average daily attendance—full term" means the average daily 4 attendance of pupils enrolled in the public schools during the school year. 5 3. "Average daily attendance—highest 3 months" means the average 6 daily attendance of pupils enrolled in the public schools during the 3 7 months of highest average daily attendance of the school year. 8 4. The state board of education shall establish uniform [rules to be 9 used] regulations for counting enrollment and [in] calculating the 10 average daily attendance of pupils. In [calculating average daily attend- 11 ance of pupils, no pupil specified in paragraphs (a), (b), (c) and (d) 12 of subsection 1 shall be counted more than once. In] establishing such 13 [rules] regulations for the public schools, the state board of education: 14 (a) Shall divide the school year into 10 school months, each containing 15 20 or fewer school days. 16 (b) May divide the pupils in grades 1 to 12, inclusive, into categories 17 composed respectively of those enrolled in elementary schools and those 18 enrolled in secondary schools. 19 (c) Shall select the three highest monthly attendance quotients for 20 each category of pupils, as established by subsection 1 or pursuant to 21 paragraph (b) of this subsection, in each school. 22 (d) Shall prohibit counting of any pupil specified in paragraph (a), (b), 23 (c) or (d) of subsection 1 more than once.</p>		<p>PAGE 24 387.123 (continued)</p> <p>1 (c) Handicapped minors receiving special education pursuant to the 2 provisions of NRS 388.440 to 388.520, inclusive. 3 (d) Children detained in detention homes and juvenile forestry camps 4 receiving instruction pursuant to the provisions of NRS 388.550 to 5 [388.580,] 388.570, inclusive. 6 (e) Part-time pupils enrolled in classes and taking courses necessary 7 to receive a high school diploma. 8 2. ["Average daily attendance—full term" means the average daily 9 attendance of pupils enrolled in the public schools during the school 10 year. 11 3. "Average daily attendance—highest 3 months" means the average 12 daily attendance of pupils enrolled in the public schools during the 3 13 months of highest average daily attendance of the school year. 14 4.] The state board of education shall establish uniform [rules to 15 be used] regulations for counting enrollment and [in] calculating the 16 average daily attendance of pupils. [In calculating average daily attend- 17 ance of pupils, no pupil specified in paragraphs (a), (b), (c) and (d) 18 of subsection 1 shall be counted more than once.] In establishing such 19 [rules] regulations for the public schools, the state board: [of educa- 20 tion:] 21 (a) Shall divide the school year into 10 school months, each contain- 22 ing 20 or fewer school days. 23 (b) May divide the pupils in grades 1 to 12, inclusive, into categories 24 composed respectively of those enrolled in elementary schools and those 25 enrolled in secondary schools. 26 (c) Shall [select the three highest monthly attendance quotients] 27 calculate average daily attendance by selecting the average daily attend- 28 ance—highest 3 months for each category of pupils, as established by 29 subsection 1 or pursuant to paragraph (b) of this subsection, in each 30 school.</p>		<p>EXHIBIT C</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 12 387.123 (continued)</p> <p>24 5. The state board of education shall establish by regulation the 25 maximum pupil-teacher ratio in each grade, and for each subject matter 26 wherever different subjects are taught in separate classes, for each school 27 district of the state which is consistent with: 28 (a) The maintenance of an acceptable standard of instruction; 29 (b) The conditions prevailing in such school district with respect to 30 the number and distribution of pupils in each grade; and 31 (c) Methods of instruction used, which may include educational tele- 32 vision, team teaching or new teaching systems or techniques. 33 If the superintendent of public instruction finds that any school district 34 is maintaining one or more classes whose pupil-teacher ratio exceeds the 35 applicable maximum, and unless he finds that the board of trustees of 36 the school district has made every reasonable effort in good faith to 37 comply with the applicable standard, he shall, with the approval of the 38 state board of education, [shall] reduce the average daily attendance 39 for apportionment purposes by the percentage which the number of 40 pupils attending such classes is of the total number of pupils in the dis- 41 trict, and [may] the state board may direct him to withhold the quar- 42 terly apportionment entirely.</p>		<p>PAGE 24 387.123 (continued)</p> <p>31 [5.] (d) Shall prohibit counting of any pupil specified in paragraph 32 (a), (b), (c) or (d) of subsection 1 more than once. 33 3. The state board of education shall establish by regulation the 34 maximum pupil-teacher ratio in each grade, and for each subject matter 35 wherever different subjects are taught in separate classes, for each school 36 district of the state which is consistent with: 37 (a) The maintenance of an acceptable standard of instruction; 38 (b) The conditions prevailing in such school district with respect to 39 the number and distribution of pupils in each grade; and 40 (c) Methods of instruction used, which may include educational tele- 41 vision, team teaching or new teaching systems or techniques. 42 If the superintendent of public instruction finds that any school district 43 is maintaining one or more classes whose pupil-teacher ratio exceeds 44 the applicable maximum, and unless he finds that the board of trustees 45 of the school district has made every reasonable effort in good faith to 46 comply with the applicable standard, he shall, with the approval of the 47 state board, [of education shall] reduce the [average daily attendance] 48 count of pupils for apportionment purposes by the percentage which 49 the number of pupils attending such classes is of the total number of</p>		
<p>(15)</p>		<p>PAGE 25 (continued)</p> <p>1 pupils in the district, and [may] the state board may direct him to 2 withhold the quarterly apportionment entirely.</p> <p>387.1233</p> <p>3 Sec. 61. NRS 387.1233 is hereby amended to read as follows: 4 387.1233 1. Except as otherwise provided in subsection 2, basic 5 support of each school district [shall] must be computed by: 6 (a) Multiplying the basic support guarantee per pupil established 7 for that school district for that school year by the sum of: 8 (1) Six-tenths the count of pupils enrolled in the kindergarten 9 department on the last day of the first school month of the school year. 10 (2) The count of pupils enrolled in grades 1 to 12, inclusive, on the 11 last day of the first school month of the school year. 12 (3) The count of handicapped minors receiving special education 13 pursuant to the provisions of NRS 388.440 to 388.520, inclusive, on the 14 last day of the first school month of the school year. 15 (4) The count of children detained in detention homes and juvenile 16 forestry camps receiving instruction pursuant to the provisions of NRS 17 388.550 to [388.580,] 388.570, inclusive, on the last day of the first 18 school month of the school year.</p>		<p>(15) INSERT LINE 3 PAGE 25 THROUGH LINE 32 PAGE 25</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>Page 12 387.1235</p>	<p>43 Sec. 33. NRS 387.1235 is hereby amended to read as follows: 44 387.1235 Local funds available are the sum of: 45 1. The amount computed by multiplying .007 times the assessed 46 valuation of the school district as certified by the department of taxation 47 for the concurrent school year; and 48 2. The proceeds of the local school support tax imposed by chapter 49 374 of NRS. The department of taxation shall furnish an estimate of 50 such proceeds to the [state board of education] superintendent of public</p>	<p>Page 25 387.1233 (continued) 19 (5) One-fourth the average daily attendance—highest 3 months of 20 part-time pupils enrolled in classes and taking courses necessary to receive 21 a high school diploma. 22 (b) Multiplying the number of special education program units main- 23 tained and operated by the amount per program established for that school 24 year. 25 (c) Adding the amounts computed in paragraphs (a) and (b). 26 2. If the sum of the counts prescribed in subparagraphs (1) to (4), 27 inclusive, of paragraph (a) of subsection 1 is less than the sum similarly 28 obtained for the immediately preceding school year, the larger sum [shall] 29 must be used in computing basic support. 30 3. Pupils who are excused from attendance at examinations or have 31 completed their work in accordance with the rules of the board of trustees 32 shall be credited with attendance during that period.</p>	<p>Page 25 387.1235</p>	<p>33 Sec. 62. NRS 387.1235 is hereby amended to read as follows: 34 387.1235 Local funds available are the sum of: 35 1. The amount computed by multiplying .007 times the assessed 36 valuation of the school district as certified by the department of taxation 37 for the [concurrent] current school year; and 38 2. The proceeds of the local school support tax imposed by chapter 39 374 of NRS. The department of taxation shall furnish an estimate of such 40 proceeds to the [state board of education] superintendent of public 41 instruction on or before July 15 for the fiscal year then begun, and the 42 [state board of education] superintendent shall adjust the final apportion- 43 ment of the [concurrent] current school year to reflect any difference 44 between such estimate and actual receipts.</p>
<p>Page 13 387.1235 (continued)</p>	<p>1 instruction on or before July 15 for the fiscal year then begun, and the 2 [state board of education] superintendent shall adjust the final appor- 3 tionment of the concurrent school year to reflect any difference between 4 such estimate and actual receipts.</p>	<p>387.124</p>	<p>45 Sec. 63. NRS 387.124 is hereby amended to read as follows: 46 387.124 1. On or before August 1, November 1, February 1 and 47 May 1 of each year, the state controller shall render to the superintendent 48 of public instruction a statement of the [moneys] money in the state 49 treasury subject to distribution to the several school districts of the state 50 as provided in this section.</p>	<p>Page 26 387.124 (continued) 1 2. Immediately after the state controller has made his quarterly 2 report, the [state board of education] superintendent shall apportion 3 the state distributive school fund among the several county school dis- 4 tricts in amounts approximating one-fourth of their respective yearly 5 apportionments. Apportionment computed on a yearly basis equals the 6 difference between the basic support and the local funds available or 10 7 percent of basic support, whichever is greater.</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>(116)</p> <p>PAGE 13 387.155</p> <p>18 Sec. 35. NRS 387.155 is hereby amended to read as follows: 19 387.155 In any school district in the State of Nevada where state 20 employment of a parent or parents, or where the attendance of pupils 21 in the school district as wards of the State of Nevada, has a direct effect 22 on the school population within the school district so that there is a need 23 of new or improved school facilities, that school district [shall be] is 24 eligible for additional state financial aid in the following manner: 25 1. The total of the proportion of pupils in average daily attendance 26 whose parent or parents are state employees and the proportion of 27 pupils who attend school as wards of the State of Nevada, must exceed 28 15 percent of the total average daily attendance of the particular school 29 district for the school year next preceding the date of application. 30 2. The particular school district, to qualify for state school construc- 31 tion relief, must have a bonded indebtedness exceeding 60 percent of its 32 bonding capacity. 33 3. [Each] Except as provided in subsection 5 of this section, each 34 such school district [shall be] is entitled to receive an amount equal to 35 the total number of pupils in average daily attendance whose parent or 36 parents are state employees and who attend school in the school district 37 as wards of the State of Nevada, multiplied by the sum of \$1,220, which 38 sum is determined to be, and is declared to be, the average per pupil 39 cost of construction in this state, as found by the superintendent of public 40 instruction, and which amount shall be paid as state school construction 41 relief to those school districts qualifying under the provisions of NRS 42 387.145 to 387.165, inclusive. 43 4. The application for payment of the amount determined to be pay- 44 able for construction of school facilities in any school district shall be 45 submitted by the school district to the [state board of education] 46 superintendent of public instruction and filed in accordance with [the 47 rules and] regulations of the state board of education. The application 48 shall state the qualifications of the school district, the reasons for the 49 construction of the school facilities, and shall give assurance that the 50 school district will submit such reports as the [state board of education]</p>		<p>PAGE 26, 387.126</p> <p>8 Sec. 64. NRS 387.126 is hereby amended to read as follows: 9 387.126 The superintendent of public instruction may in his dis- 10 cretion and shall when so directed by the state board of education 11 verify by independent audit or other suitable examination [: 12 1. The] the reports of enrollment and daily attendance submitted 13 by any school district for [the purpose of computing its average daily 14 attendance; and 15 2. The number of pupils attending each class in any school district.] 16 apportionment purposes.</p>		<p>(116) INSERT LINES 8- 16 PAGE 26</p> <p>EXHIBIT C</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 14 387.155 (continued)</p> <p>1 superintendent may reasonably require to determine the school district's 2 needs and that the existing school facilities will be open to inspection 3 by the superintendent and the state board of education [.] or any 4 member thereof. [.] or its duly authorized representatives.] 5 5. The [state board of education] superintendent of public instruc- 6 tion shall determine the maximum [amounts which are available] 7 amount available to each eligible school district under the provisions of 8 NRS 387.145 to 387.165, inclusive. The state board of education there- 9 after shall review this amount in the light of the particular needs of the 10 school district, and [is authorized to] may reduce the maximum amount 11 which such school district is entitled to receive if it finds that such a 12 reduced amount will adequately serve the needs of the school district 13 and is in proportion to the additional demands, which the pupils who 14 are children of state employees and wards of the State of Nevada place 15 on the particular school district. 16 6. Upon [finally determining and approving] final determination 17 and approval of the total amount payable to a school district, the claim 18 shall be certified to be paid out of the state school construction relief 19 fund, which fund is hereby created in the state treasury, as other claims 20 against the state are paid.</p>		<p>PAGE 26 387.170</p>		
<p>(17)</p>		<p>17 Sec. 65. NRS 387.170 is hereby amended to read as follows: 18 387.170 1. There is hereby created in each county treasury a fund 19 to be designated as the county school district fund, except as otherwise 20 provided in subsection [3.] 2. 21 2. [Immediately after March 2, 1956, each county treasurer shall 22 transfer to the county school district fund all public school moneys held 23 by him and remaining to the credit of the several school districts and 24 educational districts abolished by NRS 386.020, the areas of which are 25 included within the county school district, and all public school moneys 26 held by him and remaining to the credit of the county school fund, the 27 county aid to district high school fund, and any other unapportioned 28 county fund established for the support of the public schools. Any 29 moneys so transferred from an existing school district building reserve 30 fund shall be expended only in the manner provided in NRS 387.290. 31 3. In counties with a population of less than 20,000, as determined 32 by the last preceding national census of the Bureau of the Census of the 33 United States Department of Commerce, all [moneys] money received 34 by the county treasurer under the provisions of NRS 387.175 may be 35 transferred to a separate account established and administered by the 36 board of trustees of the county school district under the provisions of 37 NRS 354.603.</p>		<p>(17) INSERT LINES 17-49 PAGE 26</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>21 Sec. 36. NRS 387.185 is hereby amended to read as follows: 22 387.185 1. All school [moneys] money due each county school 23 district [shall] must be paid over by the state treasurer to the county 24 treasurer on August 1, November 1, February 1 and May 1 of each 25 year or as soon thereafter as the county treasurer may apply for [the 26 same,] it, upon the warrant of the state controller drawn in conformity 27 with the apportionment of the [state board of education] superintend- 28 ent of public instruction as provided in NRS 387.124. 29 2. No county school district [shall] may receive any portion of the 30 public school [moneys] money unless that school district [shall have] 31 has complied with the provisions of this Title [of NRS and the rules 32 and regulations of the state board of education.] and regulations adopted 33 pursuant thereto.</p>		<p>PAGE 26 387.175</p> <p>38 Sec. 66. NRS 387.175 is hereby amended to read as follows: 39 387.175 The county school district fund [shall be] is composed 40 of: 41 1. All local taxes for the maintenance and operation of kinder- 42 gartens, elementary schools and high schools. 43 2. All [moneys] money received from the Federal Government for 44 the maintenance and operation of public schools. 45 3. Apportionments by the state as provided in NRS 387.124. 46 4. [All moneys transferred in compliance with the provisions of NRS 47 387.170. 48 5.] Any other receipts, including gifts, for the operation and mainte- 49 nance of the public schools in the county school district.</p> <p>PAGE 27 387.185</p> <p>1 Sec. 67. NRS 387.185 is hereby amended to read as follows: 2 387.185 1. All school [moneys] money due each county school dis- 3 trict [shall] must be paid over by the state treasurer to the county treas- 4 urer on August 1, November 1, February 1 and May 1 of each year or as 5 soon thereafter as the county treasurer may apply for [the same,] it, upon 6 the warrant of the state controller drawn in conformity with the apportion- 7 ment of the [state board of education] superintendent of public instruc- 8 tion as provided in NRS 387.124. 9 2. No county school district [shall] may receive any portion of the 10 public school [moneys] money unless that school district [shall have] 11 has complied with the provisions of this Title [of NRS and the rules and 12 regulations of the state board of education.] and regulations adopted pur- 13 suant thereto.</p> <p>387.290</p> <p>14 Sec. 68. NRS 387.290 is hereby amended to read as follows: 15 387.290 1. With the approval of the state board of finance, the board 16 of trustees of any school district may accumulate a fund for a period of 17 time not to exceed 10 years for the purpose of constructing or making 18 additions to an elementary school, a junior high school or a high school, 19 by the levy of an annual special tax not to exceed 35 cents on each \$100 20 of assessed valuation of taxable property within the school district. Any 21 levy of an annual special tax authorized by this section shall be included 22 within the tax levy authorized by paragraph (b) of subsection 2 of NRS 23 387.195. 24 2. All [moneys] money collected from such special tax shall be 25 placed in a fund with the county treasurer holding the county school dis- 26 trict fund to be designated as the school district building 27 reserve fund.</p>		<p>(18) INSERT LINE 14 PAGE 27 THROUGH LINE 11 PAGE 28</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">EXHIBIT C</p>

PAGE 14
 387.185

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 27 387.290 (continued)</p> <p>28 3. No [moneys] money in the fund at the end of the fiscal year 29 [shall] may revert to the county school district fund, nor [shall] may 30 such [moneys] money be a surplus for any other purpose than those 31 specified and for which the levies were made. 32 [4. All moneys in a building reserve fund of a school district or edu- 33 cational district abolished by NRS 386.020 and transferred to the county 34 school district fund pursuant to the provisions of NRS 387.170 shall, after 35 March 2, 1956, be expended only for the purpose of constructing or 36 making additions to elementary schools, junior high schools or high 37 schools within the area which formerly constituted the school district or 38 educational district abolished by NRS 386.020 wherein the annual special 39 tax was levied and collected.]</p> <p>387.310</p> <p>40 Sec. 69. NRS 387.310 is hereby amended to read as follows: 41 387.310 1. Except as provided by NRS 387.307 and subject to the 42 direction of the board of trustees, the clerk of the board shall draw all 43 orders for the payment of [moneys] money belonging to the school 44 district. 45 2. The orders shall be listed on cumulative voucher sheets and a 46 copy presented to each of the members of the board of trustees present 47 at the meeting and mailed to any absent member; and, when the orders 48 have been approved by a majority of the board of trustees, and the 49 cumulative voucher sheets have been signed by the president and the 50 clerk of the board of trustees, or by a majority of the members of the</p> <p>PAGE 28 (387.310 continued)</p> <p>1 board of trustees, such orders [shall be] are valid vouchers in the hands 2 of the county auditor for him to issue warrants on the county treasurer 3 to be paid out of the funds belonging to such school district. 4 3. No order in favor of the board of trustees or any member thereof, 5 except for salaries as authorized by NRS 386.320, authorized travel 6 expenses and subsistence of trustees or for services of any trustee as 7 clerk of the board, [shall] may be drawn. 8 4. No order for salary for any teacher may be drawn unless such 9 teacher is included in the directory of teachers supplied to the clerk of 10 the board of trustees under the provisions of [NRS 385.012.] section 11 108 of this act.</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 14 387.315</p> <p>34 SEC. 37. NRS 387.315 is hereby amended to read as follows: 35 387.315 1. Every order drawn by the clerk of the board of trustees 36 of a school district [shall] must be accompanied by an itemized state- 37 ment of the purpose or purposes for which the order is issued, and a 38 true copy of an itemized invoice drawn by the person, association, firm 39 or corporation in whose favor the order is drawn. The statement and a 40 true copy of the invoice [shall] must be filed in the office of the county 41 auditor and [shall be] is subject to inspection by the superintendent 42 of public instruction. Statements and invoices shall be kept on file until 43 ordered destroyed by the [state board of education.] superintendent of 44 public instruction. 45 2. No order for the payment of money of any school district [shall] 46 may be issued by the clerk of the board of trustees unless there [shall 47 be] is in the county treasury, to the credit of the school district, a sum 48 of money equal to the full amount for which the order is issued, and 49 [which sum is] available for the purpose of the order. 50 3. If the clerk of any board of trustees [shall draw] draws any</p>		<p>PAGE 28 387.315</p> <p>12 SEC. 70. NRS 387.315 is hereby amended to read as follows: 13 387.315 1. Every order drawn by the clerk of the board of trustees 14 of a school district [shall] must be accompanied by an itemized state- 15 ment of the purpose or purposes for which the order is issued, and a 16 true copy of an itemized invoice drawn by the person, association, firm 17 or corporation in whose favor the order is drawn. The statement and a 18 true copy of the invoice [shall] must be filed in the office of the county 19 auditor and [shall be] is subject to inspection by the superintendent of 20 public instruction. Statements and invoices shall be kept on file until 21 ordered destroyed by the [state board of education.] superintendent. 22 2. No order for the payment of money of any school district [shall] 23 may be issued by the clerk of the board of trustees unless there [shall 24 be] is in the county treasury, to the credit of the school district, a sum 25 of money equal to the full amount for which the order is issued, and 26 [which sum is] available for the purpose of the order. 27 3. If the clerk of any board of trustees [shall draw] draws any 28 order for the payment of school [moneys] money in violation of law, 29 the members of the board of trustees [shall be] are jointly and severally 30 liable for the amount of the order.</p>		
<p>PAGE 15 387.315 (Continued)</p> <p>1 order for the payment of school [moneys] money in violation of law, 2 the members of the board of trustees [shall be] are jointly and sev- 3 erally liable for the amount of the order.</p>				
<p>387.320</p> <p>4 SEC. 38. NRS 387.320 is hereby amended to read as follows: 5 387.320 1. During [the quarter of the school year beginning Janu- 6 ary 1, 1956, and in] each quarter of each school year, [thereafter,] 7 the clerk of the board of trustees of a county school district shall cause 8 to be published a list of expenditures of the county school district made 9 during the previous quarter school year. The published list of expendi- 10 tures shall be in the form prescribed by the [state board of education.] 11 superintendent of public instruction. 12 2. The publication required by subsection 1 shall be printed in some 13 newspaper published and of general circulation in the county the bound- 14 aries of which are contiguous with the boundaries of the county 15 school district. 16 3. The newspaper described in subsection 2 must possess the quali- 17 fications prescribed in chapter 238 of NRS. 18 4. If no qualified newspaper is published within a county, then the 19 required publication shall be printed in some qualified newspaper printed 20 in the State of Nevada and having a general circulation within the county.</p>		<p>387.320</p> <p>31 SEC. 71. NRS 387.320 is hereby amended to read as follows: 32 387.320 1. During [the quarter of the school year beginning Janu- 33 ary 1, 1956, and in] each quarter of each school year, [thereafter,] 34 the clerk of the board of trustees of a county school district shall cause 35 to be published a list of expenditures of the county school district made 36 during the previous quarter school year. The published list of expendi- 37 tures shall be in the form prescribed by the [state board of education.] 38 superintendent of public instruction. 39 2. The publication required by subsection 1 shall be printed in some 40 newspaper published and of general circulation in the county the bound- 41 aries of which are contiguous with the boundaries of the 42 county school district. 43 3. The newspaper described in subsection 2 must possess the quali- 44 fications prescribed in chapter 238 of NRS. 45 4. If no qualified newspaper is published within a county, then the 46 required publication shall be printed in some qualified newspaper 47 printed in the State of Nevada and having a general circulation within 48 the county.</p>		

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PAGE 41.

