

CCASAPE 2011 LEGISLATIVE BILL SUMMARY

NOTE: Health insurance related bills (blue section) precede Do Not Follow (gray section).

BILL NO.	NE	SUMMARY
<p>AB39* (BDR 34-439)</p>		<ul style="list-style-type: none"> • A Committee on Education bill • This bill removes the requirement that the Superintendent of Public Instruction provide written notice, by first class mail, to each person who is licensed by the Superintendent of the date on which his or her license expires. This bill also requires the Department of Education to maintain a directory of the name of each person who is licensed and the date on which his or her license expires and to make that information available to licensed educational personnel and to the general public on the Department's Internet website. • Encourage Passage, Do Not Testify. • To Committee on Education 12-14-10 • Passed Assembly; To Senate 04-04-11 <p>1ST Reprint</p> <ul style="list-style-type: none"> • Language is added to require the Department of Education to provide to the board of trustees of each school district at the end of each calendar month a file with a list of each licensed employee who is employed by the board of trustees and whose license will expire within the 9 months immediately following that calendar month. The board of trustees of a school district shall notify each licensed employee identified in the list of the date on which his/her license will expire. The notice must be provided not later than 6 months before the expiration date. • This amendment shifts the responsibility for maintaining the list and providing notification to the licensed employees whose licenses will expire from the Superintendents to the Department of Education. <p>• Encourage Passage</p> <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment removes the mandatory requirement and replaces it with permissive language requiring the Board of Trustees of each school district to notify each licensed employee identified on the list of the date on which his or her license will expire. Additionally, it adds language that if a board of trustees provides the notice that it must be provided six months before the date of expiration. • Encourage Passage, Do Not Testify • Passed Senate; Back to Assembly 05-20-11 • Assembly did not concur with Senate amendment; Back to Senate 05-25-11 • Conference Committee 05-30-11 <p>3rd Reprint</p> <ul style="list-style-type: none"> • This amendment simply removes the changes made on the second reprint. The bill returns to the bill as it was on the first reprint. • Done • To Enrollment 06-05-11; To Governor 06-06-11; Governor Approved 06-13-11

*** New Information**

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<p>AB41 (BDR 34-438)</p>	<ul style="list-style-type: none"> • A Committee on Education bill • Section 1 of this bill revises the membership of a committee to form a charter school by removing the requirement that the committee consist of at least three teachers and by requiring the committee to consist of two members who are licensed educational personnel, one member who is a parent or guardian, and two members who possess knowledge and expertise in certain areas. Section 1 also revises the content of an application to form a charter school and the process for the review of the application by the Department of Education. • Under existing law, a charter school receives apportionments from the State Distributive School Account on a quarterly basis in amounts approximating one-fourth of the charter school's yearly apportionment. Existing law also authorizes the sponsor of the charter school to revoke the written charter of the charter school and prescribes the procedure for revocation. Sections 4 and 7 of this bill authorize the Superintendent of Public Instruction, upon the request of the sponsor of a charter school, to pay the apportionments to the charter school on a monthly rather than quarterly basis during the process to revoke the written charter of the school, with the monthly apportionment approximating one-twelfth of the charter school's yearly apportionment. • Section 5 of this bill revises the membership of the governing body of a charter school by removing the requirement that the governing body consist of at least three teachers and by requiring the governing body to consist of at least two teachers, one member who is a parent or guardian, and two members who possess knowledge and expertise in certain areas. • Under existing law, a charter school is required to submit certain employment information to the Department of Education concerning the licensed employees of the charter school. Section 5 of this bill adds persons who are licensed by the Superintendent of Public Instruction and who are under contract with the charter school to the reporting requirement. • Under existing law, a parent may homeschool a child if the parent submits to the superintendent of schools of the school district in which the child resides a notice of intent to homeschool the child. Section 9 of this bill requires the parent of a homeschooled child who seeks admittance to public school to submit a request to the superintendent of schools of the school district in which the child resides to withdraw the notice of intent to homeschool. Section 9 also requires a charter school to notify the school district in which the child resides if the child who is or was homeschooled enrolls in the charter school. • Monitor, No Actions At This Time • To Committee on Education 12-14-10 • Dead – Missed 04-15-11 Deadline
<p>AB59* (BDR 19-288)</p>	<ul style="list-style-type: none"> • Existing law establishes the Open Meeting Law which requires, except in certain limited situations, that all meetings of public bodies be open and public. It further requires that all persons be allowed to attend any meeting of these public bodies. (NRS 241.020) Existing law makes any action of a public body in violation of the Open Meeting Law void, and requires the Attorney General to investigate and prosecute any violation of the Open Meeting Law. (NRS 241.036, 241.040) If the Attorney General finds that a public body has taken an action which violates the Open Meeting Law, section 2 of this bill requires the public body to include an item on the next agenda posted for a meeting of the public body acknowledging the finding of the Attorney General regarding such a violation. Section 2 also provides that such acknowledgment is not an admission of wrongdoing on the part of the public body for the purposes of a civil action, criminal prosecution or injunctive relief. Section 3 of this bill authorizes the Attorney General to issue subpoenas for the production of documents, records or materials in the course of his or her investigation of any violation of the Open Meeting Law and makes failure or refusal to comply with such a subpoena a misdemeanor.

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		<ul style="list-style-type: none"> • Section 4 of this bill revises the definition of “public body” for purposes of the Open Meeting Law to identify the manner in which an entity must be created to be considered a public body and to clarify that a public body consists of at least two members. Section 4 also excludes proceedings of a public body that are judicial or quasi-judicial in nature from the requirements of the Open Meeting Law. • Section 5 of this bill adds certain notifications that must be included on an agenda for a meeting of a public body. • Existing law makes each member of a public body who attends a meeting where action is taken in violation of the Open Meeting Law with knowledge of the fact that the meeting is in violation guilty of a misdemeanor. (NRS 241.040) Section 6 of this bill further makes each such member who attends such a meeting subject to a civil penalty in an amount not to exceed \$500 regardless of knowledge of the violation. • Encourage Passage, Do Not Testify • To Committee on Government Affairs 12-15-10 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment provides that a meeting to consider an applicant for employment does not require prior notice to be given to the applicant. • Encourage Passage, Do Not Testify • Passed Assembly, to Senate 04-26-11 <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment in Section 1.5 provides that meetings of a public body that are quasi-judicial in nature are subject to the provisions of the Open Meeting Law unless exempted by the Legislative Commission. It also defines when a meeting is quasi-judicial in nature. • This amendment deletes from the definition of a public body, which does not include the Legislature of the State of Nevada, the statement “or an entity, other than regulatory body as defined in NRS 622.060 which would otherwise be considered a public body when such entity is engaged in proceedings that are judicial or quasi-judicial in nature.” • Encourage Passage. Do Not Testify. • Passed Senate, Back to Assembly 05-26-11 • Senate amendment not concurred in, back to Senate 05-31-11 <p>3rd Reprint</p> <ul style="list-style-type: none"> • This amendment in Section 1.5 provides that meetings of a public body other than state meetings of the State Board of Parole Commissioners, that are quasi-judicial in nature are subject to the open meeting law. • Done • To Enrollment 06-06-11; To Governor 06-13-11; Governor Approved 06-15-11
<p>AB64 (BDR 34-302)</p>		<ul style="list-style-type: none"> • A Committee on Education bill on behalf of Clark County School District. • Existing law prescribes a standard high school diploma and an adjusted diploma and requires that to receive a standard high school diploma, a pupil must satisfy the requirements for graduation from high school and either pass the high school proficiency examination in its entirety or fail to pass certain subject areas on the examination and satisfy certain alternative criteria. (NRS 389.805) Section 8 of this bill adds a career preparatory diploma and a move-on-when-ready diploma and prescribes the requirements for receipt of those diplomas.

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		<p>Section 8 also provides that a pupil who has failed the same subject area of the high school proficiency examination not less than six times may receive a standard high school diploma if he or she obtained a cumulative score that meets the required cumulative score prescribed by the State Board of Education and also satisfies certain additional conditions.</p> <ul style="list-style-type: none"> • Sections 11, 14 and 15 of this bill authorize the imposition of administrative sanctions against a pupil who is a habitual truant, including the suspension of the pupil's driver's license. • Section 12 of this bill authorizes school districts to adopt a policy that allows a high school pupil who has failed to comply with minimum attendance requirements the opportunity to make up the credits which the pupil missed during his or her absence. • Section 17 of this bill revises the consequences for a pupil who is deemed a habitual disciplinary problem by authorizing the referral of the pupil to a school police officer, a law enforcement agency or a local social service agency for investigation and, if necessary, referral to the juvenile court. • Existing law authorizes the board of county commissioners of any county to impose an additional filing fee of not more than \$6 to be paid by the defendant in an action for divorce, annulment or separate maintenance. (NRS 19.033) Section 18 of this bill revises the amount of the fee to not less than \$5 and not more than \$11 and authorizes the board of county commissioners to also impose an additional filing fee of not less than \$5 at the commencement of any action concerning child custody. Section 18 also requires that \$5 of any such fee imposed be deposited for programs for the diversion of truancy in the county school district. • Section 20 of this bill prescribes the actions a juvenile court may take against the parent or legal guardian of a child who has been adjudicated in need of supervision because the child is a habitual disciplinary problem. • Existing law prescribes the actions which must be taken by a juvenile court against a child who has been adjudicated in need of supervision because the child is a habitual truant. (NRS 62E.430) Section 22 of this bill authorizes a juvenile court to take certain actions against the parent or legal guardian of such a child. • Existing law requires a defendant who pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a felony or gross misdemeanor to pay an administrative assessment in the amount of \$25. (NRS 176.062) Section 23 of this bill increases the amount of the assessment to \$30 for a defendant for the crime of abuse, neglect or endangerment of a child. (NRS 200.508) The additional \$5 collected must be deposited for programs for the diversion of truancy in the county school district. • Existing law prescribes the requirements for the issuance of a driver's license to a person who is 16 or 17 years of age and the requirements for the issuance of a restricted driver's license to a person who is between the ages of 14 and 18 years. (NRS 483.2521, 483.267, 483.270) Sections 25-27 of this bill revise the requirements for the issuance of those driver's licenses to require the applicant to submit to the Department of Motor Vehicles written verification that the person: (1) complies with the minimum attendance and academic requirements in public school; (2) is exempt from compulsory public school attendance; (3) has received a high school diploma or certificate of attendance; or (4) passed the tests of general educational development. Section 25 also revises the time period for which a driver's license issued to a person who is 16 years of age is valid from 4 years to 1 year and prescribes the process for renewal of that license. • Section 34 of this bill prohibits an employer from employing a child who is between the ages of 14 and 18 years unless the child submits written verification that he or she: (1) complies with the minimum attendance and academic requirements in public school; (2) is exempt from compulsory public school attendance; (3) has received a high school diploma or certificate of attendance; or (4) passed the tests of
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	<p>general educational development. Exceptions are made for certain types of employment of the child.</p> <ul style="list-style-type: none"> • Section 35 of this bill authorizes the parent or legal guardian of a child between the ages of 16 and 18 years to indicate on a work permit that is issued to the child by the county, if any, the maximum number of hours that his or her child may work and the particular hours in which that work may occur during the week or on the weekend. • Existing law provides that a child under the age of 16 years may be employed in certain occupations for no more than 48 hours in any 1 week and 8 hours in any 1 day. (NRS 609.240) Section 36 of this bill revises the hours that a child may be employed to 20 hours in any 1 week when school is in session and 48 hours in any 1 week when school is not in session. • The verification to the DMV for applicants for driver's license for 16 or 17 years old and for restricted driver's license will place an additional burden on schools re: complying with the minimum attendance and academic requirements. • The verification for employers employing 14-18 years old will place an additional burden on schools re: complying with the minimum attendance and academic requirements. • Clarification re: How the schools must verify compliance with the minimum attendance and academic requirements must be determined before this well intentioned bill can be supported. • Monitor, No Actions At This Time / Seek Additional Info • To Concurrent Committees on Education and Transportation 12-15-10 • Dead – Missed 04-15-11 Deadline
<p>AB75 (BDR 14-466)</p>	<ul style="list-style-type: none"> • Existing law makes it unlawful under certain circumstances to engage in certain conduct with a child under 16 years of age or a person with mental illness. (NRS 207.260) Section 15 of this bill expands the crime of unlawful contact to include certain contact by a person with a child or a person with mental illness with the intent of arousing, appealing to, or gratifying the lust or passion or sexual desires of himself or herself or the victim. • Existing law also defines the term “sexual offense” for the purposes of requiring persons convicted of certain sexual offenses to provide biological specimens, undergo psychosexual evaluations, register as a sex offender and comply with certain other requirements. (NRS 179D.097) Section 7 of this bill revises the acts that constitute a sexual offense to include the offenses of unlawful contact with a minor or a person with mental illness and certain other offenses involving sexual conduct. • Finally, sections 9-13 of this bill revise the definition of “sexual offense” for certain juvenile offenders to include the crime of unlawful contact with a child or a person with mental illness. • This bill includes as part of the definition of “sexual offense” – sexual conduct between certain employees of a school or volunteers at a school and a pupil pursuant to NRS 201.540 (existing language re: sexual conduct between certain employees of a school or volunteers at a school and a pupil). • This definition should cause no concerns to us. We should monitor the bill in the event that other changes might be added that may be of concern. • Monitor, No Actions At This Time • To Committee on Judiciary 12-15-10 • Dead – Missed 04-15-11 Deadline

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<p>AB86 (BDR 34-131)</p>	<ul style="list-style-type: none"> • This is a Segerblom Teachers' Bill of Rights bill. It mirrors the AB319 agreed upon in 2009 by both the Senate and Assembly but was vetoed by the governor. The veto was sustained in the Senate. • Sections 7 and 8 of this bill provide specified rights for a school employee in a meeting with an administrator or representative of a school district which may result in disciplinary action against the school employee or which involves a complaint made by the school employee concerning his or her working conditions or the manner in which he or she is treated. Section 9 of this bill authorizes the suspension of an unlicensed employee with loss of pay at any time after a due process hearing has been held and requires that an unlicensed employee who is dismissed be reinstated with full compensation, plus interest, for all missed days of work if sufficient grounds for the dismissal do not exist. Section 9 also provides that such an unlicensed employee is not required to mitigate his or her damages. Section 10 of this bill requires the board of trustees of each school district to adopt a written policy prohibiting acts or statements that are intended to convince school employees to waive the rights specified by sections 2-10 of this bill. • Section 11 of this bill requires that, if a school district conducts an investigation of or intends to take disciplinary action against a licensed teacher, at least one licensed teacher or administrator must be involved with the investigation or decisions on the disciplinary action. • Under existing law, a licensed employee of a school district who is dismissed from employment must be reinstated with full compensation, plus interest, if sufficient grounds for dismissal do not exist. (NRS 391.314) Section 13 of this bill requires that compensation, plus interest, be paid for all missed days of work. • Since we previously agreed to this bill, we should simply monitor it. • Monitor, No Actions At This Time • To Committee on Education 01-07-11 • Dead – Missed 04-15-11 Deadline
<p>AB90 (BDR 53-277)</p>	<ul style="list-style-type: none"> • A Segerblom bill. • Existing law sets forth provisions proscribing unlawful employment practices. (NRS 613.310-613.435) Section 2 of this bill prohibits employers from subjecting any employee to abusive conduct in a work environment. Sections 4-9, 11-13 and 15-19 of this bill make it an unlawful employment practice to discriminate against an employee with respect to a physical characteristic of the employee. Section 3 of this bill requires a court to award damages, back pay, and costs and attorney's fee consistent with the provisions set forth in Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., to parties who prevail on claims of unlawful employment practices. Section 10 of this bill provides that the provisions proscribing unlawful employment practices do not apply to certain businesses on or near an Indian reservation with respect to certain employment practices. • Existing law provides that a complaint which alleges unlawful discriminatory practices in employment must be filed with the Nevada Equal Rights Commission not later than 300 days after the date of the occurrence of the alleged act. (NRS 233.160) Existing law also provides that if the Commission does not conclude that an unfair employment practice has occurred, the person alleging the unlawful practice may seek redress in district court. (NRS 613.420) Existing law further provides that such redress may not be sought in district court more than 180 days after the date of the act complained of. (NRS 613.430) Section 13 of this bill requires the Commission to issue a letter to the person who filed a complaint alleging an unlawful employment practice to inform the person of the right to seek redress in district court if the Commission concludes that no unlawful employment practice occurred. Section 14 of this bill revises the time in which a person may seek redress in district court by requiring the person to apply to district court within 180 days after the date of the act complained of or

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		<p>within 90 days after the date of issuance of the letter from the Commission informing the person of his or her right to seek redress in district court, whichever is later.</p> <ul style="list-style-type: none"> • This bill will change the way and for what offenses an employer must respond to complaints filed by an employee re: working conditions. • Monitor, No Actions At This Time • To Committee on Commerce and Labor 01-07-11 • Dead – Missed 04-15-11 Deadline
AB105 (BDR 23-772)		<ul style="list-style-type: none"> • This bill will require each employee organization recognized by a local government employer in the state to prepare during January of each year a report concerning the dues, expenditures, compensation, and other finances of the employee organization for the preceding calendar year. • The report must include (1) the amount of dues received from the members of the employee organization; (2) A separate line item for each expenditure of the dues; (3) The amount of compensation and benefits including salary paid to each officer and members of the staff for the preceding calendar year. • The report must be made available to any dues paying member upon request. Additionally, if requested by the Legislative Commission, the employee organization shall submit a copy of the report to the legislative auditor. If requested by the Legislative Commission, the legislative auditor shall conduct an audit of the report. • This bill makes no sense. Sounds like someone is fishing and trying to cause a problem for an employee organization. • Discourage Passage, Do Not Testify • To Committee on Government Affairs 01-27-11 • Dead – Missed 04-15-11 Deadline
AB113 (BDR 34-87)		<ul style="list-style-type: none"> • Under existing law, the State Board of Education is required to prepare a plan to improve the academic achievement of pupils enrolled in public schools in this State (NRS 385.34691) Section 2 of this bill revises the contents of the plan to require a 5-year strategic plan that addresses the recurring issues in improving the academic achievement of pupils, as identified by the Department of Education. • Sections 12 and 14 of this bill revise the date on which the preliminary determination must be made whether each public school and school district is making adequate yearly progress from July 1 to August 15. Sections 12 and 14 also revise the date on which a final determination of adequate yearly progress must be made, after an opportunity for appeal based upon the preliminary determination, from August 1 to September 15. • Under existing regulations adopted by the State Board, the criterion-referenced examinations in grades 3 through 8, the results of which are used to determine adequate yearly progress, are administered in the spring semester on the dates prescribed by the Department of Education. (NAC 389.051) Section 18 of this bill requires the Department to review the testing schedule which is in effect on July 1, 2011, and expeditiously revise the schedule to establish testing dates at least 30 days later in the spring semester based upon the changes made by this bill to the dates for the determination of adequate yearly progress. The Department is required to report to the Legislative Committee on Education regarding the revisions made to the testing schedule. • The remaining sections of this bill revise the dates on which certain reports and plans relating to the statewide system of accountability for public schools must be prepared and submitted to account for the changes made to the dates for the determination of adequate yearly

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		<p>progress.</p> <ul style="list-style-type: none"> • Monitor. No Actions at this Time. • To Committee on Education 02-03-11 • Passed Assembly; To Senate 04-01-11 • Passed Senate; Back to Assembly 05-20-11 • To Governor 05-26-11 • Governor Approved 05-27-11
<p>AB116 (BDR 34-93)</p>		<ul style="list-style-type: none"> • A Legislative Committee on Education bill • Existing law authorizes an employee of a school district to take a leave of absence, not to exceed 3 years, to accept employment with a charter school for which the board of trustees of the school district is the sponsor. The board of trustees of the school district is required to grant an employee's request to return to his or her former teaching position or a comparable teaching position with the school district after the approved leave of absence is complete. (NRS 386.595) Section 1 of this bill requires the governing body of a charter school to transmit to the board of trustees of a school district, upon request, the employment record maintained by the charter school of an employee who was granted a leave of absence and who returns to employment with the school district. • Existing law requires the automated system of accountability information for Nevada to track the achievement of pupils over time and to identify which teachers and paraprofessionals are assigned to individual pupils. The information is required to be considered, but must not be the sole criterion, in evaluating the performance of or taking disciplinary action against an individual teacher, paraprofessional or other employee. (NRS 386.650, as amended by Senate Bill No. 2 of the 26th Special Session, chapter 5, Statutes of Nevada 2010, p.38) Existing law also requires the board of trustees of each school district to develop a policy for the evaluation of teachers and administrators pursuant to which an individual teacher or administrator is designated as "satisfactory" or unsatisfactory." (NRS 391.3125, 391.3127) Sections 2 and 3 of this bill revise the policies for evaluations to require the designation of an individual teacher or administrator as "highly effective," "effective" and "ineffective." Sections 2 and 3 also require that certain information on pupil achievement which is maintained by the automated system of accountability information for Nevada account for at least 33 percent of the evaluations of teachers and at least 33 percent of the evaluations of administrators who are employed to provide administrative service at the school level, including a principal and vice principal. • Monitor. No Actions at this Time. • To Committee on Education 02-03-11 • Dead – Missed 04-15-11 Deadline
<p>AB117* (BDR 34-91)</p>		<ul style="list-style-type: none"> • A Legislative Committee on Education bill • Under existing law, each school district is required to schedule and provide annually a minimum of 180 days of school in the schools of the school district and a charter school is required to schedule and provide at least as many days of instruction as are required of other public schools in the school district in which the charter school is located. (NRS 386.550, 388.090) Section 2 of this bill authorizes the board of trustees of a school district and the governing body of a charter school to request a waiver of not more than 10 school days from the required minimum number of school days for a school year during an economic hardship to avoid the layoff of teacher and other educational personnel employed by the school district or charter school. A request for a waiver must be reviewed by the Superintendent

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		<p>of Public Instruction and, if approved, transmitted to the Interim Finance Committee, which makes the final determination of whether to grant a waiver. For purposes of requesting a waiver from the required minimum school days the circumstances in which an economic hardship exists for a school district or charter school are identical to the circumstances in which an economic hardship exists under existing law for a school district or charter school to request a waiver from the required minimum expenditures for textbooks, instructional supplies, instructional software and instructional hardware. (NRS 387.2065)</p> <ul style="list-style-type: none"> • Monitor. No Actions at this Time. • To Committee on Education 02-03-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment sets forth the intent of the Legislature in the establishment of a program certified by the board of trustees of a school district or the governing body of a charter school whereby employees of school districts and charter schools who are members of the PERS and who take furlough leave days due to extreme fiscal need be held harmless in the accumulation of retirement service credit and reported salary. Section 7 further sets forth provisions concerning the furlough leave as it relates to the PERS in a manner similar to the furlough program of state employees. • Monitor, No Actions at this Time • Passed Assembly, to Senate 04-26-11 <p>2nd Reprint</p> <ul style="list-style-type: none"> • Sections 2-6 of the original bill are deleted. • Section 6.5 of this amendment provides that for the 2011-2013 biennium, the Board of Trustees of a school district and the governing body of a charter school may request a waiver of not more than 5 instructional days from the required minimum number of school days for a school year in that biennium. • Section 8 provides that this bill becomes effective upon passage and approval and expires by limitation on June 30, 2013. • Monitor, No Actions at this Time • Passed Senate, back to Assembly 05-30-11 • To Enrollment 05-31-11; To Governor 06-02-11; Governor Approved 06-10-11
<p>AB129* (BDR 34-639)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Existing law requires prescribed ratios of pupils per licensed teacher in kindergarten and grades 1, 2 and 3. (NRS 388.700) Under existing law, a school district in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties) may, in lieu of complying with the prescribed ratios, develop an alternative plan to reduce the district's pupil-teacher ratios for specified grade levels in elementary schools. (NRS 388.720) This bill repeals the provisions requiring class-size reduction and authorizes the board of trustees of a school district to develop a plan establishing pupil-teacher ratios for specified grade levels in the elementary schools within the school district. • Allows all Nevada counties to develop the plan regarding class size in the elementary schools. • The bill is silent regarding the additional funding that has been made available for the statewide class size reduction. This additional funding is critical if individual counties are going to be able to develop a meaningful class size plan in elementary schools. • If the funding is provided, there should be no concern with this amendment.

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		<ul style="list-style-type: none"> • Monitor. No Actions at this Time • To Concurrent Committees on Education and Ways and Means 02-04-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment requires the board of trustees of a school district that develops a plan establishing pupil-teacher ratios to submit to the Department of Education a report on the status of the plan. The Department is required to compile the reports and submit the compilation to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature and to the Legislative Committee on Education. • Monitor, No Actions at this Time • No Further Action Taken 06-06-11
<p><u>AB137*</u> (BDR 34-191)</p>		<ul style="list-style-type: none"> • The Child Nutrition Act enacted in 1966 established the School Breakfast Program which provides grants to the states to establish school breakfast programs in public schools. (42 U.S.C. §§ 1771 et. seq.) Under existing law, the boards of trustees of school districts and the governing bodies of charter schools are authorized to operate or provide for the operation of programs of nutrition in the public schools under their jurisdiction. (NRS 387.090) Existing law also requires the Department of Education to determine whether a public school is making adequate yearly progress in the achievement and proficiency of pupils and a public school that does not make adequate yearly progress is designated as demonstrating need for improvement. (NRS 385.3613, 385.3623) Section 1 of this bill requires the implementation of a school breakfast program to provide breakfast to pupils enrolled in each public school, including a charter school, that is designated as demonstrating need for improvement for 3 consecutive years or more. Section 1 also requires the public schools that are required to implement a school breakfast program and each school district to report annually certain information concerning nutrition programs to the Legislative Committee on Health Care and the Interim Finance Committee. • The principal of each public school at which a school breakfast program is implemented must prepare a written report on the program as required in this bill. Additionally, the board of trustees must also prepare a written report. The reports are to be submitted to the Legislative Committee on Health Care and the Interim Finance Committee. • Monitor, No Actions At This Time • To Committees on Education and Ways and Means 02-11-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment makes significant changes to the original bill and replaces the contents as follows: • The Child Nutrition Act enacted in 1966 established the School Breakfast Program which provides grants to the states to establish school breakfast programs in public schools. (42 U.S.C. §§ 1771 et.seq.) Federal regulations provide that a public school may elect to prescribe the requirements by which a public school may operate the program pursuant to one of those Provisions. (7 C.F.R. § 245.9) If a school provides a school breakfast program pursuant to Provision 2 of the federal regulations, the school serves those meals free of charge to all pupils enrolled in the school. Under existing law, the boards of trustees of school districts and the governing bodies of charter schools are authorized to operate or provide for the operation of programs of nutrition in the public schools under their jurisdiction. (NRS 387.090) Section 1 of this bill requires the implementation of a school breakfast program to provide breakfast to pupils enrolled in each public school, including a charter school, that is eligible to operate a program of nutrition in accordance with the requirements of Provision 2 set forth in the federal regulations and as authorized by the Department of Education. Section 1 also requires the Department, on a biennial

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		<p>basis, to prepare a written report on the school breakfast program for each public school in this State and requires the board of trustees of each school district, on a biennial basis, to submit to the Department a report containing certain information concerning nutrition programs. Section 1 further requires the Department to submit compilations of the reports, on or before January 1 of each odd-numbered year, to the Legislative Counsel Bureau for transmission to the next regular session of the Legislature.</p> <ul style="list-style-type: none"> • Monitor, No Actions at this Time • Passed Assembly, to Senate 05-16-11 <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment provides in Section 3.5 that effective July 1, 2013, that the school breakfast program implemented by a school district or charter school must provide for the serving of breakfast after the school day has commenced in the following order of priority: (1) the classroom; (2) a transportable manner; or (3) the cafeteria. • No Further Action • Passed Senate, back to Assembly 06-05-11; To Enrollment 06-06-11; To Governor 06-13-11; Governor Approved 06-16-11
<p>AB138 (BDR 34-113)</p>		<ul style="list-style-type: none"> • A Committee on Education bill. • Section 1 of this bill requires the Department of Education to work in consultation with the Nevada System of Higher Education to establish clearly defined goals and benchmarks for pupils enrolled in public high schools to ensure that those pupils are adequately prepared for the educational requirements of postsecondary education and for success in the workplace. The report must be submitted to the Director of the Legislative Counsel Bureau on February 1 of odd numbered years for transmission on February 1 of even numbered years to the Legislative Committee on Education. This provides another layer of bureaucratic oversight. • Sections 2-4 of this bill revise the requirements for the reports of accountability information prepared by the State Board of Education and the board of trustees of each school district to include certain information relating to diplomas and certificates indicating passage of the tests of general educational development. • Section 5 of this bill revises the requirements of the policy for the 4-year academic plan for ninth grade pupils to require the policy to ensure that each ninth grade pupil and his or her parent or legal guardian are adequately notified of certain courses and programs available to the pupil, as well as the requirements for graduation, for admission to the Nevada System of Higher Education and for receipt of a Governor Guinn Millennium Scholarship. • Section 7 of this bill requires the board of trustees of each school district to adopt a policy which ensures that a pupil who is deficient in the number of credits required for promotion to the next grade or graduation from high school is provided sufficient opportunities to remediate his or her deficient credits. • Section 8 of this bill requires the board of trustees of each school district to adopt a policy that allows a pupil enrolled in a public school within a school district to report, anonymously if the pupil chooses, any unlawful activities that are being conducted on school property, at an activity sponsored by the public school or on a school bus, commonly referred to as a "secret witness program." • Section 13 of this bill repeals certain provisions relating to the exemption of children from compulsory school attendance. • Monitor, No Actions At This Time • To Committee on Education 02-11-11 <p>1ST REPRINT</p>

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		<ul style="list-style-type: none"> • This amendment changes Section 1 from requiring the Department of Education to work with the Nevada System of Higher Education to establish goals and benchmarks to simply allowing such activity. • This amendment changes the requirements for the reports of accountability information to include information relating to adult diplomas and deletes “certificates indicating passage of the tests of general educational development.” • This amendment changes the requirements of the policy adopted regarding the four year academic plan required for schools with ninth grade pupils to “The policy may ensure that each pupil enrolled in ninth grade and the pupil’s parent/guardian are provided, to the extent practicable,” the courses and programs available to the pupils and the courses of study which the Department recommends that pupils take to prepare the pupils to successfully meet the academic challenge of the high school proficiency examination and pass the examination. • Section 7 of the bill is deleted which required the board of trustees to adopt a policy of credit remediation which ensures that pupils who are deficient in credits are provided opportunities to complete appropriate remediation of credits. • Monitor, No Actions At This Time • Passed Assembly, to Senate 04-18-11 <p>2nd REPRINT</p> <ul style="list-style-type: none"> • This amendment revises the requirements for the accountability reports prepared by the State Board of Education and the boards of trustees of each school district to include reports on incidents resulting in suspension or expulsion for bullying, cyber-bullying, harassment and intimidation. • Monitor. No Actions at this Time. • Passed Senate, Back to Assembly 05-23-11 • To Governor 05-27-11 • Governor Approved 05-29-11
<p>AB159 (BDR 19-574)</p>		<ul style="list-style-type: none"> • Under existing law, all public books and records that are not otherwise declared by law to be confidential must be made available to the public for inspection or copying by any person. (NRS 239.010) Section 1 of this bill prohibits the officer, employee or agent of a governmental entity who has legal custody or control of a public record from requiring a person who is requesting a copy of the public record to prepare the copy himself or herself. Rather, upon request, the officer, employee or agent of the governmental entity must prepare the copy of the public record, unless the copy needs to be a certified copy. • Existing law requires requests for inspection or copying of public books or records to be addressed not later than the fifth business day after the person who has legal custody or control of a public book or record of a governmental entity receives a request. (NRS 239.0107) Section 2 of this bill requires the public book or record to be made available immediately upon request if the public book or record is readily available. • Section 4 of this bill limits the fee for a copy of a public book or record in the custody of a law library operated by a governmental entity to 10 cents per page. Section 5 of this bill requires copies of minutes and audio recordings of public meetings to be made available to the public upon request and at no charge. Section 7 of this bill reduces the fee a county clerk charges for preparing a copy of any record, proceeding or paper from \$1 per page to 10 cents per page. Section 7 also eliminates the fee that the county clerk charges for searching the records or files in the office of the county clerk.

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		<ul style="list-style-type: none"> • We should be supportive of this bill but not a bill to testify for. • Monitor, No Actions At This time • To Committee on Government Affairs 02-16-11 • Dead – Missed 04-15-11 Deadline
AB169 (BDR 34-752)		<ul style="list-style-type: none"> • Existing law authorizes the governing body of a charter school to contract with the board of trustees of the school district in which the charter school is located or the Nevada System of Higher Education for the provision of facilities and services for the operation of the charter school. (NRS 386.560) Existing regulations provide that such a contract may also be entered into by the governing body of a charter school with an educational management organization, but such contracts are limited to an initial term of not more than 2 years and are subject to certain other limitations. (NAC 386.405) Section 1 of this bill authorizes the governing body of a charter school to contract with an educational management organization. Section 1 requires that the length of such a contract must not exceed the term of the charter school's written charter, requires that the contract allow the governing body of the charter school to terminate the contract and provides that the contract must not prohibit the governing body from entering into a contract with another educational management organization. • Monitor, No Actions At This time • To Committee on Education 02-16-11 • Dead – Missed 04-15-11 Deadline
AB171* (BDR 34-812)	NE	<ul style="list-style-type: none"> • Section 1 of this bill revises the membership of a committee to form a charter school and revises the process for review of an application to form a charter school by the Department of Education. • Section 2 of this bill revises the procedure for the review of an application to form a charter school if the proposed sponsor is the State Board of Education. • Section 3 of this bill provides that if the sponsor of a charter school denies a request for an amendment of a written charter of the charter school, the sponsor must provide written notice to the governing body which sets forth the reasons for the denial. • Section 5 of this bill authorizes the Department to request certain information from a charter school, regardless of whether that information is required by specific statute, and provides that if the Department requests such information, the Department shall include in the request a mechanism by which the Department will pay or reimburse the charter school for the requested information, if the provision of the information will incur any costs for the charter school. • Section 6 of this bill revises the membership of the governing body of a charter school and authorizes the governing body, upon a majority vote of members, to set a salary for the attendance of its members at meetings of the governing body, not to exceed \$80 per meeting per month. • Existing law prescribes the requirement for a charter school to be exempt from an annual performance audit and undergo a performance audit every 3 years and to be eligible for available money from legislative appropriations or otherwise for facilities. A charter school is eligible if at least 75 percent of the pupils enrolled in the charter school who are required to take the high school proficiency examination have passed that examination. (NRS 386.5515) Section 7 of this bill revises this eligibility requirement to require that at least 75 percent of the pupils enrolled in the charter school in grade 12 in the immediately preceding school year who have satisfied the course work requirements for graduation have passed the high school proficiency examination.

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- Existing law provides that the pupils enrolled in charter schools must be included in the count of pupils for purposes of the apportionments and allowances from the State Distributive School Account and provides for the reimbursement of administrative costs to the sponsor of a charter school. (NRS 386.570) **Section 9** of this bill requires the State Board to prescribe a process which ensures that all charter schools, regardless of the sponsor, have information of all sources of funding for the public schools provided through the Department. **Section 9** also changes the percentage of administrative costs that the State Board or a college or university may receive for sponsorship after the first year of operation of a charter school from 1.5 percent to 1 percent.
 - Under existing law, a parent may homeschool a child if the parent submits to the superintendent of schools of the school district in which the child resides a notice of intent to homeschool the child. (NRS 392.700) **Section 10** of this bill requires the parent of a homeschooled child who seeks admittance to public school to submit a request to the superintendent of schools of the school district in which the child resides to withdraw the notice of intent to homeschool. **Section 10** also requires a charter school to notify the school district in which the child resides if the child who is or was homeschooled enrolls in the charter school.
 - **Section 11** of this bill repeals the Subcommittee on Charter Schools.
 - Monitor, No Actions At This Time
 - To Committee on Education 02-16-11
- 1st Reprint**
- This amendment allows the sponsor of a charter school to revoke the written charter before the expiration of the charter if the sponsor determines that the school failed to comply with the material terms and conditions of the written charter.
 - Existing law requires a school district to grant a leave of absence to an employee of the school district, not to exceed 3 years, to accept employment with a charter school sponsored by the school district. The school district is required to grant such an employee's request to return to his or her former teaching position or a comparable teaching position within the school district after the approved leave of absence is complete. (NRS 386.595) Section 9.7 of this bill removes the provision which specifies that the school district which is the sponsor of the charter school shall grant a leave of absence, so that a school district, regardless of sponsor, shall grant such a leave of absence for its licensed employees. Section 9.7 also removes the provision which provides that the employee may return to his or her former teaching position and instead authorizes the employee to return to a comparable teaching position. Section 9.7 further requires that upon the request of a governing body of a charter school, the board of trustees of a school district, with the permission of the licensed employee who is seeking employment with the charter school, transmit to the governing body a copy of the employment record of the employee that is maintained by the school district. Section 9.7 also requires that upon request of the board of trustees of a school district, the governing body of a charter school, with the permission of the licensed employee who is granted a leave of absence from the school district, transmit to the school district a copy of the employment record of the employee maintained by the charter school. Finally, Section 9.7 authorizes the school district to conduct an investigation of any misconduct of the licensed employee who was granted a leave of absence for employment with a charter school and who requests to return to employment with the school district.
 - This amendment requires a charter school to the extent practicable to notify the school district in which the child resides if the child who is or was homeschooled enrolls in the charter school and provides that the child may be counted for the purposes of the calculation of basic support whether or not the charter school provides the notice.
 - Monitor. No Actions at this Time.

