

ASSEMBLY BILL NO. 217—ASSEMBLYMEN CEGAVSKE, HUMKE, HETTRICK, CHOWNING, MORTENSON, CLABORN, GUSTAVSON, ANGLE, MCCLAIN, VON TOBEL, BERMAN, BEERS, NOLAN, BROWER, LESLIE, GOLDWATER, COLLINS, PRICE, PARKS, DINI, CARPENTER, GIBBONS, TIFFANY, KOIVISTO, PERKINS AND MANENDO

FEBRUARY 11, 1999

JOINT SPONSORS: SENATORS JACOBSEN, AMODEI, CARE, COFFIN, JAMES, MATHEWS, O'DONNELL, PORTER, TITUS, WASHINGTON AND WIENER

Referred to Committee on Education

SUMMARY—Provides for public review of textbooks used in public schools. (BDR 34-1086)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to education; requiring that parents and members of the general public be afforded an opportunity to review textbooks and supplemental textbooks for use in the public schools; 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 390 of NRS is hereby amended by adding thereto
2 a new section to read as follows:
3 ***1. Before a school district selects, approves for selection or purchases***
4 ***supplemental textbooks for use in the public schools in the school district***
5 ***other than charter schools, the school district shall afford the parents***
6 ***and legal guardians of pupils who are enrolled in public schools in the***
7 ***school district and other members of the general public an opportunity***
8 ***to:***

1 (a) Review the supplemental textbooks proposed for selection; and
2 (b) Submit written comments concerning the supplemental textbooks
3 proposed for selection.

4 2. A school district shall not select, approve for selection or purchase
5 a supplemental textbook for use in the public schools of the school
6 district unless the school district included the supplemental textbook for
7 the review required pursuant to subsection 1.

8 3. This section does not prohibit a charter school from using
9 supplemental textbooks other than those made available for review
10 pursuant to this section.

11 **Sec. 2.** NRS 390.005 is hereby amended to read as follows:

12 390.005 As used in this chapter, unless the context requires otherwise:

13 1. "Basic textbook" or "textbook" means any medium or manual of
14 instruction, *including, without limitation, software for computers and*
15 *videotapes*, containing a presentation of the principles of a subject and
16 used as a basis of instruction.

17 2. "Supplemental textbook" means any medium or material,
18 *including, without limitation, software for computers and videotapes*,
19 used to reinforce or extend a basic program of instruction.

20 3. A basic or supplemental textbook becomes "unserviceable" ~~{when}~~
21 *after* 4 years have elapsed since its removal from the adopted list.

22 **Sec. 3.** NRS 390.140 is hereby amended to read as follows:

23 390.140 1. The state board shall make the final selection of all
24 textbooks to be used in the public schools in this state, except for charter
25 schools. *Before the state board makes a final selection of textbooks, the*
26 *state board shall afford the parents and legal guardians of pupils who*
27 *are enrolled in public schools and other members of the general public*
28 *an opportunity to:*

29 (a) Review the textbooks proposed for selection by the state board; and

30 (b) Submit written comments concerning the textbooks proposed for
31 selection.

32 2. A school district may prepare a list of textbooks for consideration
33 by the state board. In preparing such a list, a school district shall afford
34 the parents and legal guardians of pupils who are enrolled in public
35 schools in the school district and other members of the general public an
36 opportunity to:

37 (a) Review the textbooks proposed for consideration by the state
38 board; and

39 (b) Submit written comments concerning the textbooks proposed for
40 consideration by the state board.

41 3. A school district may submit a list that has been prepared in
42 accordance with subsection 2 to the state board for consideration if the
43 list is accompanied

by:

1 *(a) Proof that the school district complied with the provisions of*
2 *subsection 2; and*

3 *(b) The comments, if any, submitted by parents, legal guardians and*
4 *other members of the general public.*

5 **4.** A textbook must not be selected by the state board pursuant to
6 subsection 1 for use in the public schools in classes in literature, history or
7 social sciences unless it accurately portrays the cultural and racial diversity
8 of our society, including lessons on the contributions made to our society
9 by men and women from various racial and ethnic backgrounds.

10 **Sec. 4.** NRS 390.230 is hereby amended to read as follows:

11 390.230 1. Except as otherwise provided in subsection 2, the
12 textbooks adopted by the state board must be used in the public schools in
13 this state, and no other books may be used as basic textbooks.

14 2. This section does not prohibit:

15 (a) The continued use of such textbooks previously approved until they
16 become unserviceable.

17 (b) The use of supplemental textbooks ~~purchased~~ *selected* by a school
18 district with the approval of the superintendent of public instruction.

19 (c) After approval by the state board, the temporary use of textbooks for
20 tryout purposes.

21 (d) A charter school from using textbooks other than those adopted for
22 use by the state board.

23 3. *The superintendent of public instruction shall not grant his*
24 *approval for the purposes of paragraph (b) of subsection 2 unless the*
25 *school district submits proof that it complied with the requirements of*
26 *section 1 of this act in selecting the supplemental textbooks.*

27 **4.** Any school officer or teacher who violates the provisions of this
28 chapter, or knowingly fails to follow the regulations of the state board
29 relating to *the* use of textbooks shall be punished by a fine of not more
30 than \$250.

31 ~~4.~~ **5.** All superintendents, principals, teachers and school officers are
32 charged with the execution of this section.

33 **Sec. 5.** This act becomes effective on July 1, 1999.