

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; providing in skeleton form for a reduction in the size of the Board of Regents; providing for the informed consent of a student enrolled in a university, state college or community college within the System concerning the public disclosure of personally identifiable information concerning the student; providing that a student may prohibit the disclosure of personally identifiable information for commercial or noncommercial uses, or both; requiring the System to provide certain informational seminars to the Board of Regents of the University of Nevada; 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.** *The Board of Regents shall prescribe a form that*
4 *provides for the informed consent of students concerning the*
5 *directory information that a university, university foundation,*
6 *state college or community college, as applicable, makes public.*
7 *The form must:*



* A B 3 5 3 R 1 *

1 (a) Allow each student a reasonable opportunity to indicate
2 whether the student opts not to authorize the release or disclosure
3 of personally identifiable information concerning the student for:
4 (1) Commercial purposes, without the prior written consent
5 of the student;
6 (2) Noncommercial purposes, without the prior written
7 consent of the student; or
8 (3) Both commercial and noncommercial purposes, without
9 the prior written consent of the student.
10 (b) Inform the student that:
11 (1) If he does not return the form indicating that his
12 personally identifiable information must not be released or
13 disclosed, then it is probable that the information will be released
14 or disclosed.
15 (2) If he returns the form indicating that his personally
16 identifiable information must not be released or disclosed, then the
17 university, university foundation, state college or community
18 college, as applicable, will not release or disclose the information
19 without his prior written consent.
20 (c) Be included with the other forms required for admission to
21 the university, state college or community college, as applicable.
22 2. A university, university foundation, state college or
23 community college shall not release, disclose or otherwise use any
24 personally identifiable information concerning a student without
25 the prior written consent of the student for:
26 (a) Commercial or noncommercial purposes if the student has
27 returned a form indicating that he does not authorize release or
28 disclosure for those purposes without his consent;
29 (b) Commercial purposes if the student has returned a form
30 indicating that he does not authorize release or disclosure for
31 those purposes without his consent; or
32 (c) Noncommercial purposes if the student has returned a
33 form indicating that he does not authorize release or disclosure for
34 those purposes.
35 3. As used in this section:
36 (a) "Directory information" has the meaning ascribed to it in
37 20 U.S.C. § 1232g(a)(5)(A).
38 (b) "Personally identifiable information" means information
39 that may be used to identify a person, including, without
40 limitation, the name, address, telephone number, date of birth, and
41 directory information of a person.
42 (c) "University foundation" has the meaning ascribed to it in
43 NRS 396.405.
44 **Sec. 3.** The System shall annually provide to the Board of
45 Regents an informational seminar regarding the System, the



1 *organization and management of the System, and the statutory*
2 *and constitutional duties of the Board of Regents.*

3 **Sec. 4.** NRS 396.040 is hereby amended to read as follows:
4 396.040 1. The Board of Regents consists of ~~[13]~~ *nine*
5 members elected by the registered voters within ~~[the districts~~
6 ~~described in NRS 396.0415 to 396.046, inclusive.~~

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

9 ~~—(a) At the general election in 2002, and every 6 years thereafter,~~
10 ~~one member of the Board of Regents must be elected from districts~~
11 ~~2, 3, 5 and 10.~~

12 ~~—(b) At the general election in 2004, and every 6 years thereafter,~~
13 ~~one member of the Board of Regents must be elected from districts~~
14 ~~6, 7, 8, 11 and 13.~~

15 ~~—(c) At the general election in 2006, and every 6 years thereafter,~~
16 ~~one member of the Board of Regents must be elected from districts~~
17 ~~1, 4, 9 and 12.~~

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

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

21 3. *After the initial terms, each member of the Board of*
22 *Regents serves for a term of 6 years. A member shall continue to*
23 *serve on the Board until his successor is elected and qualified.*

24 **Sec. 5.** NRS 396.0411, 396.0413, 396.0415, 396.0425,
25 396.043, 396.0435, 396.044, 396.0445, 396.045, 396.0451,
26 396.0453, 396.0455, 396.0456, 396.0457 and 396.046 are hereby
27 repealed.

28 **Sec. 6.** The Board of Regents of the University of Nevada
29 shall, on or before September 15, 2003, mail a form prepared
30 pursuant to section 2 of this act to each student currently enrolled in
31 a university, state college or community college within the
32 University and Community College System of Nevada.

33 **Sec. 7.** 1. Notwithstanding the provisions of NRS 396.040,
34 the terms of the elected members of the Board of Regents of the
35 University of Nevada who are incumbent on January 3, 2005, expire
36 on that date.

37 2. Four members of the Board of Regents must be selected at
38 the general election held on November 2, 2004, and take office on
39 January 4, 2005. The terms of these members expire on January 8,
40 2007.

41 3. Five members of the Board of Regents must be selected at
42 the general election held on November 2, 2004, and take office on
43 January 4, 2005. The terms of these members expire on January 5,
44 2009.



- 1 **Sec. 8.** 1. This section and sections 1, 2, 3, 6 and 7 of this act
2 become effective on July 1, 2003.
3 2. Section 4 of this act becomes effective on January 1, 2004,
4 for the purpose of nominating and electing members to the Board of
5 Regents of the University of Nevada and on January 4, 2005, for all
6 other purposes.
7 3. Section 5 of this act becomes effective on January 3, 2005.

LEADLINES OF REPEALED SECTIONS

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

396.0413 Maps of subdistricts: Duties of Secretary of State.

396.0415 District 1.

396.0425 District 2.

396.043 District 3.

396.0435 District 4.

396.044 District 5.

396.0445 District 6.

396.045 District 7.

396.0451 District 8.

396.0453 District 9.

396.0455 District 10.

396.0456 District 11.

396.0457 District 12.

396.046 District 13.