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		<p>2nd Reprint</p> <ul style="list-style-type: none"> This amendment removes the previously included language found in Section 9 which changed the percentage of administrative costs that the State Board or a college or university may receive for sponsorship after the first year of operation from 1.5% to 1.0%. Monitor, No Actions at this Time <p>3rd Reprint</p> <ul style="list-style-type: none"> This amendment adds language to exclude charter school students from participating in sports of a public school in the school district. (THIS IS THE ORIGINAL LANGUAGE IN THE NRS) The original language is reinstated that allows a charter school student to participate in sports in the public school that he or she would otherwise be required to attend. Monitor. No Actions at this Time. Passed Assembly, to Senate 05-31-11 Passed Senate, back to Assembly 06-05-11; To Enrollment 06-05-11; To Governor 06-13-11; Governor Approved 06-17-11
<p>AB175 (BDR 34-690)</p>		<ul style="list-style-type: none"> Under existing law, a vacancy on the board of trustees of a school district must be filled by appointment by the remaining members of the board of trustees at a public meeting. The appointee serves until the next general election, at which time his or her successor is elected. (NRS 386.270) Section 2 of this bill revises the manner in which such a vacancy is filled by requiring that a special election be held for the election of a qualified elector. Section 2 also provides that a person who is elected to the board of trustees pursuant to a special election serves for the balance of the unexpired term of the member who vacated the office. Section 2 further provides that the costs of the special election must be paid by the board of county commissioners of the county in which the school district is located. Under existing law governing elections, the Secretary of State prescribes the time during which a candidate in a special election must file a declaration or acceptance of candidacy and the county clerk publishes notice of the date on which registration for the special election closes. (NRS 293.204, 293.560) This bill will cause the taxpayers through the board of county commissioners to spend a significant amount of money for the special election. The current procedure has virtually no cost and will not likely jeopardize the quality of the board member. We should discourage changing the process and saving the unnecessary expenditure. Discourage Passage. To Committee on Education 02-16-11 Dead – Missed 04-15-11 Deadline
<p>AB176 (BDR 34-691)</p>		<ul style="list-style-type: none"> Section 1 of this bill requires the State Board of Education to adopt a program of multicultural education and requires the board of trustees of each school district to ensure that the program is provided to pupils enrolled in grades 2 through 12. Section 2 of this bill requires a licensed teacher who submits an application for renewal of his or her license on or after January 1, 2013, to submit proof of the completion of a course in multicultural education unless the teacher has previously completed such a course. Section 2 also requires the Commission on Professional Standards in Education to prescribe the contents and credits required for such a course in multicultural education.

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	<ul style="list-style-type: none"> • Multicultural education is already a part of the curriculum. Adding anything else to the already full day is and has always been a concern. • Requiring a course in multicultural education before a renewal of a teaching license was required in Nevada in years past. Perhaps before adding it again, one should determine why the requirement was removed. (If it was.) • Discourage Passage. Do Not Testify. • To Committee on Education 02-16-11 • Dead – Missed 04-15-11 Deadline
AB177 (BDR 34-237)	<ul style="list-style-type: none"> • Under existing law, county school districts and local law enforcement agencies are not liable for the negligent acts or omissions of a person who volunteers as a crossing guard unless the crossing guard made a specific promise or representation that a person relied upon to the person's detriment or the crossing guard's conduct affirmatively caused harm. (NRS 41.0332) This bill requires the board of trustees of each school district to develop a school crossing guard program for the public elementary schools, middle schools and junior high schools within the school district. • The school crossing guard program is and has been the responsibility of the police agency. • At a time when school budgets are being cut so dramatically, the school districts should not take on any additional costly programs or programs creating additional risk (volunteers assigned/appointed by the school districts). • Discourage Passage. • To Committee on Education 02-16-11 • Dead – Missed 04-15-11
AB183 (BDR 30-114)	<ul style="list-style-type: none"> • Under existing law, the board of trustees of a school district may issue certain general obligation bonds. At the time the bonds are issued, the board of trustees must establish in its debt service fund a reserve account for payment of the outstanding bonds of the school district. (NRS 350.020) This bill changes the amount of the reserves required to 10 percent of the outstanding principal or 25 percent, for larger counties, and 50 percent, for smaller counties, of the amount of principal and interest payments due on all outstanding bonds of the school district in the next fiscal year, whichever is less. • This bill diminishes the concerns the District had originally regarding the lowering of bond ratings when the Governor wanted to take this money. • The CCSD is supporting this bill to show support for other counties (specifically Washoe). The CCSD will not be able to use any of this money for at least 5 years. • Monitor, No Actions At This Time • To Committee on Government Affairs 02-16-11 / Passed • To Senate 03-03-11 / Passed Senate 03-23-11 • To Enrollment 03-29-11 • Governor Vetoed 04-04-11
AB206 (BDR 23-541)	<ul style="list-style-type: none"> • A Legislative Committee on Education bill. • Under existing law, a retired public employee who accepts employment with a public employer under the Public Employees' Retirement System is disqualified from receiving allowances under the System for the duration of the employment under certain circumstances. (NRS

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		<p>286.520) An exception to this disqualification from the receipt of allowances applies under existing law if a retired public employee fills a position for which there is a critical labor shortage, as designated by a public employer. (NRS 286.523) This bill requires each public employer which designates a position as a critical need position, including the State Board of Examiners, the Nevada Supreme Court, the Board of Regents of the University of Nevada, the board of trustees of each school district, the governing body of a charter school, the governing body of a local government and the Public Employees' Retirement Board, to establish a salary class plan that provides an alternative pay scale for retired public employees who fill those positions.</p> <ul style="list-style-type: none"> • The alternative pay scale must take into account the simultaneous collection of retirement allowances and a salary by a retired public employee. • Appears that those retirees filling a critical needs position will be required to work for a reduced salary. • Monitor, No Actions At This Time • To Committee on Government Affairs 02-24-11 • Dead – Missed 04-15-11 Deadline
<p>AB208 (BDR 19-231)</p>		<ul style="list-style-type: none"> • In this bill the Nevada Legislature: (1) pledges to refrain from enacting certain laws and to take all steps necessary to ensure that English remains the common language of the State; (2) encourages other state officials to take similar actions; (3) recognizes the importance of English in unifying the United States; (4) supports English educational programs; and (5) encourages Nevada residents to master English and take advantage of all educational opportunities. • This bill also designates English as the official language of the State of Nevada and requires, with limited exceptions, that all official proceedings of the State be conducted in English and that all official records of the State be prepared, stored and made available in English. • Encourage Passage, Do Not Testify • To Committee on Government Affairs 02-24-11 • Dead – Missed 04-15-11 Deadline
<p>AB211 (BDR 53-272)</p>		<ul style="list-style-type: none"> • Existing law establishes that it is the policy of this State to foster the right of all persons to reasonably seek, obtain and hold employment without discrimination, distinction or restriction because of race, religious creed, color, age, sex, disability, national origin or ancestry. (NRS 233.010) Consistent with that policy, existing law protects against such discrimination with respect to apprenticeships. (NRS 610.010, 610.020, 610.150, 610.185) In addition, existing law prohibits certain employers, employment agencies, labor organizations, joint labor-management committees or contractors from engaging in certain discriminatory employment practices. For example, it is an unlawful employment practice to fail to hire or to fire or otherwise discriminate against a person, or to limit or segregate or classify an employee on the basis of race, color, religion, sex, sexual orientation, age, disability or national origin, except in certain circumstances. (NRS 338.125, 613.330, 613.340, 613.350, 613.380) Sections 2-4, 7-13, 16 and 17 of this bill add “gender identity or expression” to the list of categories upon which discrimination is prohibited, and sections 1, 5 and 14 of this bill define “gender identity or expression” to mean the gender-related identity, appearance, expression or behavior of a person, regardless of the person’s assigned sex at birth. • Existing law authorizes the Nevada Equal Rights Commission to investigate tensions, practices of discrimination and acts of prejudice against any person with regard to employment based on race, color, creed, sex, age, disability, national origin or ancestry. (NRS 233.150) Section 15 of this bill adds “gender identity or expression” to the list of categories upon which the Commission may investigate such

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		<p>allegations of discrimination.</p> <ul style="list-style-type: none"> • Monitor, No Actions At Time • To Committee on Commerce and Labor 02-25-11 • Passed Assembly, to Senate 04-18-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment adds sexual orientation to the list of categories upon which the Nevada Equal Rights Commission may investigate allegations of discrimination. • Monitor, No Actions at this Time • Passed Senate, To Assembly 05-11-11 • To Governor 05-19-11 • Governor Approved 05-24-11
<p>AB220 (BDR 34-725)</p>		<ul style="list-style-type: none"> • Existing law encourages the Board of Regents of the University of Nevada to review periodically their mission for higher education to determine whether there is unnecessary duplication of programs or courses at institutions within the Nevada System of Higher Education which might be more appropriate for a different institution. (NRS 396.504) This bill encourages the Board to: (1) examine and audit the function, strengths and most efficient use of the facilities, resources and staff of each institution within the System; (2) examine and audit the educational opportunities, programs and services offered by those institutions; and (3) implement measures pursuant to which the educational needs of students and prospective students will be met in the most economical and efficient manner possible, including revising the courses of study offered at the various institutions so that programs of remedial education, continuing education and entry-level higher education are conducted at community colleges within the System; programs of baccalaureate-level higher education for teachers and nurses and other related medical fields are conducted at state colleges within the System; and programs of baccalaureate-level higher education in other disciplines and graduate-level higher education and research are conducted at universities within the System and the Desert Research Institute. • Currently this bill does not impact K-12 education. It is possible that amendments could be added that would impact K-12 education. • Monitor, No Actions At This Time • To Committee on Education 03-01-11 • Passed Assembly; To Senate 04-04-11 <p>FIRST REPRINT</p> <ul style="list-style-type: none"> • This amendment deletes the reference “for teachers and nurses and other related medical fields” which specified that baccalaureate-level higher education for these areas be conducted at state colleges within the system. The amended bill does not impact K-12 education. • Monitor, No Actions At This Time • Passed Senate 05-07-11; To Enrollment 05-09-11; To Governor 05-10-11 • Governor Approved 05-13-11
<p>AB222* (BDR 34-873)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Sections 4-6 of this bill create the Teachers and Leaders Council of Nevada and prescribe the membership and duties of the Council. Section 6 requires the Council to make recommendations to the State Board of Education for the establishment of a statewide

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		<p>performance evaluation system for teachers and administrators employed by school districts and charter schools.</p> <ul style="list-style-type: none"> Existing law requires the automated system of accountability information for Nevada to track the achievement of pupils over time and to identify which teachers and paraprofessionals are assigned to individual pupils. The information is required to be considered, but must not be the sole criterion, in evaluating the performance of or taking disciplinary action against an individual teacher, paraprofessional or other employee. (NRS 386.650) Existing law also requires the board of trustees of each school district to develop a policy for the evaluation of teachers and administrators pursuant to which the performance of an individual teacher or administrator is designated as “satisfactory” or “unsatisfactory.” (NRS 391.3125, 391.3127) Section 7 of this bill requires the State Board of Education, based upon the recommendations of the Council, to establish a statewide performance evaluation system for teachers and administrators employed by school districts and charter schools. Effective July 1, 2013, the statewide performance evaluation system will require the evaluation of an individual teacher or administrator as “highly effective,” “effective,” “minimally effective” or “ineffective.” Also effective July 1, 2013, section 2 of this bill requires that certain information on pupil achievement which is maintained by the automated system of accountability information for Nevada account for 50 percent of the evaluations of teachers and administrators. Sections 1, 8 and 9 of this bill require the policies for the evaluations of teachers and administrators employed by school districts and charter schools to comply with the statewide performance evaluation system established by the State Board. Clarification will be necessary between this bill and the Legislative Committee on Education bill, AB116. It appears to be in conflict with AB116 regarding how much pupil achievement will be counted toward the evaluation of teachers and school administrators. AB116 identifies 33% and this bill identifies 50%. Additionally, this bill creates 4 performance categories and AB116 creates only 3 performance categories. A category of minimally effective has been added in this bill to the categories of highly effective, effective, and ineffective that are provided in AB116. Seek to Amend To Concurrent Committees on Education and Ways and Means 03-01-11 <p>1st Reprint</p> <ul style="list-style-type: none"> This amendment deletes charter schools from the original bill. Until the implementation of the statewide performance evaluation system, Sections 8 and 9 of this amended bill provide that the policies for the evaluation of teachers and administrators employed by the school districts must require that certain information on pupil achievement which is maintained by the automated system of accountability information for Nevada account for a “significant” portion of the evaluation, as determined by the board of trustees. Evaluations will continue to be satisfactory or unsatisfactory. Section 2 and Section 7 of this amended bill still contains that says the information for the purpose of improving the achievement of pupils and improving classroom instruction must account for 50 percent. This seems to be in conflict with the amendments of this bill. We need clarification which may require additional amendments. Seek to Amend <p>2nd Reprint</p> <ul style="list-style-type: none"> Section 10.5 of this amended bill makes an appropriation of \$24,000 in 2011-2012 and \$8,000 in 2012-2013 to the Department of Education for the cost associated with the Teachers and Leaders Council of Nevada.
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		<ul style="list-style-type: none"> • All of the previous concerns continue to exist. • Seek to Amend. • Passed Assembly, to Senate 06-01-11 <p>3rd Reprint</p> <ul style="list-style-type: none"> • This amendment deletes paraprofessions from being tracked for pupil achievement assigned to them. Additionally, this amendment makes conforming changes in Sections 2 and 7 on the use of pupil achievement data in the evaluation of teachers and administrators as required in AB229. • Assembly Bill No. 229 of this session, provides that if the written evaluation of a probationary teacher or probationary administrator states that the overall performance of the teacher or administrator has been designated as “unsatisfactory,” the evaluation must include a written statement which states that if the teacher or administrator has received two evaluations for the school year which designate his or her performance as “unsatisfactory” and the teacher or administrator has another evaluation remaining in the school year, the teacher or administrator may request that the remaining evaluation be conducted by another administrator. Section 10.3 of this bill amends Assembly Bill No. 229 to provide that the probationary teacher or probationary administrator may make such a request if the teacher or administrator receives an “unsatisfactory” evaluation on the first or second evaluation, or both evaluations. Effective on July 1, 2013, section 10.4 of this bill amends Assembly Bill No. 229 to provide that the probationary teacher or probationary administrator may make such a request for an outside evaluator if he or she receives an evaluation of “minimally effective” or “ineffective” on the first or second evaluation, or both evaluations. • Done • Passed Senate, back to Assembly 06-05-11; To Enrollment 06-06-11; To Governor 06-16-11; Governor Approved 06-17-11
<p>AB224* (BDR 34-859)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Existing law establishes the Advisory Council on Parental Involvement. (NRS 385.600, 385.610, 385.620) Sections 10-12 of this bill change the name of the Council to the Advisory Council on Parental Involvement and Family Engagement and revise the duties of the Council. Section 2 of this bill creates the Office of Parental Involvement and Family Engagement within the Department of Education and requires the Superintendent of Public Instruction to appoint an employee of the Department to serve as the Director of the Office. Section 3 of this bill prescribes the duties of the Office, which include adopting policies and developing a list of practices designed to increase the involvement of parents and the engagement of families in the support of the education of their children. Section 4 of this bill authorizes the board of trustees of a school district to establish an advisory council on parental involvement and family engagement to work in conjunction with the Advisory Council. • Under existing law, the board of trustees of each school district is required to prepare an annual report of accountability information for the public schools within the school district, including information on the communication with and participation by the parents of pupils in the school district. (NRS 385.347) Sections 5 and 7 of this bill revises the annual reports to include information on the involvement of parent and the engagement of families in the education of their children. • Under existing law, the board of trustees of each school district and each public school is required to prepare a plan to improve the achievement of pupils within the district or school. (NR 385.348, 385.357) Sections 6 and 8 of this bill revise the provisions of the plan to include strategies and practices to improve and promote effective involvement and engagement by parents and families. • Existing law requires the Commission on Professional Standards in Education to adopt regulations governing the qualifications for

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		<p>licensing teachers and other educational personnel. (NRS 391.019) Section 13 of this bill requires the Commission, in cooperation with the Office of Parental Involvement and Family Engagement, to adopt regulations prescribing course work on parental involvement and family engagement.</p> <ul style="list-style-type: none"> Existing law establishes three regional training programs for the professional development of teachers and administrators and the Statewide Council for the Coordination of the Regional Training Programs. (NRS 391.500-391.556) Section 14 of this bill revises the membership of the Statewide Council to include the Director of the Office of Parental Involvement and Family Engagement, who serves ex officio. Section 15 of this bill requires the Statewide Council, in cooperation with the Office, to establish a statewide training program for teachers and administrators concerning effective parental involvement and family engagement. Section 16 of this bill requires the regional training programs to provide training on how to involve parents and engage families and how to work with parent liaisons in public schools. No one would deny the importance of parental involvement in a child's education. No one would deny that the work load on most educators is approaching the breaking point. This bill requires the Commission on Professional Standards to adopt regulations prescribing course work on parental involvement and family engagement. This bill requires the Regional Training Programs to establish a statewide training program for teachers and administrators concerning effective parental involvement and family engagement. Additionally, it requires the regional training programs provide training on how to involve parents and engage families and how to work with parent liaisons in public schools. There is no mention of what will be taken off of the already full plates of existing educators or of any additional help to accomplish these new requirements. Monitor, No Actions at this Time. To Committee on Education 03-02-11 <p>1ST REPRINT</p> <ul style="list-style-type: none"> This amendment makes an appropriation from the State General Fund to the Department of Education for the personnel and other related costs for the Director of the Office of Parental Involvement and Family Engagement and the Advisory Council on Parental Involvement. The total appropriation for FY 2011-2012 is \$77,126 and for FY 2012-2013 is \$101,594. Monitor. No Actions at this Time. Passed Assembly, to Senate 05-25-11; Passed Senate, back to Assembly 06-04-11; To Enrollment 06-04-11; To Governor 06-06-11; Governor Approved 06-13-11
<p>AB225* (BDR 34-876)</p>		<ul style="list-style-type: none"> Existing law provides that each teacher and administrator who is employed by a school district in this State must serve a 2-year probationary period, unless the second year of the probationary period is waived by the superintendent of schools of the school district or the superintendent's designee. A probationary employee who completes his or her probationary period and receives a notice of reemployment from the school district becomes a postprobationary employee in the ensuing year of employment. (NRS 391.3197) Existing law also provides that a postprobationary teacher or administrator must be evaluated at least once each year. (NRS 391.3125, 391.3127) Section 1 of this bill provides that a postprobationary teacher or administrator who receives an unsatisfactory evaluation for 2 consecutive years shall be deemed to be a probationary employee and must serve an additional probationary period. Section 4 of this bill provides that the provisions of section 1 do not apply if superseded by the terms of a collective bargaining agreement.

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	<ul style="list-style-type: none"> • Do Not Oppose • To Committee on Education 03-02-11 • Passed Assembly, to Senate 04-11-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • Section 5 of this amended bill authorizes a teacher or an administrator who is deemed to be a probationary employee per Section 1 (post probationary employee returned to probationary status due to receiving unsatisfactory evaluation for 2 consecutive years) and who receives notice that he or she will be dismissed before the completion of the current school year to request an expedited hearing pursuant to the expedited procedures established by the American Arbitration Association. <ul style="list-style-type: none"> • Do Not Oppose <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment expands the criterion in Section 1 that a post-probationary teacher or administrator who received an unsatisfactory evaluation to include “any other equivalent evaluation which designates his or her overall performance as below average for 2 consecutive school years”. • Section 4 of this bill provides that the provisions of Section 1 are not superseded by the terms of a collective bargaining agreement. • Do Not Oppose • Passed Senate, back to Assembly 05-30-11 • To Enrollment 06-02-11; To Governor 06-04-11; Governor Approved 06-15-11
<p><u>AB227*</u> (BDR 34-36)</p>	<ul style="list-style-type: none"> • Under existing law, the board of trustees of a school district is authorized to grant the use of school buildings and grounds to the general public for certain purposes. (NRS 393.071-393.0719) • Section 1 of this bill requires the board of trustees of a school district to grant the use of any athletic field that does not contain lights at an elementary, middle or junior high school within the school district to a nonprofit organization which provides programs for youth sports, upon request by the organization and subject to the availability of the field. The provisions of section 1 do not apply if a school district has entered into an agreement with a local government to provide the use of the athletic fields or playgrounds of the school district to a community organization which provides programs for youth sports. • This actually is the informal practice if it isn't already the adopted practice in Clark County. • Encourage Passage, Do Not Testify • To Committee on Education 03-02-11 <p>1st REPRINT</p> <ul style="list-style-type: none"> • This amendment adds that the nonprofit organizations serve adults and children with disabilities or are organizations that provide programs for youth sports. • Encourage Passage, Do Not Testify • Passed Assembly, to Senate 04-20-11 <p>2nd REPRINT</p> <ul style="list-style-type: none"> • This amendment stipulates that the organization may not use the field when it is in the process of undergoing maintenance or renovation.

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		<ul style="list-style-type: none"> • Encourage Passage. Do Not Testify. • Passed Senate, Back to Assembly 05-23-11 • To Governor 05-27-11 • Governor Approved 05-29-11
<p>AB229* (BDR 34-515)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Existing law requires the State Board of Education and the board of trustees of each school district to prepare an annual report of accountability information for public schools. (NRS 385.3469, 385.347) Sections 1 and 2 of this bill expand the requirements of the annual reports of accountability to include a reporting of the number and percentages of administrators, teachers and support staff for each elementary school, middle school or junior high school, and high school and for each school district in the State. • Section 8 of this bill requires the board of trustees of each school district to: (1) establish a program of performance pay and enhanced compensation for the recruitment and retention of licensed teachers and administrators; and (2) implement the program commencing with the 2014-2015 school year. • Existing law requires that the board of trustees of each school district develop a policy for the evaluation of teachers and administrators pursuant to which an individual teacher or administrator is designated as "satisfactory" or "unsatisfactory." (NRS 391.3125, 391.3127) Effective July 1, 2013, sections 14 and 16 of this bill revise the policies for evaluations to require the designation of an individual teacher or administrator as "highly effective," "effective," "minimally effective" or "ineffective." • Section 9 of this bill provides that if a written evaluation of a probationary teacher or probationary administrator states that the overall performance of the teacher or administrator has been designated as "unsatisfactory": (1) the evaluation must include a written statement that the contract of the person so evaluated may not be renewed for the next school year; and (2) the person must acknowledge in writing that he or she has received and understands the written statement. Section 20 of this bill amends section 9, effective July 1, 2013, when the four types of designations for the evaluations of teachers and administrators will take effect. • Existing law sets forth certain rights and responsibilities relating to disciplinary measures taken by school districts with respect to probationary and postprobationary teachers and administrators. (NRS 391.311-391.3197) Section 11 of this bill removes probationary teachers and new employees hired as probationary administrators from the applicability of the provisions governing admonition, demotion, suspension, dismissal and nonreemployment. This is a concern. • Section 12 of this bill revises the grounds for which a teacher may be suspended, dismissed or not reemployed or for which an administrator may be demoted, suspended, dismissed or not reemployed to include gross misconduct. • Section 17 of this bill expands the grounds for which a licensed employee is subject to immediate dismissal or a refusal to reemploy without first receiving a written admonition. • Under existing law, a probationary teacher and a probationary administrator serve two 1-year periods as a probationary employee. If the employee receives satisfactory evaluations in the first probationary year, the second probationary year must be waived and the person is entitled to postprobationary employment with the school district. (NRS 391.3197) Section 19 of this bill revises the probationary period from two 1-year periods to three 1-year periods, without a waiver of any of the probationary years. • This bill contains changes found in AB222 and SB39 and conflicts with AB116. • This bill requires that the evaluation of a probationary teacher or administrator that is rated unsatisfactory on the first of three evaluations in a year must notify the employee that he/she may not be renewed for the next school year and that he/she may request that the

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		<p>evaluation be conducted by another administrator.</p> <ul style="list-style-type: none"> • Under this bill admonition, demotion, suspension, dismissal, and non reemployment provisions of NRS 391.311 to 391.3194 inclusive do not apply to probationary teachers or new employees employed as a probationary administrator. This is a concern. • This bill adds gross misconduct to the list of reasons for which a teacher or administrator can be suspended, demoted, dismissed, or not reemployed. Gross misconduct is defined in 391.312. • This bill increases the reasons for which an employee can be immediately dismissed or not reemployed without the admonition to additionally include (d) insubordination; (e) neglect of duty; (j) evident unfitness for service; (n) revocation of teacher license; (o) willful neglect or failure to observe and carry out the requirements of this title; (r) intentional failure to observe and carry out the requirements of a plan to ensure the security of examinations adopted pursuant to NRS 389.616 or 389.620, and (t) gross misconduct. • This bill provides full forgiveness to the board for not notifying the probationary employee of his/her non renewal. • This bill adds language stating that if an administrator is promoted to the position of principal before completing his or her three year probationary period, the administrator must serve the remainder of his or her probationary period pursuant to the three year probationary period or an additional probationary period of one year in the position of principal, whichever is longer. • Seek to Amend • To Committee on Education 03-02-11 • Passed Assembly, To Senate 04-11-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This bill amends the Legislative Counsel's Digest from the original bill as follows: • Section 9 now indicates that the employee not being renewed must also be notified that he/she may request reasonable assistance in correcting the deficiencies identified in the evaluation. • Section 17 adds language stating that a licensed employee is subject to immediate dismissal or a refusal to reemploy without first receiving a written admonition to include gross misconduct. It also deletes (d) insubordination, (e) neglect of duty, (j) evident unfitness for duty, (n) any cause which constitutes grounds for revocation of a teacher's license, (o) willful neglect or failure to observe and carry out the requirements of this title, and (r) intentional failure to observe and carry out the requirements of a plan to ensure the security of examinations adopted pursuant to 389.616 or 389.620 from the reasons a licensed employee is subject to immediate dismissal or a refusal to reemploy without first receiving a written admonition which were added in the original bill. • Section 18 adds language authorizing a post-probationary employee who receives notice that he/she will be dismissed before completion of the current school year to request an expedited hearing pursuant to the expedited procedures established by the American Arbitration Association. All other concerns contained in the original remain a concern in this amended bill. • Seek to Amend <p>2nd Reprint</p> <ul style="list-style-type: none"> • This bill is amended to require that teacher and administrator evaluations by board policy require pupil achievement account for 50%. • Section 13 provides that a post-probationary teacher that receives an unsatisfactory evaluation must be evaluated three times in the immediately succeeding school year. Effective July 1, 2013, Section 14 provides that a post-probationary teacher who receives an evaluation of "minimally effective" or ineffective must be evaluated three times in the immediately succeeding school year.
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		<ul style="list-style-type: none"> • Section 19 also provides that a probationary employee who receives notice that he or she will be dismissed before the completion of the current school year may request an expedited hearing pursuant to the procedures established by the American Arbitration Association or its successor organization. • Section 19.6 provides that a board of trustees of a school district that determines a reduction in the existing workforce of the licensed educational personnel in the school district is necessary must not base the decision to lay off a teacher or an administrator solely on the seniority of the teacher or administrator and may consider certain other factors. • Section 1 of Assembly Bill No. 225 of this session provides that if a postprobationary employee receives an unsatisfactory evaluation on an evaluation conducted pursuant to NRS 391.3125 or 391.3127, as applicable, or any other equivalent evaluation system which designates his or her overall performance as below average for 2 consecutive school years, the employee shall be deemed a probationary employee and serve an additional probationary period. Section 20.5 of this bill amends section 1 of Assembly Bill No. 225 to provide that a postprobationary employee must serve an additional probationary period if he or she receives an evaluation for 2 consecutive school years as: (1) minimally effective; (2) ineffective; (3) minimally effective during 1 year of the 2-year consecutive period and ineffective during the other year of the period; or (4) if evaluated pursuant to any other system of evaluation, any designation which indicates that the overall performance of the employee is below average. Section 23 of this bill provides that section 20.5 becomes effective if, and only if, Assembly Bill No. 225 of this session is enacted by the Legislature and becomes effective. • Seek to Amend • Passed Senate, back to Assembly 05-30-11; To Enrollment 06-02-11; To Governor 06-04-11; Governor Approved 06-15-11
<p>AB230* (BDR 34-738)</p>		<ul style="list-style-type: none"> • Existing law requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing teachers and other educational personnel in this State. The regulations govern the issuance of a regular license and a special qualifications license. (NRS 391.019) The regulations are subject to the approval of the State Board of Education, which has the authority to disapprove any regulation adopted by the Commission for certain specified reasons. (NRS 391.027) Section 1 of this bill requires the Commission to adopt regulations prescribing the qualifications for licensing teachers and administrators pursuant to an alternative route to licensure and sets forth certain requirements that must be specified in those regulations, including: (1) that the required education and training may be provided by any qualified provider that has been approved by the Commission, including institutions of higher education and other providers that operate independently of an institution of higher education; (2) that the education and training required under the alternative route to licensure may be completed in 2 years or less; and (3) that, upon completion by a person of the education and training required under the alternative route to licensure and the satisfaction of all other requirements for licensure, the person must be issued a regular license. Section 5 of this bill requires the Commission to adopt the regulations on or before December 31, 2011. • Monitor, No Actions At Time • To Committee on Education 03-03-11 • Passed Assembly; To Senate 03-24-11 <p>1st REPRINT</p> <ul style="list-style-type: none"> • This amendment adds a new Section 1 which requires the State Board of Education to conduct an annual evaluation of each provider approved by the State Board of Education or the Commission on Professional Standards in Education to offer a course of study or training designed to qualify a person to be a teacher or administrator or to perform other educational functions, including qualified providers of

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		<p>alternative routes to licensure approved by the Commission pursuant to Section 2 of this bill.</p> <ul style="list-style-type: none"> • Monitor. No Actions at this Time. • Passed Senate; Back to Assembly 05-27-11; To Enrollment 06-06-11; To Governor 06-16-11; Governor Approved 06-17-11
<p>AB233 (BDR 34-144)</p>		<ul style="list-style-type: none"> • Under existing law, a pupil may be granted credit for a course of study without attending the classes for the course if the pupil passes an examination prescribed by the State Board of Education and thereby demonstrates competency in the subject area of the course. (NRS 389.171; NAC 389.670) This bill requires the State Board to prescribe by regulation alternative proof that a pupil may submit to demonstrate proficiency in the subject area of a course in lieu of course attendance, including: (1) a portfolio of the pupil's work or other assessments; (2) documentation of equivalent work outside the classroom; and (3) documentation of previous educational activities or experiences. • Encourage Passage • To Committee on Education 03-03-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment deletes the previously added language re: alternative proof to demonstrate proficiency in lieu of attendance (i.e., portfolio, documentation of equivalent work outside the classroom or documentation of previous education activities or experiences). This amended bill provides that a pupil may also be granted credit in lieu of course attendance if the pupil (1) demonstrates proficiency on an examination developed by the principal and the pupil's teacher who provides instruction in the course; or (2) passes an examination that the principal determines is as rigorous or more rigorous than the examination prescribed by the state board. • This amendment assumes subject area knowledge that many principals may not possess. • Monitor, No Actions at this Time • Passed Assembly, to Senate 04-18-11 • Passed Senate, Back to Assembly 05-20-11 • To Governor 05-26-11 • Governor Approved 05-27-11
<p>AB239 (BDR 19-527)</p>		<ul style="list-style-type: none"> • Section 1 of this bill adds to the existing requirement that a public body make available to certain requesters and to the public the supporting material provided to the members of the public body for an item on the agenda of a meeting of the public body. (NRS 241.020) In addition to this existing requirement, section 1 requires, with certain exceptions, that the public body post such supporting material on its website, if any, not later than the earliest date and time that the public body provides the supporting material to a requester or to the public. • Section 2 of this bill adds to the existing requirement that a public body make available to the public the minutes or audiotape recordings of its meetings. (NRS 241.035) In addition to the existing requirement, section 2 requires, with certain exceptions, that the public body post the minutes or audiotape recordings of its meetings and any videotape recordings of those meetings on its website, if any, not later than the date and time that the public body otherwise makes the minutes or audiotape recordings available to the public. If posted on the website, the minutes or audiotape recordings and any videotape recordings must remain available for 1 year. • Sections 1 and 2 of this bill also specify that if technical problems prevent the required postings to the public body's website, such a failure

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		<p>to post does not constitute a violation of the laws regarding public meetings and public records.</p> <ul style="list-style-type: none"> • Monitor, No Actions at this Time • To Committee on Government Affairs 03-07-11 • Dead – Missed 04-15-11 Deadline
<p><u>AB241*</u> (BDR 31-147)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Section 2 of this bill creates the K-12 Public Education Stabilization Account within the fund to Stabilize the Operation of the State Government and requires the State Controller to deposit any money reverted from the State Distributive School Account at the close of each odd-numbered fiscal year into that Account and into the Account for Programs for Innovation and the Prevention of Remediation. Sections 4 and 5 of this bill authorize the Superintendent of Public Instruction to submit a request to the Legislature or, if the Legislature is not in session, to the Interim Finance Committee, for an allocation from the K-12 Public Education Stabilization Account. Section 3 of this bill requires all available allocations be made from the K-12 Public Education Stabilization Account to cover a shortfall in the State Distributive School Account before any allocation to cover the shortfall is made from the Fund to Stabilize the Operation of the State Government. • Section 6 of this bill creates the Nevada System of Higher Education Stabilization Account within the Fund to Stabilize the Operation of the State Government and requires the State Controller to deposit any money reverted from the Nevada System of Higher Education at the close of the previous fiscal year into that Account. Section 6 authorizes the Board of Regents of the University of Nevada to request an allocation from the Account to offset any reserves required to be set aside by the Nevada System of Higher Education. • Section 7 of this bill limits the amount of money that may be set aside as proposed reserves to meet emergencies during a fiscal year for the State Distributive School Account and certain other funds and accounts for education to the average that is reserved for all other departments, institutions and agencies. Section 7 also requires the Chief of the Budget Division of the Department of Administration to submit a request to the Legislature or, if the Legislature is not in session, to the Interim Finance Committee, to determine whether an allocation should be made from the K-12 Public Education Stabilization Account in lieu of setting aside a reserve in the State Distributive School Account and certain other funds and accounts for education. • We should support the stabilization accounts which maintain the funds for education rather than reverting the funds to the general fund. • Testify in Favor • To Committee on Ways and Means 03-07-11 • No Further Action Taken 06-06-11
<p><u>AB257*</u> (BDR 19-107)</p>		<ul style="list-style-type: none"> • The Open Meeting Law requires that meetings of public bodies be open to the public, with limited exceptions. Under the Open Meeting Law, a public body is required to provide written notice of all such meetings, which must include an agenda with a period devoted to comments by the general public and discussion of those comments. However, a public body is prohibited from taking action upon a matter that is raised during such a period for public comment until the matter has been specifically included on an agenda and is denoted to be an item upon which the public body may take action. (NRS 241.020) This bill requires the public body, before taking action on an agenda item that is denoted as an item on which the public body may take action, to provide a period devoted to public comment on the agenda item. The public body is also required to provide one additional period for public comment immediately before the adjournment of the meeting. • Monitor, No Actions At This Time

