

Amendment No. 13

Senate Amendment to Senate Bill No. 66	(BDR 34-430)
<b>Proposed by:</b> Senate Committee on Education	
<b>Amends:</b> Summary: Yes Title: Yes 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"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

AMM/AAK



Date: 4/13/2021

S.B. No. 66—Creates the Nevada K-16 Connectivity and Innovation Advisory Commission. (BDR 34-430)





SENATE BILL NO. 66—COMMITTEE ON EDUCATION  
(ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Education

SUMMARY—~~[Creates the Nevada K-16 Connectivity and Innovation Advisory Commission.]~~ Enacts provisions relating to access to the Internet and telecommunications technology for pupils.  
(BDR 34-430)

FISCAL NOTE: Effect on Local Government: No.  
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; ~~[creating the Nevada K-16 Connectivity and Innovation Advisory Commission,]~~ prescribing the duties of the ~~[Commission,]~~ Office of Science, Innovation and Technology relating to access to the Internet and telecommunications technology for pupils; requiring the board of trustees of each school district and the State Public Charter School Authority to report certain information to the Office; requiring the ~~[Commission]~~ Office to prepare and submit an annual report; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

~~[— This bill creates the Nevada K-16 Connectivity and Innovation Advisory Commission for the general purpose of coordinating the implementation of telecommunications services for education in Nevada. Section 2 of this bill provides for the appointment of members to the Commission and requires the Commission to meet at least quarterly.]~~

Existing law establishes the Office of Science, Innovation and Technology, which is required, in general, to advise on matters relating to science, innovation, technology and broadband service. (NRS 223.600, 223.610) Section 3 of this bill [establishes the] sets forth additional duties of the [Commission,] Office, which include, without limitation [— (1) supporting and facilitating the telecommunications needs of certain entities affiliated with K-12 public education and the Nevada System of Higher Education; (2) establishing model parameters for telecommunications networks in public settings for use by pupils and students; and (3) developing a financial model for the sustainability and financial stability of such telecommunications networks, services and equipment.] , developing a statewide system of gathering data relating to the extent to which pupils have access to the Internet at their homes and access to telecommunications technology, including, without limitation, a laptop computer or tablet device. Section 3 also requires the [Commission] Office to [— (1)] work with [private sector] various entities to [deliver telecommunications networks, services or equipment; and (2) avoid duplicating the] ensure pupils have access to the Internet and telecommunications [networks, services or equipment of other public or private providers.]

20 technology. Finally, section 3 authorizes the Department of Education and the Office to  
21 adopt any regulations necessary to carry out the provisions of ~~[this bill]~~ section 3.

22 Section 3.5 of this bill requires the board of trustees of each school district and the  
23 State Public Charter School Authority to submit to the Office certain information  
24 relating to the extent to which pupils have access to the Internet at their homes and  
25 access to telecommunications technology.

26 Section 4 of this bill requires the [Commission] Office to prepare an annual report on the  
27 status of the ~~[Commission]~~ Office in carrying out its duties prescribed by section 3 and  
28 submit the report to the Governor, the State Board of Education and: (1) in odd-numbered  
29 years, to the Senate and Assembly Standing Committees on Education; and (2) in even-  
30 numbered years, to the Legislative Committee on Education.

---

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

1 Section 1. Chapter 385 of NRS is hereby amended by adding thereto the  
2 provisions set forth as sections 2, 3, 3.5 and 4 of this act.

3 Sec. 2. ~~1. The Nevada K-16 Connectivity and Innovation Advisory~~  
4 ~~Commission is hereby created. The Commission consists of the following 13~~  
5 ~~members:~~

6 ~~(a) Three members appointed by the Board of Regents of the University of~~  
7 ~~Nevada who represent the Nevada System of Higher Education as follows:~~

8 ~~(1) One member from a county whose population is 700,000 or more;~~

9 ~~(2) One member from a county whose population is 100,000 or more but~~  
10 ~~less than 700,000; and~~

11 ~~(3) One member from a county whose population is less than 100,000;~~

12 ~~(b) Five members who represent the system of public education in this State,~~  
13 ~~appointed as follows:~~

14 ~~(1) One member appointed by the State Board of Education;~~

15 ~~(2) One member appointed by the Nevada Association of School~~  
16 ~~Superintendents, or its successor organization, who represents a school district in~~  
17 ~~a county whose population is 700,000 or more;~~

18 ~~(3) One member appointed by the Nevada Association of School~~  
19 ~~Superintendents, or its successor organization, who represents a school district in~~  
20 ~~a county whose population is 100,000 or more but less than 700,000;~~

21 ~~(4) One member appointed by the Nevada Association of School~~  
22 ~~Superintendents, or its successor organization, who represents a school district in~~  
23 ~~a county whose population is less than 100,000; and~~

