

SENATE BILL NO. 540—COMMITTEE ON LEGISLATIVE
OPERATIONS AND ELECTIONS

MARCH 26, 2007

Referred to Committee on Finance

SUMMARY—Revises provisions governing the system of public education in this State. (BDR 34-113)

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

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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 the duties and powers of the Superintendent of Public Instruction; revising provisions relating to the appointment of the Superintendent of Public Instruction; making the Commission on Educational Technology an advisory body; making the Council to Establish Academic Standards for Public Schools an advisory body; revising provisions relating to the regional training programs for the professional development of teachers and administrators; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Department of Education, which consists of the State Board of Education, the State Board for Career and Technical Education and the Superintendent of Public Instruction. (NRS 385.010)

Section 6 of this bill provides for the appointment of the Superintendent of Public Instruction by the Governor instead of the State Board of Education. (NRS 385.150)

Existing law creates the Commission on Educational Technology to establish a plan for the use of educational technology in the public schools of this State. (NRS 388.780-388.805) **Sections 16-20** of this bill make the Commission an advisory body to the Superintendent of Public Instruction and require the Superintendent and the Department to carry out the duties formerly assigned to the Commission.

Under existing law the Council to Establish Academic Standards for Public Schools establishes the academic standards that will be taught in the public schools in this State. (NRS 389.500-389.570) **Sections 21-26** of this bill make the Council an advisory body to the Superintendent of Public Instruction, who will be responsible for carrying out the duties formerly assigned to the Council.



Existing law creates four regional training programs for the professional development of teachers and administrators with specified geographical boundaries and requires certain school districts to serve as the fiscal agents of each of the regional training programs. (NRS 391.500-391.556) **Sections 29-32** of this bill eliminate the specified geographical boundaries and require the Superintendent of Public Instruction to prescribe the geographical boundaries of the four regional training programs. The Superintendent is also required to select the school district to serve as fiscal agent for each regional training program.

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

Section 1. (Deleted by amendment.)

Sec. 2. NRS 385.030 is hereby amended to read as follows:

385.030 1. At ~~its~~ *the* first meeting *of the State Board* after each election and qualification of newly elected members, the ~~State Board of Education shall organize by electing~~ *Governor shall select* one of ~~its~~ *the* members *of the State Board* as President, to serve at the pleasure of the ~~Board~~ *Governor*.

2. The Superintendent of Public Instruction is the Secretary of the *State* Board and shall serve without additional salary.

Sec. 3. NRS 385.040 is hereby amended to read as follows:

385.040 1. The State Board ~~of Education~~ may hold at least four regular meetings annually at the state capital. The Secretary shall call all regular meetings.

2. The Board may hold special meetings at such other times and places as the Board may direct. The Secretary shall call special meetings upon the written request of the *Governor, the* President or any three members of the Board.

3. *The Governor may direct that an item be included on the agenda of a meeting of the State Board for consideration.*

4. A majority of the Board constitutes a quorum for the transaction of business, and no action of the Board is valid unless that action receives, at a legally called meeting, the approval of a majority of all board members.

Sec. 4. (Deleted by amendment.)

Sec. 5. NRS 385.110 is hereby amended to read as follows:

385.110 1. Except as otherwise provided in subsections 2 and 3, the State Board shall prescribe and cause to be enforced the courses of study for the public schools of this State. The courses of study prescribed and enforced by the State Board must comply with the standards of content and performance established by the ~~Council to Establish Academic Standards for Public Schools~~ *Superintendent of Public Instruction* pursuant to NRS 389.520.

2. For those courses of study prescribed by the State Board:



(a) High schools may have modified courses of study, subject to the approval of the State Board; and

(b) Any high school offering courses normally accredited as being beyond the level of the 12th grade shall, before offering such courses, have them approved by the State Board.

3. A charter school is not required to offer the courses of study prescribed by the State Board except for those courses of study which are required for promotion to the next grade or graduation from high school.

Sec. 6. NRS 385.150 is hereby amended to read as follows:

385.150 1. The ~~[State Board]~~ **Governor** shall appoint the Superintendent of Public Instruction for a term of ~~[3]~~ **4** years. The ~~[State Board]~~ **Governor** may remove the Superintendent of Public Instruction from office for inefficiency, neglect of duty, malfeasance in office or for other just cause.

2. A vacancy must be filled by the ~~[State Board]~~ **Governor** for the remainder of the unexpired term ~~[.]~~ **in the manner prescribed in this section.**

3. The Superintendent of Public Instruction is in the unclassified service of the State.

4. The appointment of the Superintendent of Public Instruction must be made from a list of names of at least three persons that is submitted to the Governor by the search committee convened pursuant to subsection 5.

5. Before the expiration of the term of the Superintendent of Public Instruction or in the event of a vacancy, the Governor shall convene a search committee to recommend candidates for appointment as the Superintendent of Public Instruction. The search committee must consist of the following members:

(a) A member of the State Board, appointed by the President of the Board;

(b) Two members appointed by the Governor;

(c) A member who is not a Legislator, appointed by the Majority Leader of the Senate; and

(d) A member who is not a Legislator, appointed by the Speaker of the Assembly.

6. The search committee shall:

(a) Solicit the names of potential candidates for appointment as the Superintendent of Public Instruction;

(b) Review the qualifications of each potential candidate;

(c) Conduct interviews of potential candidates; and

(d) Recommend to the Governor not less than three persons as candidates for appointment as the Superintendent of Public Instruction.



Sec. 7. NRS 385.170 is hereby amended to read as follows:

385.170 The Superintendent *of Public Instruction* shall not pursue any other business or occupation or hold any other office of profit without the approval of the ~~[State Board of Education.]~~ *Governor.*

Sec. 8. NRS 385.175 is hereby amended to read as follows:

385.175 The Superintendent of Public Instruction shall:

1. Execute, direct or supervise all administrative, technical and procedural activities of the Department . ~~[in accordance with policies prescribed by the State Board.]~~

2. *Oversee the activities of the:*

(a) *Advisory Commission on Educational Technology; and*

(b) *Advisory Council for Academic Standards in the Public Schools.*

3. Employ , *within the limits of available money,* personnel for the positions ~~[approved by the State Board and]~~ necessary for the efficient operation of the Department.

~~[3.]~~ 4. Organize the Department in a manner which will assure efficient operation and service.

