

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—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.

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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; prescribing the duties of the 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 Office to prepare and submit an annual report; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

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 sets forth additional duties of the Office, which include, without limitation, 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 Office to work with various entities to ensure pupils have access to the Internet and telecommunications technology. Finally, **section 3** authorizes the Department of Education and the Office to adopt any regulations necessary to carry out the provisions of **section 3**.

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

Section 4 of this bill requires the Office to prepare an annual report on the status of the Office in carrying out its duties prescribed by **section 3** and submit the



report to the Governor, the State Board of Education and: (1) in odd-numbered years, to the Senate and Assembly Standing Committees on Education; and (2) in even-numbered years, to the Legislative Committee on Education.

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

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

Sec. 2. (Deleted by amendment.)

Sec. 3. 1. *The Office of Science, Innovation and Technology established by NRS 223.600 shall:*

(a) 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) 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 interested in providing access to the Internet to pupils who lack access to the Internet at their homes.

(c) Develop recommendations for minimum standards for telecommunications technology 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 Office shall work with:

(a) Private sector providers of telecommunications networks, services or equipment 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) 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 Office of Science, Innovation and Technology shall prepare an annual report concerning the status of the Office in carrying out its duties prescribed by section 3 of this act and submit the report to the Governor, the State Board and:



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

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

6 2. *The Office shall post a copy of the report prepared*
7 *pursuant to subsection 1 on the Internet website maintained by the*
8 *Office.*

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