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		<ul style="list-style-type: none"> To Committee on Government Affairs 03-10-11 <p>1st Reprint</p> <ul style="list-style-type: none"> This amendment requires the public body to provide two separate periods devoted to public comment: (1) One at the beginning of the meeting; and (2) one before the adjournment of the meeting, each of which must allow for discussion of any public comments. Monitor, No Actions at this Time Passed Assembly, to Senate 04-27-11 <p>2nd Reprint</p> <ul style="list-style-type: none"> This amendment requires the public body, at a minimum, to provide periods devoted to public comment and discussion of public comments as follows: (1) one period at the beginning of the meeting before any items on which action may be taken are heard by the public body and one period before the adjournment of the meeting; or (2) a period after each item on the agenda on which action may be taken is discussed by the public body, but before the public body takes action on the item. Monitor. No Actions at this Time. Passed Senate, back to Assembly 05-30-11 Senate amendment not concurred in, back to Senate 05-31-11 <p>3rd Reprint</p> <ul style="list-style-type: none"> This amendment provides in Section 1 "Regardless of whether a public body takes comments from the general public pursuant to sub-subparagraph (I) or (II), the public body must allow the general public to comment on any matter that is not specifically included on the agenda as an action item at some time before adjournment of the meeting." Done Conference Committee 06-03-11; To Enrollment 06-06-11; To Governor 06-16-11; Governor Approved 06-17-11
<p>AB266 (BDR 23-35)</p>		<ul style="list-style-type: none"> Existing law provides certain rights and protections to employees in the classified service of the Executive Department of the State Government before such employees may be subject to disciplinary action or terminated. (Chapter 284 of NRS) Among those protections, such an employee must be given notice in writing of the allegations against him or her, be afforded the right to have an attorney or other representative present when the employee is questioned regarding those allegations and be allowed 2 business days to obtain such representation. (NRS 284.387) Section 1 of this bill requires the written notice to contain specific allegations and requires the notice to be provided to the employee at least 48 hours before the employee is questioned regarding those allegations. The United States Supreme Court has ruled that if a public employee is required to answer a question during an internal administrative investigation, the answer to the question cannot be used against the public employee in a criminal proceeding. However, a public employer may compel a public employee to answer such a question if the question is specifically, directly and narrowly related to the performance of his or her duties and the employer gives specific warnings to the employee, including a warning that the answer to the question cannot be used against the employee in a criminal proceeding. (<i>Garrity v. New Jersey</i>, 385 U.S. 493 (1967); <i>Gardner v. Broderick</i>, 392 U.S. 273 (1968)) Section 1 sets forth the requirements for such compelled answers during an internal administrative investigation with respect to employees in the classified service of the State. Sections 3-5 of this bill provide local government employees with certain rights that are provided in existing law to employees in the classified service of the State with respect to disciplinary proceedings. Section 3 provides a local government employee who is the

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		<p>subject of an internal administrative investigation the right to receive written notice of the specific allegations against him or her at least 48 hours before being questioned regarding the allegations and to have an attorney or other representative present at any time the employee is questioned regarding the allegations. Section 3 also adds the same requirements concerning compelled answers to questions during an internal administrative investigation as were added to the provisions governing classified employees of the State in section 1.</p> <ul style="list-style-type: none"> • Section 4 of this bill provides a local government employee the right to a post-disciplinary hearing conducted by an impartial hearing officer to determine the reasonableness of disciplinary action taken against the employee and sets out the manner in which the hearing is to be conducted. Section 5 of this bill allows the parties to a post-disciplinary hearing to apply to the hearing officer for the issuance of subpoenas and allows the hearing officer to direct the parties to participate in a discovery conference. Section 5 further allows the parties to examine witnesses and cross-examine opposing witnesses, impeach witnesses, introduce exhibits and rebut evidence offered against them. • Existing law mandates that certain subjects be included in the negotiations for a collective bargaining agreement, including discharge and disciplinary procedures. (NRS 288.150) Section 6 of this bill requires that the discharge and disciplinary procedures agreed upon by a local government employer and a recognized employee organization in a collective bargaining agreement include the rights and protections provided to local government employees pursuant to sections 3-5 of this bill. • This bill captures the essentials of the Garrity Warning and requires that it apply to local government employees covered by a collective bargaining agreement. • Will significantly impact Article 27, Article 4, and the rights provided in NRS 391. • There is no distinction regarding probationary employees or address the impact of the Washoe County bill SB39 and AB229. • Testify Against • To Committee on Government Affairs 03-11-11 • Dead – Missed 04-15-11 Deadline
<p>AB267 (BDR 53-611)</p>		<ul style="list-style-type: none"> • Under existing law, a person may represent an injured worker before a hearing officer or in meetings with an insurer regarding a claim only if the person is: (1) a full-time employee of the injured worker's labor organization; (2) an attorney; (3) a full-time employee of an attorney who is supervised by that attorney; or (4) appearing without compensation. Further, a person may represent an injured worker before an appeals officer only if the person is an attorney. This bill allows an employee of the injured worker's labor organization to appear on the injured worker's behalf in either situation. • Monitor, No Actions At This Time • To Committee on Commerce and Labor 03-14-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment deletes the requirement that the person representing the injured worker before an appeals officer must be an attorney. • Monitor, No Actions at this Time • Passed Assembly, to Senate 04-20-11 • Dead – Missed 05-20-11 Deadline
<p>AB281 (BDR 34-967)</p>		<ul style="list-style-type: none"> • Existing law requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for

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		<p>licensing teachers and other educational personnel in this State. (NRS 391.019) Existing law also requires the Commission to adopt regulations providing for the reciprocal licensure of educational personnel from other states. (NRS 391.032) Section 1 of this bill requires the Commission to adopt regulations establishing an expedited procedure for the licensure of teachers who are retired from teaching in this State and are no longer licensed to teach. Section 2 of this bill requires the Commission to include an expedited procedure for the reciprocal licensure of teachers who are licensed in other states. Both sections require that, as a condition to the expedited licensure, the applicant must serve as a teacher's aide in a school that is designated as needing improvement or that serves at-risk pupils as determined by the Department of Education.</p> <ul style="list-style-type: none"> • It is not clear if a person impacted by these expedited procedures will serve permanently as teacher aides or if after an initial teacher aide assignment, these individuals can assume regular teaching positions. We should seek clarification. • Monitor, No Actions At This Time • To Committee on Education 03-15-11 • Dead – Missed 04-15-11 Deadline
<p>AB290 (BDR 34-647)</p>		<ul style="list-style-type: none"> • Under existing law, the high school proficiency examination is administered to pupils enrolled in high school in the subject areas of reading, mathematics, science and writing. (NRS 389.015, 389.550) Also under existing law, unless a pupil satisfies certain alternative criteria, passage of the high school proficiency examination in its entirety is required for receipt of a standard high school diploma. (NRS 389.805) Existing administrative regulations of the State Board of Education set forth the times for the administration of the high school proficiency examination beginning with grade 10. (NAC 389.051) Section 3 of this bill requires the board of trustees of each school district to administer the practice test of the high school proficiency examination to all pupils enrolled in grade 10 during the first month of the fall semester of the school year. Section 4 of this bill authorizes the principal of a high school to postpone the administration of the high school proficiency examination in the subject area of mathematics or science, or both, for a pupil enrolled in grade 10 for not more than 1 year if: (1) the principal and the pupil's teacher who provides instruction in the applicable subject area determine that the pupil is not academically ready to take the examination, as demonstrated by the pupil's performance on the practice test of the high school proficiency examination; and (2) the parent or legal guardian of the pupil agrees in writing that the pupil is not academically ready for that subject area of the examination. If the administration of the examination is postponed, the pupil's academic plan for high school must be revised to ensure that: (1) the pupil is enrolled in or scheduled to enroll in the appropriate course work to prepare the pupil for the subject area of the high school proficiency examination which was postponed; and (2) the pupil participates in the statewide program to prepare pupils for the high school proficiency examination or enrolls in a course of study offered by the board of trustees of the school district designed to assist pupils with passing the high school proficiency examination. • This will require considerably more individual attention to implement this bill. • This will reduce the number of opportunities these students will have to take and pass the proficiency exams. • Clarification needs to be included that the practice test is developed by the state to insure consistency. • To Committee on Education 03-16-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment deletes language previously added to Section 3 which required the trustees of each school district to administer the practice test of the high school proficiency exams in grade 10 during the first month of the fall semester of the school year.

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		<ul style="list-style-type: none"> • In Section 4, principal's designee is added where previously only the principal was identified. Additionally, for postponing the science and/or math proficiency exams the criteria was amended to "based upon a determination that the pupil is not achieving at least 79% competency in the applicable subject area" rather than performance on the practice test. • The following language is also added in this amendment: Effective on July 1, 2011, existing law authorizes the board of trustees of each school district to require the administration of district-wide tests, examinations and assessments that are in addition to any other test, examination, or assessment that is required by state or federal law. Section 4.5 of this bill authorizes the board of trustees of each school district to administer the practice test of the high school proficiency examination to pupils enrolled in high school. • The previously identified concerns remain. • Seek to Amend • Passed Assembly, to Senate 04-25-11 <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment establishes the criteria for postponing the administration of the high school proficiency examination in mathematics and science to "based upon the criteria for grading established by the school district for the applicable subject area." • The previously identified concerns remain. • Seek to Amend • Passed Senate, Back to Assembly 05-23-11 • To Governor 05-27-11 • Governor Approved 05-31-11
<p><u>AB314*</u> (BDR 34-143)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Existing law requires the board of trustees of a school district to establish a course or unit of a course of instruction concerning acquired immune deficiency syndrome, the human reproductive system, related communicable diseases and sexual responsibility which is taught by a teacher or school nurse whose qualifications have been approved by the board of trustees. The board of trustees is also required to appoint an advisory committee to advise the district concerning the content of and materials to be used in such a course or unit of a course of instruction and requires the parent or guardian of a pupil to consent in writing to the pupil's participation in the course or unit of a course of instruction. (NRS 389.065) Section 1 of this bill revises the instruction to: (1) include a course or a unit thereof in sexual education which must include instruction and information that is comprehensive, factual and medically accurate; and (2) expand the topic areas included within the instruction. Section 1 also revises the membership of the advisory committee to include a pupil who attends school within the district. Section 1 also revises the persons who are authorized to teach the course or unit of a course of instruction to include other persons appointed by the board of trustees who are similarly qualified or have demonstrated competency in the subject area. Section 1 further provides that the notice to the parent or guardian must include a form for the parent or guardian to opt the pupil out of attendance in the course on sexual education and removes the provision requiring the parent or guardian to consent to the pupil's attendance. • Existing law requires the Council to Establish Academic Standards for Public Schools to establish standards of content and performance for certain courses of study, including the subject area of health. (NRS 389.520) Section 2 of this bill requires that the standards prescribed for a course of study in health include instruction on sexual education which is appropriate for the grade level of pupils receiving the instruction and which is comprehensive, factual and medically accurate.

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		<ul style="list-style-type: none"> • Section 3 of this bill requires the Council to Establish Academic Standards for Public Schools to adopt the regulations necessary to implement sections 1 and 2 on or before December 31, 2011. Section 4 of this bill delays the implementation of sections 1 and 2 until July 1, 2012. • This bill will be opposed by many parents and school boards. • Monitor, No Actions At This Time • To Committee on Education 03-18-11 • No Further Action Taken 06-06-11
AB318 (BDR 34-1025)		<ul style="list-style-type: none"> • Existing federal law prescribes certain requirements for the education of pupils with disabilities pursuant to the Individuals with Disabilities Education Act. (20 U.S.C. §§ 1400 et seq.) Under the federal Act, school districts are required to make available to pupils with disabilities a “free appropriate public education,” including the development of an individualized education program for each pupil with a disability served by the school district. The federal Act also requires each state to comply with certain prescribed administrative procedures to ensure that pupils with disabilities and their parents or guardians are guaranteed procedural safeguards with respect to the provision of a free appropriate public education, including procedures allowing a parent or guardian to file a due process complaint notice and the opportunity for an impartial due process hearing. (20 U.S.C. § 1415) Existing administrative regulations of the State Board of Education set forth the procedural requirements for such a due process complaint and hearing. (NAC 388.306- 388.318) The federal Act is silent, however, as to whether the school district or the parent or guardian bears the burden of proof at such a hearing. The United States Supreme Court has not specifically ruled on the issue of whether a state law may shift the burden of proof to the school district in all cases but has ruled that in the absence of a state law, the complaining party bears the burden of proof. (<i>Schaffer v. Weast</i>, 126 S.Ct. 528 (2005)) This bill provides that in all due process hearings held pursuant to the federal Act where the school district is a party, the school district bear the burden of proof and the burden of production. • This will not result in a change from the way CCSD handles due process currently. • Monitor, No Actions At This Time • To Committee on Education 03-18-11 • Passed Assembly, to Senate 04-20-11 • Passed Senate, Back to Assembly 05-23-11 • To Governor 05-27-11 • Governor Approved 05-31-11
AB336* (BDR 32-623)	W	<ul style="list-style-type: none"> • Section 16 of this bill imposes an excise tax on each business entity engaged in business in this State at the rate of 4.5 percent of the portion of its Nevada taxable income that exceeds \$500,000 each taxable year. In accordance with section 9 of • 4 this bill, the Nevada taxable income of a business entity is determined by taking the amount of its federal taxable income, making various adjustments to that amount under section 20 of this bill, and then apportioning all or part of that adjusted amount to this State pursuant to section 21 of this bill based upon the portion of its property, payroll and sales that are located within this State. Sections 1-40 of this bill provide for the administration, collection and enforcement of the tax by the Department of Taxation in a manner similar to other state taxes. Sections 42, 44, 46, 48, 49, 52, 53, 56-58, 60 and 63 of this bill authorize the imposition of various types of disciplinary action

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		<p>against certain business entities who fail to pay the tax by the agencies responsible for their supervision and licensing. Sections 43, 45, 47, 50, 51, 54 and 55 of this bill authorize the Department to obtain certain records and information from those agencies to assist the Department in its administration of the tax.</p> <ul style="list-style-type: none"> • This bill has been described as dead on arrival but we should applaud Assemblymen Pierce and Hogan. • Monitor, No Actions At This Time • To Committee on Taxation 03-21-11 • No Further Action Taken 06-06-11
<p>AB362* (BDR 38-782)</p>		<ul style="list-style-type: none"> • Section 2 of this bill defines an “out-of-school-time program” as a program that operates for 10 or more hours per week, provides supervision of children and provides regularly scheduled, structured and supervised activities where learning opportunities take place during times when a child is not in school. Section 3 of this bill authorizes but does not require an out-of-school-time program to report certain information to the Bureau of Services for Child Care of the Division of Child and Family Services of the Department of Health and Human Services. Section 5 of this bill exempts an out-of-school-time program from the licensing requirements for and regulation as a child care facility by excluding an out-of school-time program from the definition of a “child care facility.” Sections 6-8 of this bill ensure that the existing definition of “child care facility” is not changed for certain other purposes. • Section 9 of this bill establishes the Interim Task Force on Out-of-School-Time Programs and requires the Task Force to prescribe standards for out-of-school-time programs and make certain other recommendations concerning out-of-school-time programs. Section 9 also requires the Task Force to submit a report of its recommendations to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the 77th Session of the Nevada Legislature. • Although this bill has no implication for CCSD or CCASAPE, we will monitor it in case amendments change our position. • Monitor, No Actions At This Time • To Committee on Health and Human Services 03-21-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment clarifies that an “out-of-school-time program is offered on a continuing basis and is for children who are of school age. • Section 3 is deleted. • Monitor, No Actions at this Time • Passed Assembly, to Senate 04-25-11 <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment changes “of school age” to “the age to attend school from kindergarten through 12th grade.” • Additionally, it adds activities that take place on the weekend. • Monitor, No Actions at this Time • Passed Senate, Back to Assembly 05-23-11 • Assembly did not concur with Senate amendment; back to Senate 05-25-11 • Conference Committee 05-29-11 <p>3rd Reprint</p>

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	<ul style="list-style-type: none"> • This bill is essentially rewritten. • Existing law requires a child care facility to be licensed by an agency created by a city or county for the licensing of child care facilities or by the Bureau of Services for Child Care of the Division of Child and Family Services of the Department of Health and Human Services. (NRS 432A.131, 432A.141) Section 13 of this bill removes the licensure requirements for out-of-school-time programs, out-of-school recreation programs and seasonal or temporary recreation programs by excluding those terms from the definition of “child care facility.” • Section 2 of this bill defines an “out-of-school-time program” as a program other than an out-of-school recreation program that operates for 10 or more hours per week, is offered on a continuing basis, provides supervision of children who are of school age and provides regularly scheduled, structured and supervised activities where learning opportunities take place during times when a child is not in school. Section 4 of this bill defines an “out-of-school recreation program” which is similar to an out-of-school-time program, but which is operated or sponsored by a local government in a facility which is owned, operated or leased by the local government. Section 5 of the bill defines “seasonal or temporary recreation programs” which include certain programs offered to children for a limited time or duration. • In lieu of the requirements for licensure as a child care facility, sections 6-11 of this bill provide specific requirements for out-of-school recreation programs. Section 6 requires a local government to obtain a permit to operate an out-of-school recreation program. To obtain a permit, the local government must complete an application, pay a fee and meet certain requirements. Section 7 requires a local government that operates an out-of-school recreation program to comply with certain health and safety standards and to comply with other requirements relating to the safety of participants. Section 8 provides certain requirements for the staff of an out-of-school recreation program. Section 8 also limits the number of participants in such a program and establishes certain components that must be included in the program. Section 9 requires an out-of-school recreation program to maintain certain records about participants in the program. Section 10 requires a local government that operates an out-of-school recreation program to provide copies of certain inspections of the facility where the program is conducted according to a schedule established by the Bureau. If the local government submits such records, section 10 prohibits the Bureau from conducting any additional on-site inspections of the facility. Section 11 authorizes the Bureau to adopt any regulations necessary to provide for the permits to operate an out-of-school recreation program. • Section 17 of this bill establishes the Interim Task Force on Out-of-School-Time Programs and requires the Task Force to prescribe standards for out-of-school-time programs and make certain other recommendations concerning out-of-school-time programs. Section 17 also requires the Task Force to submit a report of its recommendations to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the 77th Session of the Nevada Legislature. • To Enrollment 06-05-11; To Governor 06-06-11; Governor Approved 06-13-11
<p><u>AB364</u> (BDR 23-1071)</p>	<ul style="list-style-type: none"> • Under existing law, an officer or employee of the Executive Department of the State Government is entitled to civil leave with reduced pay for active military service or other similar service in time of war or emergency. (NRS 284.358) This bill extends that benefit to officers or employees of a political subdivision of this State or of an agency of a political subdivision of this State. To carry out this extension of the benefit, section 2 of this bill removes the applicable statutory language from its present location and section 1 of this bill adds an expanded version of that language to a location where it will be more broadly applicable. • Will impact the CCSD and its employees. • Monitor, No Actions At This time • To Committee on Government Affairs 03-21-11

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<p>AB365 (BDR 23-604)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Dead – Missed 04-15-11 Deadline • Existing law establishes the Public Employees' Benefits Program and the Board of the Public Employees' Benefits Program to administer the Program. (NRS 287.0402-287.049) Section 1 of this bill establishes a procedure to allow the Board to participate in the selection of certain vendors. Section 3 of this bill revises the procedure for annual reviews of the performance of the Executive Officer of the Board. Section 4 of this bill eliminates the requirement that the Governor approve the employment of the Executive Officer. Section 5 of this bill allows the Board to appoint an attorney who specializes in health plans and health care law. Section 6 of this bill eliminates the requirement that the Commissioner of Insurance approve certain contracts entered into by the Board. Section 7 of this bill revises the provisions governing the authority for groups of 300 or more employees leaving the Program to secure insurance from another source. Section 8 of this bill authorizes the Executive Officer to observe the activities of a committee formed to evaluate contracts awarded on behalf of the Board. • This bill does not impact CCASAPE but we will monitor it. • Monitor, No Actions At This Time • To Committee on Government Affairs 03-21-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • Section 3 and Section 4 of the original bill are deleted. Section 6 reverses provisions of certain contracts entered into by the Board that the Commissioner of Insurance must approve. • Monitor, No Actions at this Time • Passed Assembly, to Senate 04-27-11 • Passed Senate, back to Assembly 05-25-11 • Enrolled and delivered to Governor 05-28-11 • Governor Approved 06-01-11
<p>AB366 (BDR 34-1040)</p>		<ul style="list-style-type: none"> • Existing law requires the Department of Education to prescribe a code of honor relating to cheating for pupils enrolled in public schools. (NRS 392.461) Existing law also creates the Governor Guinn Millennium Scholarship Program and prescribes the criteria of eligibility for a Millennium Scholarship. (NRS 396.911- 396.938) This bill provides that if a pupil violates the code of honor relating to cheating on three or more occasions while he or she is enrolled in a public high school, the pupil is not eligible for a Millennium Scholarship. • Encourage Passage • To Committee on Education 03-21-11 • Dead – Missed 04-15-11 Deadline
<p>AB367 (BDR 34-1047)</p>		<ul style="list-style-type: none"> • Existing law requires each public school to be designated annually based upon the achievement of pupils enrolled in the school as: (1) demonstrating exemplary achievement; (2) demonstrating high achievement; (3) demonstrating adequate achievement; or (4) demonstrating need for improvement. (NRS 385.3623) Section 3 of this bill authorizes the parents and legal guardians of pupils enrolled in a public school that is designated as demonstrating need for improvement, or a combination of the parents and legal guardians of pupils who will matriculate into the school, to submit a petition signed by not less than 51 percent of those parents and legal guardians to the board of trustees of the school district to take one or more of the following intervention actions for the school: (1) implementing a restart

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		<p>model for the school by closing the school and reopening as a charter school; (2) closing the school and transferring the pupils to another school located in the school district; or (3) implementing a program of school choice, including providing vouchers on behalf of a pupil who would otherwise enroll in the school to attend a private school and authorizing a pupil to attend another public school within the school district. Section 3 also prescribes the duties of the board of trustees of a school district that receives such a petition.</p> <ul style="list-style-type: none"> • Section 4 of this bill authorizes the parent or legal guardian of a pupil who would otherwise enroll in a public school for which school choice has been implemented pursuant to section 3 to submit an application to the board of trustees of the school district for the pupil to receive a voucher to attend a private school. Such a private school must not be operated by a church, religious organization or faith-based ministry. Section 4 also provides that for each year a pupil is enrolled in a private school, the parent or legal guardian of the pupil is entitled to a voucher in an amount equal to: (1) Seventy-five percent of the average of the total amount of money that was expended per year by the public school for which school choice is implemented pursuant to section 3 in the immediately preceding 3 years; (2) Seventy-five percent of the average of the basic support guarantee per pupil of the school district and local funds available in the immediately preceding 3 years; or (3) the total amount charged by the private school for tuition, fees and textbooks, whichever is less. • Section 5 of this bill authorizes the parent or legal guardian of a pupil who would otherwise enroll in a public school for which school choice has been implemented pursuant to section 3 to submit an application to the board of trustees of the school district for the pupil to attend a public school within the school district but outside the pupil's required zone of attendance. • Sections 14-17 of this bill require that a pupil who receives a voucher to attend a private school pursuant to the provisions of section 4 be included in the count of pupils for purposes of apportionments and allowances from the State Distributive School Account. The remaining sections of this bill make changes to the current system of public education to include the program to provide vouchers to pupils and to indicate that the money available for education and public schools is for the support of the system of public education. • The options provided in Section 3 are not reasonable and may not be possible in school districts operating at or near capacity. The closing of schools or giving parents choice will not work when there is no place to go. • The inclusion of vouchers for private schools, the conversion of public schools to charter public schools, and the implementation of a restart model (reconstitution) are not good ideas. • We should oppose this bill. • Testify Against • To Committee on Education 03-21-11 • Dead – Missed 04-15-11 Deadline
<p>AB375* (BDR S-969)</p>	<p>NE</p>	<ul style="list-style-type: none"> • The Economic Forum is required to project revenues for the ensuing biennium in December preceding a regular session of the Nevada Legislature and to adjust those projections in May of the session year. (NRS 353.228) The Governor is required to use the December projections in preparing and submitting the proposed budget. (NRS 353.230) This bill requires the Fiscal Analysis Division of the Legislative Counsel Bureau to report to the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means the difference between the December projection of revenues and the May projection of revenues for each fiscal year of the ensuing biennium. Those committees are required to allocate 60 percent of any additional revenue projected for a fiscal year to the State Distributive School Account, which provides state support for local school districts, and the remaining 40 percent of any additional revenue projected for a fiscal year to the Nevada System of Higher Education.

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	<ul style="list-style-type: none"> • This is a good idea but the percent going to K-12 and higher education may need adjustment. • Monitor, No Actions At This time • To Committee on Ways and Means 03-21-11 • No Further Action Taken 06-06-11
<p>AB389 (BDR 19-226)</p>	<ul style="list-style-type: none"> • Section 1 of this bill requires a public body to allot an equal amount of time for testimony in favor of and in opposition to an agenda item at a public meeting. Section 1 also requires a public body to allot an equal amount of time for the rebuttal of such testimony. • Section 2 of this bill requires a nonprofit corporation that has the power of eminent domain to comply with the provisions of chapter 241 of NRS. • Section 3 of this bill requires that meetings of common-interest communities must comply with the Open Meeting Law. The Commission for Common-Interest Communities and Condominium Hotels is responsible for investigating and enforcing violations of the Open Meeting Law by common-interest communities. • Monitor, No Actions At This Time • To Committee on Judiciary 03-21-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • Sections 3-11 of the original bill are deleted. Section 1 is amended to require the public body to make a reasonable effort to allow the expression of competing opinions concerning any agenda item. • Monitor, No Actions at this Time • Passed Assembly, to Senate 04-25-11 • Dead – Missed 05-20-11 Deadline
<p>AB393 (BDR 34-8)</p>	<ul style="list-style-type: none"> • Under existing law, an applicant for a license to teach must submit to the Superintendent of Public Instruction with his or her application a complete set of his or her fingerprints and written permission authorizing the Superintendent to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for its report on the criminal history of the applicant and for submission to the Federal Bureau of Investigation for its report on the criminal history of the applicant. (NRS 391.033) Also under existing law, the Central Repository is required to notify the Superintendent of Public Instruction if the background check indicates that an applicant for licensure has been convicted of certain criminal violations. In addition, the Central Repository is required to notify a county school district, charter school or private school if the investigation of an employee of the school district, charter school or private school whose fingerprints are submitted to the Central Repository indicates that the person has been convicted of certain criminal violations. (NRS 179A.075) An applicant for renewal of a license issued by the Superintendent of Public Instruction is not required to undergo a subsequent background investigation of his or her criminal history upon renewal of the license. • Under existing law, the Commission on Professional Standards in Education is required to fix fees of not less than \$65 for the issuance and renewal of a license to teach. (NRS 391.040) Existing administrative regulations of the Commission prescribe a fee for: (1) initial licensure of \$110, plus the amount charged for the criminal history of the applicant; and (2) renewal of a license of \$80. (NAC 391.045, 391.070) Section 2 of this bill requires the Commission to set the fees for renewal of a license to include the fees for processing the fingerprints of the applicant for renewal by the Central Repository and the Federal Bureau of Investigation. Section 3 of this bill requires

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		<p>the Central Repository to investigate the criminal history of applicants for renewal of a license submitted to the Superintendent of Public Instruction.</p> <ul style="list-style-type: none"> • We should support this bill. • Encourage Passage • To Committee on Education 03-21-11 <p>1st REPRINT</p> <ul style="list-style-type: none"> • This amendment makes the provisions of the bill effective on July 1, 2011, for the purposes of adopting regulations and performing any other preparatory administrative tasks and on January 1, 2012, for all other purposes. • Encourage Passage, Do Not Testify • Passed Assembly, to Senate 04-20-11 <p>2nd REPRINT</p> <ul style="list-style-type: none"> • This amendment requires the board of trustees of each school district and the governing body of each charter school to adopt a policy which requires a licensed employee of the school district or charter school to report to the school district or charter school if the employee is arrested for or convicted of a crime which is required to be reported pursuant to the policy. • Encourage Passage. Do Not Testify • Passed Senate, back to Assembly 05-28-11; To Enrollment 05-30-11; To Governor 05-31-11 • Governor Approved 06-02-11
<p>AB395 (BDR 34-808)</p>		<ul style="list-style-type: none"> • Existing law designates the following kinds of licenses for teachers and other educational personnel in this State: (1) a license to teach elementary education; (2) a license to teach middle school or junior high school; (3) a license to teach secondary education; (4) a special license authorizing the holder to teach or perform other educational functions; and (5) a special qualifications license authorizing the holder to teach only in the grades and subject areas designated in the license. (NRS 391.031) Existing law also requires the Commission on Professional Standards in Education to adopt regulations requiring teachers to obtain an endorsement in a field of specialization to be eligible to teach in that field. (NRS 391.019) Existing administrative regulations of the Commission require teachers to obtain endorsements to their teaching licenses to teach special education. (NAC 391.340-391.398) Section 1 of this bill creates a separate category of licensure to teach special education. • This change would allow the holder of the license to teach pupils with disabilities or gifted and talented pupils or both. • We should follow the lead of the CCSD on this bill. • Monitor, No Actions At This Time • To Committee on Education 03-21-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment provides in Section 2 that the regulations include provisions providing for the reciprocal licensure of persons who hold the license to teach special education that is created in this bill. • Monitor, No Actions at this Time • Passed Assembly, to Senate 04-18-11

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<p>AB405* (BDR 23-964)</p>		<ul style="list-style-type: none"> • A member's monthly retirement allowance from the Public Employees' Retirement System is based on the member's compensation while employed, subject to certain limitations. (NRS 286.025, 286.410, 286.535, 286.537, 286.551) Section 2 of this bill eliminates the inclusion of call-back pay in the compensation reported for each member whose effective date of membership in the System is on or after January 1, 2012. Section 3 of this bill limits the increases in reportable compensation for such a member to not more than 10 percent from one fiscal year to the next fiscal year, excluding compensation attributable to a promotion and assignment-related compensation. • Section 1 of this bill sets forth the pledge of the Legislature that for a 10-year period after the implementation of the modifications to the System set forth in sections 2 and 3 of this bill, the Legislature will not enact any law that has the effect of modifying any benefit payable under the System unless such a modification is necessary to maintain the fiscal integrity of the System. After that 10-year period, the Legislature pledges to not enact any law that has the effect of increasing any benefit payable under the System unless the actuarial value of the assets of the retirement fund from which the benefit will be paid is equal to or greater than 85 percent of the actuarial accrued liabilities of that retirement fund and the increase in the benefit is included in the contribution rate. • I'm not sure why the inclusion of call back pay is not eliminated upon passage of this bill for current and future participants. If legal, we should support this change. • We should support this bill and seek an amendment if the amendment is legal. Certainly the amendment would be legal for any future participant. • Seek to Amend • To Committee on Government Affairs 03-21-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This bill was deleted in its entirety. • Section 1 of this amended bill sets forth the Legislature's finding and declaration concerning the nature of the Employees' Retirement System and its mission. • Section 2 of this bill (1) directs the Interim Retirement and Benefits Committee of the Legislature to conduct a study of the retirement and disability benefits for public employees in Nevada; (2) sets forth the analysis which must be included within the study; (3) requires the PERS Board to provide staff assistance to the Committee; and (4) directs the Committee to submit a report of the results of the study to the Legislative Commission. • Section 3 provides an appropriation of \$250,000 to pay for the cost of the study pursuant to Section 2. • This bill is a concern – not sure of its purpose. • Passed Assembly, To Senate 06-06-11; Passed Senate, back to Assembly 06-06-11; To Enrollment 06-06-11; To Governor 06-16-11; Governor Approved 06-17-11
<p>AB455 (BDR 34-1137)</p>		<ul style="list-style-type: none"> • Existing law authorizes the county school districts to form a nonprofit association to be known as the Nevada Interscholastic Activities Association for the purposes of controlling, supervising and regulating all interscholastic athletic events and other interscholastic events in

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		<p>the public schools. (NRS 386.420- 386.470) Section 1 of this bill requires the Association to adopt a policy concerning the prevention and treatment of injuries to the head which may occur during a pupil's participation in interscholastic activities and events, including, without limitation, concussion of the brain. The policy must require that a pupil who sustains or is suspected of sustaining an injury to the head while participating in such an activity or event: (1) be immediately removed from the activity or event; and (2) may not return to the activity or event unless the parent or legal guardian of the pupil provides a written statement from a provider of health care indicating that the pupil is medically cleared to participate. A pupil who participates in interscholastic activities and events and his or her parent or legal guardian must sign a form acknowledging that they have received a copy of the policy and understand its terms and conditions before the pupil's participation in the activity or event and must sign the form on an annual basis thereafter. Section 2 of this bill requires the board of trustees of each school district to adopt a similar policy for the participation of pupils in competitive sports within the school district which are not governed by the Association.</p> <ul style="list-style-type: none"> • This bill is appropriate based on the discussions being held nationally at this time. • Encourage Passage • To Committee on Education 03-28-11 <p>1st REPRINT</p> <ul style="list-style-type: none"> • This amendment adds that the written statement from the health care provider must also indicate the date on which the pupil may return to the activity or event. • Encourage Passage, Do Not Testify • Passed Assembly, to Senate 04-20-11 <p>2nd REPRINT</p> <ul style="list-style-type: none"> • This amendment adds 2.2 as a new section which requires each organization for youth sports that sanctions or sponsors competitive sports for youths in this state to adopt a similar policy for the participation of youths in those competitive sports sanctioned or sponsored by the organization. • Encourage Passage. Do Not Testify. • Passed Senate, Back to Assembly 05-23-11 • To Governor 05-27-11 • Governor Approved 05-31-11
<p>AB456 (BDR 34-1140)</p>		<ul style="list-style-type: none"> • Existing law prescribes a standard high school diploma and an adjusted diploma and requires that to receive a standard high school diploma, a pupil must satisfy the requirements for graduation from high school and either pass the high school proficiency examination in its entirety or fail to pass certain subject areas on the examination and satisfy certain alternative criteria prescribed by the State Board of Education. (NRS 389.805) Section 5 of this bill provides that a pupil who has failed to pass the same subject area of the high school proficiency examination not less than six times may receive a standard high school diploma if the pupil obtained a cumulative score that meets the required cumulative score prescribed by the State Board and also satisfies certain additional conditions. • Section 6 of this bill authorizes school districts to adopt a policy that allows a high school pupil who has failed to comply with minimum attendance requirements the opportunity to make up the credits which the pupil missed during his or her absence. • Existing law prescribes the actions which must be taken by a juvenile court against a child who has been adjudicated in need of

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	<p>supervision because the child is a habitual truant. (NRS 62E.430) Section 7 of this bill authorizes a juvenile court to order the parent or legal guardian of such a child to attend conferences with the child’s teacher and appropriate school administrators to address the status of the child as a habitual truant and to develop a plan to ensure that the child attends school.</p> <ul style="list-style-type: none"> • Section 8 of this bill authorizes the parent or legal guardian of a child between the ages of 16 and 18 years to indicate on a work permit that is issued to the child by the county, if any, the maximum number of hours that his or her child may work and the particular hours in which that work may occur during the week or on the weekend. • Existing law provides that a child under the age of 16 years may be employed in certain occupations for not more than 48 hours in any 1 week and 8 hours in any 1 day. (NRS 609.240) Section 9 of this bill revises the hours that a child may be employed to 20 hours in any 1 week when school is in session and 48 hours in any 1 week when school is not in session. • The language added in Section 6 is permissive as to the board of trustees adopting a policy. • The language added in Section 7 will provide for a court ordered meeting between the student/parent and the teachers/administrators which has in most cases occurred prior to being adjudicated in juvenile court. Hopefully the fact that it is court ordered will make a difference. • Section S(4)(a) should be amended to require the student to not only have perfect attendance but to also complete the work, pass the tests, etc. • Regarding the court ordered hearing for schools and the parents/students, it appears these court orders could occur indefinitely. What happens after multiple court ordered meetings are held? The section should be amended to create consequences for multiple unsuccessful meetings and plans. • Encourage Passage • To Committee on Education 03-28-11 • Passed Assembly, to Senate 04-18-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment deletes “not less than six times” and adds “each time the pupil took the examination including the final administration of the examination to the pupil before the date on which he or she is otherwise regularly scheduled to graduate.” • Section 5 also removes the satisfaction of the existing alternative criteria as a means by which a pupil may receive a standard high school diploma. Section 9.5 of this amendment requires the board of trustees of each school district on or before December 31, 2012, to submit to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature a report on the number of pupils who were awarded a standard high school diploma pursuant to the criteria prescribed in Section 5. <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment adds in Section 10 language that “The State Board of Education shall prescribe the cumulative score on the high school proficiency examination necessary to implement the use of the highest scores received over all instances in which the examination was taken. • The amendment exempts the State Board of Education from the provision of Chapter 233b for the purpose of prescribing the score for the pupils currently enrolled in grade 12 but shall adopt a permanent regulation prescribing the score for future years on or before January 1, 2012.
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		<ul style="list-style-type: none"> Sections 11 and 5 become effective upon passage and approval. Sections 1 to 4, inclusive, and sections 6 to 10, inclusive, become effective on July 1, 2011. Encourage Passage. Do Not Testify. Passed Senate, back to Assembly 05-25-11 To Governor 05-30-11 Governor Vetoed 06-01-11
AB477 (BDR 23-1028)		<ul style="list-style-type: none"> Under existing law, the Public Employees' Retirement System is required to establish rules and regulations for transacting its business and for administering the System, subject to any limitations imposed by existing law. Such rules are required to include rules relating to the administration of retirement plans in accordance with federal law. (NRS 286.200) To ensure compliance with federal tax law, this bill eliminates references to the 1991 versions of several sections of the Internal Revenue Code. Thus, the current versions of those Internal Revenue Code provisions would apply where referenced in relation to the administration of the System. We should follow the lead of the PERS leadership. Monitor, No Actions At This Time To Committee on Government Affairs 03-28-11 Passed Assembly, to Senate 04-20-11 Passed Senate, back to Assembly 05-25-11 Enrolled and delivered to Governor 05-28-11 Governor Approved 05-31-11
AB483 (BDR S-1225)	NE	<ul style="list-style-type: none"> Appropriates \$140,833,873 from the State General Fund to the DSA to cover unanticipated shortfalls in revenue from the Local School Support Tax and the ad valorem tax. Monitor, No Actions At This Time To Committee on Ways and Means 03-28-11 <p>1st Reprint</p> <ul style="list-style-type: none"> This amendment changes the amount from \$140,833,873 to \$96,983,227. Passed Assembly, to Senate 05-16-11 Passed Senate, back to Assembly 05-25-11 To Governor 05-26-11; Governor Approved 05-26-11
AB488* (BDR S-1180)	NE	<ul style="list-style-type: none"> Existing law requires each county whose population is 300,000 or more (currently Clark and Washoe Counties) to impose a tax on the rental of transient lodging in the county and to transfer the proceeds of the tax imposed before July 1, 2011, to the State Treasurer for deposit in the State General Fund. (NRS 244.33561, 244.33563) Under existing law, the proceeds of that tax imposed on or after July 1, 2011, must be deposited in the State Supplemental School Support Fund. (Chapter 4, Statutes of Nevada 2009, pp. 6-9) This bill delays this change in the allocation of those tax proceeds until July 1, 2013. Monitor, No Actions At This Time To Committee on Ways and Means 03-28-11