~~[4.]~~ 5. Maintain liaison and coordinate activities with other state agencies performing educational functions.

~~[5.]~~ 6. Perform such other duties as are prescribed by law.

Sec. 9. NRS 385.330 is hereby amended to read as follows:

385.330 1. Professional staff and other personnel appointed by the Superintendent of Public Instruction shall perform such duties as are assigned by the Superintendent.

2. The Superintendent of Public Instruction ~~[, under the policies of the State Board.]~~ shall locate the offices of professional staff and other personnel where the needs of the education program can best be served.

Sec. 10. (Deleted by amendment.)

Sec. 11. (Deleted by amendment.)

Sec. 12. (Deleted by amendment.)

Sec. 13. (Deleted by amendment.)

Sec. 14. (Deleted by amendment.)

Sec. 15. NRS 387.303 is hereby amended to read as follows:

387.303 1. Not later than November 10 of each year, the board of trustees of each school district shall submit to the Superintendent of Public Instruction and the Department of Taxation a report which includes the following information:

(a) For each fund within the school district, including, without limitation, the school district's general fund and any special revenue fund which receives state money, the total number and salaries of licensed and nonlicensed persons whose salaries are paid from the fund and who are employed by the school district in full-time



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1 positions or in part-time positions added together to represent full-
2 time positions. Information must be provided for the current school
3 year based upon the school district's final budget, including any
4 amendments and augmentations thereto, and for the preceding
5 school year. An employee must be categorized as filling an
6 instructional, administrative, instructional support or other position.

7 (b) The count of pupils computed pursuant to paragraph (a) of
8 subsection 1 of NRS 387.1233.

9 (c) The school district's actual expenditures in the fiscal year
10 immediately preceding the report.

11 (d) The school district's proposed expenditures for the current
12 fiscal year.

13 (e) The schedule of salaries for licensed employees in the
14 current school year and a statement of whether the negotiations
15 regarding salaries for the current school year have been completed.
16 If the negotiations have not been completed at the time the schedule
17 of salaries is submitted, the board of trustees shall submit a
18 supplemental report to the Superintendent of Public Instruction upon
19 completion of negotiations or the determination of an arbitrator
20 concerning the negotiations that includes the schedule of salaries
21 agreed to or required by the arbitrator.

22 (f) The number of teachers who received an increase in salary
23 pursuant to subsection 2 of NRS 391.160 for the current and
24 preceding fiscal years. If the board of trustees is required to pay an
25 increase in salary retroactively pursuant to subsection 2 of NRS
26 391.160, the board of trustees shall submit a supplemental report to
27 the Superintendent of Public Instruction not later than February 15
28 of the year in which the retroactive payment was made that includes
29 the number of teachers to whom an increase in salary was paid
30 retroactively.

31 (g) The number of employees eligible for health insurance
32 within the school district for the current and preceding fiscal years
33 and the amount paid for health insurance for each such employee
34 during those years.

35 (h) The rates for fringe benefits, excluding health insurance,
36 paid by the school district for its licensed employees in the
37 preceding and current fiscal years.

38 (i) The amount paid for extra duties, supervision of
39 extracurricular activities and supplemental pay and the number of
40 employees receiving that pay in the preceding and current fiscal
41 years.

42 (j) The expenditures from the account created pursuant to
43 subsection 3 of NRS 179.1187. The report must indicate the total
44 amount received by the district in the preceding fiscal year, and the



1 specific amount spent on books and computer hardware and
2 software for each grade level in the district.

3 2. On or before November 25 of each year, the Superintendent
4 of Public Instruction shall submit to the Department of
5 Administration and the Fiscal Analysis Division of the Legislative
6 Counsel Bureau, in a format approved by the Director of the
7 Department of Administration, a compilation of the reports made by
8 each school district pursuant to subsection 1.

9 3. *In preparing the agency biennial budget request for the*
10 *State Distributive School Account for submission to the*
11 *Department of Administration, the Superintendent of Public*
12 *Instruction shall:*

13 (a) *Compile the information from the most recent compilation*
14 *of reports submitted pursuant to subsection 2;*

15 (b) *Increase the line items of expenditure or revenue based on*
16 *merit salary increases, cost of living adjustments or inflation, as*
17 *deemed credible and reliable based upon published indices and*
18 *research relevant to the specific line item of expenditure or*
19 *revenue;*

20 (c) *Adjust expenditures and revenues pursuant to paragraph*
21 *(b) for any year remaining before the biennium for which the*
22 *budget is being prepared and for the 2 years of the biennium*
23 *covered by the biennial budget request to project the cost of*
24 *expenditures or the receipt of revenues for the specific line items;*

25 (d) *Consider the cost of enhancements to existing programs or*
26 *the projected cost of proposed new educational programs,*
27 *regardless of whether those enhancements or new programs are*
28 *included in the per pupil basic support guarantee for inclusion in*
29 *the biennial budget request to the Department of Administration;*
30 *and*

31 (e) *Obtain approval from the State Board for any inflationary*
32 *increase, enhancement to an existing program or addition of a*
33 *new program included in the agency biennial budget request.*

34 4. The Superintendent of Public Instruction shall, in the
35 compilation required by subsection 2, reconcile the revenues ~~and~~
36 ~~expenditures~~ of the school districts with the apportionment received
37 by those districts from the State Distributive School Account for the
38 preceding year.

39 5. *The budget request prepared pursuant to subsection 3*
40 *must:*

41 (a) *Be presented by the Superintendent of Public Instruction to*
42 *such standing committees of the Legislature as the Superintendent*
43 *determines appropriate for the purpose of developing educational*
44 *programs and providing appropriations for those programs; and*



(b) Provide for a direct comparison of appropriations to the proposed budget of the Governor submitted pursuant to subsection 4 of NRS 353.230.

Sec. 16. NRS 388.785 is hereby amended to read as follows:

388.785 ~~["Commission"]~~ **"Advisory Commission"** means the **Advisory** Commission on Educational Technology created pursuant to NRS 388.790.

Sec. 17. NRS 388.790 is hereby amended to read as follows:

388.790 1. The **Advisory** Commission on Educational Technology, consisting of 2 members who serve ex officio and 11 members who are appointed, is hereby created. The Superintendent of Public Instruction , **or his designee**, and the Director of the Department of Information Technology shall serve ~~[ex-officio]~~ as nonvoting members of the **Advisory** Commission.