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 28 387.340</p> <p>49 SEC. 72. NRS 387.340 is hereby amended to read as follows: 50 387.340 1. When the board of trustees of a county school district</p> <p>PAGE 29 387.340 (continued).</p> <p>1 [deems] finds it necessary to incur any bonded indebtedness authorized 2 by NRS 387.335 to [387.525,] 387.510, inclusive, by issuing the 3 negotiable coupon bonds of the county school district, the board of 4 trustees, after compliance with the provisions of NRS 293.481, shall, 5 by a resolution adopted and entered in its minutes: 6 (a) Find the necessity of and state the purpose or purposes for 7 incurring the bonded indebtedness. 8 (b) Determine the maximum amount of bonds to be issued. 9 (c) Call an election for submission of the question whether the 10 negotiable coupon bonds of the county school district should be issued 11 and sold to raise money for the purpose or purposes stated. 12 (d) Designate whether the election [shall] will be consolidated with 13 the next general election, or [shall] will be a special election which the 14 board of trustees is authorized to call. For the purposes of NRS 387.335 15 to [387.525,] 387.510, inclusive, the term "general election" includes 16 a primary election. 17 (e) Fix the date of the election. 18 2. The resolution adopted by the board of trustees pursuant to the 19 provisions of subsection 1 shall fix a date for the election which will: 20 (a) Allow sufficient time for the electors of the county school dis- 21 trict to register to vote pursuant to the provisions of the election laws 22 of this state; and 23 (b) Allow sufficient time for the county clerk to perform the duties 24 required of him by the election laws of this state. 25 3. Prior to the adoption of any such resolution the clerk of the 26 board of trustees shall notify, in writing, the board of county com- 27 missioners of the county whose boundaries are contiguous with the 28 boundaries of the county school district of the intention of such board 29 of trustees to consider [any] such resolution.</p> <p>30 387.355 31 Sec. 73. NRS 387.355 is hereby amended to read as follows: 32 387.355 1. Any election called pursuant to NRS 387.335 to [387- 33 525,] 387.510, inclusive, may be consolidated with a general election. 34 2. If the election is consolidated with the general election, the notice 35 need not set forth the places of holding the election, but may instead 36 state that the places of holding the election shall be the same as those provided for the general election.</p>		<p>(19) INSERT LINE 49 PAGE 28 THROUGH LINE 49 PAGE 30</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 29</p> <p>387.380</p> <p>37 Sec. 74. NRS 387.380 is hereby amended to read as follows: 38 387.380 Notwithstanding any other provision of NRS 387.335 to 39 [387.525,] 387.510, inclusive, at any school bond election ballots, or 40 votes may be cast, registered, recorded and counted by means of voting 41 machines, as provided in the election laws of this state.</p> <p>387.400</p> <p>42 Sec. 75. NRS 387.400 is hereby amended to read as follows: 43 387.400 [1.] The total bonded indebtedness of a county school 44 district shall at no time exceed an amount equal to 15 percent of the 45 total of the last assessed valuation of taxable property (excluding motor 46 vehicles) situated within the county school district. [less an amount 47 equal to any total outstanding bonded indebtedness of the school dis- 48 tricts and educational districts abolished by NRS 386.020 whose areas 49 are now within the county school district. 50 2. In computing the limitation of the total bonded indebtedness of</p> <p>PAGE 30 387.400 (continued)</p> <p>1 a county school district the outstanding bonded indebtedness of the 2 school districts and educational districts abolished by NRS 386.020 3 expressly assumed by the county school district by a vote of the electors 4 as provided in NRS 387.520 shall be deemed to constitute bonded 5 indebtedness of the county school district.]</p> <p>387.405</p> <p>6 Sec. 76. NRS 387.405 is hereby amended to read as follows: 7 387.405 For any project or purpose authorized in NRS 387.335 8 the board of trustees of a county school district, at any time or from 9 time to time, in the name and on behalf of the district, may issue general 10 obligation bonds, payable from taxes, subject to the provisions of NRS 11 350.001 to 350.006, inclusive, and 387.335 to [387.525, inclusive, as 12 from time to time amended.] 387.510, inclusive.</p> <p>387.410</p> <p>13 Sec. 77. NRS 387.410 is hereby amended to read as follows: 14 387.410 Subject to the provisions of NRS 387.335 to [387.525,] 15 387.510, inclusive, for any school facilities authorized therein, the 16 board [as it may determine from time to time.] may, on the behalf 17 and in the name of the district, borrow money [.] or otherwise become 18 obligated, and evidence such obligations by the issuance of bonds and 19 other district securities constituting its general obligations. [and in] 20 In connection with any such project [or] for school facilities, the board 21 [may] shall otherwise proceed as provided in the Local Government 22 Securities Law. [as from time to time amended.]</p>		

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	Note	SENATE BILL 25	Note	COMMENTS
		<p>Page 30 387.470</p> <p>23 Sec. 78. NRS 387.470 is hereby amended to read as follows: 24 387.470 1. Subject to the provisions of subsection 2, the board 25 of trustees of a county school district may divide the principal amount 26 of any issue authorized at any election into two or more series and fix 27 different dates for the bonds of each series. The bonds of any one series 28 may be made payable at different times from those of any other series. 29 If the bonds of any authorized issue are divided into series, the maturity 30 of each respective series [shall] <i>must</i> comply with the provisions of 31 NRS 387.335 to [387.525,] 387.510, inclusive. For the purpose of 32 computing the maturity of each series the term "date of the bonds" shall 33 be deemed to be the date of the bonds of each series respectively. 34 2. No county school district bonds [shall] <i>may</i> be issued or sold 35 by the board of trustees after the expiration of 6 years from the date of 36 the election authorizing such issue.</p> <p>388.</p> <p>37 Sec. 79. Chapter 388 of NRS is hereby amended by adding thereto 38 a new section which shall read as follows: 39 1. <i>The state board of education shall provide leadership for Indian</i> 40 <i>education programs by establishing the position of special consultant</i> 41 <i>on Indian education.</i> 42 2. <i>The special consultant on Indian education must be an Indian</i> 43 <i>who holds a degree in education from an accredited institution of higher</i> 44 <i>learning and has at least 3 years of experience as a teacher or school</i> 45 <i>administrator. An advanced degree in education may be substituted for</i> 46 <i>1 year of the required experience.</i> 47 3. <i>The special consultant shall work within the department and</i> 48 <i>with the Indian tribes in establishing programs and curricula designed</i> 49 <i>to meet the special educational needs of Indians in this state.</i></p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 15 388.030</p>		<p>PAGE 31 388.030</p>		
<p>21 Sec. 39. NRS 388.030 is hereby amended to read as follows: 22 388.030 [Whenever the] The board of trustees of a school district 23 [shall deem it necessary, the board shall] may divide the public schools 24 within the school district into kindergarten, elementary, high school and 25 other permissible departments, and shall employ competent and legally 26 qualified teachers for the instruction of the different departments [; 27 provided: 28 1. That such], if: 29 1. The division into departments [shall be] is in accordance with 30 the state courses of study and [all rules and] regulations of the state 31 [department] board of education; and 32 2. [That there shall be] There is money for all such departments; 33 if not, then the division [shall] must be in the order in which the 34 departments are named in this section, excepting the kindergarten depart- 35 ment, which [shall] must not be considered as taking precedence over 36 the elementary or high school departments.</p>		<p>1 SEC. 80. NRS 388.030 is hereby amended to read as follows: 2 388.030 [Whenever the] The board of trustees of a school district 3 [shall deem it necessary, the board shall] may divide the public schools 4 within the school district into kindergarten, elementary, high school and 5 other permissible departments, and shall employ competent and legally 6 qualified teachers for the instruction of the different departments [; 7 provided: 8 1. That such], if: 9 1. The division into departments [shall be] is in accordance with 10 the state courses of study and [all rules and] regulations of the state 11 [department] board of education; and 12 2. [That there shall be] There is money for all such departments; 13 if not, then the division [shall] must be in the order in which the depart- 14 ments are named in this section, excepting the kindergarten department, 15 which [shall] must not be considered as taking precedence over the 16 elementary or high school departments.</p>		
<p>388.080</p> <p>37 Sec. 40. NRS 388.080 is hereby amended to read as follows: 38 388.080 1. Except as otherwise provided in subsection 2, the public 39 school year [shall commence] commences on the 1st day of July and 40 [shall end] ends on the last day of June. 41 2. After notification to the [state department of education] superin- 42 tendent of public instruction that an extended school year program 43 will be operative, any county school district may request extension of the 44 school year beyond the last day of June for each year of such program.</p>		<p>388.080</p> <p>17 SEC. 81. NRS 388.080 is hereby amended to read as follows: 18 388.080 1. Except as otherwise provided in subsection 2, the public 19 school year [shall commence] commences on the 1st day of July and 20 [shall end] ends on the last day of June. 21 2. After notification to the [state department of education] superin- 22 tendent of public instruction that an extended school year program 23 will be operative, any county school district may request extension of 24 the school year beyond the last day of June for each year of such 25 program.</p>		
<p>(20)</p>		<p>388.110</p> <p>26 SEC. 82. NRS 388.110 is hereby amended to read as follows: 27 388.110 No school [shall] may be kept open on any day declared 28 to be a legal holiday pursuant to NRS 236.015, except that any board 29 of trustees of a school district may elect to keep school open on October 30 31 [(Nevada Day)] (or other day observed as Nevada Day) and 31 observe such holiday with appropriate exercises.</p>		<p>(20) INSERT LINES 26-31 PAGE 31</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 15 388.340</p> <p>45 SEC. 41. NRS 388.340 is hereby amended to read as follows: 46 388.340 1. The superintendent of public instruction shall serve as 47 executive officer of the state board for vocational education. 48 2. The executive officer shall: 49 (a) [With the advice and consent of] <i>Employ personnel for such</i> 50 <i>positions as are approved by the state board for vocational education</i> [</p>		<p>PAGE 31 388.340</p> <p>32 Sec. 83. NRS 388.340 is hereby amended to read as follows: 33 388.340 1. The superintendent of public instruction shall serve as 34 executive officer of the state board for vocational education. 35 2. The executive officer shall: 36 (a) [With the advice and consent of] <i>Employ personnel for such</i> 37 <i>positions as are approved by the state board for vocational education</i> [38 <i>designate such assistants as may be</i>] <i>and necessary to carry out prop-</i> 39 <i>erly the provisions of this Title</i> [of NRS.] <i>relating to vocational educa-</i> 40 <i>tion.</i> 41 (b) Carry into effect such [rules and] regulations as the state board 42 for vocational education may require. 43 (c) Maintain an office for the board. [at the state capital.] 44 (d) Keep all records of the board in the office of the board.</p>		
<p>PAGE 16 (388.340 continued)</p> <p>1 designate such assistants as may be] <i>and necessary to carry out properly</i> 2 <i>the provisions of this Title</i> [of NRS.] <i>relating to vocational education.</i> 3 (b) Carry into effect such [rules and] regulations as the state board 4 for vocational education may require. 5 (c) Maintain an office for the board at the state capital. 6 (d) Keep all records of the board in the office of the board.</p>		<p>PAGE 31 388.360</p> <p>45 Sec. 84. NRS 388.360 is hereby amended to read as follows: 46 388.360 The state board for vocational educational [shall have 47 authority:] <i>may</i>: 48 1. [To cooperate] <i>Cooperate</i> with any federal agency, board or 49 department designated to administer the Acts of Congress apportioning 50 federal vocational education [funds] <i>money</i> to the State of Nevada.</p>		
<p>PAGE 16 388.360</p> <p>7 SEC. 42. NRS 388.360 is hereby amended to read as follows: 8 388.360. The state board for vocational education [shall have 9 authority:] <i>may</i>: 10 1. [To cooperate] <i>Cooperate</i> with any federal agency, board or 11 department designated to administer the Acts of Congress apportioning 12 federal vocational education [funds] <i>money</i> to the State of Nevada. 13 2. [To administer] <i>Establish policies and adopt regulations for</i> 14 <i>the administration of</i> any legislation enacted pursuant thereto by the 15 State of Nevada. 16 3. [To administer the funds] <i>Establish policies and adopt regula-</i> 17 <i>tions for the administration of money</i> provided by the Federal Govern- 18 ment and the State of Nevada for the promotion, extension and 19 improvement of vocational education in agricultural subjects, trade and 20 industrial subjects, home economics subjects, distributive occupation 21 subjects, practical nursing subjects, vocational guidance services and 22 other subjects which may be included in the vocational education pro- 23 gram in the State of Nevada. 24 4. [To] <i>Establish policies or regulations and formulate plans for</i> 25 <i>the promotion of vocational education in such subjects as are an essential</i> 26 <i>and integral part of the public school system of education in the State of</i> 27 <i>Nevada.</i> 28 5. [To] <i>Establish policies to provide for the preparation of teach-</i> 29 <i>ers of such subjects.</i></p>		<p>PAGE 32 388.360 (continued)</p> <p>1 2. [To administer] <i>Establish policies and adopt regulations for the</i> 2 <i>administration of</i> any legislation enacted pursuant thereto by the State 3 of Nevada. 4 3. [To administer the funds] <i>Establish policies and adopt regula-</i> 5 <i>tions for the administration of money</i> provided by the Federal Govern- 6 ment and the State of Nevada for the promotion, extension and improve- 7 ment of vocational education in agricultural subjects, trade and indus- 8 trial subjects, home economics subjects, distributive occupation sub- 9 jects, practical nursing subjects, vocational guidance services and other 10 subjects which may be included in the vocational education program in 11 the State of Nevada. 12 4. [To] <i>Establish policies or regulations and formulate plans for</i> 13 <i>the promotion of vocational education in such subjects as are an</i> 14 <i>essential and integral part of the public school system of education in</i> 15 <i>the State of Nevada.</i> 16 5. [To] <i>Establish policies to provide for the preparation of teach-</i> 17 <i>ers of such subjects.</i></p>		

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 16 385,360 (continued)</p> <p>30 6. [Within the limits of the provisions of chapter 284 of NRS, to 31 fix the compensation of] <i>Approve positions</i> for such officials and 32 assistants as may be necessary to administer the federal act and <i>provisions of</i> 33 <i>of this Title [of NRS] enacted pursuant thereto</i> for the State 34 of Nevada. 35 7. [To pay such compensation and other necessary expenses of 36 administration and travel from appropriated funds. 37 8. To] <i>Direct its executive officer</i> to make studies and investigations 38 relating to vocational education. [in such subjects. 39 9. To] 8. <i>Establish policies</i> to promote and aid in the establish- 40 ment by local communities of schools, departments or classes giving 41 training in [such] <i>vocational</i> subjects. 42 [10. To cooperate] 9. <i>Cooperate</i> with local communities in the 43 maintenance of such schools; departments or classes. 44 [11. To prescribe] 10. <i>Prescribe</i> qualifications for the teachers, 45 directors and supervisors of [such] <i>vocational</i> subjects. 46 [12. To provide] 11. <i>Provide</i> for the certification of such teach- 47 ers, directors and supervisors. 48 [13. To] 12. <i>Establish policies or regulations</i> to cooperate in the 49 maintenance of classes supported and controlled by the public for the</p>		<p>PAGE 32 388,360 (continued)</p> <p>18 6. [Within the limits of the provisions of chapter 284 of NRS, to 19 fix the compensation of] <i>Approve positions</i> for such officials and assist- 20 ants as may be necessary to administer the federal act and <i>provisions of</i> 21 this Title [of NRS] <i>enacted pursuant thereto</i> for the State of Nevada. 22 7. [To pay such compensation and other necessary expenses of 23 administration and travel from appropriated funds. 24 8. To] <i>Direct its executive officer</i> to make studies and investiga- 25 tions relating to vocational education. [in such subjects. 26 9. To] 8. <i>Establish policies</i> to promote and aid in the establish- 27 ment by local communities of schools, departments or classes giving 28 training in [such] <i>vocational</i> subjects. 29 [10. To cooperate] 9. <i>Cooperate</i> with local communities in the 30 maintenance of such schools, departments or classes. 31 [11. To prescribe] 10. <i>Prescribe</i> qualifications for the teachers, 32 directors and supervisors of [such] <i>vocational</i> subjects. 33 [12. To provide] 11. <i>Provide</i> for the certification of such teach- 34 ers, directors and supervisors. 35 [13. To] 12. <i>Establish policies or regulations</i> to cooperate in the 36 maintenance of classes supported and controlled by the public for the 37 preparation of the teachers, directors and supervisors of [such] <i>voca-</i> 38 <i>tional</i> subjects, or [to] maintain such classes under its own direction 39 and control. 40 [14. To establish and determine by general regulations] 41 13. <i>Establish by regulation</i> the qualifications [to be possessed by] 42 <i>required</i> for persons engaged in the training of vocational teachers.</p>		
<p>PAGE 17 388,360 (continued)</p> <p>1 preparation of the teachers, directors and supervisors of [such] <i>voca-</i> 2 <i>tional</i> subjects, or [to] maintain such classes under its own direction 3 and control. 4 [14. To establish and determine by general regulations] 13. <i>Estab-</i> 5 <i>lish by regulation</i> the qualifications [to be possessed by] <i>required</i> for 6 persons engaged in the training of vocational teachers.</p>				

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 17 388.365</p> <p>7 SEC. 43. NRS 388.365 is hereby amended to read as follows: 8 388.365 1. The state board for vocational education may accept 9 gifts of [moneys] money from public and private sources, if the purpose 10 of the gift specified by the donor is approved by the board and is within 11 the scope of the board's powers and duties, and such [funds shall] 12 money must be deposited in a permanent fund in the state treasury 13 designated as the vocational education gift fund. 14 2. [The board may expend money from the vocational education 15 gift fund in accordance with the terms of any gift or bequest. 16 3.] The [moneys] money available in the vocational education gift 17 fund [shall] must be used only for the purpose specified by the donor, 18 within the limits of subsection 1. [, and any] The board may adopt 19 regulations or establish policies for the disbursement of money from the 20 fund in accordance with the terms of the gift or bequest on warrants 21 of the state controller issued upon the orders of the executive officer of 22 the state board for vocational education. Any expenditures pursuant to 23 this section may include matching state and federal [funds] money 24 available for vocational education. 25 [4.] 3. If all or part of the [funds] money accepted by the board 26 from a donor [are] is not expended prior to the end of the fiscal year 27 in which the gift was accepted, such remaining balance of the amount 28 donated [shall] must remain in the vocational education gift fund until 29 needed for the purpose specified by the donor, within the limits of sub- 30 section 1.</p>		<p>PAGE 32 388.365</p> <p>43 SEC. 85. NRS 388.365 is hereby amended to read as follows: 44 388.365 1. The state board for vocational education may accept 45 gifts of [moneys] money from public and private sources, if the purpose 46 of the gift specified by the donor is approved by the board and is within 47 the scope of the board's powers and duties, and such [funds shall] 48 money must be deposited in a permanent fund in the state treasury 49 designated as the vocational education gift fund.</p> <p>PAGE 33 388.365 (continued)</p> <p>1 2. [The board may expend money from the vocational education 2 gift fund in accordance with the terms of any gift or bequest. 3 3.] The [moneys] money available in the vocational education gift 4 fund [shall] must be used only for the purpose specified by the donor, 5 within the limits of subsection 1. [, and any] The board may adopt 6 regulations or establish policies for the disbursement of money from the 7 fund in accordance with the terms of the gift or bequest on warrants of 8 the state controller issued upon the orders of the executive officer of the 9 state board for vocational education. Any expenditures pursuant to this 10 section may include matching state and federal [funds] money available 11 for vocational education. 12 [4.] 3. If all or part of the [funds] money accepted by the board 13 from a donor [are] is not expended prior to the end of the fiscal year 14 in which the gift was accepted, such remaining balance of the amount 15 donated [shall] must remain in the vocational education gift fund 16 until needed for the purpose specified by the donor, within the limits of 17 subsection 1.</p>		
<p>388.370</p> <p>31 SEC. 44. NRS 388.370 is hereby amended to read as follows: 32 388.370 The executive officer of the state board for vocational edu- 33 cation shall make a report biennially to the legislature setting forth: 34 1. The condition of vocational education in the State of Nevada. 35 2. A list of the schools to which federal and state aid has been given. 36 3. A detailed statement of the expenditures of [the] federal [funds] 37 and state [funds] money provided in NRS 388.390.</p>	<p>21</p>	<p>388.370</p> <p>18 SEC. 86. NRS 388.370 is hereby amended to read as follows: 19 388.370 The executive officer of the state board for vocational edu- 20 cation shall make a report biennially to the [legislature setting forth: 21 1. The condition of vocational education in the State of Nevada. 22 2. A list of the schools to which federal and state aid has been given. 23 3. A detailed statement of the expenditures of the federal funds 24 and state funds provided in NRS 388.390.] governor.</p>		<p>(21) NOTE: THE COMMITTEE WILL NEED TO DECIDE BETWEEN THE LANGUAGE IN THE TWO BILLS</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">EXHIBIT C</p>

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 17 388.390</p> <p>38 Sec. 45. NRS 388.390 is hereby amended to read as follows: 39 388.390 Whenever any board of trustees of a school district has 40 organized a vocational school or classes in accordance with [rules and] 41 regulations adopted by the state board for vocational education, which 42 vocational school or classes have been approved by the executive officer 43 of the state board for vocational education, the school district [shall be] 44 is entitled to share in federal and state [funds] money available for the 45 promotion of vocational education in [such amounts as shall be] the 46 amount determined [and approved] by the executive officer of the state 47 board for vocational education [.] , in accordance with the regulations 48 and policies of the board.</p>		<p>PAGE 33 388.390</p> <p>25 SEC. 87. NRS 388.390 is hereby amended to read as follows: 26 388.390 Whenever any board of trustees of a school district has 27 organized a vocational school or classes in accordance with [rules and] 28 regulations adopted by the state board for vocational education, which 29 vocational school or classes have been approved by the executive officer 30 of the state board for vocational education, the school district [shall be] 31 is entitled to share in federal and state [funds] money available for the 32 promotion of vocational education in [such amounts as shall be] the 33 amount determined [and approved] by the executive officer of the state 34 board for vocational education [.] , in accordance with the regulations 35 and policies of the board.</p>		
<p>388.400</p>		<p>388.400</p>		
<p>49 Sec. 46. NRS 388.400 is hereby amended to read as follows: 50 388.400 1. The [moneys] money for vocational education, which</p>				
<p>PAGE 18 (388.400 continued)</p> <p>1 consists of agricultural education, trade and industrial education, home 2 economics education, distributive education, practical nursing education, 3 and such other phases of vocational education as the state board for 4 vocational education may approve for adoption in Nevada schools, 5 shall be provided for and raised in the manner specified in NRS 387.050 6 and 388.330 to 388.400, inclusive. 7 2. The state treasurer [shall be] is custodian of such [moneys, 8 which shall be used and administered under the authority] money and 9 he shall make disbursements therefrom on warrants of the state con- 10 troller issued upon the order of the executive officer of the state board 11 for vocational education.</p>		<p>36 Sec. 88. NRS 388.400 is hereby amended to read as follows: 37 388.400 1. The [moneys] money for vocational education, which 38 consists of agricultural education, trade and industrial education, home 39 economics education, distributive education, practical nursing education, 40 and such other phases of vocational education as the state board for 41 vocational education may approve for adoption in Nevada schools, shall 42 be provided for and raised in the manner specified in NRS 387.050 and 43 388.330 to 388.400, inclusive. 44 2. The state treasurer [shall be] is custodian of such [moneys, 45 which shall be used and administered under the authority] money and 46 he shall make disbursements therefrom on warrants of the state controller 47 issued upon the order of the executive officer of the state board for voca- 48 tional education.</p>		
<p>388.450</p>		<p>PAGE 34 388.450</p>		
<p>12 Sec. 47. NRS 388.450 is hereby amended to read as follows: 13 388.450 1. The legislature declares that the basic support guarantee 14 [as expressed in NRS 387.122] for each special education program 15 unit established by law for each school year establishes financial 16 resources sufficient to insure a reasonably equal educational opportunity 17 to handicapped minors residing in Nevada. 18 2. Subject to the provisions of NRS 388.440 to 388.520, inclusive, 19 the board of trustees of a school district shall make such special provi- 20 sions as may be necessary for the education of handicapped minors. 21 3. The board of trustees of a school district shall establish uniform 22 rules of eligibility for instruction under the special education programs 23 provided for by NRS 388.440 to 388.520, inclusive. The rules [and 24 regulations shall be] are subject to such standards as may be prescribed 25 by the state [department] board of education.</p>		<p>1 Sec. 89. NRS 388.450 is hereby amended to read as follows: 2 388.450 1. The legislature declares that the basic support guarantee 3 [as expressed in NRS 387.122] for each special education program unit 4 established by law for each school year establishes financial resources 5 sufficient to insure a reasonably equal educational opportunity to handi- 6 capped minors residing in Nevada. 7 2. Subject to the provisions of NRS 388.440 to 388.520, inclusive, 8 the board of trustees of a school district shall make such special provi- 9 sions as may be necessary for the education of handicapped minors. 10 3. The board of trustees of a school district shall establish uniform 11 [rules of] criteria governing eligibility for instruction under the special 12 education programs provided for by NRS 388.440 to 388.520, inclusive. 13 The [rules and regulations shall be] criteria are subject to such stand- 14 ards as may be prescribed by the state [department] board of education.</p>		