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		<ul style="list-style-type: none"> • No Further Action Taken 06-06-11
<p><u>AB493*</u> (BDR S-1179)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Existing law requires the Department of Education to determine the amount of money that each school district, charter school and university school for profoundly gifted pupils is required to expend during each fiscal year on textbooks, instructional supplies, instructional software and instructional hardware. Existing law also authorizes the board of trustees of a school district, the governing body of a charter school or the governing body of a university school for profoundly gifted pupils that is experiencing an economic hardship to submit a request to the Department for a waiver of all or a portion of the minimum expenditure requirements. (NRS 387.2065) Assembly Bill No. 5 of the 26th Special Session provided a temporary waiver for the 2009-2011 biennium from the minimum expenditure requirements for textbooks, instructional supplies, instructional software and instructional hardware without requiring the school districts, charter schools or university schools for profoundly gifted pupils to submit a request for such a waiver. The provisions of Assembly Bill No. 5 are scheduled to expire on June 30, 2011. (Chapter 6, Statutes of Nevada 2010, pp. 41-42) This bill extends the prospective expiration of the temporary waiver to June 30, 2013, thereby extending the temporary waiver from the minimum expenditure requirements for the 2011-2013 biennium. • Existing law requires that each school district expend each school year for library books, software for computers, the purchase of equipment relating to instruction and the maintenance and repair of equipment, vehicles, and buildings and facilities an amount of money, expressed as an amount per pupil, that is at least equal to the average of the total amount of money that was expended per year for those items in the immediately preceding 3 years. This bill provides a temporary waiver for the 2011-2013 biennium to each school district from these minimum expenditure requirements. The provisions of this temporary waiver apply retroactively to July 1, 2009, in the same manner as the temporary waiver on the minimum expenditure requirements for textbooks, instructional supplies, instructional software and instructional hardware applies retroactively pursuant to the provisions of Assembly Bill No. 5 of the 26th Special Session. (Chapter 6, Statutes of Nevada 2010, p. 42) • Monitor, No Actions At This Time • To Committee on Ways and Means 03-28-11 • Passed Assembly, To Senate 05-11-11; Passed Senate, back to Assembly 06-05-11; To Enrollment 06-05-11; To Governor 06-13-11; Governor Approved 06-15-11
<p><u>AB498*</u> (BDR 34-1174)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Existing law requires the board of trustees of each school district and the governing body of each charter school to administer norm-referenced examinations in grades 4, 7 and 10 which compare the results of pupils enrolled in those grades in public schools in this State to a national reference group of pupils. (NRS 389.015) Senate Bill No. 416 of the 2009 Legislative Session suspended temporarily the administration of the norm-referenced examinations for the 2009-2011 biennium. (Chapter 423, Statutes of Nevada 2009, p. 2340) This bill eliminates the statutory requirement for the administration of norm-referenced examinations and revises existing law to delete references to the norm-referenced examinations. • It is unclear why the Division of Budget and Planning would request this bill. • Monitor, No Actions At This Time • To Committee on Ways and Means 03-28-11 • Passed Assembly, To Senate 05-06-11 <p>1st Reprint</p>

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		<ul style="list-style-type: none"> • This amendment deletes the previous language “to eliminate the statutory requirement for the administration of the norm referenced examinations” and replaces it with “again suspends temporarily the administration of the norm referenced examinations” in the 2011-2012 school year and the 2012-2013 school year. • It also suspends any requirements relating to the reporting of the test scores of pupils on these examinations that would otherwise be administered. • Monitor. No Actions at this Time. • Passed Senate, Back to Assembly 05-23-11 • Senate amendment not concurred with, back to Senate 05-27-11 <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment simply removes the change made in the first reprint. The bill returns to the bill as it was on the first reprint. • Done • To Enrollment 06-06-11; To Governor 06-16-11; Governor Approved 06-17-11
AB527* (BDR S-1154)	NE	<ul style="list-style-type: none"> • Appropriates \$500,000 to the Dept. of Administration to contract with the Clark County Public Education Foundation for the implementation and operation of a principal leadership program. The Public Education Foundation must match or exceed the appropriation from other sources. Apparently the Foundation works with the other 17 school districts, public foundations and RPD training programs to develop and implement the training program. • I am unaware of this program and question the use of \$500,000 of general fund money during these economic hard times. • Monitor, No Actions At This Time • To Committee on Ways and Means 03-28-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment reduces the appropriation from \$500,000 to \$100,000. • No Further Action • Passed Assembly, to Senate 06-06-11; Passed Senate, back to Assembly 06-06-11; To Enrollment 06-06-11; To Governor 06-16-11; Governor Approved 06-16-11
AB546* (BDR 38-739)	NE	<ul style="list-style-type: none"> • A Committee on Education bill. • This bill makes various changes to the provisions governing early childhood care and education. The Nevada Early Childhood Advisory Council was created by an Executive Order of the Governor on September 11, 2009. By the terms of the Executive Order, the Council will cease to exist on July 31, 2011, if it is not continued by Executive Order. Section 5 of this bill statutorily provides for the establishment of the Early Childhood Advisory Council by the Director of the Department of Health and Human Services. The statutory Council has substantially the same duties as the Council created by the Executive Order. Section 13 of this bill provides that the Nevada Early Childhood Advisory Council created by the Governor shall be deemed to be the Council required to be established by the Director until such time as the Director revises the membership or duties of the Council. Section 6 of this bill requires the Council, in consultation with the Department of Education, to establish goals for the training of persons who are employed in early childhood care in the Pre-Kindergarten Content Standards developed by the Department of Education, assist in developing standards and qualifications for such

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	<p>training, develop standards for professional development and create or adopt a model for highly effective teachers for use as a resource in early childhood education. Section 7 of this bill requires the Department of Education to develop the training module that must be used in such training. Section 8 of this bill requires licensed child care facilities which receive certain government subsidies to ensure that each employee who provides child care services to children who are in early childhood receives approved training in the Pre-Kindergarten Content Standards. Section 9 of this bill requires the Council to submit an annual report to the Department of Education and the Legislative Committee on Education concerning such training. Section 12 of this bill requires the Board for Child Care to adopt regulations establishing requirements for courses of training in child care for employees of a child care facility. The regulations must provide for the annual completion of not less than 30 hours of such training, at least 16 hours of which must be training relating to early childhood development and the Pre-Kindergarten Content Standards.</p> <ul style="list-style-type: none"> • Monitor, No Actions At This Time • To Committee on Education 03-28-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment adds that the Council in consultation with the Department of Education develop a study and develop recommendations for appropriate group sizes in early childhood education and care. • Additionally, it reduces the annual training from 30 to 24 hours. • Monitor, No Actions at this Time <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment authorizes the Department of Education to accept gifts, grants and donations to develop the training module. Section 12.2 of this amended bill makes an appropriation of \$10,000 to the Department of Education to fund the development of the training module. • Monitor. No Actions at this Time. • Passed Assembly, to Senate 05-31-11; Passed Senate, back to Assembly 06-05-11; To Enrollment 06-05-11; To Governor 06-13-11; Governor Vetoed 06-15-11
<p>AB547 (BDR 34-188)</p>	<ul style="list-style-type: none"> • A Committee on Education bill. • Federal law requires every local education agency that participates in a program of nutrition authorized by the National School Lunch Program or the Child Nutrition Act to establish a local school wellness policy that meets certain criteria. (Public Law 108-265) • Section 2 of this bill requires the Department of Education, in consultation with the Health Division of the Department of Health and Human Services, to adopt a statewide school wellness policy that meets the federal criteria. • Section 3 of this bill requires the boards of trustees of school districts and governing bodies of charter schools to adopt local school wellness policies that meet the minimum standards adopted by the Department of Education and to consult with certain interested persons to develop the school wellness policy. • Section 4 of this bill requires the Department of Education, in consultation with the Health Division, to evaluate, for a period of 2 years, the effectiveness of school wellness policies adopted by the boards of trustees of school districts and the governing bodies of charter schools. • Monitor, No Actions At This time • To Committee on Education 03-28-11

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<p>AB548 (BDR 34-741)</p>	<ul style="list-style-type: none"> • Dead – Missed 04-15-11 Deadline • A Committee on Education bill. • Existing law establishes the Department of Education, which consists of the State Board of Education, the State Board for Career and Technical Education and the Superintendent of Public Instruction. (NRS 385.010) Section 4 of this bill removes the provisions creating the 10-member elected State Board of Education and provides for the membership of the State Board as follows: (1) nine voting members appointed by the Governor; (2) the Superintendent of Public Instruction and the Chancellor of the Nevada System of Higher Education, or the Chancellor's designee, who serve as ex officio nonvoting members; and (3) a pupil enrolled in a public school in this State, who serves as a nonvoting member. • Under existing law, the Superintendent of Public Instruction is appointed by the State Board to a term of 3 years. (NRS 385.150) Section 7 of this bill provides for the appointment of the Superintendent by the Governor from a list of candidates submitted by the State Board. Section 7 further provides that the Superintendent serves at the pleasure of the Governor and is in the Executive Department of the State Government. • Existing law creates the Commission on Educational Excellence, the Advisory Council on Parental Involvement, the Commission on Educational Technology, the Council to Establish Academic Standards for Public Schools, the Commission on Professional Standards in Education, the regional training programs for the professional development of teachers and administrators and the Statewide Council for the Coordination of the Regional Training Programs. (NRS 385.3784, 385.610, 388.790, 389.510, 391.011, 391.512, 391.516) Sections 2, 3, 11, 13, 16 and 17 of this bill provide that the Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of those commissions, councils and programs are carried out by the commissions, councils and programs successfully. • Existing law creates the P-16 Advisory Council and prescribes the membership, duties and responsibilities of the Council. (NRS 400.010-400.045) Section 20 of this bill repeals the provisions creating and governing the P-16 Advisory Council. • This bill places too much control with the Governor. Nevada education will operate like a dictatorship under this bill. I can't imagine legislators supporting this change. • Testify Against • To Committee on Education 03-28-11 • Dead – Missed 04-15-11 Deadline
<p>AB551 (BDR 34-877)</p>	<ul style="list-style-type: none"> • This bill requires the board of trustees of each school district in this State to determine whether consolidating or sharing services, functions or personnel with other school districts is feasible. This bill authorizes the board of trustees of each school district in this State to develop a cost-effective and efficient method for the sharing of services, functions or personnel. This bill also authorizes a school district to join in the contract of another school district with which it has entered into an agreement for the sharing of services, functions or personnel. This bill further requires the Committee on Local Government Finance to adopt regulations to assist the boards of trustees in consolidating or sharing services, functions or personnel. • Monitor, No Actions At This Time • To Committee on Education 03-28-11 • Passed Assembly, to Senate 04-20-11

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		<ul style="list-style-type: none"> • Passed Senate, back to Assembly 05-25-11 • Enrolled and Delivered to Governor 05-28-11 • Governor Approved 05-31-11
<u>AB554*</u> (BDR 34-953)	NE	<ul style="list-style-type: none"> • Bill introduced on behalf of the Governor • Section 2 of this bill requires the Department of Education to assign a letter grade to each school district and each public school, including, without limitation, each charter school, in this State. Section 2 also requires that a report card be prepared for each school district indicating the letter grades received by the public schools within the school district and the district as a whole. Section 2 further requires the Department to prepare a separate report card for those charter schools sponsored by the State Board of Education. The report cards for each school district must be posted on the Internet website maintained by the school district, and the Department is required to post all report cards on its Internet website. • Section 3 of this bill requires the State Board of Education to prescribe an indexed point system for assigning letter grades to each school district and public school in this State and provides the criteria on which that system must be based. • Existing law authorizes school districts to establish zones of attendance that prescribe which pupils attend each school within the district. (NRS 388.040) Section 9 of this bill requires the board of trustees of each school district to adopt a policy authorizing the parent or legal guardian of a pupil to request that his or her child attend a public school within the school district but outside the zone of attendance the pupil is otherwise required to attend. • Under existing law, a pupil may be retained in the same grade rather than promoted to the next higher grade for the succeeding school year upon joint agreement by the teacher and the principal. (NRS 392.125) Also under existing law, the governing body of a charter school is exempt from these requirements governing promotion to the next higher grade and instead is required to adopt its own rules for the academic retention of the pupils enrolled in the charter school. (NRS 386.583) Section 11 of this bill prohibits certain pupils enrolled in grade 3 from being promoted to grade 4 unless the pupil obtains a score prescribed by the State Board in the subject area of reading on the criterion referenced examination. Section 11 also provides certain good-cause exemptions for certain pupils. Section 11 also requires the State Board to prescribe an alternate examination in reading for those pupils who do not obtain the requisite score on the criterion-referenced examination in reading for promotion to grade 4. Section 6 of this bill imposes the same prohibition on the promotion of pupils enrolled in grade 3 for those pupils enrolled in charter schools. Section 12 of this bill requires the principal of a school to provide notice to the parent or legal guardian of a pupil who is retained in grade 3 and requires the principal to provide intensive instructional services in reading for certain pupils. Section 12 also requires the board of trustees of each district to prescribe the intensive instructional services in reading which must be implemented. • Section 10 of this bill requires the principal of a public school to provide notice to the parent or legal guardian of a pupil enrolled in kindergarten or grade 1, 2 or 3 who exhibits a substantial deficiency in reading for the pupil's grade level. Section 10 also requires the principal to provide certain intensive instructional services in reading for such pupils. • The letter grade for each school and each school district in accordance with an indexed point system prescribed by the State Board (which, of course, does not currently exist) will be difficult if not impossible to develop. The additional workload for the state board and board of trustees and whoever is expected to help them must be accomplished in addition to everything else with less help of course. This is in addition to the existing accountability reports.

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		<ul style="list-style-type: none"> • The open enrollment provision of the bill can only work if schools have available seats which do not exist in many Clark County schools. • The written plan to be developed by the principal and provided to the parents of pupils in K-3 exhibiting a substantial deficiency (not defined) will be difficult if not impossible for the lone principal with a limited staff and large numbers of students. Students in danger of being held back will require individual assistance which will not exist in the classrooms with increased students. Students held back in grade 3 will diminish the size of fourth grade and increase the size of grade 3. Each school will have many good-cause exemptions and will require additional work for the teachers, principals, and the Superintendent. • For students retained, there are additional requirements for the principal in putting together the written notice for parents and the monitoring plan to be followed. I don't know how the schools will provide intensive instructional services to these students with staff and program reductions that are and will be occurring. Students retained but not meeting with the desired success are required to be placed in a transitional instructional setting. These programs do not currently exist and funds are not being provided to implement them. • This bill is unreasonable under the existing educational environment. If adequate funding is not provided, it must be amended or defeated in the legislature. • Discourage Passage; Do Not Testify; Seek to Amend • To Committee on Ways and Means 03-28-11; No Further Action Taken 06-06-11
<p><u>AB555*</u> (BDR 34-954)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Bill introduced on behalf of the Governor. • Existing law requires the automated system of accountability information for Nevada to track the achievement of pupils over time and to identify which teachers are assigned to individual pupils. The information is required to be considered, but must not be the sole criterion, in evaluating the performance of or taking disciplinary action against an individual teacher, paraprofessional or other employee. (NRS 386.650) Existing law also requires the board of trustees of each school district to develop a policy for the evaluation of teachers and administrators pursuant to which the performance of an individual teacher or administrator is designated as "satisfactory" or "unsatisfactory." (NRS 391.3125, 391.3127) Section 4 of this bill requires the State Board of Education to adopt regulations establishing a performance evaluation system for teachers and administrators employed by school districts and charter schools. Effective July 1, 2012, the performance evaluation system will require the evaluation of an individual teacher or administrator as "highly effective," "effective," "minimally effective" or "ineffective." Also effective July 1, 2012, section 3 of this bill requires that certain information on pupil achievement which is maintained by the automated system of accountability information for Nevada account for at least 50 percent of the evaluation of teachers and administrators. Sections 2, 6 and 7 of this bill require that the policies for the evaluations of teachers and administrators employed by school districts and charter schools comply with the performance evaluation system established by the State Board. Section 6 also provides that a licensed employee who has been employed by the school district for 3 years or less must be evaluated in writing at least three times each school year and a licensed employee who has been employed for more than 3 years must be evaluated in writing at least once each year. • Existing law sets forth certain rights and responsibilities relating to the employment of probationary and postprobationary teachers and administrators. (NRS 391.3196-391.3197) Existing law also provides that a probationary employee serves two 1-year periods as a probationary employee. If the employee receives satisfactory evaluations in the first probationary year, the second probationary year must be waived and the person is entitled to postprobationary employment with the school district. (NRS 391.3197) Section 12 of this bill provides that commencing on July 1, 2012, each licensed employee of the school district is employed on a contract basis for a 1-year

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		<p>period and has no right to reemployment. Section 22 of this bill repeals provisions governing postprobationary employees.</p> <ul style="list-style-type: none"> • Section 15 of this bill requires that the board of trustees of a school district which determines a reduction in the existing workforce of teachers in the school district is necessary must base the decision to lay off a teacher on the effectiveness of that teacher to improve the academic achievement of pupils and on the evaluations of the teacher and must not base the decision upon the seniority of that teacher. • Section 16 of this bill prohibits the board of trustees of a school district from increasing the salary or wage rate or other compensation of a teacher based upon his or her years of service or his or her receipt of a master's degree or doctoral degree. • The requirement that information on pupil achievement account for 50% of teachers' and administrators' evaluations, the issuance of contracts for only one year with no right to reemployment, the elimination of postprobationary status, the requirement that reductions in force be based on performance not seniority, and the requirement that salary increases not be based on years of service or education are misguided directions from an individual who has no knowledge of the education system. • This bill must not be allowed to pass. It is an attempt to destroy public education by a person who supports private schools. • Discourage Passage, Do Not Testify • To Committee on Ways and Means 03-28-11; No Further Action Taken 06-06-11
AB557* (BDR S-1160)	NE	<ul style="list-style-type: none"> • Appropriates \$20,000,000 for school districts adopting a pilot program for performance pay for teachers. • The bill is mandatory for Clark and Washoe County School Districts and permissive for the remaining school districts to participate in the pilot. The pilot programs will be implemented for the 2012-2013 school year. The specifics for how the pilot program is to operate are contained in the bill. The amount of the compensation can not exceed \$5,000 per teacher per year. • Reports of the individual pilot programs must be submitted to the Department of Education, Governor, and the Legislative Bureau of Educational Accountability. The Department of Education must compile the reports and submit a written summary to the LCB for transmittal to the 77th Session of the Nevada Legislature. • Monitor, No Actions At This Time • To Committee on Education 03-28-11; No Further Action Taken 06-06-11
AB558* (BDR 34-1159)	NE	<ul style="list-style-type: none"> • Existing law creates the Commission on Educational Excellence and requires the Commission to: (1) develop a program of educational excellence; and (2) allocate money to public schools for programs to improve the achievement of pupils or for innovative programs, or both. Existing law also creates the Account for Programs for Innovation and the Prevention of Remediation from which grants of money are made by the Commission to public schools. (NRS 385.3781-385.379) Section 2 of this bill removes the provisions which require the Commission to award grants of money from the Account. Section 3 of this bill revises provisions governing the uses of money in the Account and the reversion of money remaining in the Account at the end of a biennium. • Section 4 of this bill establishes the categorical block grant program for K-12 public education pursuant to which grants of money are made from the Account to school districts by the Department of Education for certain programs. Section 4 also authorizes the board of trustees of a school district to apply to the Department for a block grant and sets forth the types of programs for which such a block grant may be used by the school district. • Existing law requires prescribed ratios of pupils per licensed teacher in kindergarten and grades 1, 2 and 3. (NRS 388.700) Under existing law, a school district in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties) may, in lieu of complying with the prescribed ratios, develop an alternative plan to reduce the district's pupil-teacher ratios for specified

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		<p>grade levels in elementary schools. (NRS 388.720) Sections 7-9 of this bill require a school district to comply with the prescribed pupil-teacher ratios only if the school district receives a categorical block grant pursuant to section 4 of this bill in part for the purposes of complying with the class-size reduction program.</p> <ul style="list-style-type: none"> Existing law creates the Grant Fund for Incentives for Licensed Educational Personnel and requires the board of trustees of each school district to establish a program of incentive pay for licensed teachers, school psychologists, school librarians, school counselors and certain administrators. (NRS 391.166) Section 10 of this bill removes the provisions creating the Grant Fund and authorizes the boards of trustees of school districts to use a categorical block grant or a portion thereof to establish a program of incentive pay. Monitor, No Actions At This Time To Committee on Ways and Means 03-28-11; No Further Action Taken 06-06-11
AB562* (BDR 23-1187)	NE	<ul style="list-style-type: none"> Existing law provides for the payment of a subsidy to cover a portion of the cost of coverage under the Public Employees' Benefits Program for certain retired officers and employees with state service. This bill specifies the subsidy for a retired person whose coverage is provided through the Program by an individual medical plan offered pursuant to the Health Insurance for the Aged Act, which is commonly known as Medicare. This bill describes the mechanism for determining the amount of the subsidy but does not provide a dollar amount. Monitor, No Actions At This Time To Committee on Ways and Means 03-28-11 Passed Assembly, To Senate 05-26-11 <p>1st Reprint</p> <ul style="list-style-type: none"> This amendment provides that except as provided in subsection 6, the portion of the amount approved by the legislature as described in subsection 2 to be paid to the Program from the Retirees' Fund for persons who retired before January 1, 1994 with state service is the base funding level defined for each year of the plan by the Program. Done Passed Senate, back to Assembly 06-05-11; To Enrollment 06-06-11; To Governor 06-16-11; Governor Approved 06-17-11
AB565 (BDR S-1276)		<ul style="list-style-type: none"> Existing law requires the board of trustees of each school district to notify, on or before May 1 of each year, the postprobationary and probationary employees who are employed by the board of trustees of the reemployment status of those employees for the next school year. Existing law also requires those employees to notify the board of trustees, on or before May 10, of the acceptance of such reemployment. (NRS 391.3196, 391.3197) This bill extends those dates to May 16 and 25, 2011, respectively, for the current fiscal year. Monitor, No Actions At This Time To Committee on Ways and Means 04-08-11 Passed Assembly; to Senate 04-15-11 Passed Senate 04-19-11, back to Assembly Governor Approved 04-20-11
AB568 (BDR S-1292)		<ul style="list-style-type: none"> This bill represents the legislatively approved K-12 budget. It recommends \$5,406 per student for the Clark County School District in 2011-2012 and \$5,521 per student for the Clark County School District in 2012-2013 as the basic support guarantee. Additionally it

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		<p>allocates 1925 special education units in 2011-2012 and 1925 special education units in 2012-2013 for the Clark County School District. The State Board will hold an additional 40 special education units in reserve in each year of the biennium. The bill appropriates from the General Fund \$1,370,184,914 in 2011-2012 and \$1,399,947,063 in 2012-2013 to the DSA. Additionally it authorizes the expenditure of \$240,078,955 by the Department of Education in 2011-2012 and \$245,970,854 by the Department of Education in 2012-2013 from money in the DSA that was not appropriated from the General Fund.</p> <ul style="list-style-type: none"> • The bill authorizes expenditures from the DSA as follows: <ul style="list-style-type: none"> ➤ \$17,448,161 for 2011-2012 and \$18,214,274 for 2012-2013 for the support of courses meeting the course of study for the standard high school diploma. ➤ \$3,338,875 for 2011-2012 and \$3,338,875 for 2012-2013 for grants for early childhood programs. ➤ \$50,000 for each school district to support special counseling for elementary pupils at risk of failure. ➤ \$128,541 for 2011-2012 and \$128,541 for 2012-2013 for transporting pupils outside of school district of residence. ➤ \$18,798 for 2011-2012 and \$18,798 for 2012-2013 for school districts to increase the salaries of professional school library specialists. ➤ \$143,996,846 in 2011-2012 and \$147,514,695 for 2012-2013 for 15 pupils per teacher in grades K(select), 1, and 2 where core curriculum is taught. The goal is 15 to 1 in grades K(select), 1, and 2; 19 to 1 in grade 3; 22 to 1 in grades 4, 5, and 6; and 25 to 1 in grades 7-12. ➤ \$7,955,911 in 2011-2012 and \$7,563,586 in 2012-2013 for National Board Teacher Certification Programs, Counselor National Board Certification Programs, LEA Library Books, Educational Technology, Career and Technical Education. ➤ \$32,482,502 in 2011-2012 and \$32,978,127 in 2012-2013 for Programs for Innovation and the Prevention of Remediation. ➤ \$7,601,278 in 2011-2012 and \$7,601,278 in 2012-2013 to fund the regional training programs for the professional development of teachers and administrators in Clark County School District, Elko School District, and Washoe School District. ➤ \$13,442,796 in 2011-2012 and \$13,855,905 in 2012-2013 for incentives for licensed personnel to purchase one-fifth year of retirement service credit and other financial incentives for licensed personnel in accordance with NRS 391.166. ➤ Etc. • Encourage Passage, Do Not Testify • Enrolled and delivered to Governor 5-10-11 • Governor Vetoed 05-16-11
<p>AB579* (BDR S-1304)</p>		<ul style="list-style-type: none"> • The basic support guarantee for school districts for operating purposes for the 2011-2012 fiscal year is an estimated weighted average of \$5263 per pupil and Clark County is \$5163 per pupil. For the 2012-2013, the basic support guarantee for school districts is a weighted average of \$5374 per pupil and Clark County is \$5249 per pupil. • The basic support guarantee for each special education program unit is \$39,768 for 2011-2012 and for 2012-2013, Clark County will receive 1925 units in each year of the biennium and the State Board of Education will hold an additional 40 units for each year of the biennium. • The bill appropriates \$1,088,280,727 in 2011-2012 and \$1,111,331,100 in 2012-2013 from the general fund to the DSA. Additionally, authorizes the expenditure of \$252,616,844 in 2011-2012 and \$259,998,237 in 2012-2013 from money in the DSA that was not included in the appropriation.

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		<ul style="list-style-type: none"> • The bill authorizes expenditures from the DSA for the support of courses for an adult standard high school diploma, special counseling services for elementary school pupils at risk of failure, competitive grants for early childhood education, special transportation costs, increase of salaries of professional school library media specialist, and class size reduction (grades K-3) / class size in grades 4-12. • The bill appropriates from the general fund to other school accounts for full day kindergarten, completion of the National Board Teacher Certification Program, Counselor National Board Certification, LEA library books, educational technology, career and technical education, Programs for Innovation and the Prevention of Remediation, Regional Training Programs, purchase of one-fifth retirement service credit and other financial incentives. • It also provides for various other authorization for expenditures. • Done • To Committee on Ways and Means 06-04-11; Passed Assembly, to Senate 06-04-11; Passed Senate, back to Assembly 06-05-11; To Enrollment 06-05-11; To Governor 06-13-11; Governor Approved 06-14-11
<p>AJR2* (BDR C-683)</p>		<ul style="list-style-type: none"> • The Nevada Constitution provides for biennial legislative sessions of not more than 120 consecutive calendar days in each odd-numbered year. (Nev. Const. Art. 4, § 2) This resolution proposes to amend the Nevada Constitution to provide for annual legislative sessions of not more than 90 consecutive calendar days in each odd-numbered year and of not more than 60 consecutive calendar days in each even-numbered year. This resolution also proposes to amend the Nevada Constitution to change the date of commencement of a regular legislative session from the first Monday in February to the first Monday in March. • The Nevada Constitution authorizes Legislators to receive compensation for the first 60 days of each regular session and the first 20 days of any special session. (Nev. Const. Art. 4, § 33) This resolution proposes to amend the Nevada Constitution to authorize Legislators to receive compensation for not more than 90 days of each regular session in an odd-numbered year and for not more than 60 days of each regular session in an even-numbered year. This resolution also proposes to amend the Nevada Constitution to create the Commission on Compensation for Legislators to recommend the amount of such compensation. • The Nevada Constitution provides for the payment of the expenses of each Legislator for postage, express charges, newspapers and stationery of not more than \$60 per session and provides for the payment of an additional allowance of \$2 per day to the presiding officers of each House. (Nev. Const. Art. 4, § 33) This resolution proposes to amend the Nevada Constitution to eliminate: (1) the limit on the amount authorized for postage, express charges, newspapers and stationery; and (2) the additional allowance for the presiding officers. • If this resolution is passed by the 2011 Legislature, it must also be passed by the next Legislature and then approved and ratified by the voters in an election before the proposed amendments to the Nevada Constitution become effective. • The annual sessions could help dealing with the business of the state especially in these hard economic times. • Many people will be hesitant to approve such a change which will create additional costs and perhaps abuse. • We should monitor public reaction and the arguments for and against. • Monitor. No Actions at this Time. • To Committee on Legislative Operations and Elections 02-03-11; No Further Action Taken 06-06-11
<p>AJR8 (BDR C-952)</p>		<ul style="list-style-type: none"> • The Nevada Constitution currently requires the legislature to provide for a uniform system of common schools and authorizes the legislature to pass such laws as will tend to secure a general attendance of the children in each school district upon said public schools.

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		<p>(Nev. Const. Art. 11, § 2) This resolution proposes to amend the Nevada Constitution to require the legislature to establish a tuition assistance program to assist the parent or legal guardian of a child in any grade from kindergarten through grade 12, who would otherwise attend a public school, to pay tuition for the child to attend a private school chosen by the parent or legal guardian. The program must provide for the payment of at least half of the funding that the public school would have received if the pupil had attended the public school. The remaining half of that funding would be made available based upon financial need.</p> <ul style="list-style-type: none"> • The Nevada Constitution currently prohibits the use of any public money for a sectarian purpose. (Nev. Const. Art. 11, § 10) This resolution proposes to amend the Nevada Constitution to provide that the payment of public money, in accordance with the program established by the legislature pursuant to this resolution, to assist the parent or legal guardian of a child who would otherwise attend a public school to pay the tuition for the child to attend a private school chosen by the parent or legal guardian may not be considered to be used for a sectarian purpose even though the recipient of the money is entitled to choose to use the money to pay tuition at a school that is affiliated with a sectarian institution. • The change of Section 10 of Article 11 of the Nevada Constitution is identical to the change contained in SJR10. • This is an attempt by the Governor to take money from public education to assist parents to send their children to private school. • Testify Against • To Committee on Education 03-28-11 • Dead – Missed 04-15-11 Deadline
SB2* (BDR S-4)	NE	<ul style="list-style-type: none"> • Senator Schneider’s bill. • This bill appropriates money to the State Distributive School Account for kindergarten through grade 12 to ensure that the money expended per pupil in this State meets or exceeds the current national average expended per pupil in kindergarten through grade 12 by state and local governments combined. This money is in addition to money that is otherwise allocated for the school districts and charter schools from the State Distributive School Account during the 2011-2013 biennium. • We should support but with current budget issue, passage is not possible. • Monitor, No Actions At This Time • To Committee on Finance 12-13-10; No Further Action Taken 06-06-11
SB11* (BDR 34-304)	NE	<ul style="list-style-type: none"> • A Clark County School District bill. • Under existing law, the Nevada Plan for School Finance provides for the financial support of the school districts, charter schools and university schools for profoundly gifted pupils. The formula in the Nevada Plan is expressed as: State financial aid to school districts equals the difference between school district basic support guarantee and local available funds produced by mandatory taxes minus all the local funds attributable to pupils who reside in the county but attend a charter school or a university school for profoundly gifted pupils. (NRS 387.121) Section 4 of this bill revises the manner in which the formula is expressed to include a weighted value for certain categories of pupils and for certain smaller school districts and schools and requires those weighted values to be added to the school district basic support guarantee per pupil. • Section 6 of this bill requires that in addition to the establishment of the basic support guarantee per pupil, the Legislature shall establish a weighted value for each of the following categories of pupils: (1) pupils with disabilities; (2) gifted and talented pupils; (3) pupils enrolled in career and technical education; (4) English language learners; (5) pupils who are eligible to receive free or reduced-priced meals; (6)

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		<p>pupils who are homeless; (7) pupils who are transient; and (8) pupils who are in foster care. In addition, section 6 requires that weighted values be established for certain smaller school districts and schools. Section 6 also requires the Legislature to establish a separate basic support guarantee per pupil for certain schools which enroll pupils full-time and which offer at least 75 percent of the courses through a program of distance education. Section 6 further prescribes that the apportionments to the school districts, charter schools and university schools for profoundly gifted pupils must be determined by adding the basic support guarantee per pupil to the weighted values for the categories of pupils and multiplying that sum by the number of pupils reported in each category, plus any applicable weighted values for certain smaller schools and school districts.</p> <ul style="list-style-type: none"> • Section 7 of this bill removes the establishment of special education program units for the funding of the provision of educational programs and services for pupils with disabilities and gifted and talented pupils. • Section 8 of this bill revises the count of pupils for apportionment purposes to include a disaggregated count of the categories of pupils identified in section 6. • Sections 2, 14 and 17 of this bill revise the information which must be included in the annual report of a charter school, school district and university school for profoundly gifted pupils to include the costs of providing programs of instruction to the categories of pupils identified in section 6, if the enrollment of the charter school, school district or university school for profoundly gifted pupils includes such pupils. • Section 19 of this bill requires the Department of Education to establish an advisory group to develop a formula for establishing weighted values and the manner in which the weighted values will be calculated for implementation beginning with the 2013-2014 school year. • We should support the bill if funds are available. The elimination of special education program units and adding weighted values for the categories of pupils identified in this bill <u>will</u> require significant analysis of the cost for each category. Obtaining agreement and finding the necessary funds will be a challenge. • Monitor, No Actions At This Time • To Committee on Finance 12-13-10 <p>1st Reprint</p> <ul style="list-style-type: none"> • This bill is deleted in its entirety. • Section 22 of this amended bill directs the Legislative Commission to appoint a committee to conduct an interim study concerning the development of a new method for funding public schools in Nevada. • Done • Passed Senate, to Assembly 06-05-11; Passed Assembly, back to Senate 06-06-11; to Enrollment 06-06-11; To Governor 06-13-11; Governor Approved 06-16-11
<p>SB14 (BDR 34-609)</p>		<ul style="list-style-type: none"> • A Committee on Education bill. • The National Governors Association Center for Best Practices and the Council of Chief State School Officers released a set of national education standards for English language arts and mathematics, commonly referred to as the “Common Core Standards.” Forty-eight states, including Nevada, have signed on to participate in the Common Core Standards, and Nevada will implement those standards in kindergarten through grade 12. Under existing law, the State Board of Education establishes courses of study for various subject areas, including English and mathematics. (NRS 389.0185) The board of trustees of each school district is required to enforce the academic standards in the schools under its charge, and each charter school is required to provide instruction in the core academic subjects to the