2. The Governor shall appoint the following voting members to the **Advisory** Commission, at least two of whom must reside in a county whose population is less than 100,000:

(a) One administrator in a public school who possesses knowledge and experience in the general application of technology;

(b) One school teacher in a public elementary school who possesses knowledge and experience in the use of educational technology in the public schools;

(c) One school teacher in a public secondary school who possesses knowledge and experience in the use of educational technology in the public schools;

(d) One representative of public libraries who possesses knowledge and experience in the general application of technology;

(e) One representative of the Nevada System of Higher Education who possesses knowledge and experience in the use of educational technology in institutions of higher education;

(f) One representative of the private sector who possesses knowledge and experience in the use of technology; and

(g) One parent or legal guardian who possesses knowledge and experience in the general application of technology.

3. The Majority Leader of the Senate shall appoint two voting members to the **Advisory** Commission:

(a) One of whom is a member of the Senate; and

(b) One of whom is employed in the field of technology.

4. The Speaker of the Assembly shall appoint two voting members to the **Advisory** Commission:

(a) One of whom is a member of the Assembly; and

(b) One of whom is employed in the field of technology.

5. The Governor shall appoint a Chairman among the voting members of the **Advisory** Commission.



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6. After the initial terms, the term of each member of the **Advisory** Commission is 2 years, commencing on January 1 of the year he is appointed and expiring on December 31 of the immediately following year. A member shall continue to serve on the **Advisory** Commission until his successor is appointed. Upon the expiration of a term of a member, he may be reappointed if he still possesses any requisite qualifications for appointment. There is no limit on the number of terms that a member may serve.

7. The person or entity who appoints a member to the **Advisory** Commission may remove that member if the member neglects his duty or commits malfeasance in office, or for other just cause. Any vacancy in the membership of the **Advisory** Commission must be filled for the remainder of the unexpired term in the same manner as the original appointment.

8. The **Advisory** Commission shall hold at least four regular meetings each year and may hold special meetings at the call of the Chairman.

9. Members of the **Advisory** Commission who are not Legislators serve without compensation, except that for each day or portion of a day during which a member of the **Advisory** Commission attends a meeting of the **Advisory** Commission or is otherwise engaged in the business of the **Advisory** Commission, he is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

10. For each day or portion of a day during which a member of the **Advisory** Commission who is a Legislator attends a meeting of the **Advisory** Commission or is otherwise engaged in the work of the **Advisory** Commission, except during a regular or special session of the Legislature, he is entitled to receive the:

(a) Compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding session;

(b) Per diem allowance provided for state officers and employees generally; and

(c) Travel expenses provided pursuant to NRS 218.2207.

➔ The compensation, per diem allowances and travel expenses of the legislative members of the **Advisory** Commission must be paid from the Legislative Fund.

Sec. 18. NRS 388.795 is hereby amended to read as follows:

388.795 1. The ~~[Commission]~~ **Superintendent of Public Instruction** shall establish a plan for the use of educational technology in the public schools of this State. In preparing the plan, the ~~[Commission]~~ **Superintendent** shall consider:

(a) Plans that have been adopted by the Department and the school districts in this State;

(b) Plans that have been adopted in other states;



(c) The information reported pursuant to paragraph (t) of subsection 2 of NRS 385.347; ~~and~~

(d) *The advice and recommendations of the Advisory Commission; and*

(e) Any other information that the *Superintendent, the Advisory Commission* or the Committee deems relevant to the preparation of the plan.

2. *The Advisory Commission shall advise and make recommendations to the Superintendent of Public Instruction in carrying out the provisions of this section.*

3. The plan established by the ~~[Commission]~~ *Superintendent of Public Instruction* must include recommendations for methods to:

(a) Incorporate educational technology into the public schools of this State;

(b) Increase the number of pupils in the public schools of this State who have access to educational technology;

(c) Increase the availability of educational technology to assist licensed teachers and other educational personnel in complying with the requirements of continuing education, including, but not limited to, the receipt of credit for college courses completed through the use of educational technology;

(d) Facilitate the exchange of ideas to improve the achievement of pupils who are enrolled in the public schools of this State; and

(e) Address the needs of teachers in incorporating the use of educational technology in the classroom, including, but not limited to, the completion of training that is sufficient to enable the teachers to instruct pupils in the use of educational technology.

~~[3.]~~ 4. The Department shall provide:

(a) Administrative support;

(b) Equipment; and

(c) Office space,

↳ as is necessary for the *Advisory Commission* to carry out the provisions of this section.

~~[4.]~~ 5. The following entities shall cooperate with the *Superintendent of Public Instruction and the Advisory Commission* in carrying out the provisions of this section:

(a) The State Board.

(b) The board of trustees of each school district.

(c) The superintendent of schools of each school district.

(d) The Department.

~~[5.]~~ 6. The *Superintendent of Public Instruction, upon advice and recommendation of the Advisory Commission*, shall:

(a) Develop technical standards for educational technology and any electrical or structural appurtenances necessary thereto,



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1 including, without limitation, uniform specifications for computer
2 hardware and wiring, to ensure that such technology is compatible,
3 uniform and can be interconnected throughout the public schools of
4 this State.

5 (b) Allocate money to the school districts from the Trust Fund
6 for Educational Technology created pursuant to NRS 388.800 and
7 any money appropriated by the Legislature for educational
8 technology, subject to any priorities for such allocation established
9 by the Legislature.

10 (c) Establish criteria for the board of trustees of a school district
11 that receives an allocation of money from the ~~[Commission]~~
12 *Superintendent* to:

13 (1) Repair, replace and maintain computer systems.

14 (2) Upgrade and improve computer hardware and software
15 and other educational technology.

16 (3) Provide training, installation and technical support related
17 to the use of educational technology within the district.

18 (d) Submit to the Governor, the *Advisory Commission, the*
19 Committee and the Department ~~[its]~~ a plan for the use of
20 educational technology in the public schools of this State and any
21 recommendations for legislation.

22 (e) Review the plan annually and make revisions as it deems
23 necessary or as directed by the Committee or the Department.

24 (f) In addition to the recommendations set forth in the plan
25 pursuant to subsection 2, make further recommendations to the
26 Committee and the Department as the ~~[Commission]~~
27 *Superintendent* deems necessary.