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 18 388.470</p> <p>26 Sec. 48. NRS 388.470 is hereby amended to read as follows: 27 388.470 1. Before any child is placed in a special program for 28 handicapped children: 29 (a) A consultation [shall] must be held with his parents or guardian. 30 (b) An examination [shall] must be conducted for the purpose of 31 finding the extent to which the child deviates from normal growth and 32 development patterns. [such] The examination [to] must be conducted 33 in accordance with standards prescribed by the state [department] 34 board of education. 35 2. A psychiatrist may be consulted in any specific case when the 36 board of trustees of a school district deems it necessary.</p>		<p>PAGE 34 388.470</p> <p>15 Sec. 90. NRS 388.470 is hereby amended to read as follows: 16 388.470 1. Before any child is placed in a special program for 17 handicapped children: 18 (a) A consultation [shall] must be held with his parents or guardian. 19 (b) An examination [shall] must be conducted for the purpose of 20 finding the extent to which the child deviates from normal growth and 21 development patterns. [such] The examination [to] must be con- 22 ducted in accordance with standards prescribed by the state [depart- 23 ment] board of education. 24 2. A psychiatrist may be consulted in any specific case when the 25 board of trustees of a school district deems it necessary.</p>		
<p>388.520</p> <p>37 Sec. 49. NRS 388.520 is hereby amended to read as follows: 38 388.520 1. The state [department] board of education shall pre- 39 scribe minimum standards for the special education of handicapped 40 minors. 41 2. Prescribed minimum standards [shall] must include standards for 42 programs of instruction or special services maintained for the purpose 43 of serving minors [with the following handicapping conditions:] who: 44 (a) [Aurally] Are aurally handicapped. 45 (b) [Visually] Are visually handicapped. 46 (c) [Physically] Are physically handicapped. 47 (d) [Speech handicapped.] Have speech handicaps. 48 (e) [Mentally] Are mentally handicapped. 49 (f) [Educationally handicapped, including appropriate subemphasis 50 when related to emotional disturbance.</p>		<p>388.520</p> <p>26 Sec. 91. NRS 388.520 is hereby amended to read as follows: 27 388.520 1. The state [department] board of education shall pre- 28 scribe minimum standards for the special education of handicapped 29 minors. 30 2. Prescribed minimum standards [shall] must include standards for 31 programs of instruction or special services maintained for the purpose 32 of serving minors [with the following handicapping conditions:] who: 33 (a) [Aurally] Are aurally handicapped. 34 (b) [Visually] Are visually handicapped. 35 (c) [Physically] Are physically handicapped. 36 (d) [Speech handicapped.] Have speecch handicaps. 37 (e) [Mentally] Are mentally handicapped. 38 (f) [Educationally handicapped, including appropriate subemphasis 39 when related to emotional disturbance.</p>		
<p>PAGE 19 388.520 (continued)</p> <p>1 (g) Multiple handicapped, including appropriate subemphasis for] 2 Are educationally handicapped, and such standards must also give appro- 3 priate consideration to emotional disturbances related to the educational 4 handicaps. 5 (g) Have multiple handicaps, and such standards must give appro- 6 priate consideration to each of the handicapping conditions. 7 (h) [Academically] Are academically talented. 8 (i) [Learning] Have learning disabilities. 9 3. No apportionment of state funds [shall] may be made [by the 10 superintendent of public instruction] to any school district for the 11 instruction of handicapped minors until the program of instruction 12 maintained therein for such handicapped minors is approved by the 13 [state department of education] superintendent of public instruction as meet- 14 ing the prescribed minimum standards.</p>		<p>PAGE 35 388.520 (continued)</p> <p>1 instruction of handicapped minors until the program of instruction main- 2 tained therein for such handicapped minors is approved by the [state 3 department of education] superintendent of public instruction as meet- 4 ing the prescribed minimum standards.</p>		

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	SENATE BILL 25	COMMENTS
<p>(22)</p> <p>PAGE 19 388.595</p> <p>15 Sec. 50. NRS 388.595 is hereby amended to read as follows: 16 388.595 The state [department] board of education shall provide 17 leadership for the environmental education program by [appointing an] 18 establishing the position of environmental education consultant. [who 19 shall be in the classified service of the state and an employee of the state 20 department of education, whose] His responsibilities [shall] include: 21 [but not be limited to the following:] 22 1. Coordinating the efforts of the various disciplines within the edu- 23 cational system that are concerned with environmental education. 24 2. Developing and distributing instructional materials for use in 25 environmental education. 26 3. Developing programs of in-service teacher training in environ- 27 mental education. 28 4. Coordinating the efforts of private organizations, local school 29 districts and governmental agencies that are concerned with environ- 30 mental education.</p>	<p>NOTE</p> <p>PAGE 35 388.570</p> <p>5 Sec. 92. NRS 388.570 is hereby amended to read as follows: 6 388.570 [As required by subsection 4 of NRS 387.123, the] 7 1. The state board of education shall establish [rules and] regula- 8 tions for the computation of enrollment and average daily attendance of 9 children detained in detention homes and juvenile forestry camps 10 receiving instruction pursuant of the provisions of NRS 388.550 to 11 [388.580.] 388.570, inclusive. 12 2. Boards of trustees of school districts providing such instruction 13 shall report to the superintendent of public instruction at such times 14 and in such manner as he prescribes.</p> <p>388.595</p> <p>15 Sec. 93. NRS 388.595 is hereby amended to read as follows: 16 388.595 The state [department] board of education shall provide 17 leadership for the environmental education program by [appointing an] 18 establishing the position of environmental education consultant. [who 19 shall be in the classified service of the state and an employee of the 20 state department of education, whose] His responsibilities [shall] 21 include: [but not be limited to the following:] 22 1. Coordinating the efforts of the various disciplines within the 23 educational system that are concerned with environmental education. 24 2. Developing and distributing instructional materials for use in 25 environmental education. 26 3. Developing programs of in-service teacher training in environ- 27 mental education. 28 4. Coordinating the efforts of private organizations, local school 29 districts and governmental agencies that are concerned with environ- 30 mental education.</p>	<p>NOTE</p> <p>(22) INSERT LINES 5-14 PAGE 35</p> <p>SPECIAL NOTE: THIS SECTION WILL BE ALTERED IF AB 123 IS ENACTED</p> <p>EXHIBIT C</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>Page 35 389.</p> <p>31 SEC. 94. Chapter 389 or NRS is hereby amended by adding thereto 32 a new section which shall read as follows: 33 1. The automobile driver education program is hereby established 34 for the purpose of assisting school districts in this state which establish 35 and maintain automobile driver education classes. Money for the auto- 36 mobile driver education program shall be provided by direct legislative 37 appropriation. 38 2. The state board of education may direct the superintendent of 39 public instruction to make semiannual apportionments, payable on or 40 before February 1 and July 1 of each year, to the several school dis- 41 tricts. The semiannual apportionment made on or before February 1 42 shall be made on the basis of \$15 times the number of estimated 43 pupil completions in the district during the current school year, which 44 shall be estimated by the superintendent. The semiannual apportion- 45 ment made on or before July 1 shall be made on the basis of \$35 times 46 the actual number of pupil completions in the district during the cur- 47 rent year, less any amount previously apportioned to the district for 48 estimated pupil completions during the current school year. 49 3. If the money available for the automobile driver education pro- 50 gram is not sufficient to make full current school year apportionments,</p> <p>Page 36 389.1 (continued)</p> <p>1 so determined under subsection 2, apportionment payments to the various 2 school districts shall be prorated so that each school district is appor- 3 tioned the same amount per pupil completion, such amount to be derived 4 by dividing the total money available by the total number of completions 5 during the current school year. 6 4. Money received by school districts for the automobile driver edu- 7 cation program must not be expended for the purchase or repair of 8 motor vehicles or the purchase or repair of automobile driver education 9 training equipment.</p> <p>389.010</p> <p>10 SEC. 95. NRS 389.010 is hereby amended to read as follows: 11 389.010 Boards of trustees of school districts shall enforce in 12 schools the courses of study prescribed and adopted by the [proper 13 authority.] state board of education.</p>		<p>COVERED ON PAGE 26 OF THIS DOCUMENT</p> <p>(23) INSERT LINES 10-23 PAGE 36</p>

(23)

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 36 389.020</p> <p>14 SEC. 96. NRS 389.020 is hereby amended to read as follows: 15 389.020 1. In all public [and private] schools, the Nevada girls 16 training center, and the Nevada youth training center, instruction [shall] 17 must be given in American government, including but not limited to the 18 essentials of the Constitution of the United States, the constitution of 19 the State of Nevada, the origin and history of the constitutions and the 20 study of and devotion to American institutions and ideals. 21 2. The instruction required in subsection 1 [shall] must be given 22 during at least 1 year of the elementary school grades and for a period 23 of at least 1 year in all high schools.</p> <p>389.030</p> <p>24 SEC. 97. NRS 389.030 is hereby amended to read as follows: 25 389.030 American history, including the history of the State of 26 Nevada [shall] must be taught in all of the public [and private] schools 27 in the State of Nevada for a period of at least 1 year.</p> <p>389.035</p> <p>28 SEC. 98. NRS 389.035 is hereby amended to read as follows: 29 389.035 No [student] pupil in any public [or private] high school, 30 the Nevada girls training center or the Nevada youth training center 31 [shall] may receive a certificate or diploma of graduation without having 32 passed a course in American government and American history as 33 required by NRS 389.020 and 389.030.</p> <p>389.090</p> <p>34 SEC. 99. NRS 389.090 is hereby amended to read as follows: 35 389.090 1. The state board of education shall adopt [rules and] 36 regulations governing the establishment, conduct and scope of automobile 37 driver education in the public schools of this state. 38 2. The aims and purposes of automobile driver education [shall be] 39 are to develop the knowledge, attitudes, habits and skills necessary for 40 the safe operation of motor vehicles. 41 3. The board of trustees of a school district may establish and main- 42 tain automobile driver education classes during regular semesters and 43 summer sessions and during the regular school day and at times other 44 than during the regular school day for: 45 (a) Pupils enrolled in the regular full-time day high schools in the 46 school district. 47 (b) Pupils enrolled in summer classes conducted in high schools in 48 the school district. 49 4. A board of trustees maintaining courses in automobile driver 50 education shall insure against any liability arising out of the use of</p>		
<p>PAGE 19 389.090</p> <p>31 SEC. 51. NRS 389.090 is hereby amended to read as follows: 32 389.090 1. The state board of education shall adopt [rules and] 33 regulations governing the establishment, conduct and scope of auto- 34 mobile driver education in the public schools of this state. 35 2. The aims and purposes of automobile driver education [shall be] 36 are to develop the knowledge, attitudes, habits and skills necessary for 37 the safe operation of motor vehicles. 38 3. The board of trustees of a school district may establish and main- 39 tain automobile driver education classes during regular semesters and 40 summer sessions and during the regular school day and at times other 41 than during the regular school day for: 42 (a) Pupils enrolled in the regular full-time day high schools in the 43 school district. 44 (b) Pupils enrolled in summer classes conducted in high schools in 45 the school district. 46 4. A board of trustees maintaining courses in automobile driver 47 education shall insure against any liability arising out of the use of motor 48 vehicles in connection with such courses. The cost of such insurance 49 shall be paid from available school district funds. 50 5. Automobile driver education shall be [conducted by] provided</p>				

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 20 389.090 (continued)</p> <p>1 by boards of trustees of school districts in accordance with regulations of 2 the state board of education [and boards of trustees] and shall not be 3 duplicated by any other agency, department, commission or officer of 4 the State of Nevada.</p>		<p>PAGE 37 389.090 (continued)</p> <p>1 motor vehicles in connection with such courses. The cost of such insur- 2 ance shall be paid from available school district funds. 3 5. Automobile driver education shall be [conducted by] provided 4 by boards of trustees of school districts in accordance with regulations of 5 the state board of education and [boards of trustees and shall] may 6 not be duplicated by any other agency, department, commission or 7 officer of the State of Nevada.</p>		
<p>(24)</p> <p>389.100</p> <p>5 Sec. 100. NRS 389.100 is hereby amended to read as follows: 6 389.100 1. The legislature finds as facts: 7 (a) That the successful completion of an approved automobile 8 driver education course by a pupil offers a direct financial benefit to 9 his parents or other responsible adult through the reduction of insur- 10 ance premiums. 11 (b) That the imposition of a fee, not in excess of the actual cost of 12 providing the special equipment required, as a prerequisite to an elective 13 course in driver education, does not violate the requirements of article 14 11 of the constitution of the State of Nevada. 15 2. The board of trustees of any school district [is authorized to] 16 may establish a laboratory fee to be charged each pupil enrolling for 17 an automobile driver education course, which [shall] must not exceed 18 the difference per pupil between the actual cost of providing the 19 course and the amount anticipated under [NRS 387.033,] section 94 20 of this act, or \$35, whichever is less.</p>		<p>389.100</p> <p>8 Sec. 100. NRS 389.100 is hereby amended to read as follows: 9 389.100 1. The legislature finds as facts: 10 (a) That the successful completion of an approved automobile 11 driver education course by a pupil offers a direct financial benefit to 12 his parents or other responsible adult through the reduction of insur- 13 ance premiums. 14 (b) That the imposition of a fee, not in excess of the actual cost of 15 providing the special equipment required, as a prerequisite to an elective 16 course in driver education, does not violate the requirements of article 17 11 of the constitution of the State of Nevada. 18 2. The board of trustees of any school district [is authorized to] 19 may establish a laboratory fee to be charged each pupil enrolling for 20 an automobile driver education course, which [shall] must not exceed 21 the difference per pupil between the actual cost of providing the 22 course and the amount anticipated under [NRS 387.033,] section 94 23 of this act, or \$35, whichever is less.</p>		<p>(24) INSERT LINES 8-23 PAGE 37. SPECIAL NOTE: THIS SECTION WOULD BE AFFECTED BY ENACTMEN OF AB 370</p>
<p>389.130</p> <p>5 Sec. 52. NRS 389.130 is hereby amended to read as follows: 6 389.130 1. Each school district shall investigate the feasibility of 7 programs of outdoor environmental education and camping for its 8 students. 9 2. Such investigations [shall] must be coordinated with the [Nevada 10 advisory committee for environmental education and with the state 11 department of education.] superintendent of public instruction.</p>		<p>389.130</p> <p>24 Sec. 101. NRS 389.130 is hereby amended to read as follows: 25 389.130 1. Each school district shall investigate the feasibility of 26 programs of outdoor environmental education and camping for its 27 students. 28 2. Such investigations [shall] must be coordinated with the [Nevada 29 advisory committee for environmental education and with the state 30 department of education.] superintendent of public instruction.</p>		
<p>(25)</p> <p>390.010</p> <p>31 Sec. 102. NRS 390.010 is hereby amended to read as follows: 32 390.010 1. The state textbook commission, consisting of the super- 33 intendent of public instruction or his designee and eight members 34 appointed by the governor, is hereby created within the [state] depart- 35 ment of education. 36 2. The governor shall appoint: 37 (a) Four members from Clark County; 38 (b) Two members from Washoe County; and 39 (c) Two members from the remainder of the state.</p>		<p>390.010</p> <p>31 Sec. 102. NRS 390.010 is hereby amended to read as follows: 32 390.010 1. The state textbook commission, consisting of the super- 33 intendent of public instruction or his designee and eight members 34 appointed by the governor, is hereby created within the [state] depart- 35 ment of education. 36 2. The governor shall appoint: 37 (a) Four members from Clark County; 38 (b) Two members from Washoe County; and 39 (c) Two members from the remainder of the state.</p>		<p>(25) INSERT 31-39 PAGE 37</p>

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 20 390.020</p> <p>12 SEC. 53. NRS 390.020 is hereby amended to read as follows: 13 390.020 The members of the commission appointed by the governor 14 [shall] must be persons certified by the [state department of educa- 15 tion] superintendent of public instruction as having been actively 16 engaged in school teaching or administration in a school district of this 17 state for at least 4 years prior to their appointment.</p> <p>390.060</p> <p>18 SEC. 54. NRS 390.060 is hereby amended to read as follows: 19 390.060 1. The commission shall elect one of its members as presi- 20 dent of the commission, to serve a 2-year term. 21 2. The [state board of education may employ a textbook consultant, 22 who may] superintendent of public instruction shall designate a member 23 of the staff of the state department of education to serve as secretary of 24 the commission. [The state board of education shall define his other 25 duties.]</p> <p>39</p>		<p>PAGE 37 390.020</p> <p>40 SEC. 103. NRS 390.020 is hereby amended to read as follows: 41 390.020 The members of the commission appointed by the governor 42 [shall] must be persons certified by the [state department of education]. 43 superintendent of public instruction as having been actively engaged in 44 school teaching or administration in a school district of this state for at 45 least 4 years prior to their appointment.</p> <p>390.060</p> <p>46 SEC. 104. NRS 390.060 is hereby amended to read as follows: 47 390.060 1. The commission shall elect one of its members as presi- 48 dent of the commission, to serve a 2-year term. 49 2. The [state board of education may employ a textbook consultant, 50 who may] superintendent of public instruction shall designate a member</p> <p>PAGE 38 390.060 (continued)</p> <p>1 of the staff of the department to serve as secretary of the commission. 2 [The state board of education shall define his other duties.]</p>		
<p>(26)</p>		<p>390.090</p> <p>3 SEC. 105. NRS 390.090 is hereby amended to read as follows: 4 390.090 1. The commission shall provide in its rules of procedure 5 for the times and places of holding its regular meetings. 6 2. At the request or with the consent of a majority of the members, 7 the secretary may call a special meeting whenever there is important 8 business to justify the call. 9 3. [All meetings of the commission shall be public. The secretary 10 shall keep a full and correct record of all proceedings, which record 11 shall be open to public inspection. 12 4.] Minutes of the meetings [shall be prepared and] must be dis- 13 tributed to members of the commission and to each county school 14 superintendent.</p>		<p>(26) INSERT LINE 3 PAGE 38 THROUGH LINE 16 PAGE 39</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 38 390.230</p> <p>15 SEC. 106. NRS 390.230 is hereby amended to read as follows: 16 390.230 1. The textbooks adopted by the state board of education 17 [shall] must be used in the public schools in the state and no other 18 books [shall] may be used as basic textbooks. 19 2. This section [shall not be interpreted in such a manner as to] 20 does not prohibit: 21 (a) The continued use of such textbooks previously approved until 22 they become unserviceable. 23 (b) The use of supplemental textbooks purchased by a school district 24 with the approval of the superintendent of public instruction. 25 (c) After approval by the commission, the temporary use of textbooks 26 for tryout purposes. 27 3. Any school officer or teacher who [shall violate] violates the 28 provisions of this chapter, [Or not follow] the rules [and regulations] 29 of the commission or the regulations of the state board relating to use of 30 textbooks shall be punished by a fine of not more than \$100. 31 4. All superintendents, principals, teachers and school officers are 32 charged with the execution of this section.</p> <p>391.</p> <p>33 SEC. 107. Chapter 391 of NRS is hereby amended by adding thereto 34 the provisions set forth as sections 108 to 110, inclusive, of this act. 35 SEC. 108. The superintendent of public instruction shall file with 36 the clerk of the board of trustees of each local school district a directory 37 of all teachers and other educational personnel who hold certificates 38 entitling them to draw salaries from the county school district fund, 39 and shall advise the clerk from time to time of any changes or additions 40 to the directory. 41 SEC. 109. The superintendent of public instruction may suspend, 42 for a time not to exceed 1 year, the certificate of any teacher or other 43 certificated employee who has an unexcused absence from any educa- 44 tional conference he is required to attend. 45 SEC. 110. A hearing officer selected by the superintendent of public 46 instruction from the hearing officer list shall hear and make recom- 47 mendations in cases of demotion, dismissal or nonreemployment based 48 on grounds contained in paragraphs (b), (f), (g), (h), (m) and (p) of 49 subsection 1 of NRS 391.312.</p>		

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
PAGE 20 391.020	27	<p>PAGE 39 391.010</p> <p>1 SEC. 111. NRS 391.010 is hereby amended to read as follows: 2 391.010 1. There are the following kinds of [teachers'] certificates 3 for teachers and other educational personnel in this state: 4 (a) Elementary certificates. 5 (b) Secondary certificates. 6 (c) Special certificates. 7 2. An elementary certificate authorizes the holder [thereof] to 8 teach in any elementary school in the state. 9 3. A secondary certificate authorizes [a teacher] the holder to 10 teach in his major or minor field of preparation or in both fields in any 11 secondary school. He may teach only in these fields unless an exception 12 is approved in a manner provided by regulations of the state board of 13 education. 14 4. A special certificate authorizes [a teacher] the holder to teach 15 [in any] or perform other educational functions in a school or program 16 [named] as designated in the certificate.</p> <p>391.020</p> <p>17 SEC. 112. NRS 391.020 is hereby amended to read as follows: 18 391.020 1. All [teachers'] certificates for teachers and other 19 educational personnel are granted by the [state board of education. The 20 state board of education] superintendent of public instruction. He may 21 issue certificates to all qualified persons under the regulations of the 22 state board of education. 23 2. Every applicant for a certificate shall submit with his application 24 a complete set of his fingerprints and written permission authorizing the 25 [state board of education] superintendent to forward such fingerprints 26 to the Federal Bureau of Investigation for its report. The superintendent 27 may issue a provisional certificate pending receipt of such report if 28 he determines that the applicant is otherwise qualified. 29 3. Upon receipt of the report referred to in subsection 2 and a 30 determination by the [state board of education] superintendent that 31 the applicant is qualified, a certificate [shall] must be issued to the 32 applicant.</p>	27 USE SB 25 LANGUAGE IN LIEU OF AB 118	
<p>36 SEC. 55. NRS 391.020 is hereby amended to read as follows: 37 391.020 1. All teachers' certificates are granted by the [state board 38 of education. The state board of education] superintendent of public 39 instruction. He may issue certificates to all qualified persons under the 40 regulations of the state board of education. 41 2. Every applicant for a certificate shall submit with his application 42 a complete set of his fingerprints and written permission authorizing the 43 [state board of education] superintendent to forward such fingerprints 44 to the Federal Bureau of Investigation for its report. 45 3. Upon receipt of the report referred to in subsection 2 and a 46 determination by the [state board of education] superintendent of public 47 instruction that the applicant is qualified, a certificate [shall] must be issued to the applicant.</p> <p>391.030</p> <p>39 SEC. 56. NRS 391.030 is hereby amended to read as follows: 40 391.030 The state board of education [is authorized to provide for 41 and] may direct the superintendent of public instruction to establish a 42 certification office in the state department of education. [and to pro- 43 vide for the employment of a competent assistant. The superintendent 44 of public instruction, without extra compensation, shall be the adminis- 45 trator of the certification office.] The superintendent may employ per- 46 sonnel for such positions as are approved by the state board for the 47 operation of the office.</p>				