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		<p>pupils enrolled in the charter school. (NRS 386.550, 389.019) This bill requires the State Board to develop a model curriculum for English language arts and mathematics, which are the two subject areas currently covered by the Common Core Standards. This bill also requires the Department of Education to provide each model curriculum to the board of trustees of each school district, the governing body of each charter school and the governing body of each regional training program for the professional development of teachers and administrators. Finally, this bill authorizes the use of the model curriculum by teachers and administrators in developing class lesson plans and by the governing body of each regional training program for the professional development of teachers and administrators in the provision of training.</p> <ul style="list-style-type: none"> • We should support it. • Encourage Passage, Do Not Testify • To Committee on Education 12-13-10 • Passed Senate; To Assembly 03-23-11 • Passed Assembly, back to Senate 05-16-11 • To Governor 05-19-11 • Governor Approved 05-24-11
<p>SB35 (BDR 34-440)</p>		<ul style="list-style-type: none"> • A Committee on Education bill. • Under existing law, the Department of Education is required to establish and maintain an automated system of accountability information for Nevada that must, in part, have the capacity to identify which teachers and paraprofessionals are assigned to individual pupils. (NRS 386.650) Section 1 of this bill removes the requirement that the automated system of accountability information have the capacity to identify which paraprofessionals are assigned to provide services to individual pupils and also removes the requirement that the information on pupil achievement maintained in the system be used to evaluate paraprofessionals. • Under existing law, the board of trustees of each school district and the governing body of each charter school are required to administer certain examinations to determine the achievement and proficiency of pupils and to report the results of those examinations to the Department. (NRS 389.015, 389.017, 389.550, 389.560) Sections 2 and 3 of this bill revise the manner in which the results of pupils on those examinations are reported by requiring the governing body of each charter school to submit the results and other required information through the sponsor of the charter school. • Support and monitor. • Monitor, No Actions At This Time • To Committee on Education 12-14-10 • Passed Senate, To Assembly 03-17-11 • Passed Assembly, back to Senate 05-16-11 • To Governor 05-19-11 • Governor Approved 05-24-11
<p>SB38 (BDR 34-507)</p>		<ul style="list-style-type: none"> • A Committee on Education bill. • Under existing law, the Superintendent of Public Instruction apportions, on a quarterly basis, the State Distributive School Account in the

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		<p>State General Fund among the school districts, charter schools and university schools for profoundly gifted pupils. (NRS 387.124) Section 2 of this bill authorizes the Superintendent to deduct from a quarterly apportionment if a school district, charter school or university school for profoundly gifted pupils fails to repay certain amounts due the Department of Education or pays a claim determined to be unearned, illegal or unreasonably excessive. The amount deducted must correspond to the amount due or the amount of the claim. Section 2 also authorizes the Superintendent to withhold the full amount of a quarterly apportionment or a portion thereof if a school district, charter school or university school for profoundly gifted pupils fails to submit a report or other information that is required to be submitted to the Superintendent, State Board of Education or Department pursuant to a statute or regulation. If the required report or information is subsequently provided, the amount withheld must be immediately paid.</p> <ul style="list-style-type: none"> • Under existing law, the sponsor of a charter school may submit a request to the charter school for reimbursement of the administrative costs associated with the sponsorship for each school quarter. (NRS 386.570) If the charter school does not pay the reimbursement, section 2 of this bill authorizes the Superintendent to withhold the amount due from the quarterly apportionment of the charter school and transfer that amount to the sponsor as payment on the claim. Finally, section 2 authorizes an appeal to the State Board of a decision of the Superintendent to deduct or withhold from a quarterly apportionment. • Under existing law, the amount of the quarterly apportionments paid to a school district or charter school is based upon the enrollment of pupils. If a school district or charter school experiences declining enrollment in the current school year, the higher enrollment number from a preceding school year is used to calculate the quarterly apportionment, which is commonly referred to as the “hold harmless” provision. (NRS 387.1233) Section 3 of this bill provides that the enrollment number from the current school year must be used if the Department determines that a school district or charter school deliberately causes a decline in the enrollment of pupils to receive the higher apportionment. • Section 5 of this bill allows for adjustments to the quarterly apportionments if the Department determines as a result of an audit that a pupil is not properly enrolled in or attending a public school. • Monitor, No Actions At This Time • To Committee on Education 12-14-10 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment deletes “or regulation” from Section 2. Additionally, it adds “If a charter school fails to submit a report or other information that is required to be submitted to the Superintendent, State Board, or Department through the sponsor of the charter school pursuant to a statute, the Superintendent may only authorize the withholding of the apportionment otherwise payable to the charter school and may not authorize the withholding of the apportionment otherwise payable to the sponsor of the charter school. • Monitor, No Actions at this Time • Passed Senate, to Assembly 04-22-11 • Passed Assembly, Back to Senate 05-23-11 • Enrolled and delivered to Governor 05-27-11 • Governor Approved 05-31-11
<p>SB39 (BDR 34-257)</p>		<ul style="list-style-type: none"> • A Washoe County School District bill • Existing law sets forth certain rights and responsibilities relating to disciplinary measures taken by school districts with respect to

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		<p>probationary and postprobationary teachers and administrators. Section 1 of this bill removes probationary teachers and new employees hired as probationary administrators from the applicability of the provisions governing admonition, demotion, suspension, dismissal and nonreemployment. A postprobationary teacher who is employed as a probationary administrator is removed from the admonition, demotion and suspension provisions only with respect to his or her administrative position.</p> <ul style="list-style-type: none"> • Section 2 of this bill revises the grounds for which a teacher may be suspended, dismissed or not reemployed or for which an administrator may be demoted, suspended, dismissed or not reemployed to include gross misconduct. • Section 4 of this bill expands the grounds for which a licensed employee is subject to immediate dismissal or a refusal to reemploy without first receiving a written admonition. • Under existing law, a probationary teacher and a probationary administrator serve two 1-year periods as a probationary employee. If the employee receives satisfactory evaluations in the first probationary year, the second probationary year must be waived and the person is entitled to postprobationary employment with the school district. Section 6 of this bill revises the probationary period from two 1-year periods to three 1-year periods, without a waiver of any of the probationary years. Section 6 also provides that a probationary teacher and a new employee who is employed as a probationary administrator are at-will employees and may be admonished, demoted, suspended, dismissed or not reemployed without cause, without notice and without a hearing. Section 6 further provides that a postprobationary teacher who is employed as a probationary administrator is an at-will employee with respect to his or her administrative position and may be admonished, demoted or suspended with respect to his or her administrative position without cause, without notice and without a hearing. • This bill reverses the actions taken by previous legislatures to reduce a mandatory three-year probationary period for teachers and administrators. Expanding the probationary periods of two 1-year periods with a waiver on the second year will create an additional work load on the supervisors and will not improve the quality of a postprobationary employee. For most employees, three evaluations in the one year of probation are adequate to determine if the supervisor should grant postprobationary status. In some cases the additional year of probation allows three additional evaluations to determine if postprobationary status should be granted. To require a third year of probation and three additional evaluations is of virtually no value for either a poor employee or an excellent employee. • Currently a probationary employee has no right to reemployment. Under this bill the employer has no obligation to work with a probationary employee or provide many due process rights due to proposed changes and declaring them as at will. • Under this bill an employee can be immediately dismissed or not reemployed for not only immorality, physical or mental incapacity, a justifiable decrease in the number of positions due to decreased enrollment or district reorganization, or conviction of a felony or a crime involving moral turpitude as is currently provided in statute but seven additional reasons for immediate dismissal or nonrenewal are added. These include insubordination, neglect of duty, evident unfitness for service, any cause which constitutes grounds for revocation of a teacher's license, willful neglect or failure to observe and carry out the requirements of the title, intentional failure to observe and carry out the requirements of a plan to ensure the security of examination adopted pursuant to NRS 389.616 or 389.620, or gross misconduct. • This bill allows a board to fail to notice a probationary employee in writing within the prescribed period in the first or second year of the probationary period and for there to be no consequences for the board. The employee will not be granted postprobationary status. • These changes will create additional litigation, grievances, etc. Negotiated agreements will likely be violated. • To Committee on Education 12-14-10
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<p><u>SB41</u> (BDR 23-412)</p>		<ul style="list-style-type: none"> • Dead – Missed 04-15-11 Deadline • Submitted on behalf of the Governor. • Existing law: (1) provides for the creation and duties of the Local Government Employee-Management Relations Board; (2) requires local government employers to bargain in good faith with recognized employee organizations; (3) prescribes the method for the recognition of employee organizations; (4) provides for the mediation and resolution of certain labor disputes; and (5) prohibits state and local government employees from going on strike. (Chapter 288 of NRS) This bill repeals, effective on June 30, 2012, all of these provisions, including mandatory collective bargaining, except the anti-strike provisions and the provision which gives local government employees the right to join or not join an employee organization at the employee’s discretion. This bill further adds a new provision setting forth that the recognition of employee organizations and engaging in collective bargaining are not mandatory, but are instead permissive under such terms and conditions as a local government employer deems desirable and in the best interests of the applicable local government. • Testify Against • To Committee on Legislative Operations and Elections 12-14-10 • Dead – Missed 04-15-11 Deadline
<p><u>SB70</u> (BDR 34-424)</p>		<ul style="list-style-type: none"> • Submitted on behalf of the Governor • Existing law establishes the Department of Education which consists of the State Board of Education, the State Board for Career and Technical Education and the Superintendent of Public Instruction (NRS 385.010) Sections 4, 6, 7 and 267 of this bill remove the provisions creating the 10-member elected State Board of Education and provide for the appointment of a 5-member advisory State Board of Education. Three members will be appointed by the Governor, one member appointed by the Majority Leader of the Senate and one member appointed by the Speaker of the Assembly. Section 268 of this bill provides that the terms of all members of the elected State Board who are incumbent on June 30, 2011, expire on that date. Section 267 of this bill removes the provisions creating the State Board for Career and Technical Education, the Subcommittee on Charter Schools, the Advisory Council on Parental Involvement, the Commission on Educational Excellence, the Account for Programs for Innovation and the Prevention of Remediation, the Commission on Educational Technology, the Council to Establish Academic Standards for Public Schools, the Legislative Bureau of Educational Accountability and Program Evaluation and the P-16 Advisory Council. This bill further transfers certain duties and responsibilities formerly assigned to those bodies to the Department and the Superintendent of Public Instruction. • Under existing law, the Superintendent of Public Instruction is appointed by the State Board of Education to a term of 3 years. (NRS 385.150) Section 17 of this bill provides for the appointment of the Superintendent by the Governor, who serves at the pleasure of the Governor. • This bill repeals the requirements for the reduction of pupil-teacher ratios in certain grades, commonly referred to as the “class-size reduction program.” (NRS 388.700, 388.710, 388.720) • Section 81 of this bill requires that certain money appropriated from the State General Fund to the State Distributive School Account for K-12 Public Education, other than money for the basic support guarantee, the basic support guarantee for special education program units and the Nutrition State Match, must be accounted for separately in the State Distributive School Account. The money which is separately accounted for must be disbursed to each school district, excluding charter schools and university schools for profoundly gifted pupils, based upon a prescribed percentage formula. Section 81 also requires the board of trustees of each school district to develop a plan for

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		<p>spending the money based upon the identified needs of the pupils enrolled in the school district. The money cannot be used for administration, facilities, adjusting the schedule of benefits of the school districts' employees, to settle or arbitrate disputes, or to negotiate settlements between the school district and an organization that represents licensed employees. Section 81 further requires the Superintendent of Public Instruction to establish benchmarks that a school district which receives such money must achieve within a certain time frame.</p> <ul style="list-style-type: none"> • Under existing law, the amount of the quarterly apportionments paid to a school district or charter school is based upon the enrollment of pupils. If a school district or charter school experiences declining enrollment in the current school year, the higher enrollment number from a preceding school year is used to calculate the quarterly apportionment, which is commonly referred to as the "hold harmless" provision. (NRS 387.1233) Section 91 of this bill removes the hold harmless provision from the basic support calculation. • Existing law creates three regional training programs for the professional development of teachers and administrators, the Statewide Council for the Coordination of the Regional Training Programs and a governing body of each regional training program. (NRS 391.500-391.556) Sections 182-191 of this bill removes the requirement for the creation of the training programs, the Statewide Council and the governing bodies and makes their establishment and maintenance permissive, to the extent money is available. • Testify Against • To Committee on Education 12-15-10 • Dead – Missed 04-15-11 Deadline
<p>SB71* (BDR 34-413)</p>	<p>NE</p>	<ul style="list-style-type: none"> • A Governor's bill. • Sections 2-18 of this bill establish the Encouraging Parental Involvement Through Choice in Education Program to be administered by the Department of Education. Sections 8 and 9 prescribe the process for a licensed private school to submit an application to the Department for certification as a school eligible to participate in the Program. A private school may not apply for certification as an eligible school if the private school is operated by a church, religious organization or faith-based ministry. Section 12 authorizes the parent or legal guardian of a child to apply for participation in the Program and enroll his or her child in an eligible school. Section 26 requires that a child who participates in the Program and is enrolled in an eligible school be included in the count of pupils for purposes of apportionments and allowances from the State Distributive School Account. Section 15 requires the Department to issue a scholarship on behalf of each child who participates in the Program and is enrolled in an eligible private school in an amount equal to 75 percent of the basic support guarantee per pupil of the school district in which the pupil resides or equal to the total amount charged by the eligible school for tuition, fees and textbooks, whichever is less. Section 16 provides that if a child was enrolled in a public school, other than a charter school, and the child participates in the Program and enrolls in an eligible school, the Department is required to pay to the school district in which the child resides 25 percent of the basic support guarantee per pupil established for that school district. The remaining sections of this bill make changes to the current system of public education to include the Program and to indicate that the money available for education and public schools is for the support of the system of public education. • Procedures are provided to revoke the certification of a private school as an eligible school and the revocation of the eligibility for a child to participate. Additionally the procedures for an eligible school to receive a payment for scholarship received are provided. • Upon request of a parent/guardian of a child participating in the program, the school district in which the child resides must provide a list of times and locations that the child may take the criterion reference tests administered pursuant to NRS 389.550 and the high school

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		<p>proficiency exams pursuant to NRS 389.015.</p> <ul style="list-style-type: none"> • The department may contract with one or more consultants to conduct an evaluation of the program. • This is clearly a voucher program to provide public funds to select private schools. • Monitor, No Actions At This Time • To Committee on Finance 12-15-10; No Further Action Taken 06-06-11
<p>SB76 (BDR 43-461)</p>		<ul style="list-style-type: none"> • Under the existing traffic laws of this State, it is a crime to engage in various activities while operating a motor vehicle or to operate a motor vehicle in a reckless or unsafe manner. (Chapters 484A-484E of NRS) Section 2 of this bill makes it a crime for a person to manually type or enter text into a cellular telephone or other similar device, or to send or read data using any such device while operating a motor vehicle. Section 2 further prohibits a person from using such a device for voice communications unless the device is used with an accessory which allows the person to communicate without using his or her hands, with certain limited exceptions. Section 2 provides an exception to the prohibitions when the cellular telephone or other device is used by law enforcement officers and other emergency personnel who are acting within the course and scope of their employment. Additional exceptions apply if the person is using the cellular telephone or other device to report or request assistance relating to a medical emergency, a safety hazard or criminal activity, or if the person is responding to a situation requiring immediate action and stopping the vehicle would be inadvisable, impractical or dangerous. A first or second violation of the provisions added by section 2 within the immediately preceding 7 years is a misdemeanor, and a third or subsequent violation within the immediately preceding 7 years is a gross misdemeanor. If a violation is the proximate cause of the death of, or substantial bodily harm to, another person, the violation is punishable as a category B felony and, pursuant to section 1 of this bill, will result in the revocation of the driver's license of the person for 3 years. Section 3 of this bill makes the enhanced penalty for certain traffic violations that occur in a temporary traffic control zone applicable to violations of these new crimes. • Although this bill is not directly related to Association related business, it will be of interest to Association members and employees. • Monitor, No Actions At This Time • To Committee on Transportation 12-15-10 • Dead – Missed 04-15-11 Deadline
<p>SB78 (BDR 23-316)</p>		<ul style="list-style-type: none"> • Section 2 of this bill authorizes a local government employer to disseminate to the public information regarding the status of negotiations between the employer and an employee organization and the proposals that the two entities make to each other during such negotiations. Section 3 of this bill provides that if the Legislature enacts or amends a law and the effect of the enactment or amendment is to create new or increased monetary obligations on the part of a local government employer with respect to employees of the local government who are covered by a collective bargaining agreement, the applicable agreement or agreements are required to be reopened immediately for the purpose of negotiating changes thereto in an amount sufficient to offset the new or increased monetary obligations. Section 4 of this bill, with regard to the situation in which the balances of certain funds of a local government fall below certain prescribed levels (local governments' budgeted ending fund balance or projected ending fund balance for general or special revenue funds which receive revenue from property taxes or the Local Government Tax Distribution Account is less than 8.3 percent of the total budgeted expenditures for the respective fund, excluding capital outlay), authorizes a local government employer to suspend salary increases and benefit increases related to salary provided for in the collective bargaining agreement for the remaining period of the agreement. I'm not sure that these taxes will impact school district budgets. We will need to follow the CCSD lead.

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	<ul style="list-style-type: none"> Existing law provides that, as between a local government employer and a recognized employee organization, certain subject matters are within the scope of mandatory bargaining, whereas other subject matters are reserved to the local government employer without negotiation. Existing law also provides that a local government employer is not precluded from negotiating subject matters reserved to the local government employer. In addition, a local government employer is required to discuss subject matters outside the scope of mandatory bargaining but is not required to negotiate those matters. (NRS 288.150) Section 5 of this bill prohibits a local government employer from negotiating or discussing any subject matter not enumerated as being within the scope of mandatory bargaining. Under existing law, unresolved labor disputes between a local government employer and firefighters or police officers are subject to binding arbitration and are handled under different procedures than disputes involving other types of local government employees. (NRS 288.205, 288.215) Section 9 of this bill eliminates such binding arbitration and the different procedures for firefighters and police officers. Monitor, No Actions at this Time To Committee on Legislative Operations and Elections 12-15-10 Dead – Missed 04-15-11 Deadline
<p><u>SB90</u> (BDR 34-128)</p>	<ul style="list-style-type: none"> Existing law sets forth the Local Government Budget and Finance Act, which includes provisions governing the budgets of local governments. (NRS 354.470-354.626) The purposes of the Act include establishing standard methods and procedures for the preparation, presentation, adoption and administration of budgets of local governments and providing specific methods enabling the public and taxpayers to be apprised of the financial preparations, plans, policies and administration of all local governments. (NRS 354.472) The Act is specifically made applicable to the budgets of school districts. (NRS 354.474) Under the Act, each school district is required annually to prepare a tentative budget for the ensuing fiscal year. The tentative budget is required to be submitted to the county auditor and filed with the county clerk. In addition: (1) a copy of the tentative budget must be submitted to the Department of Taxation and the Department of Education on or before April 15; (2) the Department of Taxation is required to examine the tentative budget for compliance with law; and (3) a public hearing on the tentative budget must be held on the third Wednesday in May. (NRS 354.596) Section 2 of this bill creates in each school district an advisory fiscal affairs committee to review the financial affairs of the school district and provides for the advisory committee's membership, powers and duties. In Washoe and Clark County the committee shall consist of seven members with one member appointed by the Majority Leader of the Senate, one member appointed by the Speaker of the Assembly, and four members appointed by the Governor. The four members appointed by the Governor shall include one member with experience in public budgeting, one with experience in public education, one member with experience in finance and one who represents the local business community of the county. These members must appoint an additional member to represent the general public from a list of three persons nominated by the Board of School Trustees. Section 4 of this bill requires each school district to prepare and submit to the advisory fiscal affairs committee of the school district a proposed tentative budget for the ensuring fiscal year. Section 3 of this bill requires the advisory fiscal affairs committee to review the proposed tentative budget and submit a report of its review and any recommendations for revisions to the proposed tentative budget to the board of trustees of the school district. Section 4 requires the board of trustees, before it files and submits its tentative budget pursuant to NRS 354.596, to: (1) post on its Internet website a copy of the proposed tentative budget and the report and recommendations of the advisory fiscal affairs committee; (2) review and consider the report and recommendations in a public meeting; and (3) make any revisions to the proposed tentative budget that it considers appropriate. Existing law also requires the clerk of the board of trustees of a school district to publish a list of expenditures of the school district made

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		<p>during the previous quarter school year. (NRS 387.320) Section 6 of this bill requires that the list be submitted to the advisory fiscal affairs committee of the school district, which, pursuant to section 3, is required to review the list and submit a report of its review together with any recommendations to the board of trustees of the school district and the Department of Education. Section 5 of this bill requires the board of trustees of the school district, in a public meeting, to review and consider the report and recommendations of the advisory fiscal affairs committee.</p> <ul style="list-style-type: none"> • Another attempt by the Legislature to tell the local Board of School Trustees how to do its job. • There is no need for this bill. It will not impact employee organizations, but will impact districts. • Discourage Passage, Do Not Testify • To Committee on Finance 01-25-11 • Dead – Missed 04-15-11 Deadline
<p>SB92* (BDR 22-579)</p>		<ul style="list-style-type: none"> • Existing law authorizes the legislative body of a community, having recognized the need for a redevelopment agency to function in the community, to establish a redevelopment revolving fund. (NRS 279.386, 279.392, 279.396, 279,410, 279.620) Existing law also specifies the manner in which, and the permissible purposes for which, money may be expended from the redevelopment revolving fund. (NRS 279.628) This bill expands the permissible purposes for which money may be expended from a redevelopment revolving fund to include use by a redevelopment agency for the improvement, with certain limitations, of schools in a city or county with a redevelopment area within its boundaries. • Encourage Passage, Do Not Testify • To Committee on Government Affairs 01-25-11; Passed Senate; To Assembly 03-07-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • Section 1 of this bill removes the specific requirement of addressing the preservation of historic neighborhoods in the regional plan of a county whose population is 100,000 or more but less than 400,000 (currently Washoe County). • Section 2 of this bill requires a redevelopment agency to submit, upon adoption of a redevelopment plan for a redevelopment area, an initial report containing certain specified information regarding each redevelopment area to the legislative body of the community and to the Nevada Legislature. Each agency is also required to submit an annual report containing information for the redevelopment area for the previous fiscal year, including with respect to areas in existence on July 1, 2011. Section 7 of this bill provides for the submission of an initial report for each redevelopment area for which a redevelopment plan has been adopted before July 1, 2011. • Section 6 of this bill requires the redevelopment agency of a city whose population is 300,000 or more (currently the City of Las Vegas) that receives certain revenue from taxes to set aside a portion of those revenues received on or after October 1, 2011, to be used to increase, improve and preserve, in addition to the number of dwelling units in the community for low-income households, the number of educational facilities within the redevelopment area. • Passed Assembly, back to Senate 05-30-11; To Enrollment 06-03-11; To Governor 06-16-11; Governor Approved 06-17-11
<p>SB96 (BDR 34-586)</p>		<ul style="list-style-type: none"> • Existing law establishes the Governor Guinn Millennium Scholarship Program and prescribes the eligibility requirements for receipt of a Millennium Scholarship. (NRS 396.911-396.938) This bill revises the eligibility requirements by requiring a student to perform at least 20 hours of community service which meets certain criteria established by the Board of Regents of the University of Nevada during the 4 years before the student first becomes eligible for a Millennium Scholarship. This requirement will first apply to students who are eligible

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		<p>to receive a Millennium Scholarship on and after June 1, 2014.</p> <ul style="list-style-type: none"> • Testify in Favor • To Committee on Education 01-25-11 <p>FIRST REPRINT</p> <ul style="list-style-type: none"> • This amendment revises the original bill by deleting the “requirement” for 20 hours of community service to “encouraging” 20 hours of community service during each year the student received a Millennium Scholarship. • Testify in Favor • Passed Senate; To Assembly 04-14-11 • Passed Assembly, Back to Senate 05-23-11 • To Enrollment 05-30-11; To Governor 05-31-11 • Governor Approved 06-02-11
<p>SB98* (BDR 23-415)</p>		<ul style="list-style-type: none"> • Sections 1, 2 and 4 of this bill require: (1) local governments and employee organizations representing police officers or firefighters; and (2) school districts and employee organizations representing teachers and educational support personnel to take part in nonbinding mediation before submitting disputes to arbitration. • Sections 3 and 4 of this bill provide that in the arbitration process during collective bargaining: (1) between local governments and employee organizations representing firefighters or police officers; and (2) between school districts and employee organizations representing teachers and educational support personnel, the arbitrator is not bound to accept one of the final offers of the parties involved. • Requiring nonbinding mediation in some cases may be of value but optional mediation is allowed for currently. Its requirement will prolong the arbitration process and add to the cost. • Allowing the arbitrator to ignore the last offers of the employer and employee organization truly takes the decision out of the hands of those in the community and into the hands of someone from outside. Additionally, since neither offer must be selected there is no incentive for the two sides to attempt to get closer together so that their offer will be more reasonable and thus selected by the arbitrator. • Attempt to get bill withdrawn. • Testify Against. • To Committee on Legislative Operations and Elections 01-25-11 • Passed Senate, to Assembly 04-27-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • The requirement for mediation is deleted. • The idea of an arbitrator not being bound to accept one of the final offers of the parties involved has been deleted. • Section 1.3 of this bill revises provisions relating to mediation between local governments and employee organizations during collective bargaining. Sections 1, 1.7, 3 and 4 of this bill require that the reports made by the chief executive officer of a local government or the superintendent of a school district to the local government or to the board of trustees of the school district, respectively, concerning the fiscal impact of a collective bargaining agreement between the local government and an employee organization include information

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		<p>relating to the estimated total cost of the agreement and the difference in that cost and the total cost of the immediately preceding agreement.</p> <ul style="list-style-type: none"> • We should still pursue the elimination of this bill. • Testify Against <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment provides that for negotiations not governed by 288.205, 288.215, or 288.217, the sides who have participated in 6 meetings of negotiations and when the sides have participated in mediation by April 1, to submit the dispute to a fact finder. • This amendment does not apply to education since 288.217 applies to education. • Monitor. No Actions at this Time. • Passed Assembly, to Senate 05-31-11 <p>Conference Committee Amendment to 2nd Reprint</p> <ul style="list-style-type: none"> • Essentially this bill and all previous amendments were deleted. • Section 6 of this bill sets forth that the following persons are prohibited from being a member of an employee organization: • (1) supervisory employees who have additional authority on behalf of the employer to make budgetary decisions and decisions relating to collective bargaining; (2) doctors and physicians who are employed by a local government employer; and (3) attorneys who are employed by a local government employer and assigned to a civil division, department or agency, except for the duration of a collective bargaining agreement to which the attorney is a party as of July 1, 2011. • Under existing law, a supervisory employee is prohibited from being a member of the same bargaining unit as the employees under his or her direction. (NRS 288.170) Section 5 of this bill revises the definition of “supervisory employee” (NRS 288.075) to create a second subset of supervisory employees who, on behalf of their employer, make budgetary decisions and decisions relating to collective bargaining. Section 8 of this bill makes technical changes to reflect that section 5 now sets forth two subsets of supervisory employees. • Existing law sets forth the subjects over which local government employers and recognized employee organizations are required to bargain (mandatory bargaining), and the subjects that are reserved to such an employer without negotiation. (NRS 288.150) • Section 7 of this bill adds to the list of mandatory bargaining topics the reopening of collective bargaining agreements in instances of fiscal emergency. • NRS 288.075 is hereby amended to read as follows: • 288.075 1. “Supervisory employee” means: • (a) Any individual having authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees or responsibility to direct them, to adjust their grievances or effectively to recommend such action, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. The exercise of such authority shall not be deemed to place the employee in supervisory employee status unless the exercise of such authority occupies a significant portion of the employee’s workday; or • (b) Any individual or class of individuals appointed by the employer and having authority on behalf of the employer to: • (1) Hire, transfer, suspend, lay off, recall, terminate, promote, discharge, assign, reward or discipline other employees or responsibility to
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		<p>direct them, to adjust their grievances or to effectively to recommend such action; (2) Make budgetary decisions; and (3) Be consulted on decisions relating to collective bargaining, if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. The exercise of such authority shall not be deemed to place the employee in supervisory employee status unless the exercise of such authority occupies a significant portion of the employee's workday.</p> <ul style="list-style-type: none"> • Nothing in this section shall be construed to mean that an employee who has been given incidental administrative duties shall be classified as a supervisory employee. • The following persons may not be a member of an employee organization: (a) A supervisory employee described in paragraph (b) of subsection 1 of NRS 288.075, including but not limited to appointed officials and department heads who are primarily responsible for formulating and administering management, policy and programs. (b) A doctor or physician who is employed by a local government employer. (c) Except as otherwise provided in this paragraph, an attorney who is employed by a local government employer and who is assigned to a civil law division, department or agency. The provisions of this paragraph do not apply with respect to an attorney for the duration of a collective bargaining agreement to which the attorney is party as of July 1, 2011. • As used in this section, "doctor or physician" means a doctor, physician, homeopathic physician, osteopathic physician, chiropractic physician, practitioner of Oriental medicine, podiatric physician or practitioner of optometry, as those terms are defined or used, respectively, in NRS 630.014, 630A.050, 633.091, chapter 634 of NRS, chapter 634A of NRS, chapter 635 of NRS or chapter 636 of NRS. • This language will likely require a legal interpretation. It will certainly be interpreted differently, i.e., attorneys and "be consulted on decisions relating to collective bargaining." • To Enrollment 06-08-11; To Governor 06-16-11; Governor Approved 06-17-11
<p>SB107 (BDR 34-334)</p>		<ul style="list-style-type: none"> • Existing law establishes the Governor Guinn Millennium Scholarship program and prescribes the eligibility requirements for receipt of a Millennium Scholarship. (NRS 396.911-396.938) This bill revises the eligibility requirements by requiring a student to submit a completed Free Application for Federal Student Aid (FAFSA). The FAFSA requires various information concerning an applicant, including the student's state of residence, marital status, income information and social security number or alien registration number, as applicable. This bill also removes the requirement that an applicant for a Millennium Scholarship submit an affidavit declaring his or her eligibility for the Scholarship, including information concerning whether the applicant is a United States citizen, is a lawful immigrant or otherwise intends to file an application to legalize his or her immigration status. • Encourage Passage. Do Not Testify. • To Committee on Education 02-01-11 • Dead – Missed 04-15-11 Deadline
<p>SB116 (BDR 34-92)</p>		<ul style="list-style-type: none"> • A Committee on Education bill. • Existing law provides that a pupil with a disability who does not satisfy the requirements for receipt of a standard high school diploma may receive an adjusted diploma if the pupil satisfies the requirements set forth in the individualized education program established for the pupil. (NRS 389.805) Section 4 of this bill requires the State Board of Education to prescribe an adjusted adult diploma and the requirements for receipt of such a diploma for a person who did not satisfy the requirements for an adjusted diploma. • Existing law requires the State Board and the boards of trustees of school districts to report certain accountability information for the public schools, including the number and percentage of pupils who graduated with a standard diploma or an adjusted diploma. (NRS 385.3469,

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		<p>385.34692, 385.347) Sections 1-3 of this bill revise the contents of the accountability reports to require information on the number of pupils who receive an adjusted adult diploma.</p> <ul style="list-style-type: none"> • It is not clear how or when such an adjusted adult diploma will be granted but the State Board of Education will make that determination. • Encourage Passage, Do Not Testify • To Committee on Education 02-03-11 • Dead – Missed 04-15-11 Deadline
SB118* (BDR S-88)	NE	<ul style="list-style-type: none"> • A Committee on Finance bill for the Legislative Committee on Education. • The bill appropriates \$4,163,202 for the Clark County School District, \$1,396,043 for the Elko County School District, and \$2,238,559 for the Washoe County School District in each year of the biennium for their respective regional training programs. The bill appropriates \$100,000 in each year of the biennium to the Statewide Council for the Coordination of the Regional Training Programs. This bill also appropriates \$100,000 in each year of the biennium to the Legislative Bureau of Educational Accountability and Program Evaluation. • This appropriation of approximately \$16,000,000 before any other appropriations are made may be premature. • This bill should have no action until funding is determined for many other educational areas. • Monitor. No Actions at this Time. • To Committee on Finance 02-03-11; No Further Action Taken 06-06-11
SB122* (BDR 31-89)	NE	<ul style="list-style-type: none"> • A Committee on Education bill. • Section 2 of this bill creates the K-12 Public Education Stabilization Account within the fund to Stabilize the Operation of the State Government and requires the State Controller to deposit any money reverted from the State Distributive School Account at the close of each odd-numbered fiscal year into that Account and into the Account for Programs for Innovation and the Prevention of Remediation. (Chapter 353 of NRS) Section 4 of this bill authorizes the Superintendent of Public Instruction to request from the Legislature, if the Legislature is in session, an allocation from the K-12 Public Education Stabilization Account if a shortfall exists in the State Distributive School Account. If the Legislature is not in session, section 5 of this bill authorizes the Superintendent to submit such a request to the Interim Finance Committee. Section 3 of this bill provides that all available allocations must be made from the K-12 Public Education Stabilization Account to cover a shortfall in the State Distributive School Account before any allocation to cover the shortfall is made from the Fund to Stabilize the Operation of the State Government. • Existing law authorizes the Chief of the Budget Division of the Department of Administration, with the approval of the Governor, to set aside reserves to meet emergencies arising during a fiscal year. (NRS 353.225) Section 6 of this bill limits the amount of money that may be set aside as proposed reserves for the State Distributive School Account and certain other funds and accounts for education to the average that is reserved for all other departments, institutions and agencies. Section 6 also requires the Chief to submit a request to the Legislature, or if the Legislature is not in session, to the Interim Finance Committee, to determine whether an allocation should be made from the K-12 Public Education Stabilization Account in lieu of setting aside a reserve in the State Distributive School Account and certain other funds and accounts for education. • We should support this bill. • Testify in Favor

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<p><u>SB162</u> (BDR 23-788)</p>	<ul style="list-style-type: none"> • To Committee on Government Affairs 02-03-11; No Further Action Taken 06-06-11 • Under existing law, every local government employer is required to negotiate certain mandatory topics with the recognized employee organization for its employees, and certain topics are prohibited from being negotiated and are reserved to the local government employer. (NRS 288.150) • Section 1 of this bill removes policies for the transfer and reassignment of teachers and procedures for reduction in workforce from the topics that are required to be negotiated. Section 1 also includes policies for the transfer and reassignment of teachers within the topics that are prohibited from being negotiated and are reserved to the local government employer. • The loss of transfer and reassignment of teachers will not impact administrators but will be a significant concern to the teachers. We should not support this loss since administrators have also attempted to get transfer and reassignment as a subject of mandatory bargaining. • The elimination of “procedures for reduction in force” as a subject of mandatory bargaining will create significant problems within school districts forced to reduce staff. With no procedure in place, abuse, discrimination, unfair treatment, etc., will become the standard complaint in significant legal issues to resolve. • Testify Against. • To Committee on Legislative Operations and Elections 02-16-11 • Dead – Missed 04-15-11 Deadline
<p><u>SB165</u> (BDR 3-44)</p>	<ul style="list-style-type: none"> • Existing law, as set forth in the Uniform Arbitration Act of 2000 (NRS 38.206-38.248), recognizes the distinction between a neutral arbitrator and a nonneutral arbitrator. Section 1 of this bill eliminates that distinction and instead requires all arbitrators to be neutral and impartial. However, section 3 of this bill provides an exception to the requirements of section 1 for parties who agree to the rules and procedures of an arbitral organization such as the American Arbitration Association if those rules or procedures require, under all circumstances, the appointment of a nonneutral arbitrator. • Existing law, under certain circumstances, prohibits a party to an arbitration agreement from agreeing to unreasonably restrict certain rights to disclosure by a neutral arbitrator. (NRS 38.217, 38.227) Section 3 of this bill generally prohibits a party from agreeing to unreasonably restrict those rights to disclosure with respect to any arbitrator. If the parties have agreed to the rules and procedures of an arbitral organization and those rules or procedures require, under all circumstances, the appointment of a neutral arbitrator and a nonneutral arbitrator, section 3 prohibits the parties from agreeing to unreasonably restrict those rights to disclosure with respect to the neutral arbitrator. • Existing law prohibits a party to an arbitration agreement from waiving or varying the effects of certain provisions of the Uniform Act, including, without limitation, a provision which requires a court to vacate an award made in an arbitral proceeding if there was evident partiality by a neutral arbitrator. (NRS 38.217, 38.241) Section 3 of this bill generally expands this provision to require a court to vacate such an award if there was evident partiality by any arbitrator. If the parties have agreed to the rules and procedures of an arbitral organization which require, under all circumstances, the appointment of a neutral arbitrator and a nonneutral arbitrator, section 3 requires a court to vacate such an award if there was evident partiality by a neutral arbitrator. • Existing law prohibits a person who has certain interests or relationships from serving as a neutral arbitrator. (NRS 38.226) Section 5 of this bill prohibits such a person from serving as an arbitrator. However, because a party to an agreement to arbitrate or to an arbitral

