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**Nevada State Education Association
Proposed Amendments to A.B. 512**

Section 4

Proposed Amendment

Delete the words "related to education" at page 2, lines 36-37.

Explanation

Section 4 of the bill defines "privatization agreement" in terms of the performance of "instructional services or any other service *related to education* that would, but for the agreement, be performed by an employee of the district." (Emphasis added.) Deleting "related to education" would eliminate any uncertainty about whether a given service – e.g., grounds-keeping at the schools or food service work in school cafeterias – is covered by the bill. So long as the service is one that would otherwise be performed by an employee of the District, any proposed agreement to privatize the service is a privatization agreement and should be covered by the bill.

Section 9

Proposed Amendment

Change "may" to "shall" at page 2, line 39, and delete the prefatory phrase, "If a board of trustees chooses to submit such an agreement for legislative approval" at lines 41-42.

Explanation

Section 9 of the bill provides that certain privatization agreements adopted by the board of trustees of a school district are not effective until they have been submitted to and approved by the Legislature (when the Legislature is in session) or the Legislative Committee on Education (during the interim). The requirement of legislative approval is intended to be mandatory in those cases to which the requirement applies.

As presently drafted, however, subsection 2 of section 9 provides that the board of trustees "may" submit a request for approval, and begins the next sentence with the phrase, "If a board of trustees chooses to submit such an agreement for legislative approval" (Emphasis added.) This language is inconsistent with the intent of the bill. Accordingly, subsection 2 should be amended as follows:

2. After the adoption of a privatization agreement that is subject to the requirements of subsection 1, the board of trustees of the school district ~~may~~ shall submit a written request for approval of the agreement by the Legislature or by the Legislative Committee on Education. ~~If a board of trustees chooses to submit such an agreement for legislative approval, the~~ The request must be submitted to the Director of the Legislative Counsel Bureau. The written request
(continue as written).

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ASSEMBLY EDUCATION
DATE: 4/2/03 ROOM: 3143 EXHIBIT I
SUBMITTED BY: JIM PENROSE

Section 21**Proposed Amendment**

Add the phrase, "Except as authorized by NRS 386.560" to the beginning of the section.

Explanation

NRS 386.560 permits the governing body of a charter school to contract with the local school board or the University and Community College System for the provision of facilities or to perform any service relating to the operation of the charter school. The language that appears in section 21 of the bill was not intended to preclude such a contract. Accordingly, section 21 should be amended to provide an exception for contracts authorized by NRS 386.560.

Section 23**Proposed Amendment**

Delete section 23 of the bill.

Explanation

If section 21 is amended as set forth above, there is no need to amend NRS 386.560 and section 23 can be deleted.

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