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FIRST REPRINT

S.B. 353

## SENATE BILL NO. 353—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE  
ON EDUCATION)

MARCH 25, 2021

Referred to Committee on Education

SUMMARY—Requires the Department of Education to review certain assessments. (BDR 34-528)

FISCAL NOTE: Effect on Local Government: No.  
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 Department of Education to review examinations and assessments for certain information; requiring the Department to adopt regulations that prescribe certain limitations on examinations and assessments; authorizing the board of trustees of a school district or the governing body of a charter school to request a waiver from the State Board of Education for certain limitations; authorizing the State Board to grant a waiver in certain circumstances; making an appropriation; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides for the administration of examinations and assessments to measure the achievement and proficiency of pupils in various subjects. (NRS 390.055, 390.105) **Section 2** of this bill requires the Department of Education to review the examinations and assessments administered to pupils for: (1) the educational benefit of administering an examination or assessment; (2) the costs of administering an examination or assessment; and (3) redundancy in the information, skills or abilities measured by an examination or assessment. **Section 3** of this bill requires the Department to adopt regulations that prescribe limitations for: (1) the time taken from instruction to conduct an examination or assessment; and (2) the number of examinations or assessments administered in a school year. **Section 3** requires the board of trustees of a school district or the governing body of a charter school to request a waiver from the State Board of Education if the board of trustees or the governing body intends to administer an examination or



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assessment that would exceed the limits imposed by the Department. **Section 3** authorizes the State Board to grant a waiver from the limitations to a school district or charter school if the State Board deems a waiver to be appropriate. **Section 3.5** of this bill makes an appropriation to the Department for costs related to contract services and adopting regulations to carry out the provisions of this bill.

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

**Section 1.** Chapter 390 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2.** *The Department shall review examinations and assessments administered pursuant to this chapter for:*

*1. The educational benefit of an examination or assessment;*  
*2. The cost of administering an examination or assessment;*  
*and*

*3. Any redundancy in the information, skills or abilities measured by different examinations and assessments.*

**Sec. 3.** *1. The Department shall adopt regulations that prescribe limits on the:*

*(a) Actual time taken from instruction to conduct an examination or assessment pursuant to this chapter; and*

*(b) Number of examinations or assessments administered to pupils pursuant to this chapter in a school year.*

*2. If the board of trustees of a school district or the governing body of a charter school intends to administer an examination or assessment pursuant to this chapter that would exceed a limitation in a regulation adopted by the Department pursuant to subsection 1, the board of trustees of the school district or the governing body of the charter school must request a waiver from the State Board to exceed the limitation. The State Board may grant a waiver requested pursuant to this subsection if the State Board deems it appropriate.*

**Sec. 3.5.** *1. There is hereby appropriated from the State General Fund to the Department of Education for costs related to contract services and adopting regulations to carry out the provisions of this act the following sums:*

*For the Fiscal Year 2021-2022..... \$65,364*

*For the Fiscal Year 2022-2023..... \$187,500*

*2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated*



1 money remaining must not be spent for any purpose after  
2 September 16, 2022, and September 15, 2023, respectively, by  
3 either the entity to which the money was appropriated or the  
4 entity to which the money was subsequently granted or transferred,  
5 and must be reverted to the State General Fund on or before  
6 September 16, 2022, and September 15, 2023, respectively.

7 **Sec. 4.** 1. This section and section 3.5 of this act become  
8 effective on July 1, 2021.

9 2. Sections 1, 2 and 3 of this act become effective on  
10 January 1, 2022.

