

Amendment No. 1162

Assembly Amendment to Assembly Bill No. 434 (BDR 34-1270)

Proposed by: Assembly Committee on Ways and Means**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) **blue bold italics** is new language in the original bill; (2) **green bold italic underlining** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) **green bold** is newly added transitory language.

KMG



Date: 6/4/2007

A.B. No. 434—Revises provisions governing education. (BDR 34-1270)



ASSEMBLY BILL NO. 434—ASSEMBLYMEN MUNFORD, KIHUEN,
KOIVISTO, MANENDO, MARVEL AND SEGERBLOM

MARCH 19, 2007

Referred to Committee on Education

SUMMARY—Revises provisions governing education. (BDR 34-1270)

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; ~~requiring the boards of trustees of certain school districts to carry out certain actions requested by the general public under certain circumstances; revising provisions governing courses of study;~~ revising provisions governing eligibility for a millennium scholarship; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~Section 1 of this bill requires the board of trustees of a school district located in a county whose population is 400,000 or more (currently Clark County) to take action on certain matters submitted by a member of the general public. If the board of trustees does not take such action within 60 days after the request is made, the board shall issue a written explanation setting forth the reasons for declining to take the requested action.~~

~~Section 2 of this bill requires the State Board of Education to adopt a program of multicultural education.~~

~~Existing law requires instruction in American government and American history. (NRS 389.020, 389.030) Section 3 of this bill requires the course in American government to include the study of the government of the State of Nevada.~~

~~Existing law requires the Department of Education to prescribe a code of honor relating to cheating for pupils enrolled in public schools. (NRS 392.461) Existing law creates the Governor Guinn Millennium Scholarship Program and prescribes the criteria for eligibility of a millennium scholarship. (NRS 396.911-396.938) Section 4 of this bill provides that if a pupil violates the code of honor relating to cheating while he is enrolled in a public high school, the pupil is not eligible for a millennium scholarship.) an exception from the 2-year residency requirement for students who have a parent or legal guardian on active duty serving in the Armed Forces of the United States. Section 4 of this bill further requires the Board of Regents of the Nevada System of Higher Education to adopt procedures by which an applicant for a millennium scholarship would be required to execute an affidavit declaring his eligibility for a millennium scholarship and his citizenship or immigration status.~~

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

1 **Section 1.** ~~[Chapter 386 of NRS is hereby amended by adding thereto a new~~
2 ~~section to read as follows:~~

3 ~~1. A person may request that the board of trustees of a school district~~
4 ~~located in a county whose population is 400,000 or more to consider and take~~
5 ~~action on a matter within the jurisdiction of the board by submitting the request~~
6 ~~to the board at a public meeting of the board, including an oral request submitted~~
7 ~~during a period of the meeting devoted to comments by the general public;~~

8 ~~2. The board of trustees of a school district located in a county whose~~
9 ~~population is 400,000 or more shall carry out each request for action submitted to~~
10 ~~the board of trustees pursuant to subsection 1. If the board of trustees declines to~~
11 ~~carry out a request for action submitted pursuant to subsection 1 within 60 days~~
12 ~~after the request is submitted, the board of trustees shall issue a written~~
13 ~~explanation setting forth the specific reasons for declining to take the requested~~
14 ~~action.] (Deleted by amendment.)~~

15 **Sec. 2.** ~~[Chapter 389 of NRS is hereby amended by adding thereto a new~~
16 ~~section to read as follows:~~

17 ~~1. The State Board shall adopt regulations that prescribe a program of~~
18 ~~multicultural education, including, without limitation, information relating to the~~
19 ~~contributions made by men and women from various racial and ethnic~~
20 ~~backgrounds.~~

21 ~~2. The board of trustees of each school district shall ensure that the~~
22 ~~program prescribed pursuant to subsection 1 is provided to pupils enrolled in~~
23 ~~grades 2 to 12, inclusive, with particular emphasis for pupils enrolled in~~
24 ~~elementary school and middle school and junior high school.] (Deleted by~~
25 ~~amendment.)~~

26 **Sec. 3.** ~~[NRS 389.020 is hereby amended to read as follows:~~

27 ~~389.020 1. In all public schools, the Caliente Youth Center, the Nevada~~
28 ~~Youth Training Center and any other state facility for the detention of children that~~
29 ~~is operated pursuant to title 5 of NRS, instruction must be given in American~~
30 ~~government, including, without limitation, the:~~

31 ~~(a) Essentials of the:~~

32 ~~(1) Constitution of the United States, including, without limitation, the Bill~~
33 ~~of Rights;~~

