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SECOND REPRINT

S.B. 194

SENATE BILL NO. 194—SENATORS LANGE; DENIS, DONATE,
HAMMOND, OHRENSCHALL AND SEEVERS GANSERT

MARCH 9, 2021

Referred to Committee on Education

SUMMARY—Revises provisions relating to education.
(BDR 34-676)

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; establishing a State Seal of Civics Program; requiring the Superintendent of Public Instruction to establish criteria for certain designations related to civics; requiring a public high school to report certain test results to the Department of Education; requiring instruction provided in social studies to include civics; requiring that various communities be included in the standards of content and performance for ethnic and diversity studies; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Superintendent of Public Instruction to establish various state seals to be awarded to pupils who graduate high school with a high level of proficiency in certain subjects. (NRS 388.591, 388.594, 388.596, 388.597) **Section 2** of this bill similarly establishes a State Seal of Civics Program. **Section 3** of this bill sets forth the criteria for earning a State Seal of Civics.

Section 5 of this bill requires the Superintendent of Public Instruction to adopt regulations that establish criteria for the Superintendent to designate a school, pupil or teacher or other school employee as a School of Civic Excellence, Student Civic Leader or Educator Civic Leader, respectively.

Under existing law, a public high school must administer an examination with questions identical to the questions contained in the civics portion of the naturalization test adopted by the United States Citizenship and Immigration Services of the Department of Homeland Security and report the aggregate results of the examination to the board of trustees of the school district in which the high school is located. (NRS 389.009) **Section 8** of this bill requires the board of trustees of each school district to report the results of the examination to the Department of Education.



Existing law designates various core academic subjects, including, without limitation, social studies, which includes only the subjects of history, geography, economics and government. (NRS 389.018) **Section 9** of this bill adds civics to the list of subjects included within social studies. **Section 10** of this bill makes a conforming change related to the addition of civics to social studies.

Under existing law, the Council to Establish Academic Standards for Public Schools is required to establish standards of content and performance for ethnic and diversity studies for certain pupils. The standards must, without limitation, examine the culture, history and contributions of certain American communities. (NRS 389.525) **Section 11** of this bill includes additional communities in the list of communities whose culture, history and contributions must be examined.

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

Section 1. Chapter 388 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. 1. *The Superintendent of Public Instruction shall establish a State Seal of Civics Program to recognize pupils who graduate from a public high school, including, without limitation, a charter school and a university school for profoundly gifted pupils, who have attained a high level of proficiency in civics.*

2. *The Superintendent of Public Instruction shall:*

(a) *Create a State Seal of Civics that may be affixed to the diploma and noted on the transcript of a pupil to recognize that the pupil has met the requirements of section 3 of this act; and*

(b) *Deliver the State Seal of Civics to each school district, charter school and university school for profoundly gifted pupils that participates in the State Seal of Civics Program.*

3. *Any school district, charter school and university school for profoundly gifted pupils may participate in the State Seal of Civics Program by notifying the Superintendent of Public Instruction of its intent to participate in the Program.*

4. *Each board of trustees of a school district and governing body of a charter school or university school for profoundly gifted pupils that participates in the State Seal of Civics Program shall:*

(a) *Identify the pupils who have met the requirements to be awarded the State Seal of Civics; and*

(b) *Affix the State Seal of Civics to the diploma and note the receipt of the State Seal of Civics on the transcript of each pupil who meets those requirements.*

5. *The Superintendent of Public Instruction may adopt regulations as necessary to carry out the provisions of this section and section 3 of this act.*



Sec. 3. 1. *A school district, charter school and university school for profoundly gifted pupils that participates in the State Seal of Civics Program established pursuant to section 2 of this act must award a pupil, upon graduation from high school, a high school diploma with a State Seal of Civics if the pupil:*

(a) Earns at least a 3.25 grade point average on a 4.0 grading scale or, if a different grading scale is used, a 3.85 weighted grade point average on a grading scale approved by the Superintendent of Public Instruction.

(b) Demonstrates proficiency in civics by earning:

(1) At least 3 credits in social studies;

(2) A score of at least 90 percent on the examination for civics required pursuant to NRS 389.009; and

(3) A satisfactory score in citizenship.

(c) Completes a service learning project.

2. *The Department shall develop a rubric and set forth a satisfactory score to determine if a pupil meets the requirements for a satisfactory score in citizenship for the purposes of subparagraph (3) of paragraph (b) of subsection 1.*

3. *The Department shall provide guidance to public schools regarding the requirements for completing a service learning project for the purposes of paragraph (c) of subsection 1.*

Sec. 4. (Deleted by amendment.)

Sec. 5. 1. *The Superintendent of Public Instruction may designate:*

(a) A school district, charter school or university school for profoundly gifted pupils as a Nevada School of Civic Excellence;

(b) A pupil as a Student Civic Leader; or

(c) A teacher or other school employee as an Educator Civic Leader.

