
ASSEMBLY BILL NO. 161—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON EDUCATION)

MARCH 3, 2005

Referred to Committee on Education

SUMMARY—Makes various changes regarding information provided to and provided by school districts and charter schools. (BDR 34-476)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

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

AN ACT relating to education; requiring the Department of Education to prepare and distribute a manual for use by members of the boards of trustees of school districts that contains information which is relevant to the duties and responsibilities of the boards of trustees; requiring the Superintendent of Public Instruction to convene conferences for the members of the boards of trustees of school districts; revising provisions governing the annual information the Superintendent is required to provide to school districts and charter schools concerning newly enacted legislation; requiring the governing body of a charter school to provide certain information to parents and employees of the charter school concerning newly enacted legislation; revising the provisions governing the information the board of trustees of a school district is required to provide to parents and employees concerning newly enacted legislation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires that the Department of Education convene conferences of
- 2 teachers and school administrators and communicate certain information to parents
- 3 and school boards. (NRS 385.190, 385.210)



This bill requires the Department of Education, in consultation with the Nevada Association of School Boards, to prepare and distribute a manual for members of the board of trustees of each school district.

Existing law requires the Superintendent of Public Instruction to convene conferences of teachers and conferences of school administrators. (NRS 385.190)

This bill requires the Superintendent to convene conferences of boards of trustees of school districts, in consultation with the Nevada Association of School Boards.

Under existing law, the Superintendent is required to provide to the board of trustees of each school district a memorandum every year that describes the newly enacted legislation that affects the public schools and pupils. (NRS 385.210)

This bill requires the Superintendent to distribute the memorandum to the governing body of each charter school as well as the board of trustees of each school district.

This bill requires the Superintendent to prepare an addendum to the memorandum when any statute that affects the public schools and pupils is enacted during a special session of the Legislature that concludes after July 1.

Existing law requires that travel expenses and per diem allowances of school board trustees be paid at the same rate authorized for state officers. This law applies when trustees attend county, state or national school board association meetings. (NRS 385.190, 386.345)

When the expenses and per diem allowances are paid from the State Distributive School Account, this bill excludes payment at the same rate authorized for state officers.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 385 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall, in consultation with the Nevada Association of School Boards, prepare a manual for use by the members of the board of trustees of each school district that includes information relevant to the duties and responsibilities of the board of trustees.

2. The manual must include, without limitation:

(a) The duties and responsibilities of the members of the board of trustees of a school district;

(b) The statutes set forth in chapter 241 of NRS and any relevant case law or opinions of the Attorney General interpreting those statutes;

(c) An overview of the Nevada Plan for school finance;

(d) A general description of the operation of the Legislature during a regular and a special session; and

(e) Such other information as the Department or the Nevada Association of School Boards determines is necessary or useful.



1 ↪ *The manual may be presented in a format that includes a*
2 *compilation of information from sources other than the*
3 *Department.*

4 3. *The Department shall, in consultation with the Nevada*
5 *Association of School Boards, review the manual annually and*
6 *make revisions as determined are necessary or useful.*

7 4. *The Department shall provide a copy of the manual, or a*
8 *revised copy, as applicable, to each member of the board of*
9 *trustees of each school district. After a general election, the*
10 *Department shall provide a current copy of the manual to each*
11 *newly elected member of the board of trustees of a school district.*

12 **Sec. 2.** NRS 385.190 is hereby amended to read as follows:

13 385.190 1. The Superintendent of Public Instruction or a staff
14 member designated by him shall:

15 (a) Convene teachers' conferences in the various sections of the
16 State in such places and at such times as he deems advisable.

17 (b) Engage such conference lecturers and leaders as he deems
18 advisable.

19 (c) Preside over and regulate the programs of all teachers'
20 conferences.

21 2. No teachers' conference may continue more than 5 days.

22 3. The Superintendent of Public Instruction or his designated
23 staff member shall convene, in such places and at such times as he
24 may designate, conferences of school administrators.

25 4. *The Superintendent of Public Instruction or his designated*
26 *staff member shall convene, in consultation with the Nevada*
27 *Association of School Boards, conferences of boards of trustees of*
28 *school districts at such times and places as the Superintendent*
29 *may designate.*

30 5. The expenses of holding teachers' , ~~land~~ administrators'
31 *and trustees'* conferences must be paid from the State Distributive
32 School Account in the State General Fund, but the amount must not
33 exceed \$8,400 in any one biennium. The State Controller shall draw
34 his warrants for such expenses upon the order of the Superintendent
35 of Public Instruction.