24 ~~(5) One member appointed by the State Public Charter School Authority;~~

25 ~~(c) Two members appointed by the Governor who represent parks and~~  
26 ~~recreation as follows:~~

27 ~~(1) One member appointed by the Governor who represents a parks and~~  
28 ~~recreation department in a county whose population is 700,000 or more; and~~

29 ~~(2) One member appointed by the Governor who represents a parks and~~  
30 ~~recreation department in a county whose population is less than 700,000;~~

31 ~~(d) One member appointed by the State Library, Archives and Public~~  
32 ~~Records Administrator who represents the Division of State Library, Archives~~  
33 ~~and Public Records of the Department of Administration; and~~

34 ~~(e) Two members appointed by the Governor who represent the~~  
35 ~~telecommunications industry.~~

36 2. Each member of the Commission serves a term of 2 years and may be  
37 reappointed to additional terms.

~~3. A vacancy on the Commission must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.~~

~~4. At the first meeting of each calendar year, the Commission shall elect from among its members a Chair, Vice Chair and Secretary, and shall adopt the rules and procedures of the Commission.~~

~~5. The Commission shall meet at least quarterly and may meet at other times upon the call of the Chair.~~

~~6. Members of the Commission serve without compensation.~~

~~7. A member of the Commission who is a public employee must be granted administrative leave from the member's duties to engage in the business of the Commission without loss of his or her regular compensation. Such leave does not reduce the amount of the member's other accrued leave.~~

~~8. The Commission may apply for and accept gifts, grants, donations and contributions from any source for the purpose of carrying out its duties pursuant to section 3 of this act.~~

~~9. The Department shall provide administrative support to the Commission.]~~  
(Deleted by amendment.)

Sec. 3. 1. The [Nevada K-16 Connectivity and Innovation Advisory Commission created by section 2 of this act] Office of Science, Innovation and Technology established by NRS 223.600 shall:

(a) [Support and facilitate the telecommunications needs of public schools, school districts, public institutions of higher education, public libraries, community centers and other entities affiliated with the system of K-12 public education in this State and the Nevada System of Higher Education for the purpose of addressing connectivity issues for pupils and students;] In consultation with the board of trustees of each school district, develop a standardized, statewide system of gathering data from pupils and their families to assess the ability of pupils to access the Internet at their homes. The statewide system must:

(1) Be able to be replicated each year;

(2) Be developed with consideration of existing processes and systems for gathering data on pupils and their families and, to the greatest extent possible, use such processes and systems;

(3) Provide data on access to the Internet at the permanent or temporary address of a pupil; and

(4) To the extent authorized by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, be able to disaggregate data based on the name of the pupil, the name of the family of the pupil and other appropriate personally identifiable information.

(b) [Establish model parameters for telecommunications networks in public settings for use by pupils or students by, without limitation:

(1) Developing and implementing a telecommunications network for the delivery of educational services which may use, without limitation, satellites, microwaves, fiber optics, broadcast media and other forms of transmission;

(2) Ensuring that public schools, school districts, public institutions of higher education, public libraries, community centers and other entities affiliated with the system of K-12 public education in this State and the Nevada System of Higher Education have access to any telecommunications networks, services or equipment necessary for the delivery of educational services;

(3) Procuring, installing and maintaining high quality, cost effective.] Develop a method to share the data gathered pursuant to paragraph (a), to the extent authorized by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, with providers of

telecommunications networks, services or equipment ~~including, without limitation,~~ interested in providing access to the Internet ~~access, on behalf of public schools, school districts and public institutions of higher education, when determined by the Commission to be appropriate~~

~~(4) Coordinating and supporting any initiatives relating~~ to pupils who lack access to the Internet at their homes.

~~(c) Develop recommendations for minimum standards for telecommunications technology for public schools, school districts and public institutions of higher education;~~

~~(5) Sharing reports on trends that relate to the use of emerging technology in K-12 education; and~~

~~(6) Considering and making recommendations relating to major themes affecting innovation in teaching and learning in schools and communities; and~~

~~(c) Develop a financial model that provides for the sustainability and financial stability of telecommunications networks, services or equipment, including, without limitation, Internet access, used for such educational purposes, owned by a school or school district that will best ensure the capability of the telecommunications technology to connect to the Internet. The recommendations must, without limitation:~~

~~(1) Evaluate the connectivity capabilities of the telecommunications technology and not other features, including, without limitation, processing power and memory;~~

~~(2) Require the telecommunications technology to connect to wireless fidelity, fixed wireless and mobile wireless Internet; and~~

~~(3) Include a list of recommended telecommunications technology that meets the recommended standards.~~