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		<p>proceeding is authorized to waive this provision (NRS 38.217), the parties may choose to have a person with an interest or relationship described in section 5 serve as an arbitrator.</p> <ul style="list-style-type: none"> • Finally, section 12 of this bill requires prospective application of the provisions of this bill to arbitration agreements unless the parties to an arbitration agreement or arbitral proceeding agree in a record that the provisions of the bill apply to an arbitration agreement entered into before October 1, 2011, the effective date of this bill. • I don't believe this bill will impact us, but we should continue to monitor it. • Monitor, No Actions at this Time • To Committee on Judiciary 02-17-11 • Dead – Missed 04-15-11 Deadline
<p>SB169 (BDR 23-417)</p>		<ul style="list-style-type: none"> • The State, each county whose population is 100,000 or more (currently Clark and Washoe Counties), certain charter cities (Boulder City, Carson City, Henderson, Las Vegas, North Las Vegas, Reno and Sparks) and the boards of the airport authorities (Airport Authority of Battle Mountain, Airport Authority of Carson City and the Reno-Tahoe Airport Authority) maintain civil service systems for certain employees, and a county whose population is less than 100,000 may maintain such a system but is not required to. (Charter 284 of NRS, NRS 245.213; Boulder City Charter Art. VII, Carson City Charter § 2.330, Henderson City Charter § 9.010, Las Vegas City Charter § 10.010, North Las Vegas City Charter Art. IX, Reno City Charter Art. IX, Sparks City Charter Art. IX; Airport Authority Act for Battle Mountain, § 30, Airport Authority Act for Carson City, § 24, Reno-Tahoe Airport Authority Act § 29) The civil service systems provide rules and procedures for hiring, promoting and otherwise managing the employees who are part of each system. Section 1, 8-10 and 12-18 of this bill prohibit a state or local government employer that is reducing its workforce by laying off employees who are part of the applicable civil service system from assigning greater weight to the seniority of employees than to the service rating of employees when determining the order of the layoffs. Sections 5-7 and 11 of this bill prohibit, respectively, courts and other employers in the Judicial Department, the Legislative Counsel Bureau and the Board of Regents of the University of Nevada, all of whose employees work outside of the state civil service system, from assigning greater weight to the seniority of employees than to the service rating of employees when determining the order of any layoffs. Sections 2 and 3 of this bill require the procedures for workforce reduction included in a collective bargaining agreement between a local government employer and an employee organization to prohibit the local government employer from assigning greater weight to the seniority of employees than to the service rating of employees when determining the order of any layoffs. • This revision to NRS 288.150 will impact collective bargaining agreements for school districts re: reduction in force by prohibiting the local government employer from assigning greater weight to the seniority of employees than to the service rating of employees to determine the order of layoffs. Developing a service rating system that equals or exceeds seniority will be a real challenge and may be impossible. Law suits will surely follow. • Testify against. • To Committee on Legislative Operations and Elections 02-17-11 • Dead – Missed 04-15-11 Deadline
<p>SB196 (BDR 34-86)</p>		<ul style="list-style-type: none"> • Existing law establishes the Program of Empowerment Schools and imposes a cap on the number of empowerment schools that may be established statewide of 100 schools. (NRS 386.700-386.780) Section 1 of this bill removes the cap. • Existing law sets forth provisions governing the sources of money which constitute the budget for an empowerment school and the

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		<p>discretion each empowerment school has over its budget. (NRS 386.740) Section 2 of this bill provides that if the Legislature appropriates money for grants to empowerment schools, each empowerment school awarded a grant may carry forward any money remaining from that grant to the next fiscal year and is not required to revert the money to the school district or the State.</p> <ul style="list-style-type: none"> Existing law provides for the prospective expiration of the Program of Empowerment Schools on June 30, 2011. (Section 20 of chapter 530, Statutes of Nevada 2007, p. 3285) Section 3 of this bill removes the prospective expiration of the Program. Under existing law, the boards of trustees of school districts in counties whose population is 100,000 or more (currently Clark and Washoe Counties) are required to approve not less than 5 percent of the schools within the school district to operate as empowerment schools, and the boards of trustees in all other counties are authorized to approve public schools within the school district to operate as empowerment schools. (NRS 386.720) Section 4 of this bill requires each school district to submit a report to the Superintendent of Public Instruction setting forth a timetable and process to convert each public school within the school district to an empowerment school not later than July 1, 2013. Section 4 also requires the Superintendent to compile the reports and prepare a written report of the compilation for submission to the Nevada Legislature. Monitor, No Actions At This Time To Committee on Education 02-24-11 <p>1ST REPRINT</p> <ul style="list-style-type: none"> This amendment deletes the ability of an empowerment school to carry forward any money remaining from empowerment school grants to the next fiscal year and not being required to revert the money to the school district or the state. This amendment deletes the requirement that each school district must submit a report to the Superintendent of Public Instruction setting forth the timetable and process to convert each public school within the district to an empowerment school and that the Superintendent compile the reports. The amendment deletes the requirement that the total number of empowerment schools in the state not exceed 100 schools. Monitor, No Actions At This Time Passed Senate, to Assembly 04-22-11 Passed Assembly, Back to Senate 05-23-11 Enrolled and Governor 05-27-11 Governor Approved 06-01-11
<p>SB197* (BDR 34-94)</p>		<ul style="list-style-type: none"> Existing law establishes the Department of Education which consists of the State Board of Education, the State Board for Career and Technical Education and the Superintendent of Public Instruction. (NRS 385.010) Commencing on January 1, 2013, sections 4-7 of this bill change the name of the State Board of Education to the Nevada Commission on K-12 Public Education which is composed of Commissioners of Education. Sections 6 and 55 of this bill remove the provisions creating the 10-member elected State Board and provides for the election and appointment of Commissioners to the Nevada Commission on K-12 Public Education, whose terms will commence on January 1, 2013 – one commissioner elected from each congressional district, one commissioner appointed by the Governor, one commissioner appointed by the Majority Leader of the Senate, and one commissioner appointed by the Speaker of the Assembly. These commissioners will be voting members. In addition, four nonvoting members will be a board of school trustees member appointed by the Nevada School Boards Association, a superintendent of schools appointed by the Nevada Association of School

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		<p>Superintendents, a representative appointed by the Board of Regents of the university system, and one pupil enrolled in public schools and appointed by the Nevada Association of Student Councils.</p> <ul style="list-style-type: none"> Existing law creates the Commission on Educational Excellence, the Commission on Educational Technology and the Council to Establish Academic Standards for Public Schools. Sections 54 and 56 of this bill repeal these Commissions and the Council effective July 1, 2011. Sections 2, 15-19, 24-26, 28 and 30-35 of this bill transfer certain duties and responsibilities formerly assigned to those entities to the Department and the State Board. Sections 3, 21 and 27 of this bill authorize the Department to appoint advisory committees to assist the Department with those newly transferred duties and responsibilities. Section 3 authorizes the Department to appoint an advisory committee composed of administrators, principals, board members, representatives of higher education, parents, and others as determined appropriate by the Superintendent of Public Instruction. Sections 9-11 of this bill revise the qualifications and duties of the Superintendent of Public Instruction to: (1) require the Superintendent to possess the knowledge and ability to carry out the duties of the position; (2) provide that the Superintendent is the educational leader for the system of K-12 public education in this State; (3) require the Superintendent to enforce the observations of statutes and regulations governing K-12 public education; and (4) request a plan of corrective action if the Superintendent determines that a school district or charter school has not complied with those statutes and regulations. Section 12 of this bill revises the plan to improve the academic achievement of pupils enrolled in public schools, to require the State Board, in developing the plan, to establish clearly defined goals and benchmarks for improving the achievement of pupils and prescribes those goals and benchmarks. Existing law establishes the Commission on Professional Standards in Education. (NRS 391.011) Sections 39 and 57 of this bill revise the membership of the Commission, whose new terms will commence on January 1, 2012. The Commission shall include five members appointed by the Governor, two members appointed by the Majority Leader of the Senate, two members appointed by the Speaker of the Assembly, and the Superintendent of Public Instruction or designee shall serve as an ex officio nonvoting member of the Commission. Section 37 of this bill requires the Commission to submit an annual report to the State Board and the Legislative Committee on Education describing the status of the regulations adopted by the Commission and a work plan designating the proposed activities of the Commission during the next year. Existing law creates three regional training programs for the professional development of teachers and administrators, the Statewide Council for the Coordination of the Regional Training Programs and a governing body of each regional training program. (NRS 391.500-391.556) Sections 45 and 54 of this bill remove the provisions creating the Statewide Council and transfers certain duties and responsibilities to the Superintendent of Public Instruction. Sections 38 and 47 of this bill revise the manner in which the budgets of the regional training programs are submitted, approved and revised to require the governing body of a regional training program to submit a proposed budget for the program to the Superintendent of Public Instruction for inclusion in the biennial budget of the Department. Monitor, No Actions At This Time To Committee on Education 02-24-11 <p>1st Reprint</p> <ul style="list-style-type: none"> This bill was essentially rewritten. Existing law establishes the Department of Education which consists of the State Board of Education, the State Board for Career and
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		<p>Technical Education and the Superintendent of Public Instruction. (NRS 385.010) Sections 6 and 55 of this bill remove the provisions creating the 10-member elected State Board of Education and provides for the election and appointment of members whose terms will commence on January 8, 2013.</p> <ul style="list-style-type: none"> Existing law creates the Commission on Educational Excellence, the Advisory Council on Parental Involvement, the Commission on Educational Technology, the Council to Establish Academic Standards for Public Schools, the Commission on Professional Standards in Education, the regional training programs for the professional development of teachers and administrators and the Statewide Council for the Coordination of the Regional Training Programs. (NRS 385.3784, 385.610, 388.790, 389.510, 391.011, 391.512, 391.516) Sections 3.3, 3.5, 20, 27.5, 38.3 and 38.5 of this bill provide that the Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of those commissions, councils and programs are carried out by the commissions, councils and programs successfully. Under existing law, the Superintendent of Public Instruction is appointed by the State Board to a term of 3 years. (NRS 385.150) Section 8.5 of this bill provides for the appointment of the Superintendent by the Governor from a list of candidates submitted by the State Board. Section 8.5 further provides that the Superintendent serves at the pleasure of the Governor and is in the Executive Department of State Government. Sections 9-11 of this bill revise the qualifications and duties of the Superintendent of Public Instruction to: (1) require the Superintendent to possess the knowledge and ability to carry out the duties of the position; (2) provide that the Superintendent is the educational leader for the system of K-12 public education in this State; (3) require the Superintendent to enforce the observations of statutes and regulations governing K-12 public education; and (4) request a plan of corrective action if the Superintendent determines that a school district or charter school has not complied with those statutes and regulations. Section 12 of this bill revises the plan to improve the academic achievement of pupils enrolled in public schools, to require the State Board, in developing the plan, to establish clearly defined goals and benchmarks for improving the achievement of pupils and prescribes those goals and benchmarks. Section 37 of this bill requires the Commission on Professional Standards in Education to submit an annual report to the State Board and the Legislative Committee on Education describing the status of the regulations adopted by the Commission and a work plan designating the proposed activities of the Commission during the next year. Existing law creates three regional training programs for the professional development of teachers and administrators and designates each of the 17 county school districts within the jurisdiction of one of the regional training programs. (NRS 391.512) Section 47.5 of this bill removes the Churchill County School District from the jurisdiction of the Northeastern Nevada Regional Training Program, for which the Elko County School District serves as the fiscal agent, and places that School District within the jurisdiction of the Northwestern Nevada Regional Training Program, for which the Washoe County School District serves as the fiscal agent. Section 58.7 of this bill requires the Elko County School District to transfer from the Northeastern Nevada Regional Training Program to the Washoe County School District for the Northwestern Nevada Regional Training Program an appropriate sum of money to reflect the addition of the Churchill County School District to the Northwestern Nevada Regional Training Program. Section 38.7 of this bill requires the governing body of each regional training program for the professional development of teachers and administrators to establish an evaluation system for the teachers and other licensed educational personnel who participate in the program and prescribes the requirements of that
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		<p>evaluation system.</p> <ul style="list-style-type: none"> • Section 23 of Assembly Bill No. 579 of this session provides for the funding of the regional training programs through the three school districts that serve as fiscal agents for the regional training programs. Section 53.5 of this bill repeals section 23 of Assembly Bill No. 579. Section 54.5 of this bill instead requires the Department of Education to transfer those sums to: (1) the three school districts that serve as fiscal agents for the regional training programs for the continued provision of professional development through their respective regional training programs; and (2) the Clark County School District and the Washoe County School District for the purchase of professional development for the teachers and administrators employed by those School Districts, which may include the purchase of professional development through the regional training program. Section 54.5 also requires the Clark County School District and the Washoe County School District to provide written notice to the regional training program on or before August 1, 2011, for the 2011-2012 Fiscal Year, and March 1, 2012, for the 2012-2013 Fiscal Year if the School District will purchase professional development through the regional training program. • I believe this bill was revised again or a new bill was introduced regarding governance and oversight of public education. • Done • Passed Senate, to Assembly 06-05-11; To Enrollment 06-06-11; To Governor 06-13-11; Governor Approved 06-15-11
SB211* (BDR S-1099)		<ul style="list-style-type: none"> • The National Governors Association Center for Best Practices and the Council of Chief State School Officers released a set of national education standards for English language arts and mathematics, commonly referred to as the "Common Core State Standards." Forty-eight states, including Nevada, have signed on to participate in the Common Core State Standards. On June 18, 2010, the State Board of Education adopted the draft of the Common Core State Standards, and on December 10, 2010, the State Board adopted a temporary regulation relating to the Common Core State Standards. • Existing law creates the Legislative Committee on Education, consisting of eight legislative members. (NRS 218E.605) This bill requires the Committee to conduct a study to determine the extent to which: (1) the curriculum and instruction for kindergarten through grade 12 in the public schools in this State is transitioned to the Common Core State Standards; (2) teachers and other licensed educational personnel are afforded sufficient professional development opportunities and resources to aid in the transition process to the Common Core State Standards; and (3) a plan and a timeline have been established for transitioning Nevada's assessment system for the public schools to align with the Common Core State Standards. The study is required to be conducted in consultation with the Nevada STEM Education Coalition, which is a statewide group of persons dedicated to improving education in science, technology, engineering and mathematics in Nevada. The Committee is required to submit a report of the results of the study and any recommendations for legislation to the Director of the Legislative Counsel Bureau on or before February 1, 2013, for transmittal to the 77th Session of the Nevada Legislature. • Monitor, No Action At This Time • To Committee on Education 03-01-11; Passed Senate, To Assembly 06-03-11; Passed Assembly, back to Senate 06-05-11; To Enrollment 06-06-11; To Governor 06-13-11; Governor Approved 06-16-11
SB212* (BDR 34-900)	NE	<ul style="list-style-type: none"> • A Committee on Education bill. • Existing law authorizes the formation of charter schools and authorizes school districts, the State Board of Education and colleges and universities within the Nevada System of Higher Education to sponsor charter schools. (NRS 386.500- 386.610) Sections 25-35 of this bill

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create the State Board of Charter Schools and prescribe the membership of the State Board of Charter Schools. **Section 38** of this bill removes the authority of the State Board of Education to sponsor charter schools and authorizes the State Board of Charter Schools to sponsor charter schools. **Sections 43 and 49** of this bill authorize the State Board of Charter Schools to adopt certain regulations relating to charter schools and eliminates the authority of the Department of Education and the State Board of Education to adopt certain regulations relating to charter schools. **Section 2** of this bill transfers the duty to prepare an annual report of accountability information of all the charter schools in this State from the board of trustees of a school district to the State Board of Charter Schools. **Sections 59 and 60** of this bill require the Director of the State Board of Charter Schools and other persons employed by the State Board of Charter Schools to be appointed or hired, as appropriate. **Section 61** of this bill requires the members of the State Board of Charter Schools to be appointed. **Section 64** of this bill transfers the sponsorship of all charter schools sponsored by the State Board of Education to the State Board of Charter Schools.

- **Section 57** of this bill repeals the Subcommittee on Charter Schools of the State Board of Education.
- Nothing contained in this bill which essentially creates the governance mechanism of charter schools is of concern.
- Monitor, No Actions At This Time
- To Committee on Education 03-01-11

1ST Reprint

- This amendment revises the name “Board of Charter Schools” to “Public Charter School Authority.” Additionally, it clarifies that it is the sponsor of each charter school to prepare the annual report of accountability.
- WHEREAS, The Legislature recognizes that each child in this State should be afforded the opportunity to receive a high-quality education from the public schools of this State; and
- WHEREAS, Some children perform better in different learning environments, and the educational programs in public schools should be designed to fit the individual needs of those children; and
- WHEREAS, It is the intent of the Legislature to provide teachers and other educational personnel, parents, legal guardians and other persons who are interested in the system of public education in this State the opportunity to:
 1. Improve the learning of pupils by creating public schools with rigorous standards for the academic achievement of pupils;
 2. Close the achievement gaps between high-performing and low performing groups of pupils;
 3. Increase the opportunities for learning for all pupils;
 4. Increase access to alternative educational programs for pupils who are identified as being at risk for academic failure; and
 5. Encourage diverse approaches to public education and the use of innovative teaching methods that have proven effective; and
- WHEREAS, The Legislature finds that the success of charter schools in this State depends upon the support of high-quality sponsors, effective charter associations and resource centers, effective educational personnel and parents and legal guardians of pupils enrolled in the charter schools; and
- WHEREAS, The Legislature finds that the sponsors of successful charter schools maintain high standards for the sponsor and the charter schools they sponsor, preserve autonomy for the charter schools they sponsor and protect the interests of the pupils enrolled in the charter schools and the communities they serve; and

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		<ul style="list-style-type: none"> • WHEREAS, The Legislature finds that the creation of a State Public Charter School Authority can serve as a model of the best practices in sponsoring charter schools and can foster high-quality public school choice through the charter schools it sponsors by providing pupils with an opportunity to maximize their academic potential. • Monitor, No Actions At This Time <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment deletes the previous language which authorized the State Public Charter School Authority to adopt certain regulations relating to charter schools and eliminates the authority of the Department of Education and the State Board of Education to adopt certain regulations relating to charter schools. • Section 35.7 of this amended bill codifies into statutes the administrative regulations of the Department of Education setting forth restrictions on contracts and proposed contracts between charter schools and proposed charter schools and a contractor or an educational management organization. This section also defines educational management organization. • Monitor, No Actions At This Time • Passed Senate, to Assembly 06-04-11 <p>3rd Reprint</p> <ul style="list-style-type: none"> • This amendment provides in Section 59 for the appointment of the Director of the State Public Charter School Authority. Section 60 of this amended bill provides for the transfer of certain personnel positions from the Department of Education to the State Charter School Authority. • Done • Passed Assembly, back to Senate 06-06-11; To Enrollment 06-06-11; To Governor 06-13-11; Governor Approved 06-15-11
<p><u>SB216*</u> (BDR 34-1098)</p>		<ul style="list-style-type: none"> • Section 1 of this bill establishes a Reading Skills Development Center at the University of Nevada, Reno, and at the University of Nevada, Las Vegas, to assist school districts in the assessment of reading and literacy problems and language acquisition barriers for pupils in grades 1, 2 and 3, and to provide instructional intervention to enable those pupils to overcome such problems and barriers. While the assessment and intervention services provided by the Centers must focus primarily on pupils in grades 1, 2 and 3 to correct any detected problems by the completion of grade 3, such services must also be made available to pupils of all ages in the public schools in this State. Each Center is also required to provide school districts with a professional development program for teachers in reading, literacy and language acquisition. Sections 2 and 3 of this bill make an appropriation of \$1,000,000 to the University of Nevada, Reno, and an appropriation of \$1,000,000 to the University of Nevada, Las Vegas, for the use of their respective Reading Skills Development Centers in carrying out the requirements of this bill. The money is appropriated from the State Supplemental School Support Fund created by NRS 387.191. • We should support this bill if it is felt that this is the best use of the money in the State Supplemental School Support Fund. • Encourage Passage • To Committee on Education 03-02-11; No Further Action Taken 06-06-11
<p><u>SB220</u> (BDR 34-594)</p>		<ul style="list-style-type: none"> • Existing law establishes the Governor Guinn Millennium Scholarship Program to provide financial assistance with educational expenses to qualified Nevada students who attend an eligible university, college or community college in Nevada. Millennium Scholarships are awarded from money in the Millennium Scholarship Trust Fund, which was created in the State Treasury as part of the Program. (NRS

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		<p>396.911-396.938) Following the tragic death of Governor Guinn on July 22, 2010, a special memorial fund known as the Kenny C. Guinn Memorial Millennium Scholarship Fund was established to accept donations in memory of Governor Guinn. The money received from such donations is currently being kept in a special account in the Millennium Scholarship Trust Fund. This bill provides statutory authority for the account and authorizes the use of the money in the account to provide a Kenny C. Guinn Memorial Millennium Scholarship to one college senior each year who is receiving a Millennium Scholarship, is majoring in elementary education or secondary education and meets certain other criteria. The recipient of the Memorial Scholarship each year will be selected by the Board of Trustees of the College Savings Plans of Nevada created by NRS 353B.005. To the extent of available money in the account, the amount of the annual Memorial Scholarship must not exceed \$4,500 to pay the authorized educational expenses of the recipient for the school year which are not otherwise paid for by the Millennium Scholarship awarded to the recipient. A Memorial Scholarship must be used only for the payment of registration fees and laboratory fees and expenses, to purchase required textbooks and course materials and for other costs related to the attendance of the recipient at an eligible institution.</p> <ul style="list-style-type: none"> • Testify in Favor. • To Committee on Finance 03-03-11; Passed Senate, To Assembly 03-30-11 • Passed Assembly, back to Senate 04-18-11; To Enrollment 04-20-11 • Governor Approved 04-27-11
<p>SB229 (BDR 34-475)</p>		<ul style="list-style-type: none"> • This bill revises the requirements for the policy adopted by the State Board of Education to encourage parental and family involvement to support the education of their children. (NRS 392.457) This bill requires the revised policy to include: (1) promotion of an atmosphere for parents and families to visit the school that their children attend and feel welcome, valued and connected to the staff of the school, other parents and families and to the education of their children; (2) promotion of regular, two-way, meaningful communication between parents, families and schools relating to learning by pupils; (3) collaboration among parents, families and schools to support learning by pupils and healthy development of pupils at home and school; (4) empowerment of parents and families to advocate for their children and the children of other parents and families to ensure that all pupils are treated fairly and have access to learning opportunities that support pupil achievement; (5) promotion of an equal partnership between parents, families and schools in making decisions that affect children, parents and families; and (6) collaboration of parents, families and schools with the community. • This bill does not change existing policy significantly and does not require anything from schools that does not currently exist. • OK to support and testify if asked. • Encourage Passage • To Committee on Education 03-09-11 • Passed Senate; To Assembly 03-31-11 • Passed Assembly, back to Senate 05-16-11 • To Governor 05-19-11 • Governor Approved 05-24-11
<p>SB230 (BDR 34-666)</p>		<ul style="list-style-type: none"> • Existing law sets forth provisions relating to programs of nutrition and allows the board of trustees of each school district and the governing body of each charter school to operate or provide for the operation of programs of nutrition in the public schools under their jurisdiction. (NRS 387.070-387.105) This bill prohibits the board of trustees of a school district and the governing body of a charter school

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		<p>from selling or serving at the public schools food or beverages that contain trans fats. The prohibition set forth in this bill does not apply with respect to food made available pursuant to the federal School Breakfast Program or the National School Lunch Program. For the purposes of this bill, a food or beverage is deemed to contain trans fats if an ingredient thereof is vegetable shortening, margarine or partially hydrogenated vegetable oil, unless the manufacturer's label or the required nutrition labeling of the food or beverage, pursuant to applicable federal laws and regulations, states that the food or beverage contains zero grams of trans fat per serving.</p> <ul style="list-style-type: none"> • This bill supports the Obama Nutrition push. • Monitor, No Actions At This Time • To Committee on Education 03-09-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment requires the board of trustees of a school district and the governing body of a charter school to adopt a policy which (1) provides that no food or beverage containing trans fats may be purchased by the school district or charter school and provided to pupils; (2) provides that trans fats are not used in food preparation by the school districts or charter schools; and (3) includes guidelines for parents and guardians who wish to bring food and beverages to school for certain events. The policy adopted by the school districts or charter schools does not apply with respect to food made available pursuant to the federal School Breakfast Program or the National School Lunch Program. • Monitor, No Actions at this Time • Passed Senate; To Assembly 04-22-11 • Dead – Missed 05-20-11 Deadline
<p>SB237* (BDR 34-9)</p>		<ul style="list-style-type: none"> • Existing law provides for the creation, membership, powers and duties of the Nevada Youth Legislature. (NRS 385.505-385.575) Sections 6 and 16 of this bill provide for the creation of a nonprofit corporation, with a Board of Directors appointed by the Legislative Commission, to provide educational programs and opportunities and administer and oversee the activities of the Youth Legislature. Pursuant to sections 6, 9-12 and 16 of this bill, the Board, working cooperatively with the Legislative Counsel Bureau, assumes most of the duties currently performed by the Bureau and the Director of the Bureau. Sections 5 and 14 of this bill provide for the creation of the Nevada Youth Legislature Fund, into which gifts, grants, donations and legislative appropriations must be deposited and from which the expenses and operations of the Youth Legislature are paid. Section 8 of this bill increases the term of a member of the Youth Legislature from 1 year to 2 years, with the possibility of a single, successive 2-year reappointment if the member continues to meet the qualifications for initial appointment. Section 9 of this bill provides that if a member of the Youth Legislature changes his or her residency or school of enrollment in such a manner as to render the member ineligible for his or her original appointment, the member must so inform the Board, in writing, of that fact. Section 9 also expands the eligibility requirements to allow pupils in grade 9 to apply for appointment to the Youth Legislature. Section 10 of this bill sets forth that: (1) the position of a member of the Youth Legislature becomes vacant upon the unexcused absence of the member from any two official, scheduled meetings, courses, events, seminars or activities of the Youth Legislature; and (2) insofar as is practicable, a vacancy on the Youth Legislature must be filled within 30 days after the date on which the vacancy occurs. Section 12 of this bill provides that, in addition to conducting at least one meeting, each member of the Youth Legislature must perform such other activities relating to the Youth Legislature as may be assigned by the Board. Section 15 of this bill extends the date of reversion for the initial appropriation made to the Youth Legislature in 2007 from 2011 to 2013.

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		<ul style="list-style-type: none"> • Encourage Passage • To Committee on Education 03-14-11 <p>1ST REPRINT</p> <ul style="list-style-type: none"> • This amendment changes the number on the Board of Directors for the corporation for public benefit from five to seven. Additionally, the length of the appointment for each member of the Youth Legislature is increased from one year to two years with the possibility of reappointment for another two year term. • The amendment deletes the language which allows for the employment of a person to provide administrative support for the Youth Legislature or pay the costs for one or more volunteers to provide administrative support. • Encourage Passage • Passed Senate; To Assembly 04-06-11 <p>2ND REPRINT</p> <ul style="list-style-type: none"> • This amendment changes the name of the Nevada Youth Legislature Fund to the Nevada Youth Legislature Account in the Legislative Fund. Additionally, it makes the deposit of gifts, grants, donations, and legislative appropriations into the fund permissive rather than mandatory. • Encourage Passage. Do Not Testify. • Passed Assembly, back to Senate 05-28-11; To Governor 05-30-11; Governor Approved 06-03-11
<p>SB239 (BDR 34-367)</p>		<ul style="list-style-type: none"> • Section 4 of this bill authorizes the board of trustees of a school district to establish a program to provide scholarships to pupils who graduate from a public high school in the school district at least 6 months before the regularly scheduled date of graduation. Section 4 also provides that: (1) the amount of the scholarship must be equal to not more than 50 percent of the average of the total per pupil expenditures for pupils enrolled in public high schools within the school district; and (2) the scholarship must be used for the pupil's tuition or fees for attendance at an institution of higher education located in or outside of this State. Sections 1-3 of this bill revise provisions governing the enrollment and count of pupils for purposes of the apportionments from the State Distributive School Account to include the count of pupils who participate in the scholarship program. • This program will cost additional money to the state and will create an additional workload on each school district. • It is a nice gesture for students. • Monitor, No Actions At This Time • To Committee on Education 03-14-11 • Dead – Missed 04-15-11 Deadline
<p>SB247 (BDR 34-112)</p>		<ul style="list-style-type: none"> • Section 6 of this bill establishes the Program for School-Based Health Centers, which is administered by the State Health Officer. Section 7 of this bill authorizes the State Health Officer, to the extent money is available, to prescribe criteria for school-based health centers and regulations to carry out the Program. Section 8 of this bill creates the Fund for School-Based Health Centers and authorizes the State Health Officer to administer the fund and to accept money for deposit in the Fund. • Section 9 of this bill authorizes boards of trustees of school districts and governing bodies of charter schools to establish school-based health centers, including, without limitation, authority to contract with sponsoring facilities for the operation of such centers.

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		<ul style="list-style-type: none"> • Section 10 of this bill requires school-based health centers to obtain written permission before providing care to pupils and prohibits school-based health centers from providing certain types of care. • Section 15 and 16 of this bill provide immunity from civil liability to school districts and charter schools that establish school-based health centers and to providers of health care who provide care at such centers. • The establishment of the school based health centers is permissive, not mandatory. • The establishment of such centers will require considerable work by the district and the individual schools through participation and creation of an advisory council, obtaining written consent from parents and maintaining the consent in the health care record of the pupils. • Although such a program may be a good idea, the timing may not be appropriate since school districts and schools will have less staff to do more. • Monitor, No Actions at this Time • To Committee on Education 03-16-11 • Dead – Missed 04-15-11 Deadline
<p><u>SB267*</u> (BDR 52-110)</p>		<ul style="list-style-type: none"> • Section 4 of this bill requires a business entity or a data collector to ensure that any personal information which is stored on the data storage device of a copier, facsimile machine or multifunction device in the possession of the business entity or data collector is securely encrypted or destroyed by certain approved methods before the business entity or data collector relinquishes ownership, physical control or custody of the copier, facsimile machine or multifunction device to another person. Section 4 also requires the owner or lessor of a copier, facsimile machine or multifunction device that is leased or rented to a business entity or data collector to ensure that any personal information which is stored on the copier, facsimile machine or multifunction device is destroyed by certain approved methods as soon as practicable after the termination or cancellation of the lease agreement or rental contract, or upon assuming physical custody or control of the copier, facsimile machine or multifunction device. • This bill will impact the way the school offices, CCASAPE office, and individual devices used by schools and CCASAPE employees dispose of data storage devices. • Monitor, No Actions At This Time • To Committee on Commerce, Labor and Energy 03-18-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment deletes Sections 1 - 5. • Existing law prohibits a data collector from moving any data storage device containing personal information beyond the control of the data collector or its data storage contractor unless the data collector use encryption to ensure the security of the information. Section 6 of this bill additionally prohibits a data collector from moving a data storage device which is used by or is a component of a multifunctional device beyond the control of the data collector, its data storage contractor or a person who assumes the obligation of the data collector to protect personal information unless the data collector uses encryption to ensure the security of the information. • Monitor, No Actions At This Time • Passed Senate, to Assembly 04-25-11 <p>2nd Reprint</p>

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		<ul style="list-style-type: none"> • Sections 1-5 are deleted. • Section 5.5 of this amended bill authorizes the Office of Information Security of the Department of Information Technology, upon receipt of a well-founded petition, to adopt regulations which identify alternative methods or technologies which may be used by a data collector to encrypt certain data. • Monitor, No Actions at this Time. • Passed Assembly, back to Senate 05-31-11; To Enrollment 06-04-11; To Governor 06-06-11; Governor Approved 06-13-11
<p>SB275 (BDR 34-732)</p>		<ul style="list-style-type: none"> • Existing law defines bullying as a willful act by one or more pupils that exposes another pupil repeatedly to an act or course of conduct that is highly offensive and causes the pupil to suffer harm or serious emotional distress. (NRS 388.122) Section 1 of this bill revises the definition of bullying: (1) to include an act or course of conduct by any person; and (2) to provide that a single act may constitute bullying. • Existing law prohibits certain persons from engaging in bullying, cyber-bullying, harassment or intimidation on the premises of any public school, school sponsored activity or on a school bus. (NRS 388.135) Section 4 of this bill prohibits any person from engaging in bullying, cyber-bullying, harassment or intimidation of a pupil at any time and at any place, and makes a first offense a misdemeanor, a second offense a gross misdemeanor and a third or subsequent offense a category E felony. • Existing law requires the Department of Education to prescribe a policy for all school districts and public schools to provide a safe and respectful learning environment that is free of bullying, cyber-bullying, harassment and intimidation, including the provision of training to school personnel and requirements for reporting violations of the policy. (NRS 388.121-388.139) Sections 2, 3, 5 and 6 of this bill impose civil liability for failure to comply with the provisions governing safe and respectful learning environments. • This bill is a companion bill to SB276 and will encourage lawsuits which will take money from school districts. • The penalties described in this bill could result in abuse by overzealous prosecutors. • Seek to Amend • To Committee on Education 03-18-11 • Dead – Missed 04-15-11 Deadline
<p>SB276* (BDR 34-643)</p>		<ul style="list-style-type: none"> • Existing law provides for a safe and respectful learning environment in public schools, which includes, without limitation, a prohibition on bullying, cyber-bullying, harassment and intimidation in public schools, the provision of training to school personnel and the reporting of incidents of bullying, cyber-bullying, harassment and intimidation in public schools. (NRS 388.121-388.139) This bill makes various revisions to those provisions and is modeled after the “Anti-Bullying Bill of Rights Act” enacted by the State of New Jersey on January 5, 2011. (2010 N.J. Laws 122) • Sections 1-3 of this bill revise the components of the annual reports of accountability prepared by the State Board of Education and the boards of trustees of school districts to include reports on incidents of bullying, cyber-bullying, harassment and intimidation. • Section 7 of this bill requires the Department of Education to develop an informational pamphlet to assist pupils and the parents or legal guardians of pupils in resolving incidents of bullying, cyber-bullying, harassment and intimidation. • Section 8 of this bill requires the Department to establish a program of training on the prevention of bullying, cyber-bullying, harassment and intimidation for: (1) members of the State Board; (2) members of the boards of trustees of school districts; and (3) persons who are appointed as anti-bullying school district coordinators and anti-bullying school specialists. Section 8 also requires: (1) each member of the

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		<p>State Board and each member of a board of trustees to complete the training program within 1 year after the member is elected or appointed; and (2) each anti-bullying school district coordinator and anti-bullying school specialist to complete the program before the commencement of his or her duties in that position.</p> <ul style="list-style-type: none"> • Section 9 of this bill creates the Bullying Prevention Fund in the State General Fund to be administered by the Superintendent of Public Instruction. Section 9 also authorizes school districts to apply to the State Board for a grant of money from the Fund, which must be used to establish programs, provide training and implement procedures that create a school environment which is free from bullying, cyber-bullying, harassment and intimidation. • Section 10 of this bill requires the board of trustees of each school district to appoint an employee of the school district to serve as the anti-bullying school district coordinator and prescribes the duties of the coordinator. • Sections 11 and 12 of this bill require the principal of each public school to appoint an anti-bullying school specialist and a school safety team and prescribes their qualifications and duties. • Section 13 of this bill requires the principal of each public school to submit to the board of trustees of the school district a report on the number of incidents of bullying, cyber-bullying, harassment and intimidation occurring at the school or involving a pupil enrolled at the school during the previous school semester. Section 13 also requires the board of trustees to submit to the Department a compilation of the reports. Section 13 further requires the Department to assign a grade to each school district and each public school based upon the report. • Section 14 of this bill requires a teacher or other staff member of a school who witnesses a violation of the prohibition on bullying, cyber-bullying, harassment and intimidation occurring at the school or who receives information of such a violation, to report the violation to the principal. Section 14 also requires the principal to initiate an investigation of the reported violation, which must be conducted by the anti-bullying school specialist and to submit a report of his or her recommendations to the superintendent of schools of the school district. A parent or legal guardian of a pupil involved in the reported violation may appeal the decision of the superintendent of schools to the board of trustees of the school district. • Sections 15 and 16 of this bill authorize a parent or legal guardian of a pupil involved in a reported violation of an incident of bullying, cyber-bullying, harassment or intimidation to appeal a decision of the board of trustees of a school district to the State Board. • Section 17 of this bill requires the board of trustees of each school district, in conjunction with the school police officers of the school district, if any, and the local law enforcement agencies that have jurisdiction over the school district, to establish a policy for the procedures which must be followed by an employee of the school district when reporting a violation of the prohibition of bullying, cyber-bullying, harassment and intimidation to a school police officer or local law enforcement agency. • Section 27 of this bill requires applicants for a license to teach and licensed teachers to complete a course in the prevention of bullying, cyber-bullying, harassment or intimidation in schools. • Section 28 of this bill revises the grounds for which a teacher or administrator may be demoted, suspended, dismissed or not reemployed to include an intentional failure to report a violation of the prohibition of bullying, cyber-bullying, harassment and intimidation. Section 28 also provides that a principal may be demoted, suspended, dismissed or not reemployed for intentional failure to initiate or conduct an investigation into a reported incident of bullying, cyber-bullying, harassment or intimidation or failure to take appropriate action if he or she should have known of the violation.
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- **Section 30** of this bill encourages the private schools of this State to adopt policies and programs consistent with the provisions governing a safe and respectful learning environment in public schools to prevent bullying, cyber-bullying, harassment or intimidation in private schools.
- **Section 31** of this bill authorizes the Board of Regents of the University of Nevada to adopt a policy to provide a safe and respectful learning environment that is free from bullying, cyber-bullying, harassment and intimidation in a university, state college or community college within the Nevada System of Higher Education.
- Existing law sets forth certain days of observance in this State to commemorate certain persons or occasions or to publicize information regarding certain important topics. (Chapter 236 of NRS) **Section 32** of this bill requires the Governor to annually proclaim the first week in October to be "Week of Respect."
- Although no one would deny the need for school districts to address bullying, this bill goes way beyond what is reasonable and what can be reasonably accomplished by school personnel. This bill assigns responsibilities to employees that do not fall within their duties and duties that they could not be expected to accomplish. The training requirement seems to be overkill and an incident of bullying could handcuff a district conducting an investigation. This bill needs to be amended.
- Seek to Amend
- To Committee on Education 03-18-11