2. *The Superintendent of Public Instruction shall adopt regulations that set forth the criteria to earn a designation pursuant to subsection 1.*

Sec. 6. (Deleted by amendment.)

Sec. 7. (Deleted by amendment.)

Sec. 8. NRS 389.009 is hereby amended to read as follows:

389.009 1. A public high school shall administer an examination containing a number of questions, determined by the public high school, which are identical to the questions contained in the civics portion of the naturalization test adopted by the United States Citizenship and Immigration Services of the Department of Homeland Security, to each pupil enrolled in the public high school.

2. A public high school shall:

(a) Determine the course in which the examination will be administered;



(b) Establish the number of questions which will be included on the examination, which must not be less than 50;

(c) Determine the desired score on the examination and the manner in which the results of the examination administered to a pupil will affect the grade of the pupil in the course in which the examination is administered; and

(d) Not later than August 31 of each year, aggregate the results of the examination for all pupils at the public high school and report the aggregated results to the board of trustees of the school district in which the public high school is located.

3. Except as otherwise provided in subsection 4, no pupil in any public high school may receive a certificate or diploma of graduation without having taken the examination described in subsection 1.

4. A pupil may receive a waiver from the examination administered pursuant to subsection 1 if:

(a) The pupil is a pupil with a disability and the waiver is in accordance with his or her individualized education program;

(b) The pupil is identified as an English learner and the public high school is unable to offer the examination in the language which would be most likely to provide accurate results for the pupil; or

(c) The principal or administrator of the public high school determines that the pupil has completed all other academic requirements to receive a certificate or diploma of graduation and has shown good cause for a waiver. The principal or administrator of a public high school shall not grant a waiver pursuant to this paragraph to more than 10 percent of each graduating class of the public high school.

5. *On or before December 31 of each year, the board of trustees of each school district shall report the aggregated results of the examination received by the board of trustees of the school district pursuant to subsection 2 to the Department.*

6. As used in this section, "public high school" includes, without limitation, any charter school that operates as a high school.

Sec. 9. NRS 389.018 is hereby amended to read as follows:

389.018 1. The following subjects are designated as the core academic subjects that must be taught, as applicable for grade levels, in all public schools, the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS:

(a) English language arts;

(b) Mathematics;

(c) Science; and

(d) Social studies, which includes only the subjects of history, geography, economics, *civics* and government.



2. Except as otherwise provided in this subsection, a pupil enrolled in a public high school must enroll in a minimum of:

- (a) Four units of credit in English language arts;
- (b) Four units of credit in mathematics, including, without limitation, Algebra I and geometry, or an equivalent course of study that integrates Algebra I and geometry;
- (c) Three units of credit in science, including two laboratory courses; and
- (d) Three units of credit in social studies, including, without limitation:
 - (1) American government;
 - (2) American history; and
 - (3) World history or geography.

↪ A pupil is not required to enroll in the courses of study and credits required by this subsection if the pupil, the parent or legal guardian of the pupil and an administrator or a counselor at the school in which the pupil is enrolled mutually agree to a modified course of study for the pupil and that modified course of study satisfies at least the requirements for a standard high school diploma, an adjusted diploma or an alternative diploma, as applicable.

3. Except as otherwise provided in this subsection, in addition to the core academic subjects, the following subjects must be taught as applicable for grade levels and to the extent practicable in all public schools, the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS:

- (a) The arts;
- (b) Computer education and technology;
- (c) Health; and
- (d) Physical education.

↪ If the State Board requires the completion of course work in a subject area set forth in this subsection for graduation from high school or promotion to the next grade, a public school shall offer the required course work. Except as otherwise provided for a course of study in health prescribed by subsection 1 of NRS 389.021 and the instruction prescribed by subsection 1 of NRS 389.064, unless a subject is required for graduation from high school or promotion to the next grade, a charter school is not required to comply with this subsection.

4. Instruction in health and physical education provided pursuant to subsection 3 must include, without limitation, instruction concerning the importance of annual physical examinations by a provider of health care and the appropriate response to unusual aches and pains.



Sec. 10. NRS 389.520 is hereby amended to read as follows:

389.520 1. The Council shall:

(a) Establish standards of content and performance, including, without limitation, a prescription of the resulting level of achievement, for the grade levels set forth in subsection 5, based upon the content of each course, that is expected of pupils for the following courses of study:

(1) English language arts;

(2) Mathematics;

(3) Science;

(4) Social studies, which includes only the subjects of history, geography, economics, *civics* and government;

(5) The arts;

(6) Computer education and technology, which includes computer science and computational thinking;

(7) Health;

(8) Physical education; and

(9) A foreign or world language.

(b) Establish a schedule for the periodic review and, if necessary, revision of the standards of content and performance. The review must include, without limitation, the review required pursuant to NRS 390.115 of the results of pupils on the examinations administered pursuant to NRS 390.105.