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>(28)</p>		<p>PAGE 39 391.040</p> <p>33 SEC. 113. NRS 391.040 is hereby amended to read as follows: 34 391.040 1. The state board of education may fix fees of not less 35 than \$3 for the issuance and renewal of certificates. Fees for issuing 36 duplicate certificates are the same as for issuing the originals. 37 2. The [moneys] money received from the fees [collected under the 38 provisions of NRS 391.010 to 391.050, inclusive.] shall be paid into 39 the state general fund.</p> <p>391.060</p> <p>40 SEC. 114. NRS 391.060 is hereby amended to read as follows: 41 391.060 1. Except as provided in NRS 391.070, it [shall be] is 42 unlawful for: 43 (a) The superintendent of public instruction to issue a certificate to, 44 or a board of trustees of a school district to employ, any teacher, instructor, 45 principal or superintendent of schools who is not a citizen of the 46 United States or a person who has filed a valid declaration to become a 47 citizen or valid petition for naturalization, or who is not a lawful permanent 48 resident of the United States. 49 (b) The state controller or any county auditor to issue any warrant to 50 any teacher, instructor, principal or superintendent of schools who is not</p> <p>PAGE 40. 391.060 (continued)</p> <p>1 a citizen of the United States or a person who has filed a valid declaration 2 to become a citizen or valid petition for naturalization, or who is 3 not a lawful permanent resident of the United States. 4 2. Any person [violating] who violates any of the provisions of 5 this section [shall be] is guilty of a misdemeanor.</p> <p>391.070</p> <p>6 SEC. 115. NRS 391.070 is hereby amended to read as follows: 7 391.070 Nothing in NRS 391.060 or in any other law [shall be 8 construed to prohibit] prohibits the employment, by [the superintendent 9 of public instruction or] a board of trustees of a school district, of any 10 teacher or instructor authorized to teach in the United States under the 11 teacher exchange programs authorized by laws of the Congress of the 12 United States.</p>		<p>(28) INSERT LINE 33 PAGE 39 THROUGH LINE 27 PAGE 40</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 20</p> <p>391.090</p> <p>18 Sec. 57. NRS 391.090 is hereby amended to read as follows:</p> <p>19 391.090 1. Any person who is:</p>		<p>PAGE 40</p> <p>391.080</p> <p>13 Sec. 116. NRS 391.080 is hereby amended to read as follows:</p> <p>14 391.080 1. Each teacher or other certificated employee employed</p> <p>15 in this state whose compensation is payable out of [the] public [funds,]</p> <p>16 money, except teachers employed pursuant to the provisions of NRS</p> <p>17 391.070, [shall] must take and subscribe to the constitutional oath of</p> <p>18 office before entering upon the discharge of his duties.</p> <p>19 2. The oath of office, when taken and subscribed, [shall be filed in</p> <p>20 the office of the state] must be filed with the department of education.</p> <p>21 3. The superintendent of public instruction, deputy and associate</p> <p>22 superintendents of public instruction [,] and other members of the pro-</p> <p>23 fessional staff of the department designated by the superintendent, mem-</p> <p>24 bers of boards of trustees of school districts, superintendents of schools,</p> <p>25 principals of schools and notaries public [are empowered to] may</p> <p>26 administer the oath of office to teachers [,] and other certificated</p> <p>27 employees.</p>		
<p>PAGE 21 391.090</p> <p>1 (a) Granted a certificate to teach in the public schools of Nevada;</p> <p>2 [or]</p> <p>3 (b) Granted a renewal of his certificate; or</p> <p>4 (c) Charged with the duty at the Nevada youth training center or the</p> <p>5 Nevada girls training center of giving instruction in the Constitution</p> <p>6 of the United States and the constitution of the State of Nevada,</p> <p>7 [shall be required to] must show, by examination or credentials show-</p> <p>8 ing college, university or normal school study, satisfactory evidence of</p> <p>9 adequate knowledge of the origin, history, provisions and principles</p> <p>10 of the Constitution of the United States and the constitution of the State</p> <p>11 of Nevada.</p> <p>12 2. The [state board of education] superintendent of public instruc-</p> <p>13 tion may grant a reasonable time for compliance with the terms of this</p> <p>14 section.</p>	<p>29</p>	<p>391.090</p> <p>23 Sec. 117. NRS 391.090 is hereby amended to read as follows:</p> <p>24 391.090 1. Any person who is:</p> <p>25 (a) Granted a certificate to teach or perform other educational func-</p> <p>26 tions in the public schools of Nevada; or</p> <p>27 (b) [Granted a renewal of his certificate; or</p> <p>28 (c)] Charged with the duty at the Nevada youth training center or</p> <p>29 the Nevada girls training center of giving instruction in the Constitution</p> <p>30 of the United States and the constitution of the State of Nevada,</p> <p>31 [shall be required to] must show, by examination or credentials show-</p> <p>32 ing college, university or normal school study, satisfactory evidence of</p> <p>33 adequate knowledge of the origin, history, provisions and principles</p> <p>34 of the Constitution of the United States and the constitution of the</p> <p>35 State of Nevada.</p> <p>36 2. The [state board of education] superintendent of public instruc-</p> <p>37 tion may grant a reasonable time for compliance with the terms of</p> <p>38 this section.</p>		<p>29 USE SB 25 LANGUAGE IN LIEU OF AB 118</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 21 391.100</p>		<p>PAGE 40 391.100</p>		
<p>15 SEC. 58. NRS 391.100 is hereby amended to read as follows: 16 391.100 1. The board of trustees of a school district may employ a 17 superintendent of schools, teachers and all other necessary employees. 18 2. The board of trustees of a school district: 19 (a) May employ teacher aides and other auxiliary, nonprofessional 20 personnel to assist certificated personnel in the instruction or supervision 21 of children, either in the classroom or at any other place in the school 22 or on the grounds thereof. Such noncertificated personnel shall be given 23 direct supervision by certificated personnel in all duties which are 24 instructional in nature but may perform duties which are not primarily 25 instructional in nature without a certificated person in attendance. 26 (b) Shall establish policies governing the duties and performance of 27 teacher aides. 28 3. Notwithstanding the provisions of NRS 252.110, the board of 29 trustees of a school district may employ independent legal counsel when 30 such employment is deemed necessary by the board. 31 4. [Notwithstanding the provisions] In addition to the requirements 32 of NRS 354.596, not later than 30 days prior to the time of filing its 33 tentative budget, each board of school trustees of a school district shall 34 submit, [or cause to be submitted] simultaneously, to the [state depart- 35 ment of education and the Nevada tax commission] superintendent of 36 public instruction and the department of taxation, a report showing the 37 estimated number of persons to be employed whose salaries will be paid 38 from amounts to be included in its tentative and final budgets for the 39 ensuing fiscal year. The report [shall] must be made on forms prescribed 40 by the [state department of education and shall include, but shall not 41 be limited to:] superintendent of public instruction and must include, 42 without limitation: 43 (a) A schedule showing the estimated number of persons to be 44 employed by account and fund classification and fully funded thereby; 45 and 46 (b) A schedule showing the estimated number of persons to be 47 employed by classification who are funded by more than one account 48 or fund. 49 (c) The projected salary schedule for the next fiscal year.</p>		<p>44 SEC. 118. NRS 391.100 is hereby amended to read as follows: 45 391.100 1. The board of trustees of a school district may employ 46 a superintendent of schools, teachers and all other necessary employees. 47 2. The board of trustees of a school district: 48 (a) May employ teacher aides and other auxiliary, nonprofessional 49 personnel to assist certificated personnel in the instruction or super- 50 vision of children, either in the classroom or at any other place in the</p> <p>PAGE 41 391.100 (continued)</p> <p>1 school or on the grounds thereof. Such noncertificated personnel shall 2 be given direct supervision by certificated personnel in all duties which 3 are instructional in nature but may perform duties which are not 4 primarily instructional in nature without a certificated person in 5 attendance. 6 (b) Shall establish policies governing the duties and performance 7 of teacher aides. 8 3. [Notwithstanding the provisions of NRS 252.110, the board 9 of trustees of a school district may employ independent legal counsel 10 when such employment is deemed necessary by the board. 11 4. Notwithstanding the provisions of NRS 354.596, not later than 12 30 days prior to the time of filing its tentative budget, each board of 13 school trustees of a school district shall submit, or cause to be submitted, 14 simultaneously, to the state department of education and the Nevada 15 tax commission a report showing the estimated number of persons to 16 be employed whose salaries will be paid from amounts to be included 17 in its tentative and final budgets for the ensuing fiscal year. The report 18 shall be made on forms prescribed by the state department of educa- 19 tion and shall include, but shall not be limited to: 20 (a) A schedule showing the estimated number of persons to be 21 employed by account and fund classification and fully funded thereby; 22 and 23 (b) A schedule showing the estimated number of persons to be 24 employed by classification who are funded by more than one account 25 or fund. 26 (c) The projected salary schedule for the next fiscal year.] The board 27 of trustees of a school district may employ or appoint persons to serve as 28 security officers. Security officers are peace officers as defined in NRS 29 169.125. The provisions of this subsection do not constitute such security 30 officers as police officers for the purposes of NRS 286.510.</p>		<p>THE COMMITTEE WILL NEED TO DECIDE WHETHER OR NOT THE STATEMENT REGARDING SECURITY OFFICERS SHOULD BE INCLUDED</p>

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COMPARISON OF BILLS. - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>(30)</p> <p>PAGE 21 391.120</p> <p>50 Sec. 59. NRS 391.120 is hereby amended to read as follows:</p> <p>PAGE 22 391.120</p> <p>1 391.120 1. Boards of trustees of the school districts in this state 2 [shall have the power to] may employ legally qualified teachers [, to 3 determine the salary to be paid each teacher,] and may determine their 4 salaries and the length of the term of school for which [teachers shall 5 be] they are employed. These conditions and any other conditions agreed 6 upon by the parties [shall] must be embodied in a written contract, or 7 notice of reemployment, to be approved by the board of trustees and 8 accepted and signed by the teacher. A copy of the contract or notice of 9 reemployment, properly written, [shall] must be delivered to each 10 teacher not later than the opening of the term of school. 11 2. A board of trustees [shall not have the right to] may not employ 12 teachers for any school year commencing after the expiration of the time 13 for which any member of the board of trustees was elected or appointed.</p>		<p>PAGE 41 391.110</p> <p>31 SEC. 119. NRS 391.110 is hereby amended to read as follows: 32 391.110 1. The board of trustees of a school district [is authorized 33 to:] may: 34 (a) Employ any person [regularly] certificated for the position of 35 administrator to serve as the superintendent of schools of the school 36 district. In school districts having 7,000 or more [students,] pupils, the 37 superintendent of schools [shall] must hold at least a master's degree in 38 school administration or education. 39 (b) Define his powers and fix his duties. 40 (c) Fix his salary. 41 2. No superintendent of schools [shall] may be employed for more 42 than a term of 1 year unless he [shall have] has first served 2 years 43 satisfactorily as a teacher or administrator in the school district. If he 44 has served 2 years satisfactorily in the school district as a certificated 45 teacher or administrator he may be employed for a term of not to exceed 46 4 years. 47 3. A superintendent of schools may be dismissed at any time for 48 cause. 49 4. A superintendent of schools [is authorized to administer:</p>		<p>(30) INSERT LINE 31 PAGE 41 THROUGH LINE 3 PAGE 42</p>
		<p>PAGE 42 391.110 (continued)</p> <p>1 (a) Teachers' oaths or affirmations of office. 2 (b) All other] may administer oaths or affirmations relating to public 3 schools.</p> <p>4 Sec. 120. *NRS 391.120 is hereby amended to read as follows: 5 391.120 1. Boards of trustees of the school districts in this state 6 [shall have the power to] may employ legally qualified teachers [, to] 7 and other certificated personnel and may determine [the salary to be 8 paid each teacher,] their salaries and the length of the term of school for 9 which [teachers shall be] they are employed. These conditions and any 10 other conditions agreed upon by the parties shall be embodied in a 11 written contract, or notice of reemployment, to be approved by the 12 board of trustees and accepted and signed by the [teacher.] employee. 13 A copy of the contract or notice of reemployment, properly written, 14 [shall] must be delivered to each teacher or other certificated employee 15 not later than the opening of the term of school. 16 2. A board of trustees [shall not have the right to] may not employ 17 teachers or other certificated personnel for any school year commencing 18 after the expiration of the time for which any member of the board of 19 trustees was elected or appointed.</p>		<p>(31) USE SB 25 LANGUAGE IN LIEU OF AB 118x</p>

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 22 391.120 (continued)</p> <p>14 3. It [shall be] is unlawful for the board of trustees of any school 15 district to employ any teacher who is not legally qualified to teach all 16 the grades which [such] the teacher is engaged to teach. 17 4. Notice of the employment of a person [shall] must be given to 18 the state department of education [upon a form supplied by such depart- 19 ment] in the form prescribed by the superintendent of public instruction 20 before a teacher may start to perform under the terms of the contract.</p>		<p>PAGE 42 391.120 (continued)</p> <p>20 3. It [shall be] is unlawful for the board of trustees of any school 21 district to employ any teacher who is not legally qualified to teach all 22 the grades which [such] the teacher is engaged to teach. 23 4. Notice of the employment of a person [shall] as a teacher or 24 other certificated employee must be given to the [state] department [of 25 education upon a form supplied by such department] in the form pre- 26 scribed by the superintendent of public instruction before [a teacher]. 27 the employee may start to perform under the terms of the contract.</p> <p>391.150</p> <p>28 SEC. 121. NRS 391.150 is hereby amended to read as follows: 29 391.150 1. Boards of trustees of school districts in this state may 30 pay toward the salaries of [legally qualified] teachers and other 31 employees the public [moneys] money apportioned to school districts 32 for that purpose, by giving them orders therefor on the county auditor. 33 2. Boards of trustees may: 34 (a) Deduct from [teachers' salaries,] the salary of any teacher or 35 other employee, upon the written request of the [teachers,] teacher or 36 other employee, money for the payment of premiums on insurance of any 37 kind; 38 (b) Reduce or withhold increases in the [salaries of teachers or other 39 qualified employees,] salary of any teacher or other employee, upon 40 the written request of the teacher or other employee, by or in an 41 amount sufficient to purchase an annuity [contracts] contract pursuant 42 to the provisions of NRS 391.380; and 43 (c) Reduce or withhold from the [salaries of teachers and other 44 qualified employees,] salary of any teacher or other employee, upon the 45 written request of the teacher or employee, an amount specified in the 46 request to be held by the trustees pursuant to a deferred compensation 47 agreement between the trustees and the teacher or other employee.</p> <p>391.160</p> <p>48 SEC. 122. NRS 391.160 is hereby amended to read as follows: 49 391.160 The salaries of teachers and other employees shall be deter- 50 mined by the character of the service required. In no school district shall</p>		<p>(32) INSERT LINE 28 PAGE 42 THROUGH LINE 3 PAGE 43</p>
		<p>PAGE 43 391.160 (continued)</p> <p>1 there be any discrimination against female [teachers] employees in the 2 matter of salary.</p>		

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 22 391.170</p> <p>21 Sec. 60. NRS 391.170 is hereby amended to read as follows: 22 391.170 A teacher is not entitled to receive any portion of [the] 23 public school [moneys] money as compensation for services rendered 24 unless: 25 1. The teacher is legally employed by the board of trustees of the 26 school district in which he is teaching. 27 2. The teacher has a teacher's certificate issued in accordance with 28 law and in full force at the time the services are rendered. 29 3. The teacher has made to the board of trustees and the superin- 30 tendent of public instruction a full, true and correct report, in the form 31 and manner prescribed by [the state board of education, to] the super- 32 intendent of public instruction. [and to the board of trustees.]</p>	<p>NOTE</p> <p>(33)</p>	<p>PAGE 43 391.170</p> <p>3 Sec. 123. NRS 391.170 is hereby amended to read as follows: 4 391.170 A teacher or other employee for whom certification is 5 required is not entitled to receive any portion of [the] public school 6 [moneys] money as compensation for services rendered unless: 7 1. [The teacher] He is legally employed by the board of trustees of 8 the school district in which he is teaching [.] or performing other edu- 9 cational functions. 10 2. [The teacher] He has a [teacher's] certificate authorizing him 11 to teach or perform other educational functions at the level and in the 12 field for which he is employed, issued in accordance with law and in 13 full force at the time the services are rendered. 14 3. The teacher has made a full, true and correct report, in the 15 form and manner prescribed by the state board of education, to the 16 superintendent of public instruction and to the board of trustees.]</p>	<p>NOTE</p>	<p>(33) USE SB 25 IN LIEU OF AB 118</p>
<p>(34)</p>		<p>391.190</p> <p>17 Sec. 124. NRS 391.190 is hereby amended to read as follows: 18 391.190 It [shall be] is unlawful for a board of trustees of any 19 school district to order the payment of [teachers'] salaries of teachers 20 or other certificated personnel in advance of the time when earned.</p>		<p>(34) INSERT LINE 17 PAGE 43 THROUGH LINE 24 PAGE 44</p>
		<p>391.200</p> <p>21 Sec. 125. NRS 391.200 is hereby amended to read as follows: 22 391.200 The salaries of the teachers and other certificated per- 23 sonnel in a school district as determined by the contracts between the 24 teachers and other certificated employees and the board of trustees 25 [shall be] are prior claims upon the school district fund.</p>		
		<p>391.210</p> <p>26 Sec. 126. NRS 391.210 is hereby amended to read as follows: 27 391.210 The board of trustees of a school district may direct 28 the administrators, principals, [and] teachers and other certificated 29 personnel employed by them to exercise such powers and authority in 30 the schools as the board of trustees has under this Title of NRS.</p>		
		<p>391.230</p> <p>31 Sec. 127. NRS 391.230 is hereby amended to read as follows: 32 391.230 1. Upon the opening of any public school in this state, 33 every teacher and other certificated employee therein shall file with the 34 superintendent of the county school district a Nevada [teacher's] 35 certificate entitling the holder to teach or perform other educational 36 functions in the school in which he will be employed, and any other 37 report that the superintendent of public instruction [shall require.] 38 requires. 39 2. The superintendent of the county school district shall acknowl- 40 edge the receipt of each [teacher's] certificate and shall make a proper 41 record [of the same] thereof in his office. The [teacher's] certificate 42 shall remain on file and shall be safely kept in the office of the super- 43 intendent of the county school district.</p>		

EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	Note	SENATE BILL 25	Note	COMMENTS
		<p>PAGE 43 391.240</p> <p>44 SEC. 128. NRS 391.240 is hereby amended to read as follows: 45 391.240 Each teacher in the public schools shall [46 1. Keep] keep a true, full and correct [record] register of all 47 pupils attending such school as required by the board of trustees of the 48 school district in accordance with the [registers] regulations prescribed 49 by the superintendent of public instruction. 50 2. Make other reports of such records at such times and to such</p> <p>PAGE 44 391.240 continued</p> <p>1 school officers as the superintendent of public instruction shall desig- 2 nate.]</p> <p>391.275</p> <p>3 SEC. 129. NRS 391.275 is hereby amended to read as follows: 4 391.275 1. The board of trustees of a school district may employ 5 or appoint personnel as security officers and, in carrying out the duties, 6 such personnel are peace officers as defined in NRS 169.125. The pro- 7 visions of this subsection shall not constitute such security officers as 8 police officers for the purposes of NRS 286.510. 9 2. The jurisdiction of each security [officers shall extend] officer 10 of a school district extends to all school property, buildings and facilities 11 within the school district, for the purpose of: 12 [(a)] 1. Protecting school district personnel, pupils, or real or 13 personal property; or 14 [(b)] 2. Cooperating with local law enforcement agencies in mat- 15 ters relating to personnel, pupils or real or personal property of the 16 school district.</p> <p>391.280</p> <p>17 SEC. 130. NRS 391.280 is hereby amended to read as follows: 18 391.280 [All teachers.] Every teacher or other certificated 19 employee, without loss of salary for the time employed, shall [be 20 required to] attend the [teachers] educational conferences held in the 21 school [districts in which they may be teaching, unless they shall be]. 22 district in which he is employed unless excused for good cause by the 23 superintendent of schools [in the school district in which they are 24 employed.] of the district.</p>		

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>Page 22 391.290</p> <p>33 SEC. 61. NRS 391.290 is hereby amended to read as follows: 34 391.290 1. Whenever an educational conference is called by the 35 [state department of education for a school district or for the state,] 36 superintendent of public instruction, the board of trustees of a school 37 district whose school administrators and teachers are required to attend 38 the educational conference shall, unless such school administrators or 39 teachers are excused for cause by legally authorized authority from 40 attendance: 41 (a) Pay the actual necessary transportation expenses of school admin- 42 istrators and teachers of the school district to and from the educational 43 conference. 44 (b) Pay the actual necessary living expenses of school administrators 45 and teachers of the school district while attending the educational 46 conference. 47 2. Expenses shall be paid out of the school district fund and claims 48 therefor shall not exceed the statutory rate fixed for state officers.</p>		<p>Page 44-391.290</p> <p>25 SEC. 131. NRS 391.290 is hereby amended to read as follows: 26 391.290 1. Whenever an educational conference is called by the 27 [state department of education for a school district or for the state,] 28 superintendent of public instruction, the board of trustees of a school 29 district whose school administrators and teachers are required to attend 30 the educational conference shall, unless such school administrators or 31 teachers are excused for cause by [legally authorized authority] the 32 superintendent of schools of the district from attendance: 33 (a) Pay the actual necessary transportation expenses of school admin- 34 istrators and teachers of the school district to and from the educational 35 conference. 36 (b) Pay the actual necessary living expenses of school administrators 37 and teachers of the school district while attending the educational con- 38 ference. 39 2. Expenses shall be paid out of the school district fund and claims 40 therefor shall not exceed the statutory rate fixed for state officers.</p> <p>391.311</p> <p>41 SEC. 132. NRS 391.311 is hereby amended to read as follows: 42 391.311 [The following terms, whenever used or referred to] As 43 used in NRS 391.312 to [391.3196, inclusive, have the following mean- 44 ing] 391.3197, inclusive, unless a different meaning clearly appears in 45 the context: 46 1. "Administrator" means any certificated employee the majority of 47 whose working time is devoted to service as a superintendent, supervisor, 48 principal or vice principal in a school district. 49 2. "Board" means the board of trustees of the school district.</p> <p>Page 45 391.311 (continued)</p> <p>1 wherein a [teacher] certificated employee affected by NRS 391.311 to 2 [391.3196,] 391.3197, inclusive, is employed. 3 3. "Demotion" means demotion of an administrator. 4 4. "Postprobationary teacher" means a teacher who has com- 5 pleted [3] three consecutive probationary teacher contracts in a Nevada 6 school district and is employed for a 4th consecutive year. 7 5. "Probationary teacher" means a teacher in the first [3] three 8 consecutive contract years of employment in a school district, including 9 any authorized leave of absence during that period. 10 6. "Superintendent" means the superintendent of a school district or 11 the person acting as such. 12 7. "Teacher" means a certificated employee the majority of whose 13 working time is devoted to the rendering of direct educational service 14 to students of a school district.</p>		<p>(35) INSERT LINE 41 PAGE 44 THROUGH LINE 47 PAGE 45</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">EXHIBIT C</p>

(35)

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 45 391.3115</p> <p>15 Sec. 133. NRS 391.3115 is hereby amended to read as follows: 16 391.3115 1. The demotion, <i>suspension</i>, dismissal and nonreem- 17 ployment provisions of NRS 391.311 to 391.3197, inclusive, do not 18 apply to: 19 [1.] (a) Substitute teachers; or 20 [2.] (b) Adult education teachers: [; 21 3. Certificated employees who are employed in positions fully 22 funded by a federal or private categorical grant. Any such employee 23 shall be employed only for the duration of the grant, but during such 24 period of employment, the employee shall receive credit toward his 25 postprobationary status and shall not be dismissed, suspended or 26 demoted except as otherwise provided in NRS 391.311 to 391.3197, 27 inclusive. 28 4. Certificated employees who are employed on temporary contracts 29 in place of certificated employees on authorized leaves of absence; 30 but during such period of employment, the temporary employee shall 31 receive credit toward his postprobationary status and shall not be dis- 32 missed, suspended or demoted except as otherwise provided in NRS 33 391.311 to 391.3197, inclusive.] 34 2. A certificated employee who is employed in a position fully 35 funded by a federal or private categorical grant or to replace another 36 certificated employee during that employee's leave of absence is 37 employed only for the duration of the grant or leave, but is entitled to 38 credit for that time in fulfilling any period of probation and during that 39 time the provisions of NRS 391.311 to 391.3197, inclusive, for demo- 40 tion, suspension or dismissal apply to him.</p> <p>391.3116</p> <p>41 Sec. 134. NRS 391.3116 is hereby amended to read as follows: 42 391.3116 The provisions of NRS 391.311 to 391.3197, inclusive, 43 do not apply to a teacher or other certificated employee who has entered 44 into a contract with the board as a result of the Local Government 45 Employee-Management Relations Act, if [such] the contract [provides] 46 contains separate provisions relating to the board's right to dismiss or 47 refuse to reemploy [such teachers.] the employee.</p>		
<p>PAGE 21 391.3125</p> <p>49 SEC. 62. NRS 391.3125 is hereby amended to read as follows: 50 391.3125 1. It is the intent of the legislature that a uniform</p>		<p>PAGE 45 391.3125</p> <p>48 SEC. 135. NRS 391.3125 is hereby amended to read as follows: 49 391.3125 1. It is the intent of the legislature that a uniform system</p>		
<p>PAGE 23 391.3125 (continued)</p> <p>system be developed for objective evaluation of teacher personnel in each school district.</p>		<p>PAGE 46 391.3125</p> <p>1 be developed for objective evaluation of [teacher] teachers and certifi- 2 cated school support personnel in each school district.</p>		

EXHIBIT 6

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 23 391.3125 (continued)</p>		<p>PAGE 46 391.3125 (continued)</p>		
<p>3 2. Each board of school trustees, following consultation and involve- 4 ment of elected representatives of teacher personnel or their designees, 5 shall develop an objective evaluation policy which may include self, stu- 6 dent, administrative or peer evaluation or any combination thereof. In 7 like manner, counselors, librarians and other certificated school support 8 personnel shall be evaluated on forms developed specifically for their 9 respective specialties. A copy of the evaluation policy adopted by the 10 board of trustees shall be filed with the state [board] department of 11 education.</p>		<p>3 2. Each board of school trustees, following consultation and involve- 4 ment of elected representatives of teacher personnel or their designees, 5 shall develop an objective evaluation policy which may include self, stu- 6 dent, administrative or peer evaluation or any combination thereof. In 7 like manner, counselors, librarians and other certificated school support 8 personnel shall be evaluated on forms developed specifically for their 9 respective specialties. A copy of the evaluation policy adopted by the 10 board of trustees shall be filed with the [state board] department of edu- 11 cation.</p>		<p>(36) USE SB 25 LANGUAGE IN LIEU OF AB118</p>
<p>12 3. Each probationary teacher shall be evaluated in writing at least 13 twice each year. The first evaluation shall take place no later than 60 14 school days after the teacher enters service under the contract and the 15 second shall take place no later than March 1.</p>		<p>12 3. Each probationary teacher shall be evaluated in writing at least 13 twice each year. The first evaluation shall take place no later than 60 14 school days after the teacher enters service under the contract and the 15 second shall take place no later than March 1.</p>		
<p>16 4. Each postprobationary teacher shall be evaluated at least once 17 each year.</p>		<p>16 4. Each postprobationary teacher shall be evaluated at least once 17 each year.</p>		
<p>18 5. The evaluation of a probationary teacher or a postprobationary 19 teacher shall, if necessary, include recommendations for improvements in 20 teaching performance. A reasonable effort shall be made to assist the 21 teacher to correct deficiencies noted in the evaluation. The teacher shall 22 receive a copy of each evaluation not later than 15 days after the evalua- 23 tion. A copy of the evaluation and the teacher's response shall become 24 a permanent attachment to the teacher's personnel file.</p>	<p>(34)</p>	<p>18 5. The evaluation of a probationary teacher or a postprobationary 19 teacher shall, if necessary, include recommendations for improvements 20 in teaching performance. A reasonable effort shall be made to assist the 21 teacher to correct deficiencies noted in the evaluation. The teacher shall 22 receive a copy of each evaluation not later than 15 days after the evalua- 23 tion. A copy of the evaluation and the teacher's response shall become 24 a permanent attachment to the teacher's personnel file.</p>		
<p>391.3127</p>		<p>391.3127</p>		
<p>25 Sec. 63. NRS 391.3127 is hereby amended to read as follows: 26 391.3127 1. Each board of school trustees, following consultation 27 and involvement of elected representatives of administrative personnel 28 or their designated representatives, shall develop an objective evaluation 29 policy which may include self, student, administrative or peer evalua- 30 tion or any combination thereof. A copy of the evaluation policy adopted 31 by the board of trustees shall be filed with the state [board] department 32 of education.</p>		<p>25 Sec. 136. NRS.391.3127 is hereby amended to read as follows: 26 391.3127 1. Each board of school trustees, following consultation 27 and involvement of elected representatives of administrative personnel 28 or their designated representatives, shall develop an objective evaluation 29 policy which may include self, student, administrative or peer evaluation 30 or any combination thereof. A copy of the evaluation policy adopted by 31 the board of trustees shall be filed with the [state board] department of 32 education.</p>		
<p>33 2. Each administrator shall be evaluated in writing at least once a 34 year.</p>		<p>33 2. Each administrator shall be evaluated in writing at least once 34 a year.</p>		

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ASSEMBLY BILL 118

NOTE

SENATE BILL 25

NOTE

COMMENTS

Page 46 391.3161

35 Sec. 137. NRS 391.3161 is hereby amended to read as follows:
 36 391.3161 1. There is hereby created a hearing officer list which
 37 shall consist of not less than 50 Nevada resident attorneys at law, includ-
 38 ing retired judges. [Hearing officers on the list shall be appointed by
 39 the] The state board of education [following nomination] shall make
 40 appointments to the hearing officer list after nominations have been made
 41 by the State Bar of Nevada and the Nevada Trial Lawyers Association.
 42 2. [Hearing officers shall be appointed] Each appointment to the list
 43 is for a term of 2 years or until resignation or removal for cause by the
 44 state board of education. Vacancies shall be filled [as necessary follow-
 45 ing the procedure set forth in subsection 1].
 46 3. A hearing officer shall conduct hearings in cases of demotion,
 47 dismissal or nonreemployment based on grounds contained in paragraphs
 48 (b), (f), (g), (h), (m) and (p) of subsection 1 of NRS 391.312.] in
 49 the same manner as original appointments.

