
ASSEMBLY BILL NO. 353—ASSEMBLYWOMAN GIUNCHIGLIANI

MARCH 17, 2003

Referred to Committee on Education

SUMMARY—Makes various changes to provisions regarding University and Community College System of Nevada and Board of Regents of University of Nevada. (BDR 34-76)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to the University and Community College System of Nevada; prohibiting a university, university foundation or community college from using certain personally identifiable information contained in the education records of a student or former student or the employment records of an employee or former employee without the written consent of the student, former student, employee or former employee; requiring the System to provide certain informational seminars to the Board of Regents of the University of Nevada; providing in skeleton form for a reduction in the size of the Board of Regents; providing for a term of office of 4 years for each member of the Board of Regents; and providing other matters properly relating thereto.

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

1 **Section 1.** Chapter 396 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1.** *Except as otherwise provided in subsection 2, a*
4 *university, university foundation or community college may not*
5 *distribute or otherwise use any personally identifiable information*
6 *contained in the education or employment records of any student,*



* A B 3 5 3 *

1 former student, employee or former employee for commercial or
2 noncommercial purposes, including, without limitation, the
3 solicitation of money.

4 2. A university, university foundation or community college
5 may use any personally identifiable information contained in the
6 education or employment records of a student, former student,
7 employee or former employee for commercial or noncommercial
8 purposes, including, without limitation, the solicitation of money,
9 if the university, university foundation or community college has
10 obtained the written approval of the student, former student,
11 employee or former employee on a form provided by the Board of
12 Regents that is in substantially the following form:

13 **DISCLOSURE OF PERSONALLY**
14 **IDENTIFIABLE INFORMATION**

15 If you agree to the disclosure of your personally identifiable
16 information by marking "yes" in response to question 1 or 2, that
17 information may be disclosed to third parties and made available
18 to the public.

19 1. Yes No I authorize the disclosure
20 of my personally identifiable information for both commercial and
21 noncommercial purposes.

22 2. Yes No I authorize the disclosure
23 of my personally identifiable information for only noncommercial
24 purposes.

25 3. Yes No I do not authorize the
26 disclosure of my personally identifiable information for a
27 commercial or noncommercial purpose.

28 Name of Student or Employee _____ Social
29 Security # _____ or _____
30 (Print _____ name)
31 Other Identification # _____

32
33 Signature _____
34 Date _____

35
36 3. If a university, university foundation or community college
37 uses a form prescribed by the Board of Regents pursuant to
38 subsection 2, the form must be included with any other forms
39 required for admission to the university or community college or
40 for initial employment with the university, university foundation
41 or community college.

42 4. As used in this section:
43 (a) "Directory information" has the meaning ascribed to it in
44 20 U.S.C. § 1232g(a)(5)(A).



1 (b) "Personally identifiable information" means information
2 that may be used to identify a person, including, without
3 limitation, the name, address, telephone number, date of birth, and
4 directory information of a person.

5 (c) "University foundation" has the meaning ascribed to it in
6 NRS 396.405.

7 **Sec. 3.** *The System shall annually provide to the Board of*
8 *Regents an informational seminar regarding the System, the*
9 *organization and management of the System, and the statutory*
10 *and constitutional duties of the Board of Regents.*

11 **Sec. 4.** NRS 396.040 is hereby amended to read as follows:

12 396.040 1. The Board of Regents consists of ~~[13]~~ 7 members
13 elected by the registered voters within ~~[the districts described in~~
14 ~~NRS 396.0415 to 396.046, inclusive.~~

15 ~~—2. The members of the Board of Regents must be elected as~~
16 ~~follows:~~

17 ~~—(a) At the general election in 2002, and every 6 years thereafter,~~
18 ~~one member of the Board of Regents must be elected from districts~~
19 ~~2, 3, 5 and 10.~~

20 ~~—(b) At the general election in 2004, and every 6 years thereafter,~~
21 ~~one member of the Board of Regents must be elected from districts~~
22 ~~6, 7, 8, 11 and 13.~~

23 ~~—(c) At the general election in 2006, and every 6 years thereafter,~~
24 ~~one member of the Board of Regents must be elected from districts~~
25 ~~1, 4, 9 and 12.~~

26 ~~—3.] districts established by the Legislature.~~

27 2. Each member of the Board of Regents must be a resident of
28 the district from which he is elected.

29 3. *After the initial terms, each member of the Board of*
30 *Regents serves for a term of 4 years. A member shall continue to*
31 *serve on the Board until his successor is elected and qualified.*

32 **Sec. 5.** NRS 396.0411, 396.0413, 396.0415, 396.0425,
33 396.043, 396.0435, 396.044, 396.0445, 396.045, 396.0451,
34 396.0453, 396.0455, 396.0456, 396.0457 and 396.046 are hereby
35 repealed.

36 **Sec. 6.** The Board of Regents of the University of Nevada
37 shall, on or before September 15, 2003, mail a form prepared
38 pursuant to section 2 of this act to each:

- 39 1. Student currently enrolled in; and
- 40 2. Person currently employed by,
41 The University and Community College System of Nevada.

42 **Sec. 7.** 1. Notwithstanding the provisions of NRS 396.040,
43 the terms of the elected members of the Board of Regents of the
44 University of Nevada who are incumbent on January 3, 2005, expire
45 on that date.



1 2. Three members of the Board of Regents must be selected at
2 the general election held on November 2, 2004, and take office on
3 January 4, 2005. The terms of these members expire on January 8,
4 2007.

5 3. Four members of the Board of Regents must be selected at
6 the general election held on November 2, 2004, and take office on
7 January 4, 2005. The terms of these members expire on January 5,
8 2009.

9 **Sec. 8.** 1. This section and sections 1, 2, 3, 6 and 7 of this act
10 become effective on July 1, 2003.

11 2. Section 4 of this act becomes effective on January 1, 2004,
12 for the purpose of nominating and electing members to the Board of
13 Regents of the University of Nevada and on January 4, 2005, for all
14 other purposes.

15 3. Section 5 of this act becomes effective on January 3, 2005.

17 **LEADLINES OF REPEALED SECTIONS**

20
21 **396.0411 Maps of districts: Duties of Director of Legislative**
22 **Counsel Bureau.**

23 **396.0413 Maps of subdistricts: Duties of Secretary of State.**

24 **396.0415 District 1.**

25 **396.0425 District 2.**

26 **396.043 District 3.**

27 **396.0435 District 4.**

28 **396.044 District 5.**

29 **396.0445 District 6.**

30 **396.045 District 7.**

31 **396.0451 District 8.**

32 **396.0453 District 9.**

33 **396.0455 District 10.**

34 **396.0456 District 11.**

35 **396.0457 District 12.**

36 **396.046 District 13.**