36 **Sec. 3.** NRS 385.210 is hereby amended to read as follows:

37 385.210 1. The Superintendent of Public Instruction shall
38 prescribe a convenient form of school register for the purpose of
39 securing accurate returns from the teachers of public schools.

40 2. The Superintendent shall prepare pamphlet copies of the
41 codified statutes relating to schools, and shall transmit a copy to
42 each school, school trustee and other school officer in this State. If
43 the State Board adopts regulations to carry out these codified
44 statutes or if additions or amendments are made to these codified



1 statutes, the Superintendent shall have the regulations, additions or
2 amendments printed and transmitted immediately thereafter. Each
3 pamphlet must be marked "State property—to be turned over to
4 your successor in office." Each school shall maintain a copy of the
5 pamphlet with any regulations, additions or amendments in the
6 school library.

7 3. In addition to the requirements set forth in subsection 2, the
8 Superintendent shall, to the extent practicable and not later than
9 July 1 of each year, provide to the board of trustees of each school
10 district *and to the governing body of each charter school* a
11 memorandum that ~~[describes]~~ *includes:*

12 (a) *A description of each statute newly enacted by the*
13 *Legislature which affects the public schools in this State and the*
14 *pupils who are enrolled in the public schools in this State. The*
15 *memorandum may compile all the statutes into one document. ~~If a~~*
16 ~~*statute requires the State Board to take action to carry out the*~~
17 ~~*statute, the memorandum must include a brief plan for carrying out*~~
18 ~~*the statute by the State Board. In addition, the memorandum must*~~
19 ~~*include the date on which the statute becomes effective and the date*~~
20 ~~*by which it must be carried into effect by a school district or public*~~
21 ~~*school.*~~

22 ~~—4.]~~ (b) *A description of each bill, or portion of a bill, newly*
23 *enacted by the Legislature that appropriates or authorizes money*
24 *for public schools or for employees of a school district or charter*
25 *school, or both, or otherwise affects the money that is available for*
26 *public schools or for employees of school districts or charter*
27 *schools, or both, including, without limitation, each line item in a*
28 *budget for such an appropriation or authorization. The*
29 *memorandum may compile all bills, or portions of bills, as*
30 *applicable, into one document.*

31 (c) *If a statute or bill described in the memorandum requires*
32 *the State Board or the Department to take action to carry out the*
33 *statute or bill, a brief plan for carrying out that statute or bill.*

34 (d) *The date on which each statute and bill described in the*
35 *memorandum becomes effective and the date by which it must be*
36 *carried into effect by a school district or public school, including,*
37 *without limitation, a charter school.*

38 4. *If a statute or bill described in subsection 3 is enacted*
39 *during a special session of the Legislature that concludes after*
40 *July 1, the Superintendent shall prepare an addendum to the*
41 *memorandum that includes the information required by this*
42 *section for each such statute or bill. The addendum must be*
43 *provided to the board of trustees of each school district and the*
44 *governing body of each charter school not later than 30 days after*
45 *the special session concludes.*



1 **5.** The Superintendent shall, if directed by the State Board,
2 prepare and publish a bulletin as the official publication of the
3 Department.

4 **Sec. 4.** Chapter 386 of NRS is hereby amended by adding
5 thereto a new section to read as follows:

6 ***1. Not later than 60 days after receipt of a memorandum***
7 ***pursuant to subsection 3 of NRS 385.210 or an addendum to a***
8 ***memorandum pursuant to subsection 4 of that section, the***
9 ***governing body of a charter school shall determine which statutes***
10 ***and bills described in the memorandum or addendum, as***
11 ***applicable, directly affect pupils, parents, teachers, administrators***
12 ***or other educational personnel of the charter school and require a***
13 ***plan for implementation. If the governing body determines that a***
14 ***statute or bill requires a plan for implementation, the governing***
15 ***body shall prepare a brief plan, which must ensure that the***
16 ***charter school will comply with the statute or bill on the date on***
17 ***which the statute or bill becomes effective and thereafter.***

18 ***2. The governing body of a charter school shall provide to the***
19 ***parents and legal guardians of pupils who are enrolled in the***
20 ***charter school, and to all teachers, administrators and other***
21 ***educational personnel who are employed by the charter school,***
22 ***written notice of the:***

23 ***(a) Information contained in the memorandum provided***
24 ***pursuant to subsection 3 of NRS 385.210 or the addendum***
25 ***provided pursuant to subsection 4 of that section, as applicable,***
26 ***that directly affects pupils, parents, teachers, administrators or***
27 ***other educational personnel of the charter school; and***

28 ***(b) Brief plan for implementation of the statutes or bills, if***
29 ***any.***

30 ***3. The written notice provided pursuant to subsection 2 to the***
31 ***parents and legal guardians may be:***

32 ***(a) Included in other notices that the charter school provides***
33 ***to parents and legal guardians.***

34 ***(b) Provided in a language other than English if the governing***
35 ***body determines that it is necessary for the parent or legal***
36 ***guardian to understand the notice.***

37 **Sec. 5.** NRS 386.345 is hereby amended to read as follows:

38 386.345 1. The board of trustees of a school district may:

39 (a) Acquire and maintain membership in county, state and
40 national school board associations and pay dues to such
41 associations.