37 INSERT LINE 35
 PAGE 46 THROUGH
 LINE 30 PAGE 47

Page 47 391.3165

1 Sec. 138. NRS 391.3165 is hereby amended to read as follows:
 2 391.3165 A hearing commission composed of [3] three members
 3 shall hear and make recommendations in cases of demotion, dismissal
 4 or nonreemployment based on grounds contained in paragraphs (a), (c),
 5 (d), (e), (i), (j), (k), (l), (n) and (o) of subsection 1 of NRS
 6 391.312.
 7 1. One member of [such] the commission shall be selected by the
 8 board, one member shall be selected by the certificated employee [.] who
 9 is the subject of the hearing, and the third member, who shall act as
 10 chairman, shall be selected by the superintendent of public instruction
 11 from the [state department of education] hearing officer list.
 12 2. [The two education members shall be selected as needed to hear
 13 individual cases as set forth in this section.
 14 3.] The members appointed respectively by the board and the
 15 certificated employee [shall] must have at least 4 years' experience in
 16 the field of education.
 17 [4. If a request is made to the state superintendent of public instruc-
 18 tion for appointment of a hearing officer, the state superintendent, within
 19 10 days from the receipt of such request, shall designate seven attorneys
 20 on the hearing list.] They shall be selected as needed to hear individual
 21 cases.

EXHIBIT C

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PAGE 68

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>Page 23 391.31915</p> <p>35 Sec. 64. NRS 391.31915 is hereby amended to read as follows: 36 391.31915. 1. After appointment of the list, the certificated em- 37 ployee and superintendent are entitled: 38 (a) To challenge peremptorily one of the list at a time, alternately, 39 until only one remains, who shall serve as hearing officer for the hearing. 40 The superintendent and certificated employee shall draw lots to deter- 41 mine first choice to challenge a member of the list. 42 (b) To challenge peremptorily the hearing officer appointed to a 43 hearing commission when such commission is required, in which case: 44 (1) The superintendent and certificated employee [shall] each 45 have two peremptory challenges. 46 (2) The superintendent and certificated employee may exercise 47 their two challenges until they have exhausted their right to challenge or 48 waive their right to such challenge. 49 2. The state [department] board of education shall [prepare a 50 procedure] prescribe procedures for exercising challenges to the hearing officer and hearing commission chairman and set time limits in which the challenges may be exercised by the certificated employee and super- intendent.</p>	<p>NOTE</p> <p>38</p>	<p>PAGE 47 391.3191</p> <p>22 Sec. 139. NRS 391.3191 is hereby amended to read as follows: 23 391.3191. 1. Each request for appointment of a person from the 24 hearing officer list to serve as a hearing officer or chairman of a hear- 25 ing commission shall be submitted to the superintendent of public instruc- 26 tion. 27 2. The certificated employee and the superintendent may each chal- 28 lenge not more than five members of the hearing officer list, and the 29 superintendent of public instruction shall not appoint any challenged 30 person.</p> <p>391.31915</p> <p>31 Sec. 140. NRS 391.31915 is hereby amended to read as follows: 32 391.31915. 1. [After appointment of the list, the] Within 10 days 33 from receipt of the request for a hearing officer or chairman of a hearing 34 commission the superintendent of public instruction shall designate: 35 (a) Seven persons if the hearing is to be before a hearing officer; or 36 (b) Five persons if a hearing commission is required, 37 from among the remaining members of the hearing officer list. 38 2. The certificated employee and superintendent [are entitled;] 39 may: 40 (a) [To] If the hearing is to be before a hearing officer, challenge 41 peremptorily one of the [list] seven at a time, alternately, until only 42 one remains, who shall serve as hearing officer for the hearing. The 43 superintendent and certificated employee shall draw lots to determine 44 first choice to [challenge a member of the list.] exercise a challenge. 45 (b) [To] If a hearing commission is required, challenge peremptorily 46 the [hearing officer appointed to a hearing commission when such com- 47 mission is required, in which case:] five persons designated, in the 48 following manner: 49 (1) The superintendent and certificated employee [shall] each 50 have two peremptory challenges.</p> <p>PAGE 48 391.31915 (continued)</p> <p>1 (2) The superintendent and certificated employee may exercise 2 their two challenges until they have exhausted their right to challenge or 3 waive their right to [such] challenge. 4 [2.] 3. The state [department of education shall prepare a proce- 5 dure] board shall prescribe procedures for exercising challenges to the 6 hearing officer and hearing commission chairman and set time limits in 7 which the challenges may be exercised by the certificated employee and 8 superintendent.</p>	<p>NOTE</p>	<p>38 USE SB 25 LANGUAGE IN LIEU OF AB 118</p>
<p>Page 24 391.31915 (continued)</p>				

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COMPARISON OF BILLS - 1979

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 24 391.3192</p> <p>4 Sec. 65. NRS 391.3192 is hereby amended to read as follows: 5 391.3192 1. As soon as possible after the time of his or its designa- 6 tion, the hearing officer or hearing commission shall hold a hearing to 7 determine whether the grounds for the recommendation are substanti- 8 ated. 9 2. The [state department of education] superintendent of public 10 instruction shall furnish the hearing officer or hearing commission with 11 any assistance which is reasonably required to conduct the hearing, and 12 the hearing officer or hearing commission may require witnesses to 13 give testimony under oath and produce evidence relevant to [its] the 14 investigation. 15 3. The certificated employee and superintendent are entitled to be 16 heard, to be represented by counsel and to call witnesses in their behalf. 17 4. The hearing officer shall be reimbursed reasonable actual expenses 18 and not more than \$150 per day for actual time served. If requested by 19 the hearing officer, an official transcript shall be made. 20 5. The board and the certificated employee [shall be] are equally 21 responsible for the expense and salary of the hearing officer and the 22 official transcript when requested by the hearing officer. 23 6. The appointed commission members [shall] do not forfeit any 24 salary or employment benefits for performing their duties as commission 25 members. 26 7. The state board of education shall develop a set of uniform 27 standards and procedures to be used in such a hearing. The technical 28 rules of evidence [shall] do not apply.</p>	<p>(39)</p>	<p>PAGE 48 391.3192</p> <p>9 Sec. 141. NRS 391.3192 is hereby amended to read as follows: 10 391.3192 1. As soon as possible after the time of his or its desig- 11 nation, the hearing officer or hearing commission shall hold a hearing 12 to determine whether the grounds for the recommendation are sub- 13 stantiated. 14 2. The [state department of education] superintendent of public 15 instruction shall furnish the hearing officer or hearing commission with 16 any assistance which is reasonably required to conduct the hearing, and 17 the hearing officer or hearing commission may require witnesses to give 18 testimony under oath and produce evidence relevant to [its] the investi- 19 gation. 20 3. The certificated employee and superintendent are entitled to be 21 heard, to be represented by counsel and to call witnesses in their behalf. 22 4. The hearing officer or person serving as chairman of the hearing 23 commission shall be reimbursed reasonable actual expenses and is 24 entitled to receive a salary of not more than \$150 per day for actual 25 time served. 26 5. If requested by the hearing officer [,] or hearing commission, an 27 official transcript shall be made. 28 [5.] 6. The board and the certificated employee [shall be] are 29 equally responsible for the expense and salary of the hearing officer or 30 chairman of the hearing commission and the official transcript. [when 31 requested by the hearing officer. 32 6.] 7. The [appointed] commission members [shall] appointed 33 respectively by the board and the certificated employee do not forfeit 34 any salary or employment benefits for performing their duties as com- 35 mission members. 36 [7.] 8. The state board of education shall develop a set of uniform 37 standards and procedures to be used in such a hearing. The technical 38 rules of evidence [shall] do not apply.</p>		<p>(39) USE SB 25 LANGUAGE IN LIEU OF AB 118</p>
<p>(40)</p>		<p>391.3193</p> <p>39 SEC. 142. NRS 391.3193 is hereby amended to read as follows: 40 391.3193 1. Except as provided in subsection 3, within 30 days 41 from the time of the designation, the hearing officer or hearing com- 42 mission shall complete the hearing and shall prepare and file a written 43 report with the superintendent and the certificated employee involved. 44 2. The report shall contain an outline of the scope of the hearing, 45 findings of fact and conclusions of law, and recommend a course of 46 action to be taken by the board. 47 3. If it appears that the report cannot be prepared within 30 days, 48 the certificated employee and the superintendent shall be so notified prior 49 to the end of such period, and the hearing officer or hearing commission</p>		<p>(40) INSERT LINE 39 PAGE 48 THROUGH LINE 50 PAGE 50</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 49 391.3193 (continued)</p> <p>1 may take the time necessary not exceeding 40 days from the time of 2 the designation to file the written report and recommendation. 3 4. The certificated employee and the superintendent or his designee 4 may mutually agree to waive any of the time limits applicable to the 5 hearing procedure. [under NRS 391.311 to 391.3196, inclusive.]</p> <p>391.3194</p> <p>6 Sec. 143. NRS 391.3194 is hereby amended to read as follows: 7 391.3194 1. Within 5 days after the superintendent receives the 8 report of the hearing officer or hearing commission, he shall either 9 withdraw the recommendation to demote, dismiss or not reemploy the 10 certificated employee or file his recommendation with the board. 11 2. At the next regular board meeting after the receipt of the recom- 12 mendation of the superintendent, the board shall either accept or reject 13 the hearing officer's or hearing commission's recommendation and 14 notify the [teacher] certificated employee in writing of its decision. 15 3. The board may, prior to making a decision, refer the report 16 back to the hearing officer or hearing commission for further evidence 17 and recommendations. The hearing officer or hearing commission shall 18 have 15 days to complete the report and file it with the board and mail 19 a copy to the superintendent and certificated employee. 20 4. The certificated employee or board may appeal the decision to 21 a district court within the time limits and [as provided in chapter 233B 22 of NRS.] in the manner provided by law for appeals of administrative 23 decisions of state agencies.</p> <p>391.3196</p> <p>24 Sec. 144. NRS 391.3196 is hereby amended to read as follows: 25 391.3196 1. On or before April 1 of each year, the board of trustees 26 shall notify certificated employees [.] in their employ, in writing, by 27 certified mail or by delivery of [a certificated] the employee's contract, 28 [to the certificated employees in their employ.] concerning their reem- 29 ployment for the ensuing year. If the board, or the person designated by 30 it, fails to notify a certificated employee who has been employed by a 31 school district of his status for the ensuing year, the employee shall be 32 deemed to be reemployed for the ensuing year. 33 2. This section does not apply to any certificated employee who has 34 been recommended to be demoted, dismissed or not reemployed if such 35 proceedings have commenced and no final decision has been made by the 36 board. 37 3. Any certificated employee who is reemployed pursuant to subsec- 38 tion 1 shall by April 10 notify the board of trustees in writing of his 39 acceptance of employment. Failure on the part of the employee to notify 40 the board of acceptance within the specified time limit [shall be] is 41 conclusive evidence of the employee's rejection of the contract.</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 49 391.3196 (continued)</p> <p>42 4. If the certificated employees are represented by a recognized 43 employee organization [pursuant to chapter 288 of NRS.] and negotia- 44 tion has been commenced pursuant to NRS 288.180, then the provisions 45 of subsections 1, 2 and 3 [shall] do not apply except for nonemploy- 46 ment procedures and prior to April 10 of each year the employees shall 47 notify the board in writing, on forms provided by the board, of their 48 intention to accept reemployment. Any agreement negotiated by the 49 recognized employee organization and the board [shall become] 50 becomes a part of the contract of employment between the board and</p> <p>PAGE 50 391.3196 (continued)</p> <p>1 the employee. The board of trustees shall mail contracts, by certified 2 mail with return receipts requested, to each employee to be reemployed 3 at his last-known address or shall deliver such contract in person to each 4 employee, obtaining a receipt therefor. Failure on the part of the 5 employee to notify the board of acceptance within 10 days after receipt 6 of such contract [shall be] is conclusive evidence of the employee's 7 rejection of the contract.</p> <p>391.320</p> <p>8 SEC. 145. NRS 391.320 is hereby amended to read as follows: 9 391.320 1. The state board of education may suspend or revoke 10 the certificate [or diploma] of any teacher for any cause specified by law. 11 2. The superintendent of public instruction may suspend, after 10 12 days' notice and a hearing, the certificate of any teacher for any of the 13 causes for which a certificate may be revoked by the state board.</p> <p>391.330</p> <p>14 SEC. 146. NRS 391.330 is hereby amended to read as follows: 15 391.330 The state board of education may suspended or revoke any 16 [state diploma or any] state certificate of any teacher or administrator, 17 after notice and an opportunity for hearing before the state board, [of 18 education,] for: 19 1. Immoral or unprofessional conduct. 20 2. Evident unfitness for service. 21 3. Physical or mental incapacity which renders such teacher or 22 administrator unfit for service. 23 4. Conviction of a felony or crime involving moral turpitude. 24 5. Conviction of a sex offense under NRS 200.366, 200.368, 201.- 25 190, 201.220, 201.230 or 207.260 in which a student enrolled in a 26 school of a Nevada public school district was the victim. 27 6. Knowingly advocating the overthrow of the Federal Government 28 or the State of Nevada by force, violence or unlawful means. 29 7. Persistent defiance of or refusal to obey the [rules and] regula- 30 tions of the state board of education, or the [rules and] regulations of 31 the superintendent of public instruction, defining and governing the 32 duties of teachers and administrators.</p>		

