

ASSEMBLY BILL NO. 394—ASSEMBLYMEN GARDNER, FIORE, JONES,
SILBERKRAUS, HICKEY; DICKMAN, O’NEILL, SEAMAN AND
TROWBRIDGE

MARCH 17, 2015

Referred to Committee on Education

SUMMARY—Creates an advisory committee and a technical
committee to develop a plan to reorganize the Clark
County School District. (BDR S-900)

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; creating an advisory committee and
technical advisory committee for the purpose of
developing a plan to reorganize the Clark County School
District into certain local school precincts; providing for
the membership, compensation and duties of the
committees; providing for the implementation of the plan;
and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill provides for the creation of an advisory committee and a technical
2 advisory committee for the purpose of developing a plan to reorganize the Clark
3 County School District into not less than five local school precincts. **Section 25** of
4 this bill creates the advisory committee for the purpose of developing the plan, and
5 **section 26** of this bill creates the technical advisory committee for the purpose of
6 assisting the advisory committee. **Sections 25 and 26** provide for the membership,
7 compensation and duties of the respective committees. **Section 27** of this bill
8 requires the advisory committee, in consultation with the technical advisory
9 committee, to contract with a consultant for the purposes of conducting a study
10 with respect to developing the plan and to establish certain benchmarks to ensure
11 that the plan may be implemented before the 2017-2018 school year. **Section 27**
12 authorizes the advisory committee to request from the Interim Finance Committee
13 an allocation of money to conduct the study. **Section 27** prescribes the subject
14 matter which must be contemplated by the advisory committee in developing the
15 plan. **Section 28** of this bill requires the Board of County Commissioners of Clark
16 County to conduct certain public meetings within the County for the purpose of
17 receiving public comment and input with respect to a proposed plan. **Section 28**
18 requires the advisory committee to file the plan with the Board of Trustees of the



19 Clark County School District and provides for the immediate implementation of the
20 plan upon filing.

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

3 **Sec. 3.** (Deleted by amendment.)

4 **Sec. 4.** (Deleted by amendment.)

5 **Sec. 5.** (Deleted by amendment.)

6 **Sec. 6.** (Deleted by amendment.)

7 **Sec. 7.** (Deleted by amendment.)

8 **Sec. 8.** (Deleted by amendment.)

9 **Sec. 9.** (Deleted by amendment.)

10 **Sec. 10.** (Deleted by amendment.)

11 **Sec. 11.** (Deleted by amendment.)

12 **Sec. 12.** (Deleted by amendment.)

13 **Sec. 13.** (Deleted by amendment.)

14 **Sec. 14.** (Deleted by amendment.)

15 **Sec. 15.** (Deleted by amendment.)

16 **Sec. 16.** (Deleted by amendment.)

17 **Sec. 17.** (Deleted by amendment.)

18 **Sec. 18.** (Deleted by amendment.)

19 **Sec. 19.** (Deleted by amendment.)

20 **Sec. 20.** (Deleted by amendment.)

21 **Sec. 21.** As used in sections 21 to 29, inclusive, of this act,
22 unless the context otherwise requires, the words and terms defined
23 in sections 22, 23 and 24 of this act have the meanings ascribed to
24 them in those sections.

25 **Sec. 22.** "Advisory committee" means the advisory committee
26 created by section 25 of this act.

27 **Sec. 23.** "Plan" means the plan developed by the advisory
28 committee in accordance with sections 21 to 28, inclusive, of this
29 act.

30 **Sec. 24.** "Technical advisory committee" means the technical
31 advisory committee created by section 26 of this act.

32 **Sec. 25.** 1. There is hereby created an advisory committee to
33 develop a plan and recommendations to reorganize the Clark County
34 School District into not less than five local school precincts before
35 the 2017-2018 school year.

36 2. The advisory committee consists of nine members appointed
37 as follows:

38 (a) Four members of the Senate who are elected from districts
39 which include any area located within Clark County, two of whom



are appointed by the Majority Leader of the Senate and two of whom are appointed by the Minority Leader of the Senate.

(b) Four members of the Assembly who are elected from districts which include any area located within Clark County, two of whom are appointed by the Speaker of the Assembly and two of whom are appointed by the Minority Leader of the Assembly.

(c) One member appointed by the Legislative Commission who is a member of the general public, is a resident of Clark County and represents the ethnic diversity of Clark County.

3. At the first meeting of the advisory committee, the advisory committee shall elect a Chair and a Vice Chair from among its members.

4. A majority of the members of the advisory committee constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the advisory committee.

5. A vacancy in the membership of the advisory committee must be filled in the same manner as the original appointment.

6. Members of the advisory committee serve without compensation, except that a member is entitled, while engaged in the business of the advisory committee, to receive the per diem allowance and travel expenses provided for state officers and employees generally.

Sec. 26. 1. To assist the advisory committee with technical expertise, input, advice and assistance, a technical advisory committee is hereby created consisting of the following members:

(a) One member who is appointed by the governing body of each incorporated city located within Clark County.