28 ~~[6-]~~ 7. The *Advisory* Commission may ~~[appoint]~~ *recommend*
29 *to the Superintendent of Public Instruction for appointment* an
30 advisory committee composed of members of the *Advisory*
31 Commission or other qualified persons to provide recommendations
32 to the ~~[Commission]~~ *Superintendent* regarding standards for the
33 establishment, coordination and use of a telecommunications
34 network in the public schools throughout the various school districts
35 in this State. ~~[The]~~ *An* advisory committee serves at the pleasure of
36 the ~~[Commission]~~ *Superintendent* and without compensation unless
37 an appropriation or other money for that purpose is provided by the
38 Legislature.

39 ~~[7-]~~ 8. As used in this section, "public school" includes the
40 Caliente Youth Center, the Nevada Youth Training Center and any
41 other state facility for the detention of children that is operated
42 pursuant to title 5 of NRS.

43 **Sec. 19.** NRS 388.800 is hereby amended to read as follows:

44 388.800 1. The Trust Fund for Educational Technology is
45 hereby created in the State General Fund. The Trust Fund must be



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1 administered by the Superintendent of Public Instruction. The
2 Superintendent may accept gifts and grants of money from any
3 source for deposit in the Trust Fund. Any such money may be
4 expended in accordance with the terms and conditions of the gift or
5 grant, or in accordance with subsection 3.

6 2. The interest and income earned on the money in the Trust
7 Fund must be credited to the Trust Fund.

8 3. The money in the Trust Fund may be used only for the
9 distribution of money to school districts to be used in kindergarten
10 through 12th grade to obtain and maintain hardware and software
11 for computer systems, equipment for transfer of data by modem
12 through connection to telephone lines, and other educational
13 technology as may be approved by the ~~[Commission]~~
14 *Superintendent of Public Instruction* for use in classrooms.

15 **Sec. 20.** NRS 388.805 is hereby amended to read as follows:

16 388.805 The Department shall, in consultation with the
17 *Advisory* Commission, adopt regulations that establish a program
18 whereby school districts may apply to the ~~[Commission on~~
19 ~~Educational Technology]~~ *Superintendent of Public Instruction* for
20 money from the Trust Fund for Educational Technology.

21 **Sec. 21.** NRS 389.500 is hereby amended to read as follows:

22 389.500 As used in NRS 389.500 to 389.570, inclusive,
23 ~~["Council"]~~ *"Advisory Council"* means the *Advisory* Council ~~[to~~
24 ~~Establish]~~ *for* Academic Standards ~~[for]~~ *in the* Public Schools.

25 **Sec. 22.** NRS 389.510 is hereby amended to read as follows:

26 389.510 1. The *Advisory* Council ~~[to Establish]~~ *for*
27 Academic Standards ~~[for]~~ *in the* Public Schools ~~[, consisting of~~
28 ~~eight members.]~~ is hereby created ~~[.]~~ *to advise the Superintendent*
29 *of Public Instruction*. The membership of the *Advisory* Council
30 consists of ~~[.]~~

31 ~~—(a) Four]~~ *six* members appointed by the ~~[Governor in~~
32 ~~accordance with subsection 2;~~

33 ~~—(b) Two members appointed by the Majority Leader of the~~
34 ~~Senate in accordance with subsection 3; and~~

35 ~~—(c) Two members appointed by the Speaker of the Assembly in~~
36 ~~accordance with subsection 3.~~

37 ~~—2. The Governor shall ensure that:~~

38 ~~—(a) Two of the members whom he appoints to the Council]~~
39 *Superintendent as follows:*

40 (a) *Two members who* are parents or legal guardians of pupils
41 who attend public schools. These members must not otherwise be
42 affiliated with the public school system of this State.

43 (b) Two ~~[of the members whom he appoints to the Council]~~
44 *members who* are licensed educational personnel.



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(c) *Two members who are representatives of a private business or industry that may be affected by actions taken by the Advisory Council or the Superintendent in carrying out the provisions of NRS 389.500 to 389.570, inclusive.*

↳ Insofar as practicable, the *Superintendent shall ensure that the* members ~~[whom]~~ he appoints to the *Advisory* Council reflect the ethnic and geographical diversity of this State.

~~{3.—The Majority Leader of the Senate and the Speaker of the Assembly shall each ensure that:~~

~~—(a) One of the members whom he appoints to the Council is a member of the House of the Legislature to which he belongs.~~

~~—(b) The other member whom he appoints to the Council is a representative of a private business or industry that may be affected by actions taken by the Council.~~

~~—4.]~~ 2. Each member of the *Advisory* Council must be a resident of this State.

~~{5.]~~ 3. After the initial terms, the term of each member of the *Advisory* Council is 4 years. The ~~{person who appoints a member to the Council}~~ *Superintendent of Public Instruction* may remove ~~{that} a~~ member if ~~{the}~~ *that* member neglects his duty or commits malfeasance in office, or for other just cause. A vacancy in the membership of the *Advisory* Council must be filled for the remainder of the unexpired term . ~~{in the same manner as the original appointment.}~~ A member shall continue to serve on the *Advisory* Council until his successor is appointed.

~~{6.—The Governor}~~

4. *The Superintendent of Public Instruction* shall select a Chairman from among the membership of the *Advisory* Council in accordance with this subsection. The ~~{Governor}~~ *Superintendent* shall not select as Chairman a member of the *Advisory* Council who is affiliated with the public school system in this State, except that this subsection does not preclude the ~~{Governor}~~ *Superintendent* from selecting a parent or legal guardian of a pupil as Chairman if the parent or legal guardian is not otherwise affiliated with the public school system in this State. Once selected by the ~~{Governor,}~~ *Superintendent*, the Chairman holds that office for 2 years.

~~{7.—For each day or portion of a day during which a member of the Council who is a Legislator attends a meeting of the Council or is otherwise engaged in the work of the Council, except during a regular or special session of the Legislature, he is entitled to receive the:~~

~~—(a) Compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding session;~~

~~—(b) Per diem allowance provided for state officers and employees generally; and~~



~~1 (c) Travel expenses provided pursuant to NRS 218.2207.~~
~~2 The compensation, per diem allowances and travel expenses of~~
~~3 the legislative members of the Council must be paid from the~~
~~4 Legislative Fund.~~

~~5 8.] 5. Members of the Advisory Council [who are not~~
~~6 Legislators] serve without salary, but are entitled to receive the per~~
7 diem allowance and travel expenses provided for state officers and
8 employees generally.