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 24 391.355</p> <p>29 SEC. 66. NRS 391.355 is hereby amended to read as follows: 30 391.355 1. The state board of education, with the assistance of the 31 attorney general, shall develop and the board shall adopt rules of pro- 32 cedure for the conduct of hearings involving suspension or revocation 33 of teachers' or administrators' certificates, [which shall be adopted and 34 promulgated by the state board of education.] 35 2. The rules of procedure [shall] must provide for boards of trustees 36 of school districts or the superintendent of public instruction or his 37 designee to bring charges, when cause exists. 38 3. The state board of education may issue subpoenas to compel the 39 attendance of witnesses and the production of books, records, documents 40 or other pertinent information to be used as evidence in hearings for 41 suspension or revocation of teachers' or administrators' certificates. 42 4. A hearing officer, qualified under NRS 391.3161 and selected 43 according to the provisions of NRS 391.3191 and 391.31915 shall con- 44 duct the hearing and report findings of fact and conclusions of law, 45 along with recommendations, to the state board of education. The state 46 board may accept or reject the recommendations or refer the report 47 [back] to the hearing officer for further evidence and recommendation, 48 and shall notify the teacher or administrator in writing of its decision.</p>	<p>(41)</p>	<p>PAGE 50 391.350</p> <p>33 SEC. 147. NRS 391.350 is hereby amended to read as follows: 34 391.350 1. [If any] Any teacher or other certificated employee 35 employed by any board of trustees of a school district for a specified 36 time who fails to comply with the provisions of his contract without the 37 written consent of the board of trustees [, the teacher] is guilty of 38 unprofessional conduct. If [such teacher's] the failure to comply with 39 the provisions of [his] the contract is the result of [his] the having 40 subsequently executed an employment contract with another board of 41 trustees of a school district in this state without the written consent of 42 the board of trustees first employing him, the second such contract is 43 void. 44 2. Upon receiving formal complaint from the board of trustees, 45 substantiated by conclusive evidence of such failure, the state board of 46 education may suspend or revoke the certificate of the teacher after 47 notice and opportunity for a hearing. 48 3. [State] The superintendent of public instruction shall notify 49 state education agencies in other states [shall be notified] of any revo- 50 cation for the reasons set forth in this section.</p> <p>PAGE 51 391.355</p> <p>1 SEC. 148. NRS 391.355 is hereby amended to read as follows: 2 391.355 1. The state board of education, with the assistance of the 3 attorney general, shall develop and the board shall adopt rules of proce- 4 dure for the conduct of hearings involving suspension or revocation of 5 [teachers' or administrators' certificates, which shall be adopted and 6 promulgated by the state board of education.] certificates of teachers, 7 administrators and other educational personnel. 8 2. The rules of procedure [shall] must provide for boards of trustees 9 of school districts or the superintendent of public instruction or his 10 designee to bring charges, when cause exists. 11 3. The state board of education may issue subpoenas to compel the 12 attendance of witnesses and the production of books, records, documents 13 or other pertinent information to be used as evidence in hearings for 14 suspension or revocation of [teachers' or administrators'] certificates. 15 4. A hearing officer, qualified under NRS 391.3161 and selected 16 according to the provisions of NRS 391.3191 and 391.31915 shall con- 17 duct the hearing and report findings of fact and conclusions of law, along 18 with recommendations, to the state board of education. The state board 19 may accept or reject the recommendations or refer the report [back] 20 to the hearing officer for further evidence and recommendation, and 21 shall notify the teacher, [or] administrator or other certificated person 22 in writing of its decision.</p>	<p>(41)</p>	<p>(41) USE SB 25 LANGUAGE IN LIEU OF AB 118</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 25 392.010</p> <p>1 Sec. 67. NRS 392.010 is hereby amended to read as follows: 2 392.010 1. The board of trustees of any school district may, with 3 the approval of the [state department of education:] superintendent of 4 public instruction: 5 (a) Admit to the school or schools of the school district any pupil or 6 pupils living in an adjoining school district within this state or in an 7 adjoining state when the school district of residence in the adjoining state 8 adjoins the receiving Nevada school district; or 9 (b) Pay tuition for pupils residing in the school district but who attend 10 school in an adjoining school district within this state or in an adjoining 11 state when the receiving district in the adjoining state adjoins the school 12 district of Nevada residence. 13 2. With the approval of the [state department of education] super- 14 intendent of public instruction an agreement shall be entered into between 15 the board of trustees of the school district in which the pupil or pupils 16 reside and the board of trustees of the school district in which the pupil 17 or pupils attend school, providing for the payment of such tuition as may 18 be agreed upon, but transportation costs [shall] must be paid by the 19 board of trustees of the school district in which the pupil or pupils reside: 20 (a) If any are incurred in transporting a pupil or pupils to an adjoining 21 school district within the state; and 22 (b) If any are incurred in transporting a pupil or pupils to an adjoining 23 state, subject to the provisions of NRS 392.350. 24 3. In addition to the provisions for the payment of tuition and trans- 25 portation costs for pupils admitted to an adjoining school district as 26 provided in subsection 2, the agreement may contain provisions for the 27 payment of reasonable amounts of money to defray the cost of operation, 28 maintenance and depreciation of capital improvements which can be 29 allocated to such pupils.</p>		<p>PAGE 51 392.010</p> <p>23 Sec. 149. NRS 392.010 is hereby amended to read as follows: 24 392.010 1. The board of trustees of any school district may, with 25 the approval of the [state department of education:] superintendent of 26 public instruction: 27 (a) Admit to the school or schools of the school district any pupil or 28 pupils living in an adjoining school district within this state or in an 29 adjoining state when the school district of residence in the adjoining 30 state adjoins the receiving Nevada school district; or 31 (b) Pay tuition for pupils residing in the school district but who 32 attend school in an adjoining school district within this state or in an 33 adjoining state when the receiving district in the adjoining state adjoins 34 the school district of Nevada residence. 35 2. With the approval of the [state department of education] super- 36 intendent of public instruction an agreement shall be entered into 37 between the board of trustees of the school district in which the pupil or 38 pupils reside and the board of trustees of the school district in which 39 the pupil or pupils attend school, providing for the payment of such 40 tuition as may be agreed upon, but transportation costs [shall] must be 41 paid by the board of trustees of the school district in which the pupil 42 or pupils reside: 43 (a) If any are incurred in transporting a pupil or pupils to an adjoining 44 school district within the state; and 45 (b) If any are incurred in transporting a pupil or pupils to an adjoining 46 state, [subject to the provisions of NRS 392.350.] as provided by 47 the agreement. 48 3. In addition to the provisions for the payment of tuition and 49 transportation costs for pupils admitted to an adjoining school district 50 as provided in subsection 2, the agreement may contain provisions for</p> <p>PAGE 51 392.010 (continued):</p> <p>1 the payment of reasonable amounts of money to defray the cost of 2 operation, maintenance and depreciation of capital improvements which 3 can be allocated to such pupils.</p>		<p>NOTE: THE COMMITTEE WILL NEED TO DETERMINE WHETHER OR NOT THE REFERENCE TO NRS 392.350 NEEDS TO BE REMOVED</p>
<p>392.080</p> <p>30 Sec. 68. NRS 392.080 is hereby amended to read as follows: 31 392.080 Attendance required by the provisions of NRS 392.040 32 shall be excused when the [state department of education] superin- 33 tendent of public instruction has determined that the child's residence is 34 located at such distance from the nearest public school as to render 35 attendance unsafe or impractical, and the child's parent or guardian 36 has notified the board of trustees to that effect in writing.</p>		<p>392.080</p> <p>4 Sec. 150. NRS 392.080 is hereby amended to read as follows: 5 392.080 Attendance required by the provisions of NRS 392.040 6 shall be excused when the [state department of education] superin- 7 tendent of public instruction has determined that the child's residence 8 is located at such distance from the nearest public school as to render 9 attendance unsafe or impractical, and the child's parent or guardian 10 has notified the board of trustees to that effect in writing.</p>		<p>EXHIBIT C</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE COMMENTS
<p>(42)</p>		<p>PAGE 52 392.110</p> <p>11 Sec. 151. NRS 392.110 is hereby amended to read as follows: 12 392.110 1. Any [student] child between the ages of 14 and 17 13 years who has completed the work of the first eight grades may be 14 excused from full-time school attendance and may be permitted to enter 15 proper employment or apprenticeship, by the written authority of the 16 board of trustees excusing the [student] child from such attendance. 17 The board's written authority shall state the reason or reasons for such 18 excuse. 19 2. In all such cases no employer or other person shall employ or 20 contract for the services or time of such [student] child until the [stu- 21 dent] child presents a written permit therefor from the attendance 22 officer or board of trustees. The permit shall be kept on file by the 23 employer, and upon the termination of employment shall be returned 24 by the employer to the board of trustees or other authority issuing it.</p> <p>392.160</p> <p>25 Sec. 152. NRS 392.160 is hereby amended to read as follows: 26 392.160 1. Any peace officer, the attendance officer, or any other 27 school officer shall, during school hours, arrest without warrant any 28 child between the ages of 7 and 17 years who has been reported to him 29 by the teacher, superintendent of schools or other school officer as an 30 absentee from instruction upon which he is lawfully required to attend. 31 2. During school hours, the arresting officer shall forthwith deliver 32 the child arrested to the [teacher.] superintendent of schools, principal 33 or other school officer at the child's school of attendance. After school 34 hours, he shall deliver the child to the parent, guardian or other person 35 having control or charge of the child.</p> <p>392.300</p> <p>36 Sec. 153. NRS 392.300 is hereby amended to read as follows: 37 392.300 1. As provided in this Title, [of NRS.] the board of 38 trustees of any school district may, in its complete discretion, furnish 39 transportation for all resident children of school age in the school 40 district attending public school [:], including pupils assigned to special 41 schools or programs for handicapped minors: 42 (a) Who are not excused from school attendance by the provisions 43 of this Title; [of NRS;] and 44 (b) Who reside within the school district at such a distance from 45 the school as to make transportation necessary and desirable. 46 2. The board of trustees may: 47 (a) Establish bus routes. 48 (b) Make regulations governing the conduct of pupils while being 49 transported. 50 (c) For the safety of pupils being transported, govern the conduct of PAGE 53 392.300 Continued 1 drivers by making and enforcing regulations not inconsistent with regu- 2 lations [made by] of the state board of education or with law.</p>	<p>(42) INSERT LINE 11 PAGE 52 THROUGH LINE 3 PAGE 53</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 25 392.320</p> <p>37 Sec. 69. NRS 392.320 is hereby amended to read as follows: 38 392.320 1. As used in this section, "vehicles" means the school 39 buses, station wagons, automobiles and other motor or mechanically 40 propelled vehicles [or either or any of them,] required by the school 41 district for the transportation of pupils. 42 2. The board of trustees of a school district shall use transportation 43 funds of the school district for: 44 (a) The purchase, rent, hire and use of vehicles, and for necessary 45 equipment, supplies and articles therefor. 46 (b) Necessary repairs of vehicles to keep them in safe and workable 47 condition. 48 (c) The employment and compensation of capable and reliable 49 drivers of vehicles and other employees necessary for the transportation 50 of pupils and other authorized persons.</p>		<p>PAGE 53 392.320</p> <p>3 Sec. 154. NRS 392.320 is hereby amended to read as follows: 4 392.320 1. As used in this section, "vehicles" means the school 5 buses, station wagons, automobiles and other motor or mechanically 6 propelled vehicles [or either or any of them,] required by the school 7 district for the transportation of pupils. 8 2. The board of trustees of a school district shall use transportation 9 funds of the school district for: 10 (a) The purchase, rent, hire and use of vehicles, and for necessary 11 equipment, supplies and articles therefor. 12 (b) Necessary repairs of vehicles to keep them in safe and workable 13 condition. 14 (c) The employment and compensation of capable and reliable driv- 15 ers of vehicles and other employees necessary for the transportation of 16 pupils and other authorized persons. 17 (d) Insuring vehicles owned, rented, hired, used or operated by or 18 under the direction or supervision of the board of trustees. Such insur- 19 ance shall: 20 (1) Be of such an amount as the board of trustees may be able to 21 obtain and [which] the regulations of the state board of education [may 22 deem] require as sufficient to protect the board of trustees, the pupils 23 being transported, and their parents, guardians or legal representatives 24 from loss or damage resulting from acts covered by the insurance. 25 (2) Especially insure against loss and damage resulting from or on 26 account of injury or death of any pupil being transported, caused by 27 collision or any accident during the operation of any such vehicle.</p>		
<p>PAGE 26 392.320 (continued)</p> <p>1 (d) Insuring vehicles owned, rented, hired, used or operated by or 2 under the direction or supervision of the board of trustees. Such insur- 3 ance shall: 4 (1) Be of such an amount as the board of trustees may be able to 5 obtain and [which] the regulations of the state board of education [may 6 deem] require as sufficient to protect the board of trustees, the pupils 7 being transported, and their parents, guardians or legal representatives 8 from loss or damage resulting from acts covered by the insurance. 9 (2) Especially insure against loss and damage resulting from or on 10 account of injury or death of any pupil being transported, caused by 11 collision or any accident during the operation of any such vehicle.</p>		<p>392.330</p> <p>28 Sec. 155. NRS 392.330 is hereby amended to read as follows: 29 392.330 1. In addition to the purposes authorized by NRS 392.320, 30 a board of trustees may use transportation funds of the school district 31 for arranging and paying for transportation by motor vehicles or other- 32 wise, by contract or such other arrangement as the board [shall find] 33 finds most economical, expedient and feasible and for the best interests 34 of the school district. 35 2. Such transportation may be arranged and contracted for by 36 a board of trustees with: 37 (a) Any railroad company, bus company, or other licensed common 38 carrier holding a certificate of public convenience and necessity issued 39 by the public service commission of Nevada. 40 (b) The owners and operators of private automobiles or other 41 private motor vehicles, including parents of pupils who attend school 42 and are entitled to transportation. When required by the board of 43 trustees, every such private automobile or other private motor vehicle 44 regularly transporting pupils shall be insured in the amount required by 45 regulation of the state board of education against the loss and damage 46 described in subsection 2 of NRS 392.320.</p>		<p>(43) INSERT LINE 28 PAGE 53 THROUGH LINE 3 PAGE 54</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 26 392.350</p> <p>12 SEC. 70. NRS 392.350 is hereby amended to read as follows: 13 392.350 1. When the daily transportation of a pupil is not practical 14 or economical, the board of trustees, in lieu of furnishing transportation, 15 may pay to the parents or guardian of the pupil an amount of money not 16 to exceed \$6 per school attendance day to assist the parents or guardian 17 in defraying the cost of board, lodging and subsistence of the pupil 18 in a city or town, having a public school, in this state or in an adjoining 19 state. If such public school is in an adjoining county, or in an adjoining 20 state, costs for tuition and transportation or for tuition and subsistence 21 may be fixed by agreement between the boards of trustees of the school 22 district in which the pupil resides and the school district in which the 23 pupil attends school. 24 2. Payment of money in lieu of furnishing transportation may be 25 made only if: 26 (a) The guardian or parents have been residents in the area for a 27 period of time set by the board of trustees; and 28 (b) The [state department of education approves.] superintendent of 29 public instruction determines that the arrangements comply with regula- 30 tions of the state board of education.</p>		<p>PAGE 53 392.340</p> <p>47 SEC. 156. NRS 392.340 is hereby amended to read as follows: 48 392.340 Nothing in [NRS 392.320 and 392.330 shall be construed 49 to admit or assume] this chapter admits or assumes any tort liability 50 to any pupil or the parent or guardian thereof for injury or death</p> <p>PAGE 54 392.340 (continued.) 1 resulting from transportation furnished such pupil [under the provisions 2 of NRS 392.300 to 392.410, inclusive.] by the board of trustees of a 3 school district, unless such liability is specifically assumed by law.</p> <p>392.350</p> <p>4 SEC. 157. NRS 392.350 is hereby amended to read as follows: 5 392.350 1. When the daily transportation of a pupil is not practical 6 or economical, the board of trustees, in lieu of furnishing trans- 7 portation, may pay to the parent or guardian of the pupil an amount 8 of money not to exceed \$6 per school attendance day to assist the 9 parents or guardian in defraying the cost of board, lodging and other 10 subsistence expenses of the pupil in a city or town, having a public 11 school, in this state or in an adjoining state. If such public school is in 12 an adjoining county, or in an adjoining state, costs [for tuition and 13 transportation or] for tuition and subsistence [may] shall be fixed by 14 agreement between the boards of trustees of the school district in 15 which the pupil resides and the school district in which the pupil 16 attends school. 17 2. Payment of money in lieu of furnishing transportation may be 18 made only if: 19 (a) The guardian or parents have been residents in the area for a 20 period of time set by the board of trustees; and 21 (b) The [state department of education approves.] superintendent 22 of public instruction determines that the arrangements comply with 23 regulations of the state board of education.</p> <p>392.370</p> <p>24 SEC. 158. NRS 392.370 is hereby amended to read as follows: 25 392.370 A board of trustees of a school district [shall have the 26 power to] may authorize the use of school buses to transport teachers, 27 school administrators and other school employees to educational con- 28 ferences [authorized] convened by the state board of education.</p>		<p>NOTE: THE COMMITTEE WILL NEED TO DETERMINE WHICH LANGUAGE TO USE</p> <p>INSERT LINE 24 PAGE 54 THROUGH LINE 19 PAGE 56</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 54 392.380</p> <p>29 Sec. 159. NRS 392.380 is hereby amended to read as follows: 30 392.380 1. No person may be employed by a board of trustees of 31 a school district as a driver of a school bus, station wagon, automobile 32 or other motor vehicle, or mechanically or self-propelled vehicle of 33 any kind which transports pupils to and from school or any other place 34 in connection with school activities unless: 35 (a) He is of good, reputable and sober character. 36 (b) He is competent and qualified by experience and disposition to 37 operate the particular type of vehicle in a safe and dependable manner. 38 (c) He is licensed under the laws of this state to operate the particu- 39 lar type of vehicle. 40 2. A board of trustees may employ a pupil attending a school under 41 the supervision of the board as a driver when he possesses the qualifica- 42 tions stated in subsection 1 and his guardian or parents first consent to 43 his employment. The board of trustees may arrange or contract, in 44 writing, with the pupil, and with his parents or guardian [of the pupil] 45 if he is under the age of 18 years, for his services as a driver upon such 46 terms, conditions and provisions and for such compensation as the board 47 deems most economical and for the best interests of the school district, 48 pupils and other persons.</p> <p>392.465</p> <p>49 Sec. 160. NRS 392.465 is hereby amended to read as follows: 50 392.465 1. The legislature declares:</p> <p>PAGE 55 392.465</p> <p>1 (a) That the use of corporal punishment is to be discouraged in the 2 public schools, and only after all other methods of discipline have proven 3 ineffective should a pupil be administered corporal punishment. 4 (b) That judgment and discretion are to be used in all punishment, 5 corporal and otherwise, and maximum use should be made of available 6 school counseling and psychological services. 7 2. Subject to the limitations contained in this section, the board of 8 trustees of every school district shall adopt [rules and] regulations 9 authorizing teachers, principals and other certificated personnel to 10 administer reasonable corporal or other punishment to pupils when such 11 action is deemed an appropriate corrective measure. 12 3. Parents and guardians shall be notified before, or as soon as 13 possible after, corporal punishment is administered. 14 4. No corporal punishment [shall] may be administered on or 15 about the head or face of any pupil, but this limitation shall not prohibit 16 any teacher, principal or other certificated person from defending him- 17 self if attacked by a pupil. 18 5. Nothing contained in this section shall be construed or inter- 19 preted to indicate that the teachers, principals and other certificated 20 personnel have not heretofore had the authority and the right to adminis- 21 ter reasonable corporal or other punishment to pupils.</p>		

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
		<p>PAGE 55 392-480</p> <p>22 Sec. 161. NRS 392.480 is hereby amended to read as follows: 23 392.480 1. It is unlawful for any person to disturb the peace of 24 any public school by using vile or indecent language, or by threatening 25 or assaulting any pupil or teacher within the building or grounds of 26 the school. For the purposes of this subsection, the grounds of every 27 public school shall extend to a distance of 50 yards in all directions 28 from the school building. Any person who violates any of the provisions 29 of this subsection shall be guilty of a misdemeanor. 30 2. It is unlawful for any person maliciously and purposely in any 31 manner to interfere with or disturb any persons peaceably assembled 32 within a public schoolhouse [.] for school district purposes. Any person 33 who violates any of the provisions of this subsection shall be guilty of a 34 misdemeanor.</p> <p>393.020</p> <p>35 Sec. 162. NRS 393.020 is hereby amended to read as follows: 36 393.020 1. The board of trustees of a school district [shall have 37 the power to] may insure for a reasonable amount the schoolhouses, 38 furniture and school apparatus with some company authorized by law 39 to transact business in the State of Nevada, and [to] may comply with 40 the conditions of the insurance policies. 41 2. [Any] Except as provided in subsection 3, any money received 42 by a school district from insurance as payment for property loss shall 43 be deposited with the county treasurer in a special fund to the credit 44 of the school district, and may be expended in the manner provided 45 by law for the repair, rebuilding or replacement of the property 46 damaged or destroyed, without special budget provisions for such 47 expenditure. [or, if such] 48 3. If the repair, rebuilding or replacement of the property damaged 49 or destroyed is not in the best interest of the district, as determined by 50 the board of trustees, [such moneys] the insurance proceeds may be</p> <p>PAGE 56 393.020 (continued)</p> <p>1 transferred from [such] the special fund to the school district build- 2 ings and sites fund. This [section] subsection does not apply where, 3 in order to obtain the maximum insurance proceeds, the insurance 4 contract requires that the school improvement be reconstructed on the 5 same site.</p>		

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 26 393.100</p>	<p>31 Sec. 71. NRS 393.100 is hereby amended to read as follows: 32 393.100 1. The board of trustees of a school district shall keep the 33 public school buildings, teacherages, dormitories, dining halls, gymna- 34 siums, stadiums and all other buildings in its charge in such repair as 35 is necessary for the comfort and health of pupils and teachers. 36 2. If the board of trustees neglects to make necessary repairs, the 37 state [department] board of education [shall] may direct that the 38 superintendent of public instruction cause necessary repairs, not to exceed 39 \$500, to be made, and shall pay for the same by drawing its order upon 40 the county auditor on the funds of the school district. The county auditor 41 shall draw his warrant upon the county treasurer in payment of the order.</p>	<p>PAGE 56 393.0711</p> <p>6 Sec. 163. NRS 393.0711 is hereby amended to read as follows: 7 393.0711 No such use [shall] may be inconsistent with or inter- 8 fere with the use and occupancy of the buildings or grounds for school 9 purposes. [or interfere with the regular conduct of school work.]</p> <p>393.0717</p> <p>10 Sec. 164. NRS 393.0717 is hereby amended to read as follows: 11 393.0717 1. The board of trustees of the school district shall make 12 all necessary [rules and] regulations for the [conduct of] use of school 13 buildings and grounds for civic meetings [, for such] and recreational 14 activities. [as are provided for in NRS 393.071 to 393.0719, inclusive,] 15 and for the aid, assistance and encouragement of [such] recreational 16 activities. 17 2. The use of any school buildings or grounds for any meeting or 18 recreational activity is subject to such reasonable regulations as the 19 board of trustees prescribes.</p> <p>393.100</p> <p>20 Sec. 165. NRS 393.100 is hereby amended to read as follows: 21 393.100 [1.] The board of trustees of a school district shall keep 22 the public school buildings, teacherages, dormitories, dining halls, gym- 23 nasiums, stadiums and all other buildings in its charge in such repair as 24 is necessary for the comfort and health of pupils and teachers. 25 [2. If the board of trustees neglects to make necessary repairs, the 26 state department of education shall cause necessary repairs, not to exceed 27 \$500, to be made, and shall pay for the same by drawing its order upon 28 the county auditor on the funds of the school district. The county auditor 29 shall draw his warrant upon the county treasurer in payment of the 30 order.]</p> <p>393.130</p> <p>31 Sec. 166. NRS 393.130 is hereby amended to read as follows: 32 393.130 [Alter] When the board of trustees of a school district 33 has twice followed the procedure for notice calling for bids [,] for the 34 construction, repair or alteration of or an addition to a school building, 35 as provided in chapter 332 of NRS, [has twice been followed,] if no 36 satisfactory bid is received, the board [of trustees] may receive pro- 37 posals, and enter into a contract on the basis of such proposals. [for the 38 construction or repair of, alteration of or addition to the school building] 39 on a cost-plus-a-fee basis, without further notice calling for bids.</p>	<p>(45) INSERT LINES 31- 48 PAGE 56</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">EXHIBIT C</p>	

(45)

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 26 393.200</p> <p>42 Sec. 72. NRS 393.200 is hereby amended to read as follows: 43 393.200 1. The board of trustees of a school district shall provide 44 a suitable flag of the United States for each schoolhouse in the school 45 district. The flag shall be hoisted on the schoolhouse or flagpole on all 46 days when school is in session. 47 2. The board of trustees [is authorized and directed to] shall cause 48 the flags to be paid for out of any school money in the school district 49 fund. 50 3. If the board of trustees of a school district [shall fail or neglect]</p> <p>PAGE 27 393.200 (continued)</p> <p>1 fails or neglects to provide a flag, the state [department] board of educa- 2 tion [shall] may direct that the superintendent of public instruction pro- 3 vide the school with a flag and [shall] cause the same to be installed 4 upon the schoolhouse or flagpole provided therefor, and shall pay the 5 expenses therefor by drawing its order upon the county auditor. The 6 county auditor shall draw his warrant upon the county treasurer in pay- 7 ment of the order.</p>		<p>PAGE 56 393.155</p> <p>40 Sec. 167. NRS 393.155 is hereby amended to read as follows: 41 393.155 [Notwithstanding the provisions of any other law, on or 42 after July 1, 1967,] The board of trustees of any school district in this 43 state may expend [moneys] money available for school construction 44 to make necessary improvements, including [but not limited to] without 45 limitation sidewalks, curbs; gutters, street lights, fire hydrants, water 46 and sewer lines, street paving and drainage for flood control, which are 47 not located [off the premises] on the property of the school district but 48 are necessary or appropriate to the school construction undertaken.</p> <p>393.200</p> <p>49 Sec. 168. NRS 393.200 is hereby amended to read as follows: 50 393.200 [1.] The board of trustees of a school district shall provide</p> <p>PAGE 57 393.200 (continued)</p> <p>1 a suitable flag of the United States for each schoolhouse in the school 2 district. The flag shall be hoisted on the schoolhouse or flagpole on all 3 days when school is in session. 4 [2. The board of trustees is authorized and directed to cause the 5 flags to be paid for out of any school money in the school district fund. 6 3. If the board of trustees of a school district shall fail or neglect 7 to provide a flag, the state department of education shall provide the 8 school with a flag and shall cause the same to be installed upon the 9 schoolhouse or flagpole provided therefor, and shall pay the expenses 10 therefor by drawing its order upon the county auditor. The county 11 auditor shall draw his warrant upon the county treasurer in payment of 12 the order.]</p>		<p>THE COMMITTEE WILL NEED TO DECIDE WHICH BILL LANGUAGE TO USE</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p style="text-align: center;">(46)</p> <p>Page 27 393.240</p> <p>8 Sec. 73. NRS 393.240 is hereby amended to read as follows: 9 393.240 1. Except as provided in subsection 5 and NRS 393.3251, 10 to 393.3255, inclusive, when the board of trustees proposes to sell or 11 lease any real property, the board shall appoint one appraiser. A second 12 appraiser shall be appointed by the [state department of education.] 13 superintendent of public instruction. 14 2. The appraisers shall make a report to the board of trustees of</p>		<p>Page 57 393.210</p> <p>13 Sec. 169. NRS 393.210 is hereby amended to read as follows: 14 393.210 1. All public printing required by the various school dis- 15 tricts of this state shall be placed with some bona fide newspaper or 16 bona fide commercial printing establishment within the school district 17 requiring the [same; but if there is no] printing, if such a newspaper or 18 printing establishment exists within the district. 19 2. If one or more bona fide [newspaper] newspapers or bona fide 20 commercial printing [establishment] establishments exist within the 21 school district but none is adequately equipped to do such printing, then 22 the printing so required shall be placed through [the] a local bona fide 23 newspaper or bona fide commercial printing establishment. 24 [2. Nothing in this section shall be construed as requiring] This 25 subsection does not require school districts to pay to the local bona fide 26 newspaper or bona fide commercial printing establishment any com- 27 mission on such printing, but the commission must be paid by the print- 28 ing establishment doing the printing. 29 3. [Except as otherwise authorized in subsection 5, printing] 30 Printing required by school districts shall be done within the state [.] 31 except that school district bonds and other evidences of indebtedness 32 may be printed outside the state. 33 4. [The provisions of this section are contingent upon] Printing is 34 required to be placed as provided in this section only if satisfactory serv- 35 ices [being] are rendered by all such printing establishments and rea- 36 sonable charges are made therefor. Reasonable charges [shall mean a 37 charge] are charges not in excess of the amount necessary to be paid 38 for similar work in other printing establishments. 39 [5. Nothing in this section shall be construed as prohibiting the 40 printing of school district bonds and other evidences of indebtedness 41 outside the state.]</p> <p>393.240</p> <p>42 Sec. 170. NRS 393.240 is hereby amended to read as follows: 43 393.240 1. Except as provided in subsection 5 and NRS 393.3251 44 to 393.3255, inclusive, when the board of trustees proposes to sell or 45 lease any real property, the board shall appoint one appraiser. A second 46 appraiser shall be appointed by the [state department of education.] 47 superintendent of public instruction. 48 2. The appraisers shall make a report to the board of trustees of</p>		<p>(46) INSERT LINES 13- 41 PAGE 57</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 27 393.240 (continued)</p>		<p>PAGE 58 393.240 (continued)</p>		
<p>15 their findings and determinations of the cash market value of the property 16 proposed to be sold, or the rental value of the property proposed to be 17 leased.</p>		<p>1 their findings and determinations of the cash market value of the prop- 2 erty proposed to be sold, or the rental value of the property proposed to 3 be leased.</p>		
<p>18 3. No sale or lease of real property shall be made for less than 19 the value fixed by the appraisers.</p>		<p>4 3. No sale or lease of real property shall be made for less than the 5 value fixed by the appraisers.</p>		
<p>20 4. The compensation of the appraisers shall be fixed by the board 21 of trustees, and shall be a legal charge against the school district fund.</p>		<p>6 4. The compensation of the appraisers shall be fixed by the board 7 of trustees, and shall be a legal charge against the school district fund.</p>		
<p>22 5. The board of trustees may sell real property without independent 23 appraisal where the property is reasonably determined by the board 24 to have a fair market value of \$5,000 or less.</p>		<p>8 5. The board of trustees may sell real property without independent 9 appraisal where the property is reasonably determined by the board to 10 have a fair market value of \$5,000 or less.</p>		
<p>393.328</p>		<p>393.328</p>		
<p>25 Sec. 74. NRS 393.328 is hereby amended to read as follows:</p>		<p>11 Sec. 171. NRS 393.328 is hereby amended to read as follows:</p>		
<p>26 393.328 1. When the board of trustees proposes to exchange real 27 property, the board shall appoint one appraiser. The owner of the other 28 real property proposed to be exchanged shall appoint one appraiser. A 29 third appraiser shall be appointed by the [state department of educa- 30 tion.] superintendent of public instruction.</p>		<p>12 393.328 1. When the board of trustees proposes to exchange real 13 property, the board shall appoint one appraiser. The owner of the other 14 real property proposed to be exchanged shall appoint one appraiser. A 15 third appraiser shall be appointed by the [state department of educa- 16 tion.] superintendent of public instruction.</p>		
<p>31 2. The appraisers shall make a report to the board of trustees of 32 their findings and determinations of the cash market value of the real 33 properties proposed to be exchanged.</p>		<p>17 2. The appraisers shall make a report to the board of trustees of 18 their findings and determinations of the cash market value of the real 19 properties proposed to be exchanged.</p>		
<p>34 3. The exchange of real property shall be made only at the values 35 fixed by the appraisers. If the real properties sought to be exchanged 36 are not of equal value, the owner of the parcel of real property of lesser 37 value shall pay in money to the owner of the parcel of real property of 38 greater value the difference.</p>		<p>20 3. The exchange of real property shall be made only at the values 21 fixed by the appraisers. If the real properties sought to be exchanged 22 are not of equal value, the owner of the parcel of real property of lesser 23 value shall pay in money to the owner of the parcel of real property 24 of greater value the difference.</p>		
<p>39 4. The compensation of the appraisers shall be fixed by the board 40 of trustees, and shall be a legal charge against the school district.</p>		<p>25 4. The compensation of the appraisers shall be fixed by the board 26 of trustees, and shall be a legal charge against the school district.</p>		
<p>394.005</p>		<p>394.005 394.057</p>		
<p>41 Sec. 75. Chapter 394 of NRS is hereby amended by adding thereto 42 a new section which shall read as follows:</p>		<p>27 Sec. 172. Chapter 394 of NRS is hereby amended by adding thereto 28 a new section which shall read as follows:</p>		
<p>43 "Superintendent" means the superintendent of public instruction.</p>		<p>29 "Superintendent" means the superintendent of public instruction.</p>		
<p>44 Sec. 76. NRS 394.005 is hereby amended to read as follows:</p>		<p>30 Sec. 173. NRS 394.005 is hereby amended to read as follows:</p>		
<p>45 394.005 As used in this chapter, the words and terms in NRS 394.- 46 005 to 394.103, inclusive, and section 75 of this act, have the meanings 47 ascribed to them in such sections.</p>		<p>31 394.005 As used in this chapter, the words and terms in NRS 32 394.005 to 394.103, inclusive, and section 72 of this act, have the 33 meanings ascribed to them in [such] those sections.</p>		
<p>48</p>		<p>34 Sec. 174. NRS 394.057 is hereby amended to read as follows: 35 394.057 ["Grant"] "Granting" includes awarding, selling, conferring, 36 bestowing or giving.</p>		<p>(47) INSERT LINES 347-36 PAGE 58</p>