34 ~~(2) Constitution of the State of Nevada; and~~

35 ~~(3) Declaration of Independence;~~

36 ~~(b) Origin and history of the Constitutions; [and]~~

37 ~~(c) Study of the government of the State of Nevada; and~~

38 ~~(d) Study of and devotion to American institutions and ideals.~~

39 ~~2. Except as otherwise provided in NRS 392A.100, the instruction required in~~
40 ~~subsection 1 must be given during at least 1 year of the elementary school grades~~
41 ~~and for a period of at least 1 year in all high schools.] (Deleted by amendment.)~~

42 **Sec. 4.** NRS 396.930 is hereby amended to read as follows:

43 396.930 1. Except as otherwise provided in subsections 2 ~~1-3~~ and 3, ~~1-4~~ a
44 student may apply to the Board of Regents for a millennium scholarship if he:

45 (a) Has been a resident of this State for at least 2 years before he applies for the
46 scholarship;

47 (b) Except as otherwise provided in paragraph (c), graduated from a public or
48 private high school in this State:

49 (1) After May 1, 2000, but not later than May 1, 2003; or

(2) After May 1, 2003, and, except as otherwise provided in paragraph (c) of subsection 2, not more than 6 years before he applies for the scholarship;

(c) Does not satisfy the requirements of paragraph (b) and:

(1) Was enrolled as a pupil in a public or private high school in this State with a class of pupils who were regularly scheduled to graduate after May 1, 2000;

(2) Received his high school diploma within 4 years after he was regularly scheduled to graduate; and

(3) Applies for the scholarship not more than 6 years after he was regularly scheduled to graduate from high school;

(d) Maintained in high school in the courses designated by the Board of Regents pursuant to paragraph (b) of subsection 2, at least:

(1) A 3.00 grade point average on a 4.0 grading scale, if he was a member of the graduating class of 2003 or 2004;

(2) A 3.10 grade point average on a 4.0 grading scale, if he was a member of the graduating class of 2005 or 2006; or

(3) A 3.25 grade point average on a 4.0 grading scale, if he was a member of the graduating class of 2007 or a later graduating class; and

(e) Is enrolled in at least:

(1) Six semester credit hours in a community college within the System; or

(2) Twelve semester credit hours in another eligible institution.

2. The Board of Regents:

(a) Shall define the core curriculum that a student must complete in high school to be eligible for a millennium scholarship.

(b) Shall designate the courses in which a student must earn the minimum grade point averages set forth in paragraph (d) of subsection 1.

(c) May establish criteria with respect to students who have been on active duty serving in the Armed Forces of the United States to exempt such students from the 6-year limitation on applications that is set forth in subparagraph (2) of paragraph (b) of subsection 1.

(d) Shall establish criteria with respect to students who have a documented physical or mental disability or who were previously subject to an individualized education program under the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., or a plan under Title V of the Rehabilitation Act of 1973, 29 U.S.C. §§ 791 et seq. The criteria must provide an exemption for those students from:

(1) The 6-year limitation on applications that is set forth in subparagraph (2) of paragraph (b) of subsection 1 and subparagraph (3) of paragraph (c) of subsection 1 and any limitation applicable to students who are eligible pursuant to subparagraph (1) of paragraph (b) of subsection 1.

(2) The minimum number of credits prescribed in paragraph (e) of subsection 1.

(e) Shall establish criteria with respect to students who have a parent or legal guardian on active duty in the Armed Forces of the United States to exempt such students from the residency requirement set forth in paragraph (a) of subsection 1 or subsection 3.

3. Except as otherwise provided in paragraph (c) of subsection 1, for students who did not graduate from a public or private high school in this State and who except as otherwise provided in paragraph (e) of subsection 2, have been residents of this State for at least 2 years, the Board of Regents shall establish:

(a) The minimum score on a standardized test that such students must receive; or

(b) Other criteria that students must meet, to be eligible for millennium scholarships.

1 4. ~~A student is not eligible for a millennium scholarship if he violated the~~
2 ~~code of honor relating to cheating prescribed pursuant to NRS 392.461 while he~~
3 ~~was enrolled in a public high school in this State.~~

4 ~~5.~~ In awarding scholarships, the Board of Regents shall enhance its outreach
5 to students who:

6 (a) Are pursuing a career in education or health care;
7 (b) Come from families who lack sufficient financial resources to pay for the
8 costs of sending their children to an eligible institution; or

9 (c) Substantially participated in an antismoking, antidrug or antialcohol
10 program during high school.

11 5. The Board of Regents shall establish a procedure by which an applicant
12 for a millennium scholarship is required to execute an affidavit declaring his
13 eligibility for a millennium scholarship pursuant to the requirements of this
14 section. The affidavit must include a declaration that the applicant is a United
15 States citizen or has lawful immigration status or that the applicant has filed an
16 application to legalize his immigration status or will file an application to legalize
17 his immigration status as soon as he is eligible to do so.

18 Sec. 5. This act becomes effective on July 1, ~~2007~~ 2008.