1st Reprint

- This amendment deletes the language which states that the bill is modeled after the "Anti-Bullying Bill of Rights Act" of New Jersey. Additionally, the amendment deletes the requirement for mandatory training for the members of the boards of trustees of school districts and for district personnel before the commencement of his or her duties in that position. It deletes the requirement that a district anti-bullying coordinator and that a school anti-bullying specialist be appointed. There will no longer be a grade assigned to each school district or public school based upon the bullying report. The authorization for a parent to appeal a decision by the board of trustees regarding a reported incident of bullying, cyber-bullying, harassment, and intimidation to the State Board is deleted. The requirement that applicants for a teaching license and teachers complete a course in the prevention of bullying, cyber-bullying, harassment, and intimidation is deleted. The language that indicated that a principal may be demoted, suspended, dismissed, or not reemployed for intentional failure to initiate or conduct an investigation into a reported incident of bullying, cyber-bullying, harassment, and intimidation or failure to take appropriate action has been deleted. The section encouraging private schools to adopt policies and programs for safe and respectful learning environments has been deleted. The language authorizing the Board of Regents to adopt a policy to provide a safe and respectful learning environment has been deleted.
- This amendment states that the annual reports of accountability must include reports of incidents resulting in suspensions or expulsions for bullying, cyber-bullying, harassment, and intimidation. The Department of Education is to RECOMMEND a program of training for members of the boards of trustees of school districts and school district personnel. This amendment authorizes trustees of school districts to complete the training and authorizes the board of trustees to allow school district personnel to attend the program during regular school hours.
- This amendment requires the principal of each school or his/her designee to (1) establish a school safety team, (2) conduct investigations of reported incidents of bullying, cyber-bullying, harassment, and intimidation, and (3) collaborate with the board of school trustees and the

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		<p>school safety teams to prevent, identify, and address reported incidents of bullying, cyber-bullying, harassment, and intimidation. The amendment requires teachers or other staff members who witness the prohibition on bullying, cyber-bullying, harassment, and intimidation at the school or who receive information of such violation to verbally report the violation to the principal or the principal's designee who must initiate an investigation of the reported violation. The disciplinary decision of the principal or designee may be appealed by a parent or legal guardian of a pupil in accordance with the policy regarding disciplinary action adopted by the board of trustees of a school district.</p> <ul style="list-style-type: none"> • Discourage Passage, Do Not Testify • Passed Senate, To Assembly 05-30-11 <p>2nd Reprint</p> <ul style="list-style-type: none"> • This amendment adds "to the extent money is available" in Section 7 regarding developing an informational pamphlet to assist pupils and the parents or legal guardians of pupils in resolving incidents of bullying, cyber bullying, harassment, and intimidation. • Done • Passed Assembly, back to Senate 06-05-11; To Enrollment 06-06-11; To Governor 06-13-11; Governor Approved 06-17-11
<p><u>SB277*</u> (BDR 15-10)</p>		<ul style="list-style-type: none"> • Existing law prohibits a person, under certain circumstances, from distributing to a minor material that is harmful to minors. Such material includes certain nude pictures of a person. If an adult violates these provisions, the adult is generally guilty of a misdemeanor. If a minor violates these provisions, the minor may be adjudicated delinquent. Existing law also prohibits a person from committing certain acts regarding pornography involving minors. If an adult violates these provisions, the adult is guilty of a felony and is subject to registration and community notification as a sex offender. If a minor violates these provisions, the minor may be adjudicated delinquent and subject to registration and community notification as a juvenile sex offender. This bill provides an alternative prohibition with alternative penalties for violating that alternative prohibition which can be applied to certain minors instead of the penalties in existing law. Thus, this bill preserves prosecutorial discretion in addressing this issue. • Section 1 of this bill prohibits, under certain circumstances, a minor from using an electronic communication device, such as a cell phone, to possess, transmit or distribute a sexual image of himself or herself or of another minor. A minor who uses an electronic communication device to transmit or distribute a sexual image of himself or herself is considered a child in need of supervision for the purposes of the laws governing juvenile justice. A minor who uses an electronic communication device to possess, transmit or distribute a sexual image of another minor is considered to have committed a delinquent act. Section 1 also provides that a minor who violates the provisions of section 1 is not considered a sex offender and is not subject to registration or community notification as a juvenile sex offender or as a sex offender. • Existing law requires the Department of Education to prescribe a policy for all school districts and public schools to provide a safe and respectful learning environment that is free of bullying, cyber-bullying, harassment and intimidation, including the provision of training to school personnel and requirements for reporting violations of the policy. Section 4 of this bill revises the definition of "cyber-bullying" to clarify that the term includes the use of electronic communication to transmit or distribute a sexual image of a minor. • This revised definition of "cyber-bullying" also applies to certain other provisions related to education. Specifically, the term applies to existing law which requires the Council to Establish Academic Standards for Public Schools to establish the standards of content and performance for courses of study in computer education and technology. Those standards must include a policy for the ethical, safe and secure use of computers and other electronic devices which includes methods to ensure the prevention of cyber-bullying. Further, the

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		<p>revised definition applies to existing law which prohibits a person from using any means of oral, written or electronic communication, including the use of cyber-bullying, to knowingly threaten to cause bodily harm or death to a pupil or school employee with the intent to: (1) intimidate, frighten, alarm or distress the pupil or school employee; (2) cause panic or civil unrest; or (3) interfere with the operation of a public school.</p> <ul style="list-style-type: none"> • Encourage Passage • To Committee on Judiciary 03-18-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment establishes that for a first violation of transmitting or distributing a sexual image of himself or herself, the minor is considered to be a child in need of supervision and is considered to have committed a delinquent act for a second or subsequent violation. A minor who uses an electronic communication device to possess a sexual image of another minor is considered a child in need of supervision but a minor who uses an electronic communication device to transmit or distribute a sexual image of another minor is considered to have committed a delinquent act. • Encourage Passage, Do Not Testify • Passed Senate, to Assembly 04-22-11 • Passed Assembly, back to Senate 05-28-11; To Governor 05-30-11; Governor Approved 06-03-11
<p>SB295* (BDR 31-587)</p>		<ul style="list-style-type: none"> • Existing law prescribes the Local Government Budget and Finance Act, which establishes standard methods and procedures for the preparation, presentation, adoption and administration of budgets of local governments, including school districts. (NRS 354.470-354.626) Pursuant to the Act, each local government prepares a tentative budget on a form prescribed by the Department of Taxation and adopts a final budget. (NRS 354.596, 354.598) Section 1 of this bill requires the final budget of each school district to be divided into the following categories by total dollar amount approved for expenditure in each category: (1) Teachers; (2) Administrators; (3) Children's Programs; (4) Maintenance; and (5) Capital Improvements. Section 1 further provides that for the fiscal year beginning on July 1, 2012, unless a requested deviation among categories is approved in advance by the Interim Finance Committee, the dollar amount in each category of the final budget of the school district must not exceed by more than 5 percent the dollar amount in the same category of the final budget for the immediately preceding fiscal year. Section 3 of this bill requires the Department of Taxation to prescribe an additional portion of the form for the tentative budgets of school districts on which the information required by section 1 must be included. • Section 5 of this bill requires the board of trustees of each school district to submit to the Department of Taxation a statement of the proposed division of the total dollar amount of the final budget of the school district for the fiscal year beginning on July 1, 2011, into the five categories required by section 1 by the total amount of dollars approved for expenditure in each category. Section 5 further requires the Department, on or before December 1, 2011, to examine the statement of the proposed division to determine the accuracy of the statement to ensure compliance with section 1. The board of trustees of a school district may, not later than 30 days after it receives the determination of the Department, submit a written statement of correction to the Department. The Department is required to examine the statement of correction and provide the school district with the Department's final determination. • We should follow the lead of the CCSD. • Monitor, No Actions At This Time • To Committee on Finance 03-21-11; No Further Action Taken 06-06-11

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<p>SB305 (BDR 34-365)</p>	<ul style="list-style-type: none"> Existing law creates the P-16 Advisory Council to assist in the coordination between elementary, secondary and higher education in this State and prescribes the membership, duties and powers of the P-16 Advisory Council. (Chapter 400 of NRS) This bill repeals the provisions creating and governing the P-16 Advisory Council and creates the P-20 Leadership Council to assist in the coordination among entities representing public elementary, secondary and higher education in this State and to coordinate the provisions of education from the level of preschool through the completion of a postgraduate degree program. Section 5 of this bill prescribes the membership of the P-20 Leadership Council to consist of seven members appointed by the Governor, Majority Leader of the Senate and the Speaker of the Assembly. Section 7 of this bill prescribes the powers and duties of the P-20 Leadership Council. Monitor, No Actions At This time To Committee on Finance 03-21-11 Dead – Missed 04-26-11 Deadline
<p>SB315* (BDR 34-819)</p>	<ul style="list-style-type: none"> Under existing law, the Superintendent of Public Instruction issues licenses to teach to applicants who satisfy the qualifications prescribed by the Commission on Professional Standards in Education and who satisfy certain other qualifications. (NRS 391.019, 391.033) Also under existing law, an applicant for employment with a school district must, as a condition to employment, submit a complete set of his or her fingerprints for purposes of a criminal background investigation of the applicant. (NRS 391.100) Section 1 of this bill authorizes the board of trustees of a school district to, notwithstanding any other statute or regulation to the contrary, authorize a person to teach a particular course within the public schools of the school district for a provisional time without a license to teach issued by the Superintendent of Public Instruction if the board of trustees determines that the person has the necessary professional qualifications and experience to teach that course. Before such a person begins teaching, he or she must comply with the requirements for a criminal background investigation as required by other employees of the school district. Existing law requires the Commission to adopt regulations prescribing the qualifications for licensing teachers and other educational personnel in this State. The regulations govern the issuance of a regular license and a special qualifications license. (NRS 391.019) Section 2 of this bill requires the Commission to adopt regulations prescribing the qualifications for licensing teachers and administrators pursuant to an alternative route to licensure and sets forth certain requirements that must be specified in those regulations, including: (1) that the required education and training may be provided by any qualified provider which has been approved by the Commission, including institutions of higher education and other providers that operate independently of an institution of higher education; (2) that the education and training required under the alternative route to licensure may be completed in 2 years or less; and (3) that, upon completion by a person of the education and training required under the alternative route to licensure and the satisfaction of all other requirements for licensure, the person must be issued a regular license. Under existing law, the Commission is required to adopt regulations providing for the reciprocal licensure of educational personnel from other states. (NRS 391.032) Section 5 of this bill requires the regulations governing reciprocal licensure to include reciprocal licensure of persons who obtained a license pursuant to an alternative route to licensure. We should not support non licensed teachers to teach based on the approval of the board of trustees and in violation of current law. Trustees lack the expertise. Any regulations adopted by the Commission for an alternative route to licensure must ensure that participants are qualified and not just expedited.

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		<ul style="list-style-type: none"> Discourage Passage To Committee on Education 03-21-11 <p>1st REPRINT</p> <ul style="list-style-type: none"> This amendment deletes the language contained in Section 1 of the original bill which authorized a board of trustees to authorize a person to teach a particular course without a license to teach issued by the Superintendent of Public Instruction. Monitor, No Actions at this Time Passed Senate, to Assembly 04-25-11 <p>2nd REPRINT</p> <ul style="list-style-type: none"> This amendment replaces the deleted Section 1 with Section 1.5 which requires the State Board of Education to conduct an evaluation of each provider approved by the Commission to offer an alternative route to licensure pursuant to Section 2 of this bill. It appears that this same idea is contained in AB230 and could be eliminated as a separate bill. Monitor. No Actions at this Time. Passed Assembly, back to Senate 05-30-11; To Enrollment 06-06-11; To Governor 06-13-11; Governor Approved 06-16-11
SB316* (BDR 34-823)	W	<ul style="list-style-type: none"> Under existing law, the Nevada Plan for School Finance provides for the financial support of the school districts, charter schools and university schools for profoundly gifted pupils. The formula in the Nevada Plan is expressed as: State financial aid to school districts equals the difference between school district basic support guarantee and local available funds produced by mandatory taxes minus all the local funds attributable to pupils who reside in the county but attend a charter school or a university school for profoundly gifted pupils. (NRS 387.121) Section 2 of this bill requires each school district, charter school and university school for profoundly gifted pupils to ensure that at least 65 percent of the money which it receives in the form of basic support and local funds available, or by way of apportionment, as applicable, is used to pay for direct classroom expenditures. Section 2 further defines the term “direct classroom expenditures.” Under existing law, the governing body of each charter school, the board of trustees of each school district and the governing body of each university school for profoundly gifted pupils are required to report annually with respect to the actual expenditures of the school or school district, as applicable, in the immediately preceding fiscal year. (NRS 386.600, 387.303, 392A.073) Sections 1, 3 and 4 of this bill require that the reports also include information as to the compliance of the school or the school district, as applicable, with the requirements of section 2. We need to determine from the CCSD how this required 65% for direct classroom expenditures compares with the current expenditures. The remaining 35% must cover the cost of many other required expenditures. Once the information is available, we can determine how realistic this bill is and whether it should be supported. Monitor, No Actions At This Time To Committee on Finance 03-21-11; No Further Action Taken 06-06-11
SB317* (BDR 34-77)		<ul style="list-style-type: none"> Existing law requires the board of trustees of each school district, the governing body of each charter school and the governing body of each private school to establish a development committee to develop a plan to be used by each public school of the school district, each charter school and each private school in responding to a crisis. (NRS 392.600-392.656, 394.168-394.1699) This bill revises the duties of

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		<p>each development committee to also require that such a plan address responding to an emergency. Sections 2 and 13 of this bill define the emergencies which such a plan must address, including an occurrence or threatened occurrence requiring action to save lives, protect property or to protect the health and safety of persons on the property of a public school or private school, at an activity sponsored by the school or on a school bus. Sections 6, 7, 17 and 18 of this bill require the development committee, when developing and updating the plan for responding to a crisis or an emergency, to consult with the director of the local organization for emergency management or, if there is no such organization, with the Chief of the Division of Emergency Management of the Department of Public Safety or his or her designee. Existing law requires each public school and each private school to establish a school committee to review the plan to respond to a crisis developed by the development committee and to determine whether to request a deviation from the plan for the school. (NRS 392.632, 392.636, 394.169, 394.1691) Sections 8 and 19 of this bill require each school committee to also review the component of the plan for responding to an emergency and to determine whether to request a deviation from the plan. Existing law prescribes the duties of a school principal when responding to a crisis at the school. (NRS 392.648, 394.1696) Sections 11 and 21 of this bill prescribe the duties of a school principal when an emergency occurs. Existing law provides that the plans for responding to a crisis are confidential and further provides that the meetings of the development committees, school committees and the State Board of Education concerning the plans to respond to a crisis are not subject to the Open Meeting Law. (NRS 392.652, 392.656, 394.1698, 394.1699) This bill, with respect to the expanded plans which address both crises and emergencies, maintains that confidentiality and that exception to the Open Meeting Law.</p> <ul style="list-style-type: none"> • Monitor, No Actions At This time • To Committee on Education 03-21-11 • Passed Senate; To Assembly 04-14-11 • Passed Assembly, back to Senate 05-28-11; To Governor 05-30-11; Governor Approved 06-03-11
<p>SB342 (BDR 23-1036)</p>		<ul style="list-style-type: none"> • Under existing law, local government employees in supervisory and administrative positions are required to be members of a different bargaining unit from employees they supervise. (NRS 288.170) Section 5 of this bill excludes all school administrators, heads of departments of local governments, administrative employees and supervisory employees from being members of bargaining units. • Under existing law, a local government employer is required to negotiate with a recognized employee organization regarding the deduction of dues for the recognized employee organization. (NRS 288.150) Section 4 of this bill removes such negotiation from the scope of mandatory bargaining. Section 2 of this bill authorizes an individual local government employee to decide whether to have dues for the recognized employee organization deducted by his or her employer. • Section 3 of this bill prohibits designated representatives of employee organizations from receiving compensation for activities related to representation of the employee organization from public money and requires such compensation to be paid by the local government employees who are members of the employee organization. • Sections 6, 7 and 9-11 of this bill require public notice of the initial and final offers made by each party during negotiation, mediation, fact-finding and arbitration. Sections 6, 7 and 9-11 also require that any final resolution reached in negotiation, mediation, fact-finding or arbitration be retroactive to the expiration date of the previous contract between the parties and prohibit the parties, mediator, fact finder or arbitrator from changing the effective date. • The language in Section 5 which excludes school administrators from being members of a bargaining unit takes away our right to participate in collective bargaining which has existed since the late sixties. This is of great concern. The removal of the deduction of dues

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		<p>as a subject of mandatory bargaining will allow the employer to agree to do so as they have in the past.</p> <ul style="list-style-type: none"> • Not allowing employee organization representatives to be paid with public money will not impact CCASAPE. • The transparency requirements are not a concern. Having the final resolution reached in negotiations, mediation, fact finding, or arbitration be retroactive to the expiration of the previous contract is also not a concern. • We must seek to amend this bill by deleting the language which excludes school administrators and others from collective bargaining. • Seek to Amend • To Committee on Legislative Operations and Elections 03-21-11 • Dead – Missed 04-15-11 Deadline
<p>SB343 (BDR 23-1084)</p>		<ul style="list-style-type: none"> • Under existing law, if the parties to a collective bargaining dispute between a local government and an employee organization, other than an employee organization that represents teachers and educational support personnel, cannot resolve their dispute through mediation and arbitration, they may submit their dispute to a neutral fact finder, and they may agree to make the findings and recommendations of the fact finder final and binding on the parties. (NRS 288.200) Sections 1, 2 and 4 of this bill remove from the negotiation process the option of final and binding fact-finding for disputes between local government employers and employee organizations that represent local government employees other than police officers and firefighters. Instead, if the parties do not reach an agreement after receiving a report from a fact finder providing findings and recommendations, the governing body of the local government employer may, at a public hearing, impose the economic conditions of their most recent offer. Such an imposition is final and binding on the parties and is effective only for the following fiscal year. In the case of police officers and firefighters, section 3 of this bill removes the option of binding fact-finding. Instead, if a local government employer and an employee organization representing police officers or firefighters do not reach an agreement after fact-finding, the parties still submit the dispute to binding arbitration. • As written, this bill does not impact CCASAPE. We will, however, continue to monitor this bill for amendments which may impact us. • Monitor, No Actions At This Time • To Committee on Legislative Operations and Elections 03-21-11 • Dead – missed 04-15-11 Deadline
<p>SB365* (BDR 34-184)</p>		<ul style="list-style-type: none"> • Under existing law, the Superintendent of Public Instruction is required to prepare a memorandum that includes a description of each statute newly enacted by the Legislature and other bills pertaining to public education. (NRS 385.210) The board of trustees of each school district and the governing body of each charter school is required to disseminate the information received from the Superintendent to the parents and legal guardians of pupils and prepare a plan for implementation of the statutes and bills. (NRS 386.360, 386.552) This bill repeals these statutory requirements. • Under existing federal law, a school which is served under Title I and which is identified as needing improvement pursuant to the federal law is required to develop and implement a school improvement plan. (20 U.S.C. § 6316(b)(3)) Also under existing federal law, a school district which is served under Title I and which is identified as needing improvement pursuant to the federal law is required to develop and implement a plan for improvement for the school district. (20 U.S.C. § 6316(c)(7)) Under existing state law, the board of trustees of each school district is required to prepare a plan to improve the achievement of pupils enrolled in the school district, and each principal of a public school is required to prepare a plan to improve the achievement of pupils enrolled in the school. (NRS 385.348, 385.357) This bill repeals these state statutory requirements.

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- Under existing law, school districts and public schools in this State are required to develop and adopt plans, policies and procedures including: (1) the development of academic plans for certain pupils enrolled in middle school or junior high school and high school (NRS 388.165, 388.205); (2) the creation of small learning communities for certain pupils enrolled in middle school or junior high school and high school (NRS 388.171, 388.215); (3) the adoption of policies for peer mentoring (NRS 388.176, 388.221); (4) reporting on the use of physical and mechanical restraint (NRS 388.5317); (5) the creation of advisory boards to review school attendance as an alternative to reporting the truancy of pupils to law enforcement (NRS 392.126-392.149); and (6) the temporary alternative placement of certain pupils with disciplinary issues. (NRS 392.4642-392.4648) This bill repeals these statutory requirements and other statutory mandates imposed on school districts and public schools.
- Under existing law, school districts, public schools and private schools are required to develop policies to respond to a crisis and to establish committees to develop those policies. (NRS 392.600-392.656, 394.168-394.1699) This bill repeals the statutory requirements for crisis response plans and committees pertaining to school districts, public schools and private schools.
- This bill will allow school, school district, and Department of Education personnel to focus on reading, writing, arithmetic and more importantly, boys and girls. Those things that these reports required that are necessary for the welfare of education will still be done without the mandates.
- Unfortunately, this bill will not likely see the light of day but it is refreshing to read.
- Encourage Passage
- To Committee on Education 03-21-11

1st REPRINT

- This amendment deletes Sections 1-37 of the original bill, requires the board of trustees of each school district to review the plans, policies, programs, and procedures that the board of trustees is required to implement pursuant to Title 34 of NRS or pursuant to federal law. Upon each review, the board of trustees of each school district is required to prepare a written report on the plans, policies, programs, and procedures which the board of trustees determines place an unfunded mandate and an undue financial burden on the school district and submit the written report, on or before August 1, 2012, to the Legislative Committee on Education and the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.
- Monitor, No Actions at this Time
- Passed Senate, to Assembly 04-27-11

1st REPRINT WITH SECOND AMENDMENT

- This is the second amendment to this bill. Please disregard the original summary and the 1st reprint summary. This amendment deletes Sections 1, 2, 4 – 8, 10 – 21.5, 24 – 36.5, and 37.
- Under existing law, the board of trustees of each school district is required to adopt a policy to engage certain administrators in the classroom. (NRS 391.235) Section 21.5 of this bill makes the adoption of such a policy permissive rather than mandatory.
- Under existing federal law, a school which is served under Title I and which is identified as needing improvement pursuant to the federal law is required to develop and implement a school improvement plan. (20 U.S.C. § 6316(b)(3)) Also under existing federal law, a school district which is served under Title I and which is identified as needing improvement pursuant to the federal law is required to develop and implement a plan for improvement for the school district. (20 U.S.C. § 6316(c)(7)) Under existing state law, the board of trustees of each

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		<p>school district is required to prepare a plan to improve the achievement of pupils enrolled in the school district. (NRS 385.348) This bill repeals that state statutory requirement.</p> <ul style="list-style-type: none"> • Under existing law, school districts and in this State are required to adopt a policy providing for the creation of small learning communities for certain pupils enrolled in middle school or junior high school and high school. (NRS 388.171, 388.215) This bill repeals these statutory requirements. • Under existing law, the boards of trustees of school districts are required to enforce in the public schools the use of textbooks prescribed by the State Board of Education. (NRS 390.220) This bill repeals that statutory requirement. • Under existing law, effective on July 1, 2011, an academic plan must be developed for each pupil enrolled in middle school or junior high school in accordance with a policy adopted by the board of trustees of the school district. Section 36.5 of this bill extends the date for adoption of such a policy to January 1, 2013, for implementation beginning with the 2013-2014 school year. • Section 37.5 of this bill authorizes the board of trustees of each school district to review certain plans, policies, programs and procedures. If the board of trustees of a school district conducts such a review, the board of trustees is required to prepare a written report on the plans, policies, programs and procedures which the board of trustees determines place an unfunded mandate and an undue financial hardship on the school district and submit the written report, on or before August 1, 2012, to the Legislative Committee on Education and the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature. • Monitor, No Actions At This Time <p>2nd REPRINT</p> <ul style="list-style-type: none"> • This is the third amendment to this bill. Please disregard all previous summary information. • Under existing law, the board of trustees of each school district is required to adopt a policy to engage certain administrators in the classroom. (NRS 391.235) Section 21.5 of this bill makes the adoption of such a policy permissive rather than mandatory. • Under existing federal law, a school which is served under Title 1 and which is identified as needing improvement pursuant to the federal law is required to develop and implement a school improvement plan. (20 U.S.C. § 6316(b)(3)) Also under existing federal law, a school district which is served under Title I and which is identified as needing improvement pursuant to the federal law is required to develop and implement a plan for improvement for the school district. (20 U.S.C. § 6316(c)(7)) Under existing state law, the board of trustees of each school district is required to prepare a plan to improve the achievement of pupils enrolled in the school district. (NRS 385.348) Also under existing law, the principal of each public school is required to prepare a plan to improve the achievement of pupils enrolled in the school. This bill repeals both of those state statutory requirements relating to plans for improvement. • Under existing law, certain school districts in this State are required to adopt a policy providing for the creation of small learning communities for certain pupils enrolled in middle school or junior high school and high school (NRS 388.171, 388.215) • Section 21.3 of this bill requires the board of trustees of each school district which includes at least one high school with an enrollment of 1,200 pupils or more to adopt a pilot program of small learning communities for implementation in at least 50 percent of those high schools. Section 36.3 of this bill requires the board of trustees of each school district which includes at least one middle school or junior high school with an enrollment of 500 pupils or more to adopt a pilot program of small learning communities for pupils in their initial year of enrollment for implementation in at least 50 percent of those schools. Sections 36.5 and 38 of this bill require both pilot programs to be implemented beginning with the 2013-2014 school year.
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		<ul style="list-style-type: none"> • Under existing law, effective on July 1, 2011, an academic plan must be developed for each pupil enrolled in middle school or junior high school in accordance with a policy adopted by the board of trustees of the school district. Section 36.5 of this bill extends the date for adoption of such a policy to January 1, 2013, for implementation beginning with the 2013-2014 school year. • Monitor. No Actions at this Time. <p>3rd REPRINT</p> <ul style="list-style-type: none"> • This fourth amendment repeals the state statutory requirement for a school district to prepare a plan for improvement. • Passed Assembly, back to Senate 05-30-11; Conference Committee 06-03-11; To Enrollment 06-08-11; To Governor 06-16-11; Governor Approved 06-17-11
<p>SB366 (BDR 34-20)</p>		<ul style="list-style-type: none"> • Existing law requires each public school to be designated annually based upon the achievement of pupils enrolled in the school as: (1) demonstrating exemplary achievement; (2) demonstrating high achievement; (3) demonstrating adequate achievement; or (4) demonstrating need for improvement. (NRS 385.3623) Section 3 of this bill authorizes the parents and legal guardians of pupils enrolled in a public school that is designated as demonstrating need for improvement, or a combination of the parents and legal guardians of pupils who will matriculate into the school, to submit a petition signed by not less than 51 percent of those parents and legal guardians to the board of trustees of the school district to take one or more of the following intervention actions for the school: (1) implementing a restart model for the school by closing the school and reopening as a charter school; (2) closing the school and transferring the pupils to another school located in the school district; or (3) implementing a program of school choice, including providing vouchers on behalf of a pupil who would otherwise enroll in the school to attend a private school and authorizing a pupil to attend another public school within the school district. Section 3 also prescribes the duties of the board of trustees of a school district that receives such a petition. • Section 4 of this bill authorizes the parent or legal guardian of a pupil who would otherwise enroll in a public school for which school choice has been implemented pursuant to section 3 to submit an application to the board of trustees of the school district for the pupil to receive a voucher to attend a private school. Such a private school must not be operated by a church, religious organization or faith-based ministry. Section 4 also provides that for each year a pupil is enrolled in a private school, the parent or legal guardian of the pupil is entitled to a voucher in an amount equal to: (1) Seventy-five percent of the average of the total amount of money that was expended per year by the public school for which school choice is implemented pursuant to section 3 in the immediately preceding 3 years; (2) Seventy-five percent of the average of the basic support guarantee per pupil of the school district and local funds available in the immediately preceding 3 years; or (3) the total amount charged by the private school for tuition, fees and textbooks, whichever is less. • Section 5 of this bill authorizes the parent or legal guardian of a pupil who would otherwise enroll in a public school for which school choice has been implemented pursuant to section 3 to submit an application to the board of trustees of the school district for the pupil to attend a public school within the school district but outside the pupil's required zone of attendance. • Sections 14-17 of this bill require that a pupil who receives a voucher to attend a private school pursuant to the provisions of section 4 be included in the count of pupils for purposes of apportionments and allowances from the State Distributive School Account. The remaining sections of this bill make changes to the current system of public education to include the program to provide vouchers to pupils and to indicate that the money available for education and public schools is for the support of the system of public education. • This bill is identical to AB367. • The options provided in Section 3 are not reasonable and may not be possible in school districts operating at or near capacity. The

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		<p>closing of schools or giving parents choice will not work if there is no place to go.</p> <ul style="list-style-type: none"> • The inclusion of vouchers for private schools, the conversion of public schools to charter public schools, and the implementation of a restart model (reconstitution) are not good ideas. • We should oppose this bill. • Testify Against • To Committee on Education 03-21-11 • Dead – Missed 04-15-11 Deadline
SB372* (BDR 34-970)		<ul style="list-style-type: none"> • Under existing law, the proceeds of an additional tax on the gross receipts from the rental of transient lodging imposed in certain larger counties are deposited into the State Supplemental School Support Fund within the State School Distributive School Account. The money in the Fund is appropriated for the operation of the school districts and charter schools of this State and is intended to supplement and not replace any other money for K-12 public schools in this State. (NRS 387.191) The Superintendent of Public Instruction is required to make the initial transfer of money from the Fund on February 1, 2012, and distribute the money quarterly thereafter to the school districts and charter schools on a per-student proportional basis. (Chapter 4, Statutes of Nevada 2009, p. 5) A school district or charter school that receives money from the Fund must use the money to improve the achievement of students and for the payment of salaries to attract and retain qualified teachers and other employees, except administrative employees, of the school district or charter school. This bill revises the manner by which a school district or charter school must use the money from the Fund to improve the achievement of students to include: (1) after-school educational programs offered by community-based organizations; (2) summer school programs; (3) early childhood education programs; and (4) programs to prepare students who have not received a high school diploma to take the tests of general educational development. • This is the money created by the increased room tax. I believe this is the money that the Governor has taken control of to balance the state budget. It is not clear why the legislature wants to change how the money is to be used from its original intended purpose. • Although the purposes identified are needed, we should determine why the changes are made before we support it. • Monitor, No Actions At This Time • To Committee on Finance 03-21-11; No Further Action Taken 06-06-11
SB384 (BDR 28-172)		<ul style="list-style-type: none"> • Existing law authorizes the board of county commissioners in a county whose population is 400,000 or more (currently Clark County) to adopt, by ordinance, procedures for the sale of naming rights relating to a shooting range that is owned by the county. (NRS 244.30701) This bill authorizes the governing body of a local government (including counties, cities, towns, school districts and general improvement districts) to adopt, by ordinance, procedures for the sale of the naming rights to a park, recreational facility or other public facility owned by the local government. • Monitor, No Actions At This Time • To Committee on Government Affairs 03-25-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This bill is amended as follows: “In adopting an ordinance pursuant to subsection 1, a governing body shall not authorize the sale of naming rights to any park, recreational facility or other public facility which is subject to a lease agreement authorizing the lessee to sell such naming rights; or currently named after a person of historical significance.”

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		<ul style="list-style-type: none"> • This bill will not likely impact the CCSD. • Monitor, No Actions at this Time • Passed Senate, to Assembly 04-25-11 • Dead – Missed 05-30-11 Deadline
<u>SB486*</u> (BDR S-1238)		<ul style="list-style-type: none"> • Appropriates \$10,000,000 from the General Fund for the Millennium Scholarship Program. • Encourage Passage • To Committee on Finance 03-28-11; Passed Senate, to Assembly 06-05-11; Passed Assembly, back to Senate 06-06-11; To Enrollment 06-06-11; To Governor 06-13-11; Governor Approved 06-16-11
<u>SB505*</u> (BDR S-1317)	NE	<ul style="list-style-type: none"> • Establishes the maximum allowed salaries for certain employees in the classified and unclassified service of the state; requires employees of the state to take a certain number of days of unpaid furlough leave during the 2011-2013 biennium; provides exceptions to the furlough requirement; makes appropriations from the State General Fund and State Highway Fund for the salaries of certain employees of the state, etc. • To Committee on Finance 06-04-11; Passed Senate, to Assembly 06-04-11; Passed Assembly, back to Senate 06-05-11; To Enrollment 06-05-11; To Governor 06-06-11; Governor Approved 06-14-11
<u>SCR5*</u> (BDR R-364)		<ul style="list-style-type: none"> • A Senate Concurrent Resolution directing the Legislative Commission to conduct an interim study concerning the laws of Nevada governing the protection of children. • Monitor, No Actions At This time • To Committee on Legislative Operations and Elections 03-21-11; Passed Senate, to Assembly 06-04-11; Passed Assembly, back to Senate 06-05-11; To Enrollment 06-06-11; To Secretary of State 06-06-11
<u>SJR1</u> (BDR C-68)		<ul style="list-style-type: none"> • The Nevada Constitution currently prohibits the operation of a lottery in this State except for a lottery authorized by the Legislature in the form of a raffle or drawing for charitable or nonprofit activities. (Nev. Const. Art. 4, § 24) This resolution proposes to amend the Nevada Constitution to add an additional exception to this prohibition to allow the Legislature to authorize the operation of a state lottery to benefit K-12 education. If the Legislature authorizes such a lottery, this resolution would require the Legislature to determine the manner in which the lottery would be operated and to provide for a committee to oversee the lottery. This resolution also requires that all of the proceeds of the lottery, after deducting the cost of operation, be disbursed to the schools districts of this State in a fair and equitable manner. • We should support his bill. • Testify in Favor • To Committee on Legislative Operations and Elections 12-14-10 • Dead – Missed 04-15-11 Deadline
<u>SJR3*</u> (BDR R-90)		<ul style="list-style-type: none"> • Urges Congress to enact legislation to require the Secretary of the Interior to convey ownership of certain land to the State of Nevada to help fund education. • Encourage Passage. Do Not Testify. • To Committee on Natural Resources 02-04-11 • Passed Senate; To Assembly 04-07-11

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		<p>1st Reprint</p> <ul style="list-style-type: none"> • Urges Congress to enact legislation to require the Secretary of the Interior to convey ownership of certain land to the State of Nevada to help fund education. • This amendment changes “management and control” to “ownership” and its impact on the ability of the school districts to provide funding for education. • Encourage Passage. Do Not Testify. • Passed Assembly, Back to Senate 05-28-11; To Enrollment 06-04-11; To Secretary of State 06-06-11
<p>SJR10 (BDR C-1017)</p>		<ul style="list-style-type: none"> • Section 10 of Article 11 of the Nevada Constitution prohibits the use of any public money for a sectarian purpose. This resolution proposes to amend the Nevada Constitution to establish that if the Legislature establishes a plan for the payment of money to a person to use for the education of a child during kindergarten through grade 12 at a school of the person’s choice, other than a public school, a payment made to a person in accordance with that plan may not be considered to be used for a sectarian purpose even though the recipient of the money is entitled to choose to use the money for the education of the child at a school that is affiliated with a sectarian institution. • The change of Section 10 of Article 11 of the Nevada Constitution is identical to the change contained in AJR8. • Testify Against • To Committee on Legislative Operations and Elections 03-21-11 • Dead – Missed 04-15-11 Deadline
HEALTH INSURANCE BILLS		
<p>AB80* (BDR 23-496)</p>		<ul style="list-style-type: none"> • Under existing law, the Board of the Public Employees’ Benefits Program is required to submit various reports concerning the administration and operation of the Program. (NRS 287.043, 287.04366) Sections 3, 8 and 14 of this bill make the Executive Officer of the Program, rather than the Board, responsible for submitting such reports. • Under existing law, if a retired public officer or employee of the State or a local governmental agency, or the surviving spouse of such a retired officer or employee, who was formerly covered by health insurance provided under the Program, or under a plan offered by the local governmental employer, reinstates such insurance, the reinstated insurance excludes coverage for certain preexisting conditions during the first 12 months after such reinstatement. (NRS 287.0205, 287.0475) Sections 4 and 12 of this bill eliminate the exclusion for certain preexisting conditions as called for in the Patient Protection and Affordable Care Act. (Pub. L. No. 111-148, 124 Stat. 119) Section 12 also prohibits a public officer or employee who retired from a local governmental agency, or his or her surviving spouse, from reinstating health insurance under the Program if the Board has adopted regulations that exclude such persons from participation in the Program because they are eligible for health coverage from a health and welfare plan or trust that arose out of certain collective bargaining agreements or under certain federal laws. • Under existing law, a state agency is required to pay to the Program a certain amount to pay a portion of the cost of coverage under the Program for each state officer or employee of that state agency who participates in the Program. State officers and employees are required to pay the remaining portion of the costs of their coverage as well as the full amount of covering their dependents under the Program. The Board is authorized to allocate the money paid by the state agency between the costs of coverage for such officers and employees and for their dependents. (NRS 287.044) Section 9 of this bill clarifies the manner in which the Board may perform the allocation.