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 27 394.160</p>		<p>PAGE 58 394.160</p>		
<p>48 Sec. 77. NRS 394.160 is hereby amended to read as follows: 49 394.160 1. Any person who is charged with the duty, in a private</p>		<p>37 Sec. 175. NRS 394.160 is hereby amended to read as follows: 38 394.160 1. Any person who is charged with the duty, in a private 39 school, college or university in this state, of giving instruction in the 40 Constitution of the United States and the constitution of the State of 41 Nevada [shall be required to] must show, by examination or credentials 42 showing college, university or normal school study, satisfactory evidence 43 of adequate knowledge of the origin, history, provisions and principles 44 of the Constitution of the United States and the constitution of the State of 45 Nevada.</p>		
<p>PAGE 28 394.160 (continued)</p>		<p>46 2. The [state board of education] superintendent may grant a 47 reasonable time for compliance with the terms of this section.</p>		
<p>1 school, college or university in this state, of giving instruction 2 Constitution of the United States and the constitution of the 3 Nevada [shall be required to] must show, by examination or evidence 4 showing college, university or normal school study, satisfactory 5 of adequate knowledge of the origin, history, provisions and principles 6 the Constitution of the United States and the constitution of the State 7 of Nevada. 8 2. The [state board of education] superintendent may grant a 9 reasonable time for compliance with the terms of this section.</p>		<p>394.150 48 Sec. 176. NRS 394.180 is hereby amended to read as follows: 49 394.180 1. It is unlawful for any person:</p>		
<p>(148)</p>		<p>PAGE 59 394.180 (continued)</p>		
		<p>1 (a) Willfully and maliciously to injure, mark or deface any private 2 schoolhouse, its fixtures, books or appurtenances; [or] 3 (b) To commit any nuisance in any private schoolhouse; [or] 4 (c) To loiter on or near the school grounds; [or] 5 (d) Purposely and maliciously to commit any trespass upon the 6 grounds attached to a private schoolhouse, or any fixtures placed 7 thereon, or any enclosure or sidewalk about the same; or 8 (e) In any manner maliciously and purposely to interfere with or 9 disturb any persons peaceably assembled within a private schoolhouse [.] 10 for school purposes. 11 2. Any person violating any of the provisions of subsection 1 [shall 12 be] is guilty of a public offense, as prescribed in NRS 193.155, pro- 13 portionate to the value of the property damaged or destroyed and in 14 no event less than a misdemeanor.</p>		<p>(48) INSERT LINE 48 PAGE 58 THROUGH LINE 36 PAGE 59</p>

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>374.221</p> <p>10 SEC. 78. NRS 394.221 is hereby amended to read as follows:</p> <p>11 394.221 1. The [department, under the direction and control of</p> <p>12 the board, shall administer the provisions] board shall:</p> <p>13 (a) Adopt regulations governing the administration of the Private</p> <p>14 Elementary and Secondary Education Authorization Act. [in addition</p> <p>15 to any other duties prescribed by law.</p> <p>16 2. The department, with the approval of the board, shall:</p> <p>17 (a) (b) Establish minimum criteria, in conformity with NRS 394.-</p> <p>18 241, which applicants for a license or agent's permit [shall] must meet</p> <p>19 before a license or permit is issued. The criteria [shall] must be sufficient</p> <p>20 to effectuate the purposes of the Private Elementary and Secondary</p> <p>21 Education Authorization Act but not unreasonably hinder legitimate</p> <p>22 educational innovation.</p>		<p>PAGE 59</p> <p>394.192</p> <p>15 SEC. 177. NRS 394.192 is hereby amended to read as follows:</p> <p>16 394.192 1. Within 3 months after any child is enrolled in a</p> <p>17 private school within this state for the first time, his parents or guardian</p> <p>18 shall submit to the governing body of such private school a certificate</p> <p>19 or certificates stating that the child has been immunized and has</p> <p>20 received or is in the process of receiving proper boosters for such</p> <p>21 immunization or is in the process of being immunized for the fol-</p> <p>22 lowing diseases:</p> <p>23 (a) Diphtheria;</p> <p>24 (b) Tetanus;</p> <p>25 (c) Pertussis if the child is under 6 years of age;</p> <p>26 (d) Poliomyelitis;</p> <p>27 (e) Rubella; [and]</p> <p>28 (f) Rubeola; and</p> <p>29 (g) Such other diseases as the [board of trustees] local board of</p> <p>30 health or the state board of health may determine.</p> <p>31 2. The certificate or certificates required in subsection 1 [shall]</p> <p>32 must show that such required immunization vaccines and boosters</p> <p>33 were given, and [shall] must bear the signature of the licensed physician</p> <p>34 or registered nurse who administered such vaccines or boosters. If</p> <p>35 records are not available from a licensed physician or registered nurse,</p> <p>36 a sworn statement from the parent or guardian [shall suffice.] suffices.</p> <p>374.221</p> <p>37 SEC. 178. NRS 394.221 is hereby amended to read as follows:</p> <p>38 394.221 1. The [department, under the direction and control of</p> <p>39 the board, shall administer the provisions] board shall:</p> <p>40 (a) Adopt regulations governing the administration of the Private</p> <p>41 Elementary and Secondary Education Authorization Act. [in addition</p> <p>42 to any other duties prescribed by law.</p> <p>43 2. The department, with the approval of the board, shall:</p> <p>44 (a) (b) Establish minimum criteria, in conformity with NRS</p> <p>45 394.241, which applicants for a license or agent's permit [shall] must</p> <p>46 meet before a license or permit is issued. The criteria [shall] must be</p> <p>47 sufficient to effectuate the purposes of the Private Elementary and</p> <p>48 Secondary Education Authorization Act but not unreasonably hinder</p> <p>49 legitimate educational innovation,</p>		

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>Page 28 394.221 (continued)</p>		<p>Page 60 394.221 (continued)</p>		
<p>23 [(b)] 2. The superintendent shall administer the provisions of the 24 Private Elementary and Secondary Education Authorization Act in 25 accordance with the regulations of the board. He shall:</p>		<p>1 [(b)] 2. The superintendent shall administer the provisions of the 2 Private Elementary and Secondary Education Authorization Act in 3 accordance with the regulations of the board. He shall:</p>		
<p>26 (a) Receive, investigate as necessary and act upon applications for 27 licenses and agents' permits.</p>		<p>4 (a) Receive, investigate as necessary and act upon applications for 5 licenses and agents' permits.</p>		
<p>28 [(c)] (b) Maintain a list of agents and private elementary and sec- 29 ondary education institutions authorized to operate in this state. The list 30 shall be available for the information of the public.</p>		<p>6 [(c)] (b) Maintain a list of agents and private elementary and 7 secondary education institutions authorized to operate in this state. The 8 list shall be available for the information of the public.</p>		
<p>31 [(d)] (c) Receive, and maintain as a permanent file, copies of 32 academic records in conformity with NRS 394.341.</p>		<p>9 [(d) Receive, and maintain as a permanent file, copies of academic 10 records in conformity with NRS 394.341.]</p>		
<p>394.231</p>		<p>394.231</p>		
<p>33 Sec. 79. NRS 394.231 is hereby amended to read as follows: 34 394.231 The [department, with the approval of the board,] superin- 35 tendent may:</p>		<p>11 SEC. 179. NRS 394.231 is hereby amended to read as follows: 12 394.231 The [department, with the approval of the board,] super- 13 intendent may:</p>		
<p>36 1. Request from any other department, division, board, bureau, 37 commission or other agency of the state, and the latter agency shall pro- 38 vide, any information which it possesses that will enable the [depart- 39 ment,] superintendent to exercise properly [its] his powers and perform 40 [its] his duties under the Private Elementary and Secondary Education 41 Authorization Act.</p>		<p>14 1. Request from any other department, division, board, bureau, 15 commission or other agency of the state, and the latter agency shall pro- 16 vide, any information which it possesses that will enable the [depart- 17 ment,] superintendent to exercise properly [its] his powers and perform 18 [its] his duties under the Private Elementary and Secondary Education 19 Authorization Act.</p>		
<p>42 2. [Negotiate] With the approval of the board, negotiate and enter 43 into interstate reciprocity agreements with similar agencies in other 44 states, if in [the] his judgment [of the department] such agreements 45 are or will be helpful in effectuating the purposes of the Private Eleme- 46 ntary and Secondary Education Authorization Act, but nothing contained 47 in any such reciprocity agreement may limit the [department's] powers, 48 duties and responsibilities of the superintendent independently to investi- 49 gate or act upon any application for a license to operate or any applica- 50 tion for renewal of a license to operate an elementary or secondary</p>		<p>20 2. [Negotiate] With the approval of the board, negotiate and enter 21 into interstate reciprocity agreements with similar agencies in other 22 states, if in [the] his judgment [of the department] such agreements 23 are or will be helpful in effectuating the purposes of the Private Ele- 24 mentary and Secondary Education Authorization Act, but nothing con- 25 tained in any such reciprocity agreement may limit the [department's] 26 powers, duties and responsibilities of the superintendent independently 27 to investigate or act upon any application for a license to operate or any 28 application for renewal of a license to operate an elementary or second- 29 ary educational institution, or an application for issuance or renewal of 30 any agent's permit, or to enforce any provision of the Private Elementary 31 and Secondary Education Authorization Act, or any regulations promul- 32 gated under it.</p>		
<p>Page 29 394.231 (continued)</p>				
<p>1 educational institution, or an application for issuance or renewal of 2 any agent's permit, or to enforce any provision of the Private Eleme- 3 ntary and Secondary Education Authorization Act, or any regulations 4 promulgated under it.</p>		<p>33 3. Investigate, on [its] his own initiative or in response to any 34 complaint lodged with [it,] him, any person subject to, or reasonably 35 believed by the [department,] superintendent to be subject to, [its] his 36 jurisdiction, and in connection with an investigation:</p>		
<p>5 3. Investigate, on [its] his own initiative or in response to any 6 complaint lodged with [it,] him, any person subject to, or reasonably 7 believed by the [department,] superintendent to be subject to, [its] his 8 jurisdiction, and in connection with an investigation:</p>		<p>37 (a) Subpena any persons, books, records or documents pertaining to 38 the investigation;</p>		
<p>9 (a) Subpena any persons, books, records or documents pertaining to 10 the investigation;</p>		<p>39 (b) Require answers in writing under oath to questions propounded 40 by the [department,] superintendent; and</p>		
<p>11 (b) Require answers in writing under oath to questions propounded 12 by the [department,] superintendent; and</p>				

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
Page 29 394.231 (Continued)		PAGE 60 394.231		
<p>13 (c) Administer an oath or affirmation to any person.</p> <p>14 A subpoena issued by the [department] superintendent may be enforced</p> <p>15 by any district court of this state.</p> <p>16 4. Exercise other powers implied but not enumerated in this section</p> <p>17 but in conformity with the provisions of the Private Elementary and</p> <p>18 Secondary Education Authorization Act which are necessary in order</p> <p>19 to carry out its provisions.</p>		<p>41 (c) Administer an oath or affirmation to any person.</p> <p>42 A subpoena issued by the [department] superintendent may be enforced</p> <p>43 by any district court of this state.</p> <p>44 4. Exercise other powers implied but not enumerated in this section</p> <p>45 but in conformity with the provisions of the Private Elementary and</p> <p>46 Secondary Education Authorization Act which are necessary in order</p> <p>47 to carry out its provisions.</p>		
394.241		394.241		
20 SEC. 180. NRS 394.241 is hereby amended to read as follows:		18 SEC. 180. NRS 394.241 is hereby amended to read as follows:		
21 394.241 1. An elementary or secondary educational institution must		19 394.241 1. An elementary or secondary educational institution		
22 be maintained and operated, or a new institution must demonstrate that		20 must be maintained and operated, or a new institution must demonstrate		
23 it can be maintained and operated, in compliance with the following		21 that it can be maintained and operated, in compliance with the fol-		
24 minimum standards:		22 lowing minimum standards:		
25 (a) The quality and content of each course of instruction, training		23 (a) The quality and content of each course of instruction, training		
26 or study reasonably and adequately achieve the stated objective for which		24 or study reasonably and adequately achieve the stated objective for		
27 the course or program is offered.		25 which the course or program is offered.		
28 (b) The institution has adequate space, equipment, instructional		26 (b) The institution has adequate space, equipment, instructional		
29 materials and personnel to provide education of good quality.		27 materials and personnel to provide education of good quality.		
30 (c) The education and experience qualifications of directors, admin-		28 (c) The education and experience qualifications of directors, admin-		
31 istrators, supervisors and instructors reasonably insure that the students		29 istrators, supervisors and instructors reasonably insure that the students		
32 will receive education consistent with the objectives of the course or		30 will receive education consistent with the objectives of the course or		
33 program of study.		31 program of study.		
34 (d) The institution provides students and other interested persons		32 (d) The institution provides [students] pupils and other interested		
35 with a catalog or brochure containing information describing the grades		33 persons with a catalog or brochure containing information describing		
36 or programs offered, program objectives, length of school year or pro-		34 the grades or programs offered, program objectives, length of school		
37 gram, schedule of tuition, fees and all other charges and expenses neces-		35 year or program, schedule of tuition, fees and all other charges and		
38 sary for completion of the course of study, cancellation and refund		36 expenses necessary for completion of the course of study, cancellation		
39 policies, and such other material facts concerning the institution as are		37 and refund policies, and such other material facts concerning the		
40 reasonably likely to affect the decision of the parents or student to enroll		38 institution as are reasonably likely to affect the decision of the parents		
41 in the institution, together with any other disclosures specified by the		39 or [student] pupil to enroll in the institution, together with any other		
42 [department] superintendent or defined in [its] the regulations of the		40 disclosures specified by the [department] superintendent or defined in		
43 board, and [that] the information is provided to parents or prospective		41 [its] the regulations of the board, and [that] the information is		
44 students prior to enrollment.		42 provided to parents or prospective [students] pupils prior to enroll-		
45 (e) Upon satisfactory completion of training or instruction, the		43 ment.		
46 student is given appropriate educational credentials by the institution		44 (e) Upon satisfactory completion of training or instruction, the		
47 indicating that the course of instruction or study has been satisfactorily		45 [student] pupil is given appropriate educational credentials by the		
48 completed by the student.		46 institution indicating that the course of instruction or study has been		
49 (f) Adequate records are maintained by the institution to show		47 satisfactorily completed. [by the student.]		
50 attendance, progress and performance.		48		

49

49 USE SB 25 LANGUAGE IN LIEU OF AB 118

EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 30 394.241 (continued)</p>		<p>PAGE 61 394.241 (continued)</p>		
<p>1 (g) The institution is maintained and operated in compliance with 2 all pertinent ordinances and laws, including regulations adopted relative 3 to the safety and health of all persons upon the premises.</p>		<p>29 (f) Adequate records are maintained by the institution to show 30 attendance, progress and performance.</p>		
<p>4 (h) The institution is financially sound and capable of fulfilling its 5 commitments.</p>		<p>31 (g) The institution is maintained and operated in compliance with 32 all pertinent ordinances and laws, including regulations adopted rela- 33 tive to the safety and health of all persons upon the premises.</p>		
<p>6 (i) Neither the institution nor its agents engage in advertising, sales, 7 collection, credit or other practices of any type which are false, decep- 8 tive, misleading or unfair.</p>		<p>34 (h) The institution is financially sound and capable of fulfilling its 35 commitments.</p>		
<p>9 (j) The chief executive officer, trustees, directors, owners, administra- 10 tors, supervisors, staff, instructors and agents are of good reputation and 11 character.</p>		<p>36 (i) Neither the institution nor its agents engage in advertising, sales, 37 collection, credit or other practices of any type which are false, deceptive, 38 misleading or unfair.</p>		
<p>12 (k) The student housing owned, maintained or approved by the 13 institution, if any, is appropriate, safe and adequate.</p>		<p>39 (j) The chief executive officer, trustees, directors, owners, administra- 40 tors, supervisors, staff, instructors and agents are of good reputation and 41 character.</p>		
<p>14 (l) The institution has a fair and equitable cancellation and refund 15 policy.</p>		<p>42 (k) The [student] pupil housing owned, maintained or approved by 43 the institution, if any, is appropriate, safe and adequate.</p>		
<p>16 2. Accreditation by national or regional accrediting agencies recog- 17 nized by the United States Office of Education may be accepted [by the 18 board] as evidence of compliance with the minimum standards estab- 19 lished under this section. Accreditation by a recognized, specialized 20 accrediting agency may be accepted as evidence of such compliance only 21 as to the portion or program of an institution accredited by such agency 22 if the institution as a whole is not accredited.</p>		<p>44 (l) The institution has a fair and equitable cancellation and refund 45 policy.</p>		
<p>394.251</p> <p>23 Sec. 81. NRS 394.251 is hereby amended to read as follows: 24 394.251 1. Each elementary or secondary educational institution 25 desiring to operate in this state [shall] must apply to the [department] 26 superintendent upon forms [to be] provided by the department. The 27 application [shall] must be accompanied by [a] the catalog or brochure 28 published or proposed to be published by the institution. [, containing 29 the information specified in paragraph (d) of subsection 1 of NRS 30 394.241, including information required by regulations of the board.] 31 The application [shall] must also be accompanied by evidence of the required surety 32 bond and payment of the fees [as specified in NRS 33 394.331.] required by law.</p>		<p>46 2. Accreditation by national or regional accrediting agencies recog- 47 nized by the United States Office of Education may be accepted [by the 48 board] as evidence of compliance with the minimum standards established 49 under this section. Accreditation by a recognized, specialized accrediting 50 agency may be accepted as evidence of such compliance only as to the 1 portion or program of an institution accredited by such agency if the insti- 2 tution as a whole is not accredited.</p>		
<p>34 2. After [receipt] review of the application and any further infor- 35 mation required by the [board,] superintendent, and an investigation of 36 the applicant if [the board considers it] necessary, the board shall either 37 grant or deny a license to operate to the applicant.</p>		<p>PAGE 62 394.241 (continued)</p> <p>394.251</p> <p>3 Sec. 181. NRS 394.251 is hereby amended to read as follows: 4 394.251 1. Each elementary or secondary educational institution 5 desiring to operate in this state [shall] must apply to the [department] 6 superintendent upon forms [to be] provided by the department. The 7 application [shall] must be accompanied by [a] the catalog or brochure 8 published or proposed to be published by the institution. [, containing 9 information specified in paragraph (d) of subsection 1 of NRS 394.241, 10 including information required by regulations of the board.] The applica- 11 tion [shall] must also be accompanied by evidence of the required surety 12 bond and payment of the fees [as specified in NRS 394.331.] required 13 by law.</p>		

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 30 394.251 (continued)</p>		<p>PAGE 62 394.251 (continued)</p>		
<p>38 3. The license shall state in clear and conspicuous manner at least 39 the following information: 40 (a) The date of issuance, effective date and term of the license. 41 (b) The correct name and address of the institution licensed to 42 operate. 43 (c) The authority for approval and conditions of operation. 44 (d) Any limitation of the authorization, as considered necessary by 45 the board. 46 4. The term for which authorization is given shall not exceed 2 years. 47 A provisional license may be issued for a shorter period of time if the 48 board finds that the applicant has not fully complied with the standards 49 established under NRS 394.241.</p>		<p>18 3. The license shall state in clear and conspicuous manner at least the 19 following information: 20 (a) The date of issuance, effective date and term of the license. 21 (b) The correct name and address of the institution licensed to operate. 22 (c) The authority for approval and conditions of operation. 23 (d) Any limitation of the authorization, as considered necessary by the 24 [board.] superintendent. 25 4. The term for which authorization is given shall not exceed 2 years. 26 A provisional license may be issued for a shorter period of time if the 27 [board.] superintendent finds that the applicant has not fully complied 28 with the standards established under NRS 394.241.</p>		
<p>PAGE 31 394.251 (continued)</p>				
<p>1 5. The license shall be issued to the owner or governing body of the 2 applicant institution and is nontransferable. If a change in ownership of 3 the institution occurs, the new owner or governing body must, within 4 10 days after the change in ownership, apply for a new license, and if it 5 fails to do so, the institution's license shall terminate. Application for a 6 new license by reason of change in ownership of the institution is, for 7 purposes of NRS 394.281, an application for renewal of the institu- 8 tion's license. 9 6. At least 60 days prior to the expiration of a license, the institution 10 [shall] must complete and file with the [department] superintendent 11 an application form for renewal of its license. The renewal application 12 shall be reviewed and acted upon as provided in this section. 13 7. An institution not yet in operation when its application for a 14 license is filed may not begin operation until the license is issued. An 15 institution in operation when its application for a license is filed may 16 continue operation until its application is acted upon by the board, and 17 thereafter its authority to operate is governed by the action of the 18 [department.] board.</p>		<p>29 5. The license shall be issued to the owner or governing body of the 30 applicant institution and is nontransferable. If a change in ownership of 31 the institution occurs, the new owner or governing body must, within 10 32 days after the change in ownership, apply for a new license, and if it fails 33 to do so, the institution's license shall terminate. Application for a new 34 license by reason of change in ownership of the institution is, for pur- 35 poses of NRS 394.281, an application for renewal of the institution's 36 license. 37 6. At least 60 days prior to the expiration of a license, the institution 38 [shall] must complete and file with the [department] superintendent 39 an application form for renewal of its license. The renewal application 40 shall be reviewed and acted upon as provided in this section. 41 7. An institution not yet in operation when its application for a 42 license is filed may not begin operation until the license is issued. An 43 institution in operation when its application for a license is filed may 44 continue operation until its application is acted upon, [by the board,] 45 and thereafter its authority to operate is governed by the action of the 46 [department.] superintendent.</p>		

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 31 394.261</p> <p>19 Sec. 82. NRS 394.261 is hereby amended to read as follows: 20 394.261 1. Each person desiring to solicit or perform the services 21 of an agent in this state [shall] must apply to the [department] super- 22 intendent upon forms provided by the department. The application 23 [shall] must be accompanied by evidence of the good reputation and 24 character of the applicant, in a form prescribed by the [department,] 25 superintendent, and [shall] state the institution which the applicant 26 intends to represent. An agent representing more than one institution 27 must obtain a separate agent's permit for each institution represented, 28 except that when an agent represents institutions having a common 29 ownership only one agent's permit is required with respect to the institu- 30 tions. If any institution which the applicant intends to represent does 31 not have a license to operate in this state, the application [shall] must 32 be accompanied by the information required of institutions making 33 application for a license. The application for an agent's permit [shall] 34 must also be accompanied by evidence of a surety bond and payment of 35 fees required by NRS 394.331. 36 2. After review of the application and any further information 37 submitted by the applicant as required by regulations of the board, and 38 any investigation of the applicant which the board or superintendent 39 considers appropriate, the board shall grant or deny an agent's permit to 40 the applicant. 41 3. The agent's permit shall state in a clear and conspicuous manner 42 at least the following information: 43 (a) The date of issuance, effective date and term of the permit. 44 (b) The correct name and address of the agent. 45 (c) The institutions which the agent is authorized to represent. 46 4. An agent's permit shall not be issued for a term of more than 47 1 year. 48 5. At least 30 days prior to the expiration of an agent's permit, the</p>		<p>PAGE 62 394.261</p> <p>47 Sec. 182. NRS 394.261 is hereby amended to read as follows: 48 394.261 1. Each person desiring to solicit or perform the services 49 of an agent in this state [shall] must apply to the [department] super- 50 intendent upon forms provided by the department. The application</p> <p>PAGE 63 . 394.261 (continued)</p> <p>1 [shall] must be accompanied by evidence of the good reputation and 2 character of the applicant, in a form prescribed by the [department,] 3 superintendent, and [shall] state the institution which the applicant 4 intends to represent. An agent representing more than one institution 5 must obtain a separate agent's permit for each institution represented, 6 except that when an agent represents institutions having a common 7 ownership only one agent's permit is required with respect to the institu- 8 tions. If any institution which the applicant intends to represent does 9 not have a license to operate in this state, the application [shall] must 10 be accompanied by the information required of institutions making appli- 11 cation for a license. The application for an agent's permit [shall] must 12 also be accompanied by evidence of [a] the required surety bond and 13 payment of the fees required by [NRS 394.331.] law. 14 2. After review of the application and any further information sub- 15 mitted by the applicant as required by regulations of the board, and any 16 investigation of the applicant which the [board] superintendent con- 17 siders appropriate, the [board] superintendent shall grant or deny an 18 agent's permit to the applicant. 19 3. The agent's permit shall state in a clear and conspicuous manner 20 at least the following information: 21 (a) The date of issuance, effective date and term of the permit. 22 (b) The correct name and address of the agent. 23 (c) The institutions which the agent is authorized to represent. 24 4. An agent's permit shall not be issued for a term of more than 1 25 year. 26 5. At least 30 days prior to the expiration of an agent's permit, the 27 agent [shall] must complete and file with the [department] superin- 28 tendent an application for renewal of the permit. The renewal application 29 shall be reviewed and acted upon as provided in this section.</p>		
<p>PAGE 32 394.261</p> <p>1 agent [shall] must complete and file with the [department] superinten- 2 dent an application for renewal of the permit. The renewal application 3 shall be reviewed and acted upon as provide in this section.</p>				