9 **Sec. 23.** NRS 389.520 is hereby amended to read as follows:

10 389.520 1. The ~~Council~~ *Superintendent of Public*
11 *Instruction* shall:

12 (a) Establish standards of content and performance, including,
13 without limitation, a prescription of the resulting level of
14 achievement, for the grade levels set forth in subsection 2, based
15 upon the content of each course, that is expected of pupils for the
16 following courses of study:

- 17 (1) English, including reading, composition and writing;
18 (2) Mathematics;
19 (3) Science;
20 (4) Social studies, which includes only the subjects of
21 history, geography, economics and government;
22 (5) The arts;
23 (6) Computer education and technology;
24 (7) Health; and
25 (8) Physical education.

26 (b) Establish a schedule for the periodic review and, if
27 necessary, revision of the standards of content and performance. The
28 review must include, without limitation, the review required
29 pursuant to NRS 389.570 of the results of pupils on the
30 examinations administered pursuant to NRS 389.550.

31 (c) Assign priorities to the standards of content and performance
32 relative to importance and degree of emphasis and revise the
33 standards, if necessary, based upon the priorities.

34 2. The ~~Council~~ *Superintendent of Public Instruction* shall
35 establish standards of content and performance for each grade level
36 in kindergarten and grades 1 to 8, inclusive, for English and
37 mathematics. The ~~Council~~ *Superintendent* shall establish
38 standards of content and performance for the grade levels selected
39 by the ~~Council~~ *Superintendent* for the other courses of study
40 prescribed in subsection 1.

41 3. The State Board shall adopt the standards of content and
42 performance established by the ~~Council~~ *Superintendent of Public*
43 *Instruction*.



4. *The Superintendent of Public Instruction shall consider the advice and recommendations of the Advisory Council in carrying out the provisions of this section.*

5. The ~~{Council}~~ *State Board* shall work in cooperation with the ~~{State Board}~~ *Advisory Council* to prescribe the examinations required by NRS 389.550.

Sec. 24. NRS 389.540 is hereby amended to read as follows:

389.540 The board of trustees of each school district shall conduct a periodic review of the courses of study offered in the public schools of the school district to determine whether the courses of study comply with the standards of content and performance established by the ~~{Council}~~ *Superintendent of Public Instruction* pursuant to NRS 389.520 and if revision of the courses of study is necessary to ensure compliance.

Sec. 25. NRS 389.550 is hereby amended to read as follows:

389.550 1. The State Board shall, in consultation with the *Advisory* Council, prescribe examinations that comply with 20 U.S.C. § 6311(b)(3) and that measure the achievement and proficiency of pupils:

(a) For grades 3 ~~{, 4, 5, 6, 7 and}~~ *to 8, inclusive*, in the standards of content established by the ~~{Council}~~ *Superintendent of Public Instruction* for the subjects of English and mathematics.

(b) For grades 5 and 8, in the standards of content established by the ~~{Council}~~ *Superintendent* for the subject of science.

➤ The examinations prescribed pursuant to this subsection must be written, developed, printed and scored by a nationally recognized testing company.

2. In addition to the examinations prescribed pursuant to subsection 1, the State Board shall, in consultation with the *Advisory* Council, prescribe a writing examination for grades 5 and 8 and for the high school proficiency examination.

3. The board of trustees of each school district and the governing body of each charter school shall administer the examinations prescribed by the State Board. The examinations must be:

(a) Administered to pupils in each school district and each charter school at the same time during the spring semester, as prescribed by the State Board.

(b) Administered in each school in accordance with uniform procedures adopted by the State Board. The Department shall monitor the school districts and individual schools to ensure compliance with the uniform procedures.

(c) Administered in each school in accordance with the plan adopted pursuant to NRS 389.616 by the Department and with the plan adopted pursuant to NRS 389.620 by the board of trustees of



1 the school district in which the examinations are administered. The
2 Department shall monitor the compliance of school districts and
3 individual schools with:

- 4 (1) The plan adopted by the Department; and
- 5 (2) The plan adopted by the board of trustees of the
6 applicable school district, to the extent that the plan adopted by the
7 board of trustees of the school district is consistent with the plan
8 adopted by the Department.

9 **Sec. 26.** NRS 389.570 is hereby amended to read as follows:

10 389.570 1. The *Advisory Council and the Superintendent of*
11 *Public Instruction* shall review the results of pupils on the
12 examinations administered pursuant to NRS 389.550, including,
13 without limitation, for each school in a school district and each
14 charter school that is located within a school district, a review of the
15 results for the current school year and a comparison of the progress,
16 if any, made by the pupils enrolled in the school from preceding
17 school years.

18 2. After the completion of the review pursuant to subsection 1,
19 *the Superintendent of Public Instruction, in consultation with the*
20 *Advisory Council*, shall evaluate:

21 (a) Whether the standards of content and performance
22 established by the ~~{Council}~~ *Superintendent* require revision; and

23 (b) The success of pupils, as measured by the results of the
24 examinations, in achieving the standards of performance established
25 by the ~~{Council}~~ *Superintendent*.

26 3. The ~~{Council}~~ *Superintendent of Public Instruction* shall
27 report the results of the evaluation conducted pursuant to subsection
28 2 to the *Advisory Council, the* State Board and the Legislative
29 Committee on Education.

30 **Sec. 27.** NRS 390.140 is hereby amended to read as follows:

31 390.140 1. The State Board shall make the final selection of
32 all textbooks to be used in the public schools in this State, except for
33 charter schools. If a textbook proposed for selection is in a subject
34 area for which standards of content have been established by the
35 ~~{Council to Establish Academic Standards for Public Schools}~~
36 *Superintendent of Public Instruction* pursuant to NRS 389.520, the
37 State Board shall not select the textbook unless the State Board
38 determines that the textbook adequately supports the standards for
39 that subject area.

40 2. A textbook must not be selected by the State Board pursuant
41 to subsection 1 for use in the public schools in classes in literature,
42 history or social sciences unless it accurately portrays the cultural
43 and racial diversity of our society, including lessons on the
44 contributions made to our society by men and women from various
45 racial and ethnic backgrounds.



