

**Amendment No. 76**

Assembly Amendment to Assembly Bill No. 108

(BDR 34-378)

**Proposed by:** Committee on Education

**Amendment Box:**

**Resolves Conflicts with:** N/A

**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 3, line 6, after “State” by inserting:

*“, an arbitrator provided by the American Arbitration Association or a representative of an agency or organization that provides alternative dispute resolution services”.*

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MAM/KCR

Date: 3/30/2005

A.B. No. 108—Revises provisions governing appointment of hearing officers in certain cases involving licensed educational personnel.

**If this amendment is adopted, the Legislative  
Counsel's Digest will be changed to read as follows:**

**Legislative Counsel's Digest:**

Existing law prescribes the process for the appointment of hearing officers to preside over disciplinary proceedings involving licensed school district employees. Under existing law, the Department of Education must maintain a list of hearing officers composed of attorneys. The State Board of Education creates the list after receiving nominations from the State Bar of Nevada and the Nevada Trial Lawyers Association. (NRS 391.3161)

Existing law requires hearing officers in disciplinary proceedings and license revocation proceedings to be selected from a list provided by the American Arbitration Association. (NRS 391.3161, 391.322) Existing law also allows an employee and a superintendent to mutually agree upon a hearing officer who is an attorney in this State for the disciplinary proceedings. (NRS 391.3161)

This bill removes the requirement that hearing officers be appointed from a list provided by the American Arbitration Association. This bill requires that appointments be made by the Hearings Division of the Department of Administration. In addition to allowing the parties to select an attorney to serve as a hearing officer in disciplinary proceedings, this bill allows the employee and the superintendent to mutually agree upon an arbitrator provided by the American Arbitration Association or a representative of an agency or organization that provides alternative dispute resolution services.