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
PAGE 32 394.271		PAGE 63 394.271		
<p>4 Sec. 83. NRS 394.271 is hereby amended to read as follows: 5 394.271 1. At the time application is made for an agent's permit, 6 a license to operate or a license renewal, the [department] superintendent shall require the elementary or secondary educational institution making the application to file [with the department] a good and sufficient surety bond in the sum of not less than \$5,000. The bond shall be executed by the applicant as principal and by a surety company qualified and authorized to do business in this state. The bond shall be made payable to the State of Nevada and be conditioned to provide indemnification to any student, enrollee or his parent or guardian determined to have suffered damage as a result of any act by any elementary or secondary educational institution or [their] its agent which is a violation of the Private Elementary and Secondary Education Authorization Act, and the bonding company shall pay any final, nonappealable judgment of any court of this state that has jurisdiction, upon receipt of written notice of final judgment. The bond may be continuous but, regardless of the duration of the bond, the aggregate liability of the surety shall not exceed the penal sum of the bond.</p>	<p>30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50</p>	<p>30 Sec. 183. NRS 394.271 is hereby amended to read as follows: 31 394.271 1. At the time application is made for an agent's permit, a 32 license to operate or a license renewal, the [department] superintendent shall require the elementary or secondary educational institution making the application to file [with the department] a good and sufficient surety bond in the sum of not less than \$5,000. The bond [shall] must be executed by the applicant as principal and by a surety company qualified and authorized to do business in this state. The bond [shall] must be made payable to the State of Nevada and be conditioned to provide indemnification to any [student,] pupil, enrollee or his parent or guardian determined to have suffered damage as a result of any act by any elementary or secondary educational institution or [their] its agent which is a violation of the Private Elementary and Secondary Education Authorization Act, and the bonding company shall pay any final, nonappealable judgment of any court of this state that has jurisdiction, upon receipt of written notice of final judgment. The bond may be continuous but, regardless of the duration of the bond, the aggregate liability of the surety [shall] does not exceed the penal sum of the bond.</p>		<p>(SD) USE SB 25 LANGUAGE IN LIEU OF AB 118</p>
<p>2. The surety bond [to be filed in accordance with this section] shall cover the period of the license or the agent's permit, as appropriate, except when a surety is released.</p>		<p>2. The surety bond [to be filed in accordance with this section] shall cover the period of the license or the agent's permit, as appropriate, except when a surety is released.</p>		
<p>3. A surety on any bond filed under this section may be released after the surety gives 30 days' written notice to the [department,] superintendent, but the release shall not discharge or otherwise affect any claim filed by a student, enrollee or his parent or guardian for damage resulting from any act of the elementary or secondary educational institution or agent which is alleged to have occurred while the bond was in effect, nor for an institution's closing operations during the term for which tuition had been paid while the bond was in force.</p>		<p>3. A surety on any bond filed under this section may be released after the surety gives 30 days' written notice to the [department,] superintendent, but the release [shall] does not discharge or otherwise affect any claim filed by a [student,] pupil, enrollee or his parent or guardian for damage resulting from any act of the elementary or secondary educational institution or agent which is alleged to have occurred while the bond was in effect, nor for an institution's closing operations during the term for which tuition had been paid while the bond was in force.</p>		
<p>4. A license or an agent's permit [shall be] is suspended by operation of law when the institution or agent is no longer covered by a surety bond as required by this section; but the [department] superintendent shall give the institution or agent, or both, at least 30 days' written notice prior to the release of the surety that the license or permit will be suspended by operation of law until another surety bond is filed in the same manner and amount as the bond being terminated.</p>		<p>4. A license or an agent's permit [shall be] is suspended by operation of law when the institution or agent is no longer covered by a surety bond as required by this section; but the [department] superintendent shall give the institution or agent, or both, at least 30 days' written notice prior to the release of the surety that the license or permit will be suspended by operation of law until another surety bond is filed in the same manner and amount as the bond being terminated.</p>		
		<p>PAGE 64 394.271</p>		

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 32 394.281</p> <p>40 SEC. 84. NRS 394.281 is hereby amended to read as follows: 41 394.281 1. If the board, upon review and consideration of an 42 application for a license or for an agent's permit, or a renewal of a 43 license or agent's permit, determines that the applicant fails to meet the 44 criteria for granting the application, the [board] superintendent shall 45 notify the applicant by certified mail setting forth the reasons for the 46 denial of the application. 47 2. The [department] superintendent may grant to an applicant for 48 renewal an extension of time to eliminate the reasons recited in the 49 denial letter if:</p>		<p>PAGE 64 394.281</p> <p>16 SEC. 184. NRS 394.281 is hereby amended to read as follows: 17 394.281 1. If the [board,] superintendent, upon review and consid- 18 eration of an application for a license or for an agent's permit, or a 19 renewal of a license or agent's permit, determines that the applicant fails 20 to meet the criteria for granting the application, [the board] he shall 21 notify the applicant by certified mail setting forth the reasons for the denial 22 of the application. 23 2. The [department] superintendent may grant to an applicant for 24 renewal an extension of time to eliminate the reasons recited in the denial 25 letter if: 26 (a) The applicant has demonstrated [to the department its or] his 27 desire to meet the criteria; and 28 (b) The [department] superintendent reasonably believes that the 29 applicant can correct the deficiencies within the extension period.</p>		
<p>PAGE 33 394.281 (continued)</p> <p>1 (a) The applicant has demonstrated [to the department its or] his 2 desire to meet the criteria; and 3 (b) The [department] superintendent reasonably believes that the 4 applicant can correct the deficiencies within the extension period. 5 3. If the board denies an application for an agent's permit, or an 6 application for renewal, [it] the superintendent shall notify the institu- 7 tion which the agent represented or sought to represent, setting forth the 8 reasons for the denial. [in accordance with the department's records.]</p>		<p>30 3. If the [board] superintendent denies an application for an agent's 31 permit, or an application for renewal, [it] he shall notify the institution 32 which the agent represented or sought to represent, setting forth the 33 reasons for the denial. [in accordance with the department's records.]</p>		
<p>394.291</p> <p>9 SEC. 85. NRS 394.291 is hereby amended to read as follows: 10 394.291 Any person aggrieved by [a decision of the board deny- 11 ing] the denial or revocation of a license to operate or an agent's permit, 12 or the placement of conditions on the license to operate or agent's permit, 13 is entitled to a hearing before the board if the aggrieved person submits 14 a written request for a hearing within 10 days from receipt of the 15 [board's] letter of denial [.] , revocation or placement of conditions. 16 If no request is submitted within the prescribed period the decision of 17 the board is final.</p>		<p>394.291</p> <p>34 SEC. 185. NRS 394.291 is hereby amended to read as follows: 35 394.291 Any person aggrieved by [a decision of the board denying] 36 the denial or revocation of a license to operate or an agent's permit, or 37 the placement of conditions on the license to operate or agent's permit, 38 is entitled to a hearing before the board if the aggrieved person submits 39 a written request for a hearing within 10 days from receipt of the [board's] 40 letter of denial [.] , revocation or placement of conditions. If no request 41 is submitted within the prescribed period the decision of the superintendent 42 is final.</p>		

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 33 394.301</p> <p>18 SEC. 86. NRS 394.301 is hereby amended to read as follows: 19 394.301 1. [A] The board may revoke or make conditional a 20 license to operate or an agent's permit [may be revoked or made condi- 21 tional] after its issuance if [the department] it reasonably believes 22 that the holder of the license or permit has violated the Private Element- 23 ary and Secondary Education Authorization Act or any regulations 24 adopted under it. Prior to the revocation or imposition of conditions, the 25 [department] superintendent shall notify the holder by certified mail of 26 facts or conduct which warrant the impending action and advise the 27 holder that if a hearing is desired it must be requested within 10 days of 28 receipt of the [department's] notice letter. 29 2. If an agent's permit is revoked or conditions imposed, the [depart- 30 ment] superintendent shall, by certified mail, notify the institutions 31 which the agent represented in addition to the agent and any other 32 parties to any hearing.</p>		<p>PAGE 64 394.301</p> <p>43 SEC. 186. NRS 394.301 is hereby amended to read as follows: 44 394.301 1. [A] The superintendent may revoke or make condi- 45 tional a license to operate or an agent's permit [may be revoked or 46 made conditional] after its issuance if [the department] he reasonably 47 believes that the holder of the license or permit has violated the 48 Private Elementary and Secondary Education Authorization Act or any 49 regulations adopted under it. Prior to the revocation or imposition of 50 conditions, the [department] superintendent shall notify the holder by 51 certified mail of facts or conduct which warrant the impending action 52 and advise the holder that if a hearing is desired it must be requested 53 within 10 days of receipt of the [department's] notice letter. 54 2. If an agent's permit is revoked or conditions imposed, the 55 [department] superintendent shall, by certified mail, notify the institu- 56 tions which the agent represented in addition to the agent and any 57 other parties to any hearing.</p>		
<p>394.311</p> <p>33 SEC. 87. NRS 394.311 is hereby amended to read as follows: 34 394.311 1. Any person claiming damage either individually or as a 35 representative of a class of complainants as a result of any act by an 36 elementary or secondary educational institution or its agent, or both, 37 which is a violation of the Private Elementary and Secondary Education 38 Authorization Act or regulations promulgated under it, may file with the 39 [department] superintendent a verified complaint against the institution, 40 its agent or both. The complaint shall set forth the alleged violation and 41 contain other information as required by regulations of the board. A 42 complaint may also be filed [with the board] by the superintendent of 43 public instruction [or] on his own motion or by the attorney general. 44 2. The [department] superintendent shall investigate any verified 45 complaint and may, at [its] his discretion, attempt to effectuate a settle- 46 ment by persuasion and conciliation. The [department] board may 47 consider a complaint after 10 days' written notice by certified mail to the 48 institution or to the agent, or both, as appropriate, giving notice of a 49 time and place for a hearing.</p>		<p>PAGE 65 394.301 (continued)</p> <p>1 certified mail of facts or conduct which warrant the impending action 2 and advise the holder that if a hearing is desired it must be requested 3 within 10 days of receipt of the [department's] notice letter. 4 2. If an agent's permit is revoked or conditions imposed, the 5 [department] superintendent shall, by certified mail, notify the institu- 6 tions which the agent represented in addition to the agent and any 7 other parties to any hearing.</p> <p>394.311</p> <p>8 SEC. 187. NRS 394.311 is hereby amended to read as follows: 9 394.311 1. Any person claiming damage either individually or as 10 a representative of a class of complainants as a result of any act by an 11 elementary or secondary educational institution or its agent, or both, 12 which is a violation of the Private Elementary and Secondary Educa- 13 tion Authorization Act or regulations promulgated under it, may file 14 with the [department] superintendent a verified complaint against 15 the institution, its agent or both. The complaint shall set forth the 16 alleged violation and contain other information as required by regula- 17 tions of the board. A complaint may also be filed [with the board] 18 by the superintendent [of public instruction or] on his own motion or 19 by the attorney general. 20 2. The [department] superintendent shall investigate any verified 21 complaint and may, at [its] his discretion, attempt to effectuate a settle- 22 ment by persuasion and conciliation. The [department] superin- 23 tendent may consider a complaint after 10 days' written notice by 24 certified mail to the institution or to the agent, or both, as appropriate, 25 giving notice of a time and place for a hearing. 26 3. If, after consideration of all evidence presented at a hearing, 27 the [board] superintendent finds that an elementary or secondary 28 educational institution or its agent, or both, has engaged in any act 29 which violates the Private Elementary and Secondary Education 30 Authorization Act or regulations promulgated under it, the [board] 31 superintendent shall issue and serve upon the institution or agent or 32 both, an order to cease and desist from such act. The [board] super- 33 intendent may also, as appropriate, based on [its] his own investigation 34 or the evidence adduced at the hearing, or both, institute an action to 35 revoke an institution's license or an agent's permit.</p>		
<p>PAGE 34 394.311 (continued)</p> <p>1 3. If, after consideration of all evidence presented at a hearing, the 2 board finds that an elementary or secondary educational institution or 3 its agent, or both, has engaged in any act which violates the Private Ele- 4 mentary and Secondary Education Authorization Act or regulations 5 promulgated under it, the board shall issue and the superintendent shall 6 serve upon the institution or agent or both, an order to cease and desist 7 from such act. The board may also, as appropriate, based on [its own] 8 the superintendent's investigation or the evidence adduced at the hearing, 9 or both, institute an action to revoke an institution's license or an agent's 10 permit.</p>				

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COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>Page 34 394.321</p> <p>11 SEC. 88. NRS 394.321 is hereby amended to read as follows: 12 394.321 If the board determines that irreparable injury would result 13 from [the implementation of its decision, it] putting into immediate 14 effect any final action or penalty imposed under the Private Elementary 15 and Secondary Education Authorization Act, it shall postpone the effective 16 date of [its] the action pending [judicial] review.</p>		<p>Page 65 394.321</p> <p>36 SEC. 188. NRS 394.321 is hereby amended to read as follows: 37 394.321 If the [board] superintendent determines that irreparable 38 injury would result from [the implementation of its decision, it] 39 putting into immediate effect any final action or penalty imposed under 40 the Private Elementary and Secondary Education Authorization Act, he 41 shall postpone the effective date of [its] the action pending [judicial] 42 review.</p>		
<p>394.331</p> <p>17 SEC. 89. NRS 394.331 is hereby amended to read as follows: 18 394.331 All fees collected pursuant to the provisions of the Private 19 Elementary and Secondary Education Authorization Act shall be 20 deposited in the state treasury to the credit of the general fund, and no 21 fees so collected are subject to refund. The fees, to be collected by the 22 [department] superintendent, shall accompany an application for a 23 license to operate or an agent's permit, in accordance with the following 24 schedule: 25 1. The initial application fee for an elementary or secondary educa- 26 tional institution is \$50. 27 2. The renewal fee for an elementary or secondary educational 28 institution is \$50. 29 3. The initial fee for an agent's permit is \$5. 30 4. The renewal fee for an agent's permit is \$5.</p>	<p>(51)</p>	<p>394.331</p> <p>43 SEC. 189. NRS 394.331 is hereby amended to read as follows: 44 394.331 All fees collected pursuant to the provisions of the Private 45 Elementary and Secondary Education Authorization Act shall be depos- 46 ited in the state treasury to the credit of the general fund, and no fees so 47 collected are subject to refund. The fees, to be collected by the [depart- 48 ment shall] superintendent, must accompany an application for license 49 to operate or an agent's permit, in accordance with the following sched- 50 ule: 51 1. The initial application fee for an elementary or secondary educa- 52 tional institution is \$50. 53 2. The renewal fee for an elementary or secondary educational 54 institution is \$50. 55 3. The initial fee for an agent's permit is \$5. 56 4. The renewal fee for an agent's permit is \$5.</p>		<p>(51) USE SB 25 LANGUAGE IN LIEU OF AB 118</p>
<p>394.341</p> <p>31 SEC. 90. NRS 394.341 is hereby amended to read as follows: 32 394.341 1. If any elementary or secondary educational institution 33 operating in this state proposes to discontinue its operation, the chief 34 administrative officer of the institution, by whatever title designated, 35 shall file with the department original or true copies of all academic 36 records of the institution as specified by the [department] superintend- 37 ent. The records shall include, as a minimum, academic information 38 customarily required by schools when considering students for transfer 39 or advanced study; and, as a separate document the academic record of 40 each former student. 41 2. If it appears to the [department] superintendent that academic 42 records of an institution discontinuing its operations are in danger of 43 being destroyed, secreted, mislaid or otherwise made unavailable to the 44 department, the [department] superintendent may seek a court order 45 permitting the seizure of such records. 46 3. The [department] superintendent shall maintain a permanent 47 file of such records coming into [its] his possession.</p>		<p>Page 66 394.331 (continued)</p> <p>7 SEC. 190. NRS 394.341 is hereby amended to read as follows: 8 394.341 1. If any elementary or secondary educational institution 9 operating in this state proposes to discontinue its operation, the chief 10 administrative officer of the institution, by whatever title designated, 11 shall file with the [department] superintendent original or true copies 12 of all academic records of the institution as specified by the [depart- 13 ment.] superintendent. The records shall include, as a minimum, aca- 14 demic information customarily required by schools when considering 15 [students] pupils for transfer or advanced study; and, as a separate 16 document, the academic record of each former [student.] pupil. 17 2. If it appears to the [department] superintendent that academic 18 records of an institution discontinuing its operations are in danger of 19 being destroyed, secreted, mislaid or otherwise made unavailable, [to the 20 department,] the [department] superintendent may seek a court order 21 permitting the seizure of such records. 22 3. The [department shall] superintendent shall receive and maintain 23 a permanent file of such records coming into [its.] his possession.</p>		

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
PAGE 34 394.351 48 SEC. 91. NRS 394.351 is hereby amended to read as follows:		PAGE 66 394.351		
PAGE 75 394.351 (continued)		24 SEC. 91. NRS 394.351 is hereby amended to read as follows:		
1 394.351 It is unlawful for any person, alone or in concert with		25 394.351 It is unlawful for any person, alone or in concert with		
2 others, to:		26 others, to:		
3 1. Operate in this state an elementary or secondary educational		27 1. Operate in this state an elementary or secondary educational		
4 institution not exempted from the provisions of the Private Elementary		28 institution not exempted from the provisions of the Private Elementary		
5 and Secondary Education Authorization Act, unless the institution has		29 and Secondary Education Authorization Act, unless the institution has		
6 a currently valid license to operate.		30 a currently valid license to operate.		
7 2. Offer, as or through an agent, enrollment or instruction in, or		31 2. Offer, as or through an agent, enrollment or instruction in, or		
8 educational credentials from, an elementary or secondary educational		32 educational credentials from, an elementary or secondary educational		
9 institution not exempted from the provisions of the Private Elementary		33 institution not exempted from the provisions of the Private Elementary		
10 and Secondary Education Authorization Act, whether the institution		34 Secondary Education Authorization Act, whether the institution is within		
11 is within or outside this state, unless the agent is a natural person and		35 or outside this state, unless the agent is a natural person and has a cur-		
12 has a currently valid agent's permit, except that the [department may, with		36 rently valid agent's permit, except that the [department may, with the		
13 with the approval of the board,] board may adopt regulations to permit		37 approval of the board,] board may adopt regulations to permit a person		
14 a person to disseminate legitimate public information without a permit.		38 to disseminate legitimate public information without a permit.		
15 3. Instruct or educate, or offer to instruct or educate (including		39 3. Instruct or educate, or offer to instruct or educate (including		
16 advertising or soliciting for such purpose), enroll or offer to enroll, or		40 advertising or soliciting for such purpose), enroll or offer to enroll, or		
17 contract with any person for such purpose, or award any educational		41 contract with any person for such purpose, or award any educational		
18 credential, or contract with any institution or party to perform any such		42 credential, or contract with any institution or party to perform any such		
19 act in this state, whether the person is located within or outside this state,		43 act in this state, whether the person is located within or outside this		
20 unless such person complies with the minimum standards set forth in NRS		44 state, unless such person complies with the minimum standards set forth		
21 394.241 and the regulations adopted by the board.		45 in NRS 394.241 and the regulations adopted by the board.		
22 4. Use the terms "kindergarten," "elementary," "middle school,"		46 4. Use the terms "kindergarten," "elementary," "middle school,"		
23 "junior high school," "high school" or "secondary" without authorization		47 "junior high school," "high school" or "secondary" without authorization		
24 to do so from the superintendent in accordance with regulations of the		48 to do so from the superintendent in accordance with regulations of the		
25 board.		49 board.		
26 5. Grant, or offer to grant, educational credentials, without a cur-		PAGE 67 394.351		
27 rently valid license to operate. [from the board.]		1 5. Grant, or offer to grant, educational credentials, without a cur-		
		2 rently valid license to operate. [from the board.]		

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(52) INSERT LINES 3-24
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COMPARISON OF BILLS - 1979

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ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 35 394.401</p> <p>28 Sec. 92. NRS 394.401 is hereby amended to read as follows: 29 394.401 The commission shall operate as an independent commis- 30 sion directly responsible to the governor, but it may contract with the 31 [department] superintendent to obtain fiscal accounting services and 32 office space [.] from the department.</p>				
<p>232 B. 039</p> <p>33 Sec. 93. NRS 233B.039 is hereby amended to read as follows: 34 233B.039 1. The following agencies are entirely exempted from the 35 requirements of this chapter: 36 (a) The governor. 37 (b) The department of prisons. 38 (c) The University of Nevada System. 39 (d) The department of the military. 40 (e) The state gaming control board. 41 (f) The Nevada gaming commission. 42 (g) The state board of parole commissioners. 43 (h) The welfare division of the department of human resources. 44 (i) The state board of examiners acting pursuant to chapter 217 of 45 NRS. 46 2. The state [board] department of education is subject to the 47 provisions of this chapter for the purpose of regulation-making but not 48 with respect to any contested case. 49 3. The special provisions of:</p>		<p>PAGE 78 233B.039</p> <p>20 Sec. 215. NRS 233B.039 is hereby amended to read as follows: 21 233B.039 1. The following agencies are entirely exempted from 22 the requirements of this chapter: 23 (a) The governor. 24 (b) The department of prisons. 25 (c) The University of Nevada System. 26 (d) The department of the military. 27 (e) The state gaming control board. 28 (f) The Nevada gaming commission. 29 (g) The state board of parole commissioners. 30 (h) The welfare division of the department of human resources. 31 (i) The state board of examiners acting pursuant to chapter 217 of 32 NRS. 33 2. The [state board] department of education is subject to the 34 provisions of this chapter for the purpose of regulation-making but not 35 with respect to any contested case. 36 3. The special provisions of: 37 (a) Chapter 612 of NRS for the distribution of regulations by and 38 the judicial review of decisions of the employment security department; 39 (b) Chapters 616 and 617 of NRS for the determination of contested 40 claims; and 41 (c) Chapters 704 and 706 of NRS for the judicial review of decisions 42 of the public service commission of Nevada, 43 prevail over the general provisions of this chapter. 44 4. The provisions of this chapter do not apply to any order for 45 immediate action, including but not limited to quarantine and the 46 treatment or cleansing of infected or infested animals, object or premises, 47 made under the authority of the state board of agriculture, the state 48 board of health, the state board of sheep commissioners or any other 49 agency of this state in the discharge of a responsibility for the preserva- 50 tion of human or animal health or for insect or pest control.</p>		
<p>PAGE 36 233B.039 (continued)</p> <p>1 (a) Chapter 612 of NRS for the distribution of regulations by and 2 the judicial review of decisions of the employment security department; 3 (b) Chapters 616 and 617 of NRS for the determination of contested 4 claims; and 5 (c) Chapters 704 and 706 of NRS for the judicial review of decisions 6 of the public service commission of Nevada, 7 prevail over the general provisions of this chapter. 8 4. The provisions of this chapter do not apply to any order for imme- 9 diate action, including but not limited to quarantine and the treatment 10 or cleansing of infected or infested animals, object or premises, made 11 under the authority of the state board of agriculture, the state board of 12 health, the state board of sheep commissioners or any other agency 13 of this state in the discharge of a responsibility for the preservation of 14 human or animal health or for insect or pest control.</p>				

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EXHIBIT C

COMPARISON OF BILLS - 1979

ASSEMBLY BILL 118	NOTE	SENATE BILL 25	NOTE	COMMENTS
<p>PAGE 36 251.040</p> <p>15 SEC. 94. NRS 251.040 is hereby amended to read as follows: 16 251.040 1. In addition to the requirements of NRS 251.030, the 17 county auditor shall notify the clerk of the board of trustees of the county 18 school district and send at the same time a duplicate of the report 19 to the superintendent of public instruction, at the beginning of each 20 month, showing the amount of [funds] money left to the credit of 21 the district at the beginning of the previous month, new [funds] money 22 credited during the previous month and the source thereof, the total of 23 disbursements allowed by warrants during the previous month, and the 24 balance to the credit of the district at the beginning of the month in 25 which the report is rendered. 26 2. The report [shall] must be in such form as the [state board of 27 education] superintendent of public instruction may prescribe. 28 SEC. 95. NRS 385.260, 385.430, 385.450 and 385.460 are hereby 29 repealed.</p>		<p>PAGE 79 251.040</p> <p>1 SEC. 216. NRS 251.040 is hereby amended to read as follows: 2 251.040 1. In addition to the requirements of NRS 251.030, the 3 county auditor shall notify the clerk of the board of trustees of the county 4 school district and send at the same time a duplicate of the report to the 5 superintendent of public instruction, at the beginning of each month, 6 showing the amount of funds left to the credit of the district at the begin- 7 ning of the previous month, new funds credited during the previous 8 month and the source thereof, the total of disbursements allowed by 9 warrants during the previous month, and the balance to the credit of the 10 district at the beginning of the month in which the report is rendered. 11 2. The report [shall] must be in such form as the [state board of 12 education] superintendent of public instruction may prescribe:</p>		<p>(53) INSERT LINE 25 PAGE 67 THROUGH LINE 42 PAGE 82</p>

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RECODIFICATION OF NEVADA'S EDUCATION LAWS



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