

Senate Bill No. 223--Senator Washington

CHAPTER.....

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:

**Section 1.** NRS 394.211 is hereby amended to read as follows:

394.211 1. The following persons and educational institutions are exempt from the provisions of the Private Elementary and Secondary Education Authorization Act:

(a) Institutions exclusively offering instruction at any level of postsecondary education.

(b) Institutions maintained by the state or any of its political subdivisions and supported by public funds.

(c) Institutions exclusively offering religious or sectarian studies.

(d) *Elementary and secondary educational institutions operated by churches, religious organizations and faith-based ministries.*

(e) Institutions licensed by the commission.

~~(f)~~ (f) Institutions operated by or under the direct administrative supervision of the Federal Government.

~~(g)~~ (g) Natural persons who instruct pupils in their homes or in the pupils' own homes, if this is not the only instruction those pupils receive.

~~(h)~~ (h) Fraternal or benevolent institutions offering instruction to their members or their immediate relatives, if the instruction is not operated for profit.

~~(i)~~ (i) Institutions offering instruction solely in avocational and recreational areas.

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

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

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

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