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Sec. 28. NRS 391.038 is hereby amended to read as follows:

391.038 1. The State Board, in consultation with educational institutions in this State which offer courses of study and training for the education of teachers, the board of trustees of each school district in this State and other educational personnel, shall review and evaluate a course of study and training offered by an educational institution which is designed to provide the education required for:

(a) The licensure of teachers or other educational personnel;

(b) The renewal of licenses of teachers or other educational personnel; or

(c) An endorsement in a field of specialization.

➔ If the course of study and training meets the requirements established by the State Board, it must be approved by the State Board. The State Board shall not approve a course of study or training unless the course of study and training provides instruction, to the extent deemed necessary by the State Board, in the standards of content and performance prescribed by the ~~{Council to Establish Academic Standards for Public Schools}~~ *Superintendent of Public Instruction* pursuant to NRS 389.520.

2. The State Board may review and evaluate such courses of study and training itself or may recognize a course of study and training approved by a national agency for accreditation acceptable to the Board.

3. The State Board shall adopt regulations establishing fees for the review by the Board of a course of study and training submitted to the Board by an educational institution.

4. The State Board, in consultation with educational institutions in this State which offer courses of study and training for the education of teachers and other educational personnel, and the Nevada Association of Colleges for Teacher Education and the Nevada Association of Teacher Educators, shall adopt regulations governing the approval by the State Board of courses of study and training which are accredited by the National Council for Accreditation of Teacher Education, and those which are not so accredited.

5. If the State Board denies or withdraws its approval of a course of study or training, the educational institution is entitled to a hearing and judicial review of the decision of the State Board.

Sec. 29. NRS 391.512 is hereby amended to read as follows:

391.512 1. There are hereby created ~~{the Southern Nevada Regional Training Program, the Western Nevada Regional Training Program, the Northeastern Nevada Regional Training Program and the Northwestern Nevada Regional Training Program.}~~ *four*



regional training programs in this State. The governing body of each regional training program shall establish and operate a:

(a) Regional training program for the professional development of teachers and administrators.

(b) Nevada Early Literacy Intervention Program through the regional training program established pursuant to paragraph (a).

2. ~~[Except as otherwise provided in subsection 6, the Southern Nevada Regional Training Program]~~ *The Superintendent of Public Instruction shall establish the geographical boundaries of each regional training program, which* must primarily provide services to teachers and administrators who are employed by school districts ~~in:~~

- ~~—(a) Clark County;~~
- ~~—(b) Esmeralda County;~~
- ~~—(c) Lincoln County; and~~
- ~~—(d) Nye County.~~

~~3. Except as otherwise provided in subsection 6, the Western Nevada Regional Training Program must primarily provide services to teachers and administrators who are employed by school districts in:~~

- ~~—(a) Carson City;~~
- ~~—(b) Churchill County;~~
- ~~—(c) Douglas County;~~
- ~~—(d) Lyon County; and~~
- ~~—(e) Mineral County.~~

~~4. Except as otherwise provided in subsection 6, the Northeastern Nevada Regional Training Program must primarily provide services to teachers and administrators who are employed by school districts in:~~

- ~~—(a) Elko County;~~
- ~~—(b) Eureka County;~~
- ~~—(c) Lander County;~~
- ~~—(d) Humboldt County; and~~
- ~~—(e) White Pine County.~~

~~5. Except as otherwise provided in subsection 6, the Northwestern Nevada Regional Training Program must primarily provide services to teachers and administrators who are employed by school districts in:~~

- ~~—(a) Pershing County;~~
- ~~—(b) Storey County; and~~
- ~~—(c) Washoe County.~~

~~6.]~~ *which are located within the geographical boundaries established by the Superintendent.* Each regional training program shall, when practicable, make reasonable accommodations for the attendance of teachers and administrators who are employed by



1 school districts outside the primary jurisdiction of the regional
2 training program.

3 ~~[7-]~~ 3. The *Superintendent of Public Instruction* shall
4 *determine which* board of trustees ~~{of the:~~

5 ~~—(a) Clark County School District} of a school district located~~
6 *within each regional training program* shall serve as the fiscal
7 agent for ~~[the Southern Nevada Regional Training Program.~~

8 ~~—(b) Douglas County School District shall serve as the fiscal~~
9 ~~agent for the Western Nevada Regional Training Program.~~

10 ~~—(c) Elko County School District shall serve as the fiscal agent~~
11 ~~for the Northeastern Nevada Regional Training Program.~~

12 ~~—(d) Washoe County School District shall serve as the fiscal~~
13 ~~agent for the Northwestern Nevada Regional Training Program.~~

14 ~~→}~~ *that regional training program.* As fiscal agent, each school
15 district is responsible for the payment, collection and holding of all
16 money received from this State for the maintenance and support of
17 the regional training program and Nevada Early Intervention
18 Program established and operated by the applicable governing body.

19 **Sec. 30.** NRS 391.544 is hereby amended to read as follows:

20 391.544 1. Based upon the assessment of needs for training
21 within the region and priorities of training adopted by the governing
22 body pursuant to NRS 391.540, each regional training program must
23 provide:

24 (a) Training for teachers in the standards established by the
25 ~~[Council to Establish Academic Standards for Public Schools]~~
26 *Superintendent of Public Instruction* pursuant to NRS 389.520.

27 (b) Through the Nevada Early Literacy Intervention Program
28 established for the regional training program, training for teachers
29 who teach kindergarten and grades 1, 2 or 3 on methods to teach
30 fundamental reading skills, including, without limitation:

- 31 (1) Phonemic awareness;
- 32 (2) Phonics;
- 33 (3) Vocabulary;
- 34 (4) Fluency;
- 35 (5) Comprehension; and
- 36 (6) Motivation.

37 (c) At least one of the following types of training:

38 (1) Training for teachers and school administrators in the
39 assessment and measurement of pupil achievement and the effective
40 methods to analyze the test results and scores of pupils to improve
41 the achievement and proficiency of pupils.

42 (2) Training for teachers in specific content areas to enable
43 the teachers to provide a higher level of instruction in their
44 respective fields of teaching. Such training must include instruction



1 in effective methods to teach in a content area provided by teachers
2 who are considered masters in that content area.

3 (3) In addition to the training provided pursuant to paragraph
4 (b) of subsection 1, training for teachers in the methods to teach
5 basic skills to pupils, such as providing instruction in reading with
6 the use of phonics and providing instruction in basic skills of
7 mathematics computation.

8 2. The training required pursuant to subsection 1 must:

9 (a) Include the activities set forth in 20 U.S.C. § 7801(34), as
10 deemed appropriate by the governing body for the type of training
11 offered.