~~(d) Review each report submitted by the board of trustees of a school district and the State Public Charter School Authority pursuant to section 3.5 of this act and, based on the review:~~

~~(1) Conduct an analysis to identify any gaps in access to the Internet which must, without limitation:~~

~~(I) Disaggregate any data by school district, charter school, the number of pupils who lack access to the Internet and the number of pupils who lack access to telecommunications technology;~~

~~(II) Review data gathered in response to the public-health crisis caused by the COVID-19 pandemic; and~~

~~(III) To the greatest extent possible, use existing mechanisms for gathering data;~~

~~(2) Develop a fiscal plan to close gaps in access to the Internet and gaps in access to telecommunications technology which may include, without limitation, use of the Lifeline program of the Federal Communications Commission, or its successor program, the Emergency Broadband Benefit program of the Federal Communications Commission, or its successor program, or the Schools and Libraries Universal Service Support program of the Federal Communications Commission, or its successor program; and~~

~~(3) Develop a plan to assess the speed of uploads and downloads on telecommunications technology to determine the number of pupils who have access to the Internet but lack sufficient speeds to participate in remote learning.~~

2. In carrying out its duties pursuant to subsection 1, the ~~Commission~~ Office shall ~~work with:~~

~~(a) [Work with private] Private sector [entities to deliver high quality, cost-effective] providers of telecommunications networks, services or equipment~~ for

~~and~~ to understand the data and guarantees of payment that may be required to connect to the Internet pupils who lack access to the Internet at their homes;

~~(b) [Avoid duplicating the telecommunications networks, services or equipment of other public or private providers of telecommunications networks, services or equipment.] Persons and entities who can inform the Office on current and future standards for wireless fidelity, fixed wireless and mobile wireless Internet and spectrum availability and provide recommendations on the features a telecommunications technology must have to connect with existing and future broadband networks;~~

~~(c) Persons and entities who can provide information on delivery of access to the Internet that, to the greatest extent possible, will use existing firewall and filter services provided by a school district or charter school;~~

~~(d) Persons and entities who can provide information on gathering data, data privacy and laws and regulations on data-sharing that could affect the efforts of the Office to identify and provide access to the Internet to pupils who lack access to the Internet at their homes; and~~

~~(e) Persons and entities, including, without limitation, the Department of Health and Human Services, who can provide information on programs that may be used to provide access to the Internet to pupils who lack access to the Internet at their homes.~~

3. The Department and the Office may adopt any regulations necessary to carry out the provisions of this section.

4. As used in this section, "telecommunications technology" includes, without limitation, a laptop computer or tablet device.

Sec. 3.5. 1. On or before November 1 of each year, the board of trustees of each school district and the State Public Charter School Authority shall submit a report to the Office of Science, Technology and Innovation in a manner prescribed by the Office. The report must include:

~~(a) The number of pupils who lack access to the Internet at their homes and, to the extent authorized by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, the addresses of such pupils;~~

~~(b) The number of pupils who use a hotspot provided by the school district or charter school to access the Internet;~~

~~(c) The number of pupils who lack access to telecommunications technology that is capable of facilitating remote learning;~~

~~(d) The number of pupils who lack both access to the Internet and access to telecommunications technology; and~~

~~(e) The current requirements of the board of trustees of the school district or the State Public Charter School Authority for telecommunications technology owned by the school district, a school within the school district, the State Public Charter School Authority or a charter school sponsored by the State Public Charter School Authority.~~

2. As used in this section, "telecommunications technology" includes, without limitation, a laptop computer or tablet device.

~~Sec. 4. 1. On or before February 1 of each year, the [Nevada K-16 Connectivity and Innovation Advisory Commission created by section 2 of this act] Office of Science, Innovation and Technology shall prepare an annual report concerning the status of the [Commission] Office in carrying out its duties prescribed by section 3 of this act, including, without limitation:~~

~~(a) Any recommendations for the procurement, installation and maintenance of telecommunications networks, services or equipment pursuant to subparagraph (3) of paragraph (b) of subsection 1 of section 3 of this act; and~~

~~(b) A description of the coordination of any initiatives relating to telecommunications technology pursuant to subparagraph (4) of paragraph (b) of subsection 1 of section 3 of this act.~~

~~2. The~~ and submit the report ~~prepared pursuant to subsection 1 must be submitted to the Governor, and the~~ State Board and:

(a) In odd-numbered years, to the Director of the Legislative Counsel Bureau for transmittal to the Senate and Assembly Standing Committees on Education.

(b) In even-numbered years, to the Legislative Committee on Education.

~~3. 2. The~~ Office shall post a copy of the report prepared ~~by the Commission~~ pursuant to subsection 1 on the Internet website maintained by the ~~Department~~ Office.

**Sec. 5.** The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.