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

2. The standards for computer education and technology must include a policy for the ethical, safe and secure use of computers and other electronic devices. The policy must include, without limitation:

(a) The ethical use of computers and other electronic devices, including, without limitation:

(1) Rules of conduct for the acceptable use of the Internet and other electronic devices; and

(2) Methods to ensure the prevention of:

(I) Cyber-bullying;

(II) Plagiarism; and

(III) The theft of information or data in an electronic form;

(b) The safe use of computers and other electronic devices, including, without limitation, methods to:

(1) Avoid cyber-bullying and other unwanted electronic communication, including, without limitation, communication with on-line predators;



(2) Recognize when an on-line electronic communication is dangerous or potentially dangerous; and

(3) Report a dangerous or potentially dangerous on-line electronic communication to the appropriate school personnel;

(c) The secure use of computers and other electronic devices, including, without limitation:

(1) Methods to maintain the security of personal identifying information and financial information, including, without limitation, identifying unsolicited electronic communication which is sent for the purpose of obtaining such personal and financial information for an unlawful purpose;

(2) The necessity for secure passwords or other unique identifiers;

(3) The effects of a computer contaminant;

(4) Methods to identify unsolicited commercial material; and

(5) The dangers associated with social networking Internet sites; and

(d) A designation of the level of detail of instruction as appropriate for the grade level of pupils who receive the instruction.

3. The standards for social studies must include multicultural education, including, without limitation, information relating to contributions made by men and women from various racial and ethnic backgrounds. The Council shall consult with members of the community who represent the racial and ethnic diversity of this State in developing such standards.

4. The standards for health must include mental health and the relationship between mental health and physical health.

5. The Council shall establish standards of content and performance for each grade level in kindergarten and grades 1 to 8, inclusive, for English language arts and mathematics. The Council shall establish standards of content and performance for the grade levels selected by the Council for the other courses of study prescribed in subsection 1.

6. The Council shall forward to the State Board the standards of content and performance established by the Council for each course of study. The State Board shall:

(a) Adopt the standards for each course of study, as submitted by the Council; or

(b) If the State Board objects to the standards for a course of study or a particular grade level for a course of study, return those standards to the Council with a written explanation setting forth the reason for the objection.

7. If the State Board returns to the Council the standards of content and performance for a course of study or a grade level, the Council shall:



(a) Consider the objection provided by the State Board and determine whether to revise the standards based upon the objection; and

(b) Return the standards or the revised standards, as applicable, to the State Board.

↪ The State Board shall adopt the standards of content and performance or the revised standards, as applicable.

8. The Council shall work in cooperation with the State Board to prescribe the examinations required by NRS 390.105.

9. As used in this section:

(a) “Computer contaminant” has the meaning ascribed to it in NRS 205.4737.

(b) “Cyber-bullying” has the meaning ascribed to it in NRS 388.123.

(c) “Electronic communication” has the meaning ascribed to it in NRS 388.124.

Sec. 11. NRS 389.525 is hereby amended to read as follows:

389.525 1. The Council shall establish standards of content and performance for ethnic and diversity studies for pupils enrolled in high school. The Council shall develop the standards in consultation with:

(a) Faculty of ethnic or diversity studies at colleges and universities in this State that have an ethnic or diversity studies program;

(b) Representatives of the school districts in this State, a majority of whom are teachers in kindergarten through grade 12 and who have experience or an educational background in the study and teaching of ethnic or diversity studies; and

(c) Other qualified persons who represent the diverse communities of this State and the United States.

2. The standards established pursuant to subsection 1 must:

(a) Examine the culture, history and contributions of diverse American communities, including, without limitation, African Americans, Hispanic Americans, Native Americans, Asian Americans, European Americans, Basque Americans , *Pacific Islander Americans, Chicano Americans, Latino Americans, Middle Eastern Americans, women, persons with disabilities, immigrants or refugees, persons who are lesbian, gay, bisexual, transgender or questioning* and any other ethnic or diverse American communities the Council deems appropriate;

(b) Emphasize human relations, sensitivity towards all races and diverse populations and work-related cultural competency skills;

(c) Be written in a manner that allows a school district or charter school to modify the content to reflect and support the



1 demographics of pupils in the community, as long as the prescribed
2 standard is met; and

3 (d) Comply with any applicable admissions requirements for
4 colleges and universities in this State.

5 3. The board of trustees of a school district and the governing
6 body of a charter school that operates as a high school may provide
7 instruction in ethnic and diversity studies to pupils enrolled in high
8 school within the school district or in the charter school, as
9 applicable. If provided, the instruction must comply with the
10 standards of content and performance established by the Council
11 pursuant to this section.

12 4. The State Board shall adopt such regulations as necessary to
13 carry out the provisions of this section.

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

15 **Sec. 13.** 1. This section becomes effective upon passage and
16 approval.

17 2. Sections 1 to 12, inclusive, of this act become effective:

18 (a) Upon passage and approval for the purpose of adopting any
19 regulations and performing any other preparatory administrative
20 tasks that are necessary to carry out the provisions of this act; and

21 (b) On July 1, 2021, for all other purposes.