(b) Two members who are appointed by the State Board of Education.

(c) One member who is appointed by the Board of Trustees of the Clark County School District.

2. The members of the technical advisory committee serve without compensation, except that a member is entitled, while engaged in the business of the technical advisory committee, to receive the per diem allowance and travel expenses provided for state officers and employees generally.

Sec. 27. 1. The advisory committee shall, in consultation with the technical advisory committee:

(a) Contract with a qualified independent consultant to perform a study and assist the advisory committee with developing the plan.

(b) As soon as practicable, establish benchmarks that must be met within the Clark County School District to ensure that the plan may be implemented before the 2017-2018 school year.



2. The advisory committee may request approval from the Interim Finance Committee for an allocation of money to conduct the study required pursuant to paragraph (a) of subsection 1.

3. The plan and the study conducted pursuant to paragraph (a) of subsection 1 must be completed on or before October 1, 2016.

4. In developing the plan to reorganize the Clark County School District, the advisory committee must:

(a) Ensure equity in the reorganization of the Clark County School District with respect to the Nevada Plan.

(b) Take into consideration:

(1) The contiguous boundaries of each proposed local school precinct.

(2) The allocation, dedication and transfer of any revenue to a local school precinct that may be dedicated to capital projects and improvements for schools and school facilities, school programs, pupils or other costs directly incidental to the operation, management and administration of the local school precinct.

(3) The authority to issue bonds or otherwise raise revenue.

(4) The application for and receipt of any grant, gift or bequest.

(5) The creation and administration of accounts to manage any money received by a local school precinct.

(6) The transfer of any interest in real or personal property, including, without limitation, lease agreements.

(7) Precinct planning and management, including, without limitation, financial planning for school programs, pupil funding and capital projects and improvements.

(8) Administrative support, including, without limitation, accounting, data processing, payroll and purchasing agreements.

(9) The liability of a local school precinct with respect to any duties and obligations of the Board of Trustees of the Clark County School district which will be assumed by the governing body of a precinct.

(10) The civil and administrative liability of a local school precinct and its employees.

(11) Interlocal agreements between a local school precinct and a state, county or regional planning authority.

(12) Staffing, including, without limitation, the transfer, reassignment or hiring of personnel.

(13) Employment contracts and collective bargaining.

(14) Employee and pupil safety.

(15) The maintenance of schools, school facilities and school grounds.

(16) Transportation.

(17) Interscholastic athletics and activities.



(18) Curriculum.

(19) The provision of services and education to pupils:

(I) Who have limited proficiency in the English language.

(II) Who are eligible for free or reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq.

(III) With disabilities.

(20) The composition of the governing body for each local school precinct and the compensation, if any, of the members of a governing body.

(c) Ensure that the Clark County School District is funded in accordance with the Nevada Plan and that such funding is distributed on a per pupil basis among the local school precincts created by the plan.

(d) Authorize one or more local school precincts to request that the Clark County School District issue bonds on behalf of the local school precincts.

(e) Require the Clark County School District to issue bonds upon receiving a request for such issuance pursuant to paragraph (d), except for good cause.

(f) Require a local school precinct on behalf of which bonds are issued pursuant to paragraph (e) to use the proceeds from the issuance of the bonds on a per pupil basis.

5. As used in this section, "Nevada Plan" means the formula created for providing state financial aid to public education prescribed in NRS 387.121.

Sec. 28. 1. Upon completion of a proposed plan and the study prepared pursuant to paragraph (a) of subsection 1 of section 27 of this act, the Board of County Commissioners of Clark County shall conduct not less than four public meetings. Not less than one of the public meetings conducted pursuant to this section must be held in an unincorporated area of Clark County.

2. At each public meeting conducted pursuant to this section, the advisory committee and the consultant retained pursuant to paragraph (a) of subsection 1 of section 27 of this act shall present the preliminary findings and the proposed plan for the purpose of receiving public comment and input.

3. Upon completion of the public meetings conducted pursuant to this section, the advisory committee shall:

(a) Revise the proposed plan, as necessary;

(b) File the proposed plan with the Board of Trustees of the Clark County School District; and

(c) Submit a copy of the plan to:

(1) The Superintendent of Public Instruction; and

(2) The Director of the Legislative Counsel Bureau for transmittal to the 79th Session of the Nevada Legislature.



4. Except as otherwise provided in subsection 5, the plan is effective immediately upon the filing of the proposed plan pursuant to subsection 3 and must be implemented for the 2017-2018 school year.

5. If the advisory committee files a plan pursuant to subsection 3 and makes a determination that there is sufficient time to implement the plan for the 2016-2017 school year, the plan is immediately effective upon the filing of the proposed plan and must be implemented for the 2016-2017 school year.

Sec. 29. 1. The members of the advisory committee and the technical advisory committee must be appointed on or before July 10, 2015.

2. The Chair of the Legislative Commission shall call the first meeting of the advisory committee which must take place on or before August 7, 2015.

Sec. 30. This act becomes effective upon passage and approval and expires by limitation on June 30, 2017.