12 (b) Include appropriate procedures to ensure follow-up training
13 for teachers and administrators who have received training through
14 the program.

15 (c) Incorporate training that addresses the educational needs of:

16 (1) Pupils with disabilities who participate in programs of
17 special education; and

18 (2) Pupils who are limited English proficient.

19 3. The governing body of each regional training program shall
20 prepare and maintain a list that identifies programs for the
21 professional development of teachers and administrators that
22 successfully incorporate:

23 (a) The standards of content and performance established by the
24 ~~[Council to Establish Academic Standards for Public Schools]~~
25 *Superintendent of Public Instruction* pursuant to NRS 389.520;

26 (b) Fundamental reading skills; and

27 (c) Other training listed in subsection 1.

28 ➔ The governing body shall provide a copy of the list on an annual
29 basis to school districts for dissemination to teachers and
30 administrators.

31 4. A regional training program may include model classrooms
32 that demonstrate the use of educational technology for teaching and
33 learning.

34 5. A regional training program may contract with the board of
35 trustees of a school district that is served by the regional training
36 program as set forth in NRS 391.512 to provide professional
37 development to the teachers and administrators employed by the
38 school district that is in addition to the training required by this
39 section. Any training provided pursuant to this subsection must
40 include the activities set forth in 20 U.S.C. § 7801(34), as deemed
41 appropriate by the governing body for the type of training offered.

42 6. To the extent money is available from legislative
43 appropriation or otherwise, a regional training program may provide
44 training to paraprofessionals.



Sec. 31. NRS 391.552 is hereby amended to read as follows:

391.552 The governing body of each regional training program shall:

1. Establish a method for the evaluation of the success of the regional training program, including, without limitation, the Nevada Early Literacy Intervention Program. The method must be consistent with the uniform procedures adopted by the Statewide Council pursuant to NRS 391.520.

2. On or before September 1 of each year, submit an annual report to the State Board, the Commission, *the Department*, the Legislative Committee on Education and the Legislative Bureau of Educational Accountability and Program Evaluation that includes:

(a) The priorities for training adopted by the governing body pursuant to NRS 391.540.

(b) The type of training offered through the program in the immediately preceding year.

(c) The number of teachers and administrators who received training through the program in the immediately preceding year.

(d) The number of paraprofessionals, if any, who received training through the program in the immediately preceding year.

(e) An evaluation of the success of the program, including, without limitation, the Nevada Early Literacy Intervention Program, in accordance with the method established pursuant to subsection 1.

(f) A description of the gifts and grants, if any, received by the governing body in the immediately preceding year and the gifts and grants, if any, received by the Statewide Council during the immediately preceding year on behalf of the regional training program. The description must include the manner in which the gifts and grants were expended.

(g) The 5-year plan for the program prepared pursuant to NRS 391.540 and any revisions to the plan made by the governing body in the immediately preceding year.

Sec. 32. NRS 391.556 is hereby amended to read as follows:

391.556 The board of trustees of each school district shall submit an annual report to the State Board, the Commission, the Legislative Committee on Education and the Legislative Bureau of Educational Accountability and Program Evaluation that includes for the immediately preceding year:

1. The number of teachers and administrators employed by the school district who received training through the program; and

2. An evaluation of whether that training included the standards of content and performance established by the ~~[Council to Establish Academic Standards for Public Schools]~~ *Superintendent of Public Instruction* pursuant to NRS 389.520.



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1 **Sec. 33.** NRS 392A.080 is hereby amended to read as follows:

2 392A.080 1. The governing body of a university school for
3 profoundly gifted pupils ~~{must-consist}~~ *consists* of ~~{nine}~~ *10*
4 members . ~~{and-must-include-the}~~ *The* Superintendent of Public
5 Instruction, the president of the university where the university
6 school for profoundly gifted pupils is located ~~{,who}~~ *and the*
7 *superintendent of schools of the school district in which the*
8 *university school for profoundly gifted pupils is located shall* serve
9 ex-officio ~~{}~~ *as nonvoting advisory members of the governing*
10 *body.* The Governor , *the Majority Leader of the Senate and*
11 *Speaker of the Assembly* shall *each* appoint ~~{three-members}~~ *one*
12 *voting member* to serve *a* 4-year ~~{terms-}~~ *term.* The members
13 appointed by the Governor , *the Majority Leader of the Senate and*
14 *the Speaker of the Assembly* may not be *Legislators*, employees of
15 the State, a municipality of the State or the Board of Regents of the
16 University of Nevada. The remaining four *voting* members of the
17 governing body ~~{shall}~~ *must* be appointed by the entity that operates
18 the university school for profoundly gifted pupils. A person may
19 serve on a governing body pursuant to this subsection only if he
20 submits an affidavit to the Department indicating that the person has
21 not been convicted of a felony or any crime involving moral
22 turpitude.

23 2. The governing body of a university school for profoundly
24 gifted pupils is a public body. It is hereby given such reasonable and
25 necessary powers, not conflicting with the Constitution and the laws
26 of the State of Nevada, as may be required to attain the ends for
27 which the school is established and to promote the welfare of pupils
28 who are enrolled in the school.

29 3. The governing body of a university school for profoundly
30 gifted pupils shall, during each calendar quarter, hold at least one
31 regularly scheduled public meeting in the county in which the
32 school is located.

33 **Sec. 34.** NRS 396.5195 is hereby amended to read as follows:

34 396.5195 The Board of Regents shall, in cooperation with the
35 ~~{State-Board-}~~ *Department* and the *Advisory* Council ~~{to-Establish}~~
36 *for* Academic Standards ~~{for}~~ *in the* Public Schools, ensure that
37 students enrolled in a program developed by the System for the
38 education of teachers are provided instruction regarding the
39 standards of content and performance required of pupils enrolled in
40 high schools in this State.