42 (b) ~~[Pay]~~ ***Except for those expenses and allowances paid from***
43 ***the State Distributive School Account pursuant to NRS 385.190,***
44 ***pay*** the travel expenses and per diem allowances of trustees at the



1 same rate authorized by law for state officers when the trustees
2 attend county, state or national school board association meetings.

3 2. Claims for dues, travel expenses and per diem allowances
4 authorized in subsection 1 shall be presented and allowed as
5 provided by law for other claims against the school district.

6 **Sec. 6.** NRS 386.360 is hereby amended to read as follows:

7 386.360 1. Not later than 60 days after receipt of ~~[such]~~ a
8 memorandum pursuant to subsection 3 of NRS 385.210 ~~[from the~~
9 ~~Superintendent of Public Instruction.]~~ *or an addendum to a*
10 *memorandum pursuant to subsection 4 of that section,* the board
11 of trustees of a school district shall determine which statutes *and*
12 *bills described in the memorandum or addendum, as applicable,*
13 directly affect pupils, parents, teachers, administrators or other
14 educational personnel and require a plan for implementation. If the
15 board of trustees determines that a statute *or bill* requires a plan for
16 implementation, the board of trustees shall prepare a brief plan,
17 which must ensure that the school district and the public schools
18 within the school district will comply with the statute *or bill* on the
19 date on which the statute *or bill* becomes effective and thereafter.

20 2. The board of trustees shall provide written notice *to the*
21 *parents and legal guardians of pupils who are enrolled in public*
22 *schools within the school district, and to all teachers,*
23 *administrators and other educational personnel who are employed*
24 *by the board of trustees and the governing body of each charter*
25 *school that is located within the school district* of the ~~[information]~~
26 *;*

27 (a) *Information* contained in the memorandum provided
28 pursuant to subsection 3 of NRS 385.210 *or the addendum*
29 *provided pursuant to subsection 4 of that section, as applicable,*
30 that directly affects pupils, parents, teachers, administrators or other
31 educational personnel *;* and ~~[a brief]~~

32 (b) *Brief* plan for implementation of the statutes ~~[.]~~ *or bills,* if
33 any. ~~[, to the parents and legal guardians of pupils who are enrolled~~
34 ~~in public schools within the school district and all teachers,~~
35 ~~administrators and other educational personnel who are employed~~
36 ~~by the board of trustees.]~~

37 3. The written notice *provided pursuant to subsection 2* to the
38 parents and legal guardians may be:

39 (a) Included in other notices that the board of trustees provides
40 to parents and legal guardians.

41 (b) Provided in a language other than English if the board of
42 trustees determines that it is necessary for the parent or legal
43 guardian to understand the notice.

44 ~~[2-]~~ 4. Each board of trustees may prescribe or enforce rules,
45 not inconsistent with law or rules prescribed by the State Board, for



1 its own government and the government of public schools under its
2 charge.

3 ~~[3.1]~~ 5. Each board of trustees shall prescribe rules for the
4 granting of permission to carry or possess a weapon pursuant to
5 NRS 202.265.

6 **Sec. 7.** NRS 386.500 is hereby amended to read as follows:

7 386.500 For the purposes of NRS 386.500 to 386.610,
8 inclusive, *and section 4 of this act*, a pupil is "at risk" if he has an
9 economic or academic disadvantage such that he requires special
10 services and assistance to enable him to succeed in educational
11 programs. The term includes, without limitation, pupils who are
12 members of economically disadvantaged families, pupils who are
13 limited English proficient, pupils who are at risk of dropping out of
14 high school and pupils who do not meet minimum standards of
15 academic proficiency. The term does not include a pupil with a
16 disability.

17 **Sec. 8.** On or before October 1, 2005, the Department of
18 Education shall:

- 19 1. Prepare the manual required pursuant to section 1 of this act;
- 20 2. Provide a copy of the manual to each member of the board
21 of trustees of each school district; and
- 22 3. Provide a copy of the manual to the Legislative Committee
23 on Education created pursuant to NRS 218.5352.

24 **Sec. 9.** This act becomes effective on July 1, 2005.



