

SENATE BILL NO. 223—SENATOR WASHINGTON

FEBRUARY 21, 2001

Referred to Committee on Human Resources and Facilities

SUMMARY—Revises provisions governing private elementary and secondary educational institutions. (BDR 34-1151)

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

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

AN ACT relating to education; revising provisions governing exemptions for certain institutions from the Private Elementary and Secondary Education Authorization Act; requiring an exempt institution to provide notice of the exemption to the parents or guardian of a child before the child enrolls in the institution; 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.** NRS 394.211 is hereby amended to read as follows:
2 394.211 1. The following persons and educational institutions are
3 exempt from the provisions of the Private Elementary and Secondary
4 Education Authorization Act:
5 (a) Institutions exclusively offering instruction at any level of
6 postsecondary education.
7 (b) Institutions maintained by the state or any of its political
8 subdivisions and supported by public funds.
9 (c) Institutions exclusively offering religious or sectarian studies.
10 (d) *Elementary and secondary educational institutions operated by*
11 *churches, religious organizations and faith-based ministries.*
12 (e) Institutions licensed by the commission.
13 ~~(e)~~ (f) Institutions operated by or under the direct administrative
14 supervision of the Federal Government.
15 ~~(f)~~ (g) Natural persons who instruct pupils in their homes or in the
16 pupils' own homes, if this is not the only instruction those pupils receive.
17 ~~(g)~~ (h) Fraternal or benevolent institutions offering instruction to their
18 members or their immediate relatives, if the instruction is not operated for
19 profit.
20 ~~(h)~~ (i) Institutions offering instruction solely in avocational and
21 recreational areas.



1 ~~1(4)~~ (j) Institutions or school systems in operation before July 1, 1975,
2 as to courses of study approved by the board pursuant to NRS 394.130 , ~~1(4)~~
3 but those institutions or school systems are not exempt as to substantial
4 changes in their nature or purpose on or after that date. The official
5 literature of an institution or school system describing the nature and
6 purpose of the institution or school system as of June 30, 1975, is prima
7 facie evidence of the nature and purpose on that date for the purposes of
8 this chapter.

9 2. Each person or educational institution claiming an exemption
10 pursuant to the provisions of subsection 1 must file with the board the
11 exemption upon forms provided by the department or in a letter containing
12 the required information and signed by the person claiming the exemption
13 or the person in charge of the educational institution claiming the
14 exemption. The exemption expires 2 years after the last day of the calendar
15 month in which the filing is made. The filing of a renewal of the exemption
16 must be made not less than 60 days before the exemption expires.

17 3. *Before a child enrolls in an institution that is exempt pursuant to*
18 *this section, the institution shall provide written notice to the parents or*
19 *legal guardian of the child that the institution is exempt from the Private*
20 *Elementary and Secondary Education Authorization Act.*

21 **Sec. 2.** This act becomes effective upon passage and approval.