41 **Sec. 35.** NRS 218.5354 is hereby amended to read as follows:

42 218.5354 1. The Committee may:

43 (a) Evaluate, review and comment upon issues related to
44 education within this State, including, but not limited to:

45 (1) Programs to enhance accountability in education;



- 1 (2) Legislative measures regarding education;
- 2 (3) The progress made by this State, the school districts and
- 3 the public schools in this State in satisfying the goals and objectives
- 4 of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301
- 5 et seq., and the annual measurable objectives established by the
- 6 State Board of Education pursuant to NRS 385.361;
- 7 (4) Methods of financing public education;
- 8 (5) The condition of public education in the elementary and
- 9 secondary schools;
- 10 (6) The program to reduce the ratio of pupils per class per
- 11 licensed teacher prescribed in NRS 388.700, 388.710 and 388.720;
- 12 (7) The development of any programs to automate the
- 13 receipt, storage and retrieval of the educational records of pupils;
- 14 and
- 15 (8) Any other matters that, in the determination of the
- 16 Committee, affect the education of pupils within this State.
- 17 (b) Conduct investigations and hold hearings in connection with
- 18 its duties pursuant to this section.
- 19 (c) Request that the Legislative Counsel Bureau assist in the
- 20 research, investigations, hearings and reviews of the Committee.
- 21 (d) Make recommendations to the Legislature concerning the
- 22 manner in which public education may be improved.
- 23 2. The Committee shall:
- 24 (a) In addition to any standards prescribed by the Department of
- 25 Education, prescribe standards for the review and evaluation of the
- 26 reports of the State Board of Education, school districts and public
- 27 schools pursuant to paragraph (a) of subsection 1 of NRS 385.359.
- 28 (b) For the purposes set forth in NRS 385.389, recommend to
- 29 the Department of Education programs of remedial study for each
- 30 subject tested on the examinations administered pursuant to NRS
- 31 389.015. In recommending these programs of remedial study, the
- 32 Committee shall consider programs of remedial study that have
- 33 proven to be successful in improving the academic achievement of
- 34 pupils.
- 35 (c) Recommend to the Department of Education providers of
- 36 supplemental educational services for inclusion on the list of
- 37 approved providers prepared by the Department pursuant to NRS
- 38 385.384. In recommending providers, the Committee shall consider
- 39 providers with a demonstrated record of effectiveness in improving
- 40 the academic achievement of pupils.
- 41 (d) For the purposes set forth in NRS 385.3785 ~~[, recommend]~~ :
- 42 **(1) Recommend** to the Commission on Educational
- 43 Excellence created by NRS 385.3784 programs, practices and
- 44 strategies that have proven effective in improving the academic
- 45 achievement and proficiency of pupils.



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(2) Review the recommendations of the Commission on Educational Excellence for allocations of money and determine which applications to transmit to the State Board of Examiners pursuant to NRS 385.3785.

Sec. 36. 1. Notwithstanding the provisions of NRS 385.150, as amended by section 6 of this act, the person serving as the Superintendent of Public Instruction on July 1, 2007, who was appointed by the State Board of Education pursuant to NRS 385.150 to a term expiring in 2010 continues to serve for the remainder of the unexpired term. If a vacancy occurs before the expiration of that term, the Governor shall appoint a Superintendent of Public Instruction in accordance with NRS 385.150, as amended by section 6 of this act, for the remainder of the unexpired term.

2. The Governor shall appoint a Superintendent of Public Instruction pursuant to NRS 385.150, as amended by section 6 of this act, commencing with the term that begins in 2010.

Sec. 37. 1. The terms of all members appointed to the Council to Establish Academic Standards for Public Schools created pursuant to NRS 389.510 who are incumbent on June 30, 2007, expire on that date.

2. Not later than July 1, 2007, the Superintendent of Public Instruction shall make the appointments to the Advisory Council for Academic Standards in the Public Schools pursuant to NRS 389.510, as amended by section 22 of this act, as follows:

(a) One member who is a parent or legal guardian of a pupil who attends public school, one member who is selected from among licensed educational personnel and one member who represents a business or industry must be appointed to terms expiring on June 30, 2009.

(b) One member who is a parent or legal guardian of a pupil who attends public school, one member who is selected from among licensed educational personnel and one member who represents a business or industry must be appointed to terms expiring on June 30, 2011.

➤ These appointments may include former members whose terms expired pursuant to subsection 1.

Sec. 38. The Superintendent of Public Instruction shall, on or before February 2, 2009:

1. Establish the boundaries of the four regional training programs that will be created on July 1, 2009, pursuant to NRS 391.512, as amended by section 29 of this act, and determine the boards of trustees of school districts that shall serve as the fiscal agents for each regional training program respectively;

2. Prepare a plan for the fair and equitable allocation of any money, vehicles and other property held by regional training



1 programs on June 30, 2009, to the four regional training programs
2 described in subsection 1; and

3 3. Submit a report containing that information to the Director
4 of the Legislative Counsel Bureau for transmittal to the 75th Session
5 of the Nevada Legislature.

6 **Sec. 39.** 1. The Legislative Counsel shall, in preparing:

7 (a) The reprint and supplements to the Nevada Revised Statutes,
8 appropriately change any references to an officer, agency or other
9 entity whose name is changed or whose responsibilities have been
10 transferred pursuant to the provisions of this act to refer to the
11 appropriate officer, agency or other entity.

12 (b) Supplements to the Nevada Administrative Code,
13 appropriately change any references to an officer, agency or other
14 entity whose name is changed or whose responsibilities have been
15 transferred pursuant to the provisions of this act to refer to the
16 appropriate officer, agency or other entity.

17 2. Any references in a bill or resolution passed by the 74th
18 Session of the Nevada Legislature to an officer, agency or other
19 entity whose name is changed or whose responsibilities have been
20 transferred pursuant to the provisions of this act to another officer,
21 agency or other entity shall be deemed to refer to the officer, agency
22 or other entity to which the responsibility is transferred.

23 3. The provisions of this section apply to:

24 (a) The change of the name of the Commission on Educational
25 Technology to the Advisory Commission on Educational
26 Technology and the transfer of any duties from the Commission on
27 Educational Technology;

28 (b) The change of the name of the Council to Establish
29 Academic Standards for Public Schools to the Advisory Council for
30 Academic Standards in the Public Schools and the transfer of any
31 duties from the Council to Establish Academic Standards for Public
32 Schools; and

33 (c) Any other entity whose name was changed or duties
34 transferred pursuant to the provisions of this act.

35 **Sec. 40.** 1. This section and sections 37 and 38 of this act
36 become effective upon passage and approval.

37 2. Sections 1 to 28, inclusive, 30 to 36, inclusive, and 39 of this
38 act become effective on July 1, 2007.

39 3. Section 29 of this act becomes effective on July 1, 2009.