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		<ul style="list-style-type: none"> Existing law provides for the payment of a subsidy to cover a portion of the costs of coverage under the Program for certain retired state officers and employees. (NRS 287.046) Section 10 of this bill clarifies that employees who are initially hired by the State on or after January 1, 2010, are not entitled to the subsidy for coverage under the Program if they retire with less than 15 years of service, with the exception of disabled retirees, or if they fail to maintain continuous coverage under the Program during retirement. Section 6 of this bill clarifies the application of this provision to persons who retire from employment with local governmental agencies. Existing law provides that if a state officer or employee or a dependent of a state officer or employee incurs medical costs that are payable under the Program, but for which a third person has the legal liability to pay, the Board is subrogated to the rights of the officer, employee or dependent and may commence, join or intervene in any legal action against the third person to enforce that legal liability. (NRS 287.0465) Section 11 of this bill extends this provision to apply to any person who participates in the Program, including retired, as well as active, officers and employees of the State and their dependents and to active and retired officers and employees of local governments and their dependents who are covered under the Program. Existing law provides that the surviving spouse and any surviving child of a police officer or firefighter who was killed in the line of duty are eligible to obtain or continue coverage under the Program or a benefits plan established by his or her local governmental employer under certain circumstances. The public employer of the police officer or firefighter, or the State of Nevada in the case of a volunteer firefighter, is required to pay the entire cost of the coverage for the surviving spouse for life and the entire cost of the coverage for any surviving child at least until the child reaches 18 years of age and until the child reaches 23 years of age so long as the child is a full-time student. (NRS 287.0477) Sections 5 and 13 of this bill provide that neither the public employer (local government agency) nor the State is required to pay the cost of the coverage for the surviving domestic partner of such a police officer or firefighter. Section 6 makes it clear that any county, school district, municipal corporation, political subdivision, public corporation, or local governmental agency of the state shall pay the same portion of the cost of coverage under the PUBLIC EMPLOYEES BENEFIT PROGRAM for retired persons who are covered under the programs as the state pays pursuant NRS 287.046 for persons retired with state service who participate in the program. Although there is currently nothing in this bill that is of concern, we shall continue to monitor it for amendments that may be of concern. Monitor, No Actions At This Time To Committee on Government Affairs 12-15-10 <p>1st Reprint</p> <ul style="list-style-type: none"> Adds domestic partner in Section 12 or those prohibited from reinstating health insurance under the Program if the Board has adopted regulations that exclude such persons from participation in the Program because they are eligible for health coverage from a health and welfare plan or trust that arose out of certain collective bargaining agreements or under certain federal laws. Section 10 is amended to include state service and may include local governmental service for those employees initially hired on or after January 1, 2010, and retire with less than 15 years of service and who are not eligible for a subsidy for coverage under the Program. Monitor, No Actions at this Time Passed Assembly, to Senate 04-26-11 <p>2nd Reprint</p> <ul style="list-style-type: none"> This amendment adds: Section 5 and 13 also codify that the duration of the coverage for the surviving children of police officers and
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		<p>firefighters killed in the line of duty is the same as the duration of coverage for children otherwise in the public employees' health care plan.</p> <ul style="list-style-type: none"> • Monitor, No Actions at this Time <p>3rd Reprint</p> <ul style="list-style-type: none"> • This amendment deletes language that provided benefits to surviving domestic partners. Additionally, it deletes the domestic partner definition found in Chapter 287 in Section 2. • Monitor, No Actions at this Time • Passed Senate, to Assembly 05-30-11; To Enrollment 06-04-11; to Governor 06-06-11; Governor Approved 06-16-11
<p>AB89 (BDR 57-278)</p>		<ul style="list-style-type: none"> • A Segerblom bill. • Existing law requires certain public and private health care plans and policies of insurance to provide coverage for certain procedures, including colorectal cancer screenings, cytological screening tests and mammograms, in certain circumstances. (NRS 287.027, 287.04335, 689A.04042, 689A.0405, 689B.0367, 689B.0374, 695B.1907, 695B.1912, 695C.1731, 695C.1735, 695G.168) Existing law also requires employers to provide certain benefits to employees, including coverage for the procedures required to be covered by insurers if the employer provides health benefits for its employees. (NRS 608.1555) Sections 1-11 of this bill require those health care plans and policies of insurance, other than the State Plan for Medicaid, to also provide coverage for acupuncture treatments in certain circumstances. • Existing law requires that if certain health care plans and policies of insurance provide coverage for acupuncture performed by a physician, then they also must reimburse for acupuncture performed by a doctor of Oriental medicine. (NRS 689A.0475, 689B.049, 695B.196, 695C.1765) Section 12 of this bill repeals these provisions, as their requirements are completely subsumed within the requirements of sections 1 and 3-5 of this bill. • The provisions of this bill apply prospectively to any policy of insurance or health care plan issued or renewed on or after October 1, 2011. • We should support. • Encourage Passage, Do Not Testify • To Committee on Commerce and Labor 01-07-11 • Dead – Missed 04-15-11 Deadline
<p>AB146 (BDR 18-179)</p>		<ul style="list-style-type: none"> • Existing law establishes the Office for Consumer Health Assistance in the Office of the Governor to provide assistance to consumers in obtaining information or other assistance relating to a variety of medical issues. (NRS 223.550, 223.560) Section 1 of this bill adds to the definition of “consumer” a person who is in need of information or other assistance regarding his or her health care services or disputes in billing related to his or her medical claims. • Existing law authorizes the Director of the Office to adopt regulations relating to the duties the Director is required to perform and the annual report the Director must file with the Governor and the Director of the Legislative Counsel Bureau. (NRS 223.570) Section 2 of this bill expands this regulatory authority to authorize the Director to adopt regulations to carry out any provisions relating to the Office, which would allow, for example, the adoption of regulations addressing procedures for hearing disputes between patients and hospitals. • Existing law authorizes the Director to hear, mediate, arbitrate or resolve by alternative means of dispute resolution disputes between

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		<p>patients and hospitals. (NRS 223.575) Section 4 of this bill authorizes the Director to appoint a designee to hear, mediate, arbitrate or resolve such disputes in his or her place.</p> <ul style="list-style-type: none"> • Monitor, No Actions At This Time • To Committee on Government Affairs 02-14-11 <p>FIRST REPRINT</p> <ul style="list-style-type: none"> • This amendment expands the Director's regulatory authority to authorize the Director to adopt regulations to establish procedures for hearing disputes between patients and hospitals. • Monitor, No Actions At This Time • Passed Assembly, to Senate 04-25-11 • Passed Senate, Back to Assembly 05-20-11 • To Governor 05-26-11 • Governor Approved 05-27-11
<p>AB221 (BDR 54-1015)</p>		<ul style="list-style-type: none"> • Existing law provides for the substitution by a pharmacist of a generic drug for a prescribed drug if the generic drug is biologically equivalent to and has the same active ingredients as the prescribed drug. (NRS 639.2583) Section 1 of this bill authorizes a pharmacist to dispense a therapeutically equivalent drug in place of a prescribed drug under certain circumstances if the pharmacist has obtained the consent of the prescribing practitioner and the person presenting the prescription. The substitution of a generic drug differs from a therapeutic interchange authorized by Section 1 in that the therapeutically equivalent drug that is being dispensed is not biologically equivalent to the prescribed drug. Sections 2-10 of this bill amend existing laws that reference the substitution of generic drugs to also reference therapeutic interchanges. • Do Not Oppose; Monitor, No Actions At This Time • To Committee on Commerce and Labor 03-01-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment replaces therapeutically equivalent with therapeutic alternative. • Additionally, this amendment removes the requirement that the pharmacist obtain the approval of the person presenting the prescription before a therapeutic alternative is substituted. • Monitor, No Actions at this Time • Dead – Missed 04-26-11 Deadline
<p>AB274 (BDR 57-591)</p>		<ul style="list-style-type: none"> • Under existing law, an insurer is required to pay the proceeds of any benefit under a policy of life insurance or a policy of group life insurance within 30 days after the death of the insured and, if the insurer fails to do so, to pay interest on the proceeds from the date of death to the date of payment. (NRS 688A.410, 688B.190) Section 1 of this bill requires an insurer to pay the proceeds of any benefit under a policy of life insurance in the form of a lump-sum payment unless the beneficiary agrees to receive the proceeds in another form. Section 1 also prohibits an insurer from offering to pay the proceeds in the form of a retained asset account unless certain information is disclosed to the beneficiary. Additionally, Section 1 provides that the insurer or third-party administrator of a retained asset account owes a fiduciary duty to the beneficiary and that any balance remaining in a retained asset account must be returned to the beneficiary if the

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		<p>beneficiary does not use the account in a 3-year period. Finally, Section 1 provides that any violation of Section 1 is an unfair trade practice. Section 2 of this bill contains similar provisions relating to policies of group life insurance.</p> <ul style="list-style-type: none"> • Monitor, No Actions At This Time • To Committee on Commerce and Labor 03-15-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment deletes the language in Section 1 which required an insurer to pay the proceeds of any policy of life insurance in the form of a lump sum payment unless the beneficiary agreed to receive the proceeds in another form. Additionally, this amendment deletes the language in Section 1 that provided that the insurer or third party administrator of a retained asset account owed a fiduciary duty to the beneficiary. The use of the retained asset account is extended from three to five years. • Monitor, No Actions at this Time • Dead – Missed 04-26-11 Deadline
<p>AB309* (BDR 57-516)</p>	<p>NE</p>	<ul style="list-style-type: none"> • The Commissioner of Insurance has exclusive authority to regulate insurers in this State and to approve or disapprove rates or proposed rate increases of insurers. Section 2 of this bill creates the Office of the Consumer Advocate within the Division of Insurance of the Department of Business and Industry and requires the Governor to appoint a Consumer Advocate to serve as executive head of the office and to intervene in and represent the public interest in certain public hearings relating to rates or proposed rate increases or decreases for certain policies, contracts or plans of health insurance. Section 3 of this bill requires an insurer to provide certain information to the Consumer Advocate, and Section 6 of this bill requires an insurer to publish on an Internet website maintained by the insurer the provisions, terms, rates, premiums and actual and projected loss ratios of each policy, contract or plan of health insurance offered by the insurer to consumers in this State. Section 6 also requires the Division to maintain a link to the Internet website of the insurer on an Internet website maintained by the Division. • Section 7 of this bill authorizes the Commissioner to hold a public hearing before approving or denying a rate or proposed rate increase or decrease of a policy, contract or plan of health insurance. Section 7 also authorizes an insurer, the Consumer Advocate or a consumer of health insurance to request such a public hearing. Section 7 further requires the insurer and Commissioner to publish on an Internet website maintained by the insurer or Division, respectively, certain information relating to a request for approval of a rate or proposed rate increase or decrease, including the date by which a person must request a public hearing concerning a rate or proposed rate increase. Section 12 of this bill requires that certain information be filed with the Commissioner and provides that the information which is filed by certain insurers is available to the public upon a written request. • Existing law prohibits the Commissioner from disclosing to a third party certain proprietary information of an insurer. Sections 18-20 of this bill delete those provisions. An insurer that violates the provisions of section 3, 6, 7 or 21 of this bill is guilty of a misdemeanor. • Monitor, No Actions At This Time • To Committee on Commerce and Labor 03-17-11 <p>1st REPRINT</p> <ul style="list-style-type: none"> • This amendment requires that the insurer provide the same information to the Division that is provided to the Consumer Advocate. Additionally, this amendment requires an insurer to publish an internet website maintained by the insurer that will continue to include the items previously listed in Section 6 but to also include certificates of coverage.

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		<ul style="list-style-type: none"> • Monitor, No Actions at this Time • Passed Assembly, to Senate 04-18-11 <p>2nd REPRINT</p> <ul style="list-style-type: none"> • This amendment specifies that no provision of the insurance code set forth in Title 57 applies to Medicaid or the Children's Health Insurance Program. Additionally, it provides that the Consumer Advocate may apply to the Commissioner for the issuance of a subpoena for the appearance of witnesses or the production of documents in any public hearing in which the Consumer Advocate intervenes and may make arrangements for and pay the fees or costs of any witnesses and consultants necessary to the public hearing. • The amendment provides that for individual health plans and group plans for small employers, the insurer must provide the Consumer Advocate and the Division of Insurance with copies of any proposed rate change and any other information needed to calculate rate increases or decreases. • It also requires an insurer to post on an internet website maintained by the insurer the base premiums, certificates of coverage and projected loss ratios for the current year and for the next following fiscal year. It also describes when a public hearing shall be held regarding proposed rate changes. • Monitor, No Actions at this Time • Passed Senate, Back to Assembly 05-26-11 • To Enrollment 05-30-11; To Governor 05-31-11; Governor Vetoed 06-06-11
<p><u>AB315*</u> (BDR 38-986)</p>	<p>NE</p>	<ul style="list-style-type: none"> • The Department of Health and Human Services provides various programs for persons with disabilities, including, without limitation, mental health services, early intervention services and services for persons who are disabled. (NRS 232.300) • Section 1 of this bill establishes the Autism Treatment Assistance Program within the Aging and Disability Services Division of the Department of Health and Human Services to serve as the primary autism program within the Department and to coordinate the provision of treatment to persons with autism through the age of 19 years. Section 1 also requires the Program to develop a plan of treatment for each person with autism who participates in the Program. • Sections 2-5 of this bill require the Division of Mental Health and Developmental Services of the Department and the Health Division of the Department to refer a client with autism to the Program and to coordinate in the development of a plan of treatment for the client. • Monitor, No Actions At This Time • To Committee on Health and Human Services 03-18-11; No Further Action Taken 06-06-11
<p><u>AB316*</u> (BDR 38-260)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Section 1 of this bill requires the Aging and Disability Services Division of the Department of Health and Human Services, in cooperation with the Nevada Autism Task Force, to prescribe a statewide standard for assessing and evaluating whether a person is a person with autism for the purposes of receiving services through certain public programs in this State. Section 1 also requires the Division to designate, as part of the statewide standard, a nationally recognized protocol for determining whether a person is a person with autism. Section 1 further requires the Division to collect certain information relating to persons with autism and to document the services provided to and the progress of those persons. • Sections 6, 8 and 13 of this bill require school districts and charter schools, the Health Division of the Department and the Division of Mental Health and Developmental Services of the Department to use the statewide standard prescribed by the Aging and Disability

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		<p>Services Division pursuant to section 1 to determine whether a person is a person with autism. Sections 3 and 8 of this bill require certain evaluations to monitor the progress of persons with autism receiving services through school districts and charter schools and the Division of Mental Health and Developmental Services.</p> <ul style="list-style-type: none"> • Sections 4, 9, 12 and 14 of this bill require school districts and charter schools, the Health Division, the Division of Mental Health and Developmental Services and the Department of Employment, Training and Rehabilitation to submit to the Aging and Disability Services Division information relating to persons with autism. • Monitor, No Actions At This Time • To Committee on Health and Human Services 03-18-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment adds the Department of Education and representatives of the school districts to the Aging and Disability Services Division and the Nevada Autism Task Force to prescribe a statewide standard for measuring outcomes and assessing and evaluating persons with autism through age 21. • Section 3 of the amendment requires the board of trustees of a school district or the governing body of a charter school to conduct an initial evaluation of each pupil with autism and to conduct a reevaluation once every three years. • Monitor, No Actions at this Time <p>2nd Reprint</p> <ul style="list-style-type: none"> • Autism is replaced with autism spectrum disorder throughout. • This bill contains much of the same information that is contained in AB345. • Section 1.5 of this amended bill establishes the Autism Assistance Treatment Program within the Aging and Disability Services Division of the Department to provide and coordinate the provision of services to persons with autism spectrum. Section 1.5 also requires the Program to coordinate with other governmental entities to develop policies and programs for the treatment of persons with autism spectrum disorders. Section 12.5 of this bill requires the Health Division of the Department to refer certain children to the program. • Done • Passed Assembly, to Senate 06-03-11; Passed Senate, back to Assembly 06-05-11; To Enrollment 06-05-11; To Governor 06-13-11; Governor Approved 06-16-11
<p>AB345* (BDR 38-26)</p>	<p>NE</p>	<ul style="list-style-type: none"> • The Department of Health and Human Services provides various programs for persons with disabilities, including, without limitation, mental health services, early intervention services and services for persons who are disabled. (NRS 232.300) Section 1 of this bill establishes the Autism Treatment Assistance Program within the Aging and Disability Services Division of the Department to improve programs and services to persons with autism. Section 1 also requires the Program to coordinate with other governmental entities to develop policies and programs for the treatment of persons with autism. • Section 2 of this bill makes an appropriation to be used for the provision of services to certain persons with autism. • This bill contains much of the same information as AB315 and will likely be combined with it. • Monitor, No Actions At This Time • To Committee on Health and Human Services 03-21-11

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		<p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment essentially rewrites the original bill. • Autism is replaced with autism spectrum disorder throughout. • Section 1.3 of this bill requires the Aging and Disability Services Division of the Department of Health and Human Services, in cooperation and guidance with the Department of Education, representatives of the school districts in this State and the Nevada Autism Task Force, to prescribe a statewide standard for measuring outcomes and assessing and evaluating persons with autism spectrum disorders through the age of 21 years for the purposes of receiving services through certain public programs in this State. Section 1.3 also requires the Division to designate, as part of the statewide standard, a protocol for determining whether a person is a person with autism spectrum disorder. Section 1.3 further requires the Division to collect certain information relating to persons with autism spectrum disorders and to document the services provided to and the progress of those persons. • The Department of Health and Human Services provides various programs for persons with disabilities, including, without limitation, mental health services, early intervention services and services for persons who are disabled. (NRS 232.300) Section 1.5 of this bill establishes the Autism Treatment Assistance Program within the Aging and Disability Services Division of the Department to provide and coordinate the provision of services to persons with autism spectrum disorders. Section 1.5 also requires the Program to coordinate with other governmental entities to develop policies and programs for the treatment of persons with autism spectrum disorders. Section 16 of this bill requires the Health Division of the Department to refer certain children to the Program. • Section 4 of this bill requires the board of trustees of a school district or the governing body of a charter school to conduct an initial evaluation of each pupil with autism spectrum disorder and to conduct a reevaluation once every 3 years thereafter in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and the regulations prescribed by the State Board of Education. • Section 17 of this bill requires: (1) the Health Division of the Department to use the statewide standard prescribed by the Aging and Disability Services Division pursuant to section 1.3 to determine whether a person is a person with autism spectrum disorder; and (2) that certain evaluations be conducted to monitor the progress of persons with autism spectrum disorders receiving services through the Health Division. • Sections 5, 15 and 18 of this bill require the Department of Education, the Health Division and the Department of Employment, Training and Rehabilitation to submit to the Aging and Disability Services Division information relating to persons with autism spectrum disorders. • Done • Passed Assembly, to Senate 06-03-11; Passed Senate, back to Assembly 06-05-11; To Enrollment 06-05-11; To Governor 06-13-11; Governor Approved 06-16-11
<p>AB563* (BDR S-1223)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Section 1 of this bill establishes the amount of the State's share of the costs of premiums or contributions for group insurance for active state officers and employees who participate in the Public Employees' Benefits Program. Section 2 of this bill establishes the base amount that is used to calculate the share of the costs of premiums or contributions for group insurance under the Program that is required to be paid by the State and local governments for retired public officers and employees. Section 2 of this bill also establishes the base amount that is used to calculate the share of the cost of qualified medical expenses for individual Medicare insurance plans through the Program that is required to be paid by the State and local governments for retired public officers and employees. • The amounts are as follows:

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	<ul style="list-style-type: none"> - For 2011-2012, state actives will receive \$644.81 per month - For 2012-2013, state actives will receive \$733.64 per month - For 2011-2012, state retirees will receive \$418.41 per month - For 2012-2013, state retirees will receive \$472.64 per month - For 2011-2012 and 2012-2013 for those retired prior to January 1, 1994, with Medicare will receive \$150.00 per month and for those retiring after January 1, 1994, will receive \$10 per month per year of service excluding purchased service to a maximum of \$200 per month. • If the amounts calculated exceed the actual premium, the balance must be credited to the Fund for the PEBP. • Monitor, No Actions At This Time • To Committee on Ways and Means 03-28-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • This amendment provides for an increase to the base amount in Fiscal Year 2012-2013 if the Board of the Program determines that additional reserves of the Program are available for this purpose. • Monitor, No Actions at this Time • Passed Assembly, to Senate 05-30-11; Passed Senate, back to Assembly 06-05-11; To Enrollment 06-05-11; To Governor 06-13-11; Governor Approved 06-16-11
ACR10* (BDR R-1296)	<ul style="list-style-type: none"> • An Assembly Concurrent Resolution directing the Legislative Committee on Health Care to create a task force to develop a state plan to address Alzheimer's disease. • To Committee on Legislative Operations and Elections 05-23-11 • Encourage Passage. Do Not Testify. • Passed Assembly, to Senate 05-27-11; Passed Senate, back to Assembly 06-04-11; To Enrollment 06-04-11; To Secretary of State 06-06-11
SB202 (BDR 19-987)	<ul style="list-style-type: none"> • Under existing law, certain contact lenses intended to correct, relieve or remedy an abnormal condition of the eye or intended for therapeutic purposes require a prescription to be dispensed. (NRS 636.025, 637.022, 637.090) Section 1 of the bill requires the governing body of a local government to solicit comment from the Health Division of the Department of Health and Human Services or the local board of health before adopting a rule that affects businesses which sell contact lenses. Section 4 of this bill allows the sale of nonprescription contact lenses for theatrical purposes to a customer who is 18 years of age or older if a disclosure is provided to the customer at the time of the sale. Section 4 also provides that a violation of that section is a deceptive trade practice. • Monitor, No Actions At This Time • To Committee on Commerce, Labor and Energy 02-28-11 • Dead – Missed 04-15-11 Deadline
SB253 (BDR 57-)	<ul style="list-style-type: none"> • Existing law requires certain public and private health care plans and policies of insurance to provide coverage for certain procedures,

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1052)		<p>including colorectal cancer screenings, cytological screening tests and mammograms, in certain circumstances. Existing law also requires employers to provide certain benefits to employees, including coverage for the procedures required to be covered by insurers, if the employer provides health benefits for its employees. This bill requires those public and private health care plans and policies of insurance, other than the State Plan for Medicaid, to also provide coverage for tobacco cessation treatment. The provisions of this bill apply prospectively to any policy of insurance or health care plan issued or renewed on or after July 1, 2012.</p> <ul style="list-style-type: none"> • This requirement may cause the premium to be increased. It, however, may decrease the number of smokers which may result in a decrease in long term health care claims. • Encourage Passage • To Committee on Commerce, Labor and Energy 03-17-11 • Dead – Missed 04-15-11 Deadline
<p>SB278* (BDR 57-253)</p>	<p>NE</p>	<ul style="list-style-type: none"> • Section 2 of this bill requires the Commissioner of Insurance to establish a task force on the use in this State of electronic identification cards that contain information relating to health insurance. The task force must consist of the Commissioner, the Director of the Department of Health and Human Services and three other members with knowledge and experience concerning health insurance or health care in this State who are appointed by the Commissioner. Section 3 of this bill requires the task force to study the use in this State of electronic identification cards which contain in an electronic format the information that is necessary to process a claim for coverage under a health care plan and specifies the issues that must be included in the study. Section 5 of this bill requires the Division of Insurance of the Department of Business and Industry to provide administrative support for the task force. Section 22 of this bill requires the Commissioner of Insurance, on or before January 31, 2013, to submit to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature a written report concerning the results of the study conducted by the task force and any recommendations for legislation. • Sections 6 and 18 of this bill prohibit certain insurers and self-insured governmental entities from requiring an insured to obtain prior authorization for medical and dental care if certain conditions are met including that: (1) the insured has been diagnosed with a severe or chronic condition by a specialized health care provider; (2) the insurer or entity has confirmed the diagnosis; (3) the medical or dental service is covered by the contract or plan of insurance; (4) the medical or dental service is clinically appropriate; (5) the medical or dental service is medically necessary; and (6) the medical or dental service is not more costly than and is equally effective as other services. The Commissioner is required to adopt regulations for carrying out the provisions of section 6. • Sections 8-12, 14 and 15 of this bill require written notice of a contract modification between certain insurers and a provider of health care to be sent to the provider at least 90 days before the proposed modification will take effect. • Section 16 of this bill requires the Director of the Department of Health and Human Services to include in each state plan which provides medical assistance a rate for reimbursing providers of health care which is not lower than the rate offered by Medicare in 2002. Section 16 also requires the Director to publish such rates on an Internet website maintained by the Department. • Existing law requires the Commissioner to prescribe a single, standardized form for use by insurers, carriers, societies, corporations, health maintenance organizations and managed care organizations to obtain any information relating to the credentials of a provider of health care. (NRS 629.095) Section 21 of this bill requires the Commissioner to prescribe that form for use by insurers that provide medical malpractice insurance, hospitals, medical facilities and other facilities that provide health care.

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	<ul style="list-style-type: none"> • Monitor, No Actions At This Time • To Committee on Commerce, Labor and Energy 03-18-11 <p>1st Reprint</p> <ul style="list-style-type: none"> • The changes previously provided in Sections 2, 3, 5, 22, 6 and 18 are deleted. • Sections 8-12, 14 and 15 of this bill require written notice of a contract modification between certain insurers and a provider of health care which involves the insurer's schedule of payments to be sent to the provider at least 45 days before the proposed modification will take effect, and require such insurers, upon request, to submit to a provider of health care with whom they contract any changes to the fee schedule applicable to the provider's practice. Section 14.5 of this bill imposes similar requirements with respect to contracts between an organization for dental care and a dentist and, consistent with similar provisions of law, provides that such a contract may be modified at any time pursuant to a written agreement executed by both parties. • Section 16 of this bill requires the Department of Health and Human Services, with respect to the State Plan for Medicaid and the Children's Health Insurance Program, to report every rate of reimbursement for physicians which is provided on a fee for-service basis and which is lower than the rate provided on the current Medicare fee schedule for care and services provided by physicians. Section 16 also requires the Director of the Department to publish a schedule of such rates of reimbursement on an Internet website maintained by the Department and to submit an annual report concerning such rates to the Legislature. • Section 17.5 of this bill provides that certain requirements concerning health insurance that are enacted after January 1, 2011, shall be deemed not to apply to certain nonprofit entities. • Existing law requires the Commissioner of Insurance to prescribe a single, standardized form for use by insurers, carriers, societies, corporations, health maintenance organizations and managed care organizations to obtain any information relating to the credentials of a provider of health care. (NRS 629.095) Section 21 of this bill requires the Commissioner to prescribe that form for use by hospitals, medical facilities and other facilities that provide health care. • Section 24.5 of this bill requires the Department of Health and Human Services to conduct a study concerning medical homes and to submit certain reports concerning the study to the Legislature. Section 24.7 of this bill imposes similar reporting requirements on the Department with respect to its study of electronic identification cards that contain information relating to health insurance. • Monitor, No Actions At This time <p>2nd Reprint</p> <ul style="list-style-type: none"> • Section 14.5 is amended by adding: The provisions of this section do not apply to an organization for dental care that provides services to recipients of Medicaid under the State Plan for Medicaid or insurance pursuant to the Children's Health Insurance Program pursuant to a contract with the Division of Health Care Financing and Policy of the Department of Health and Human Services. This subsection does not exempt an organization for dental care from any provision of this chapter for services provided pursuant to any other contract. • Done • Passed Senate, To Assembly 06-03-11; Passed Assembly, back to Senate 06-05-11; To Enrollment 06-05-11; To Governor 06-06-11; Governor Approved 06-15-11
DO NOT FOLLOW	
AB1	<ul style="list-style-type: none"> • Section 1 of this bill requires certain governmental entities of this State, beginning with the fourth quarter of Fiscal Year 2010-2011 and

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(BDR S-49)		<p>concluding with the third quarter of Fiscal Year 2012-2013, to report to the Interim Finance Committee within 60 days after the end of the immediately preceding fiscal quarter certain financial information, including the taxes and fees that: (1) were legally due to be paid to the entity; (2) the entity was able to collect; and (3) the entity did not collect or was otherwise unable to collect, to the extent that such information is available to the entity. Section 2 of this bill requires the Commission on Economic Development to report to the Interim Finance Committee on the same time schedule regarding each tax or fee that the Commission abated, exempted or otherwise waived and the duration of the applicable abatement, exemption or waiver. Section 3 of this bill requires each occupational licensing board that regulates an occupation or profession pursuant to title 54 of NRS to report to the Interim Finance Committee and the Legislative Commission every 6 months as to certain money, fees and expenditures. The first report required of the occupational licensing boards must be filed within 60 days after June 30, 2011, and the last report required of the occupational licensing boards must be filed within 60 days after December 31, 2012. All reports required to be filed pursuant to this bill must be submitted on a form provided by the Director of the Legislative Counsel Bureau.</p> <ul style="list-style-type: none"> • Do Not Follow
AB40 (BDR 34-442)		<ul style="list-style-type: none"> • Existing law requires certain persons who apply for employment or a contract with a private postsecondary educational institution to submit a completed fingerprint card that must be taken by an agency of law enforcement and authorization for the postsecondary institution to conduct an investigation of the background of the applicants. This bill allows the fingerprint card and authorization to be submitted electronically to the Central Repository for Nevada Records of Criminal History. This bill also exempts an applicant from the background check if the applicant will provide instruction from a location outside this State through a licensed program of distance education. • Do Not Follow
AB67 (BDR 23-317)		<ul style="list-style-type: none"> • A City of Reno bill • Under existing law, public employers are required periodically to file payroll reports concerning their employees and remit contributions to the Public Employees' Retirement System, which are based on the compensation paid to their employees. (NRS 286.460) The portions of an employee's compensation that are required to be reported and on which retirement contributions are required to be paid are set forth in existing law. (NRS 286.025) A public employer is responsible to an employee under existing law for any resulting impact to the employee's retirement benefit if the public employer erroneously reports to the System wages for the employee for which retirement contributions were not required. (NRS 286.460) Therefore, under existing law, an employee's retirement benefit is not adjusted as a result of any such erroneous reporting of wages by his or her public employer. This bill eliminates the liability of a public employer for any resulting impact to an employee's retirement benefit if the public employer erroneously reports the employee's wages to the System. Therefore, an employee's retirement benefit will be adjusted as a result of any such erroneous reporting of wages. • There is no need to follow this bill.
AB74 (BDR 57-472)		<ul style="list-style-type: none"> • Revises various provisions relating to the regulation of the insurance industry. • This bill provides technical revisions for the insurance industry and specifically for the insurance commissioner. • There is no need for us to follow the bill.
AB98 (BDR 36-56)		<ul style="list-style-type: none"> • An Act relating to emergencies; enacting the Uniform Emergency Volunteer Health Practitioners Act, which allows a participating state to establish a system whereby medical and veterinary service providers from other states may register to provide volunteer medical and

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		<p>veterinary services in that state in the event of an emergency; allowing a participating state to determine how various licensing, liability and certain other state laws will apply to registered medical and veterinary service providers who provide such volunteer services in a state in which they are not licensed to practice; and providing other matters properly relating thereto.</p> <ul style="list-style-type: none"> • There is no need to follow this bill.
AB106 (BDR 15-514)		<ul style="list-style-type: none"> • Existing law provides that living from the earnings of a prostitute is punishable as a category D felony. (NRS 201.320) Section 1 of this bill makes it a category B felony to live from the earnings of a prostitute if the prostitute is a child. Existing law also provides that soliciting a child for prostitution is punishable as a category E felony. (NRS 201.354) Section 2 of this bill enhances the penalties for such an offense based on the age of the child at the time of the offense. • There is no need to follow this bill.
AB120 (BDR 43-813)		<ul style="list-style-type: none"> • An Act relating to motor vehicles; increasing the amount of coverage that is required for certain policies of liability insurance for motor vehicles; and providing other matters properly relating thereto. • There is no need to follow this bill.
AB131 (BDR 53-688)		<ul style="list-style-type: none"> • Under existing law, certain diseases are considered to be occupational diseases for firefighters, police officers, arson investigators and emergency medical attendants. (NRS 617.453, 617.455, 617.457, 617.485, 617.487) This bill exempts these claims from the requirement that a person must be incapacitated from earning full wages for at least 5 days within a 20-day period in order to receive compensation for disability. • There is no need to follow this bill.
AB139 (BDR 40-624)		<ul style="list-style-type: none"> • Existing law requires all persons who serve as attendants on any ambulance or air ambulance and certain firefighters who provide intermediate or advanced medical care to sick or injured persons at the scene of an emergency or while transporting those persons to a medical facility to hold valid licenses issued by a health authority. (NRS 450B.250) Existing law prohibits the owner, operator, director or chief officer of any ambulance, air ambulance or vehicle of a fire fighting agency from offering to provide certain emergency care unless the licensed attendant or firefighter who is providing the care has successfully completed a program of training and meets other qualifications. (NRS 450B.1905, 450B.191, 450B.195) • Section 1 of this bill authorizes the holder of a permit for the operation of an ambulance or a vehicle of a fire-fighting agency to use a person other than a licensed attendant or firefighter to provide certain emergency care and assistance in a county whose population is less than 15,000 (currently Esmeralda, Eureka, Lander, Lincoln, Mineral, Pershing, Storey and White Pine Counties) if the county health officer or any other person designated by the board of county commissioners of the county has determined that an insufficient number of attendants and firefighters are available and the health or safety of the public is in danger as a result of that insufficiency. Section 9 of this bill provides immunity from civil liability for an unlicensed person who provides emergency care and assistance pursuant to section 1 under certain circumstances. • This bill is identical to SB138. • There is no need to follow this bill.
AB144 (BDR 28-64)		<ul style="list-style-type: none"> • Under existing law, a contract for a public work is awarded to the contractor who submits the best bid. A contractor may qualify for a preference in bidding on a contract for a public work if the contractor has submitted proof to the State Contractors' Board that the contractor has paid certain taxes to the State for the past 5 years. (NRS 338.1389, 338.147)

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	<ul style="list-style-type: none"> • Sections 2, 9-11, 13 and 16 of this bill require that a contractor, an applicant or a design-build team, respectively, must meet five additional criteria to receive a preference in bidding on a contract for a public work. Specifically, section 2 requires that, in addition to the existing requirements for a preference in bidding on a contract for a public work, the contractor, applicant or design-build team must ensure that: (1) at least 50 percent of the workers on the public work have a Nevada driver's license or identification card; (2) all of the non-apportioned vehicles primarily used on the public work are registered in Nevada; (3) at least 50 percent of the design professionals who work on the public work have a Nevada driver's license or identification card; (4) at least 25 percent of the materials used in the public work are purchased in Nevada; and (5) certain payroll records related to the public work are maintained and available within this State. • Section 2 also requires that, if a contractor, applicant or design-build team who receives a preference in bidding is awarded a contract for a public work, the contract must include those five requirements for a preference in bidding on a contract for a public work and provide that failure to comply with any of those five requirements is a material breach of the contract that entitles the public body to damages in the amount of 10 percent of the cost of the contract. Sections 9 and 10 of this bill provide that a contractor who breaches any of those five requirements for a contract for a public work the cost of which exceeds \$5,000,000 loses his or her certification for a preference in bidding for 5 years. Sections 3, 6-8 and 14 of this bill provide that a contractor, applicant or design-build team who breaches any of those five requirements for a contract for a public work the cost of which exceeds \$25,000,000 loses his or her ability to bid on any contracts for public works for one year. • Section 17 of this bill provides that those five requirements for a preference in bidding on a contract for a public work apply to any public work that is first advertised for bid after the effective date of this bill. Section 17 also declares that any contract for such a public work that fails to comply with this bill is void. • Section 5 of this bill revises the records that a contractor or subcontractor engaged on a public work must keep relating to their workers. • This is a good bill and should be supported by all Nevadans. • This bill does not affect CCASAPE and there is no need to follow the bill.
<p>AB147 (BDR 11-116)</p>	<ul style="list-style-type: none"> • Under existing law, upon finding grounds for the termination of parental rights, a court is required to make a written order judicially: (1) depriving the parent or parents of the custody and control of the child; (2) terminating the parental rights of the parent or parents with respect to the child; and (3) placing the custody and control of the child in some person or agency qualified by the laws of this State to provide services and care to children, or to receive any children for placement. (NRS 128.110) Section 2 of this bill provides that the termination of parental rights does not terminate the right of the child to inherit from his or her parent or parents. Section 1 of this bill makes a corresponding technical change by amending the definition of "parent and child relationship" to delete the reference to the right of inheritance and clarify that the termination of parental rights, which severs the "parent and child relationship," does not thereby terminate the right of the child to inherit from his or her parent or parents. • There is no need to follow this bill.
<p>AB149 (BDR 3-762)</p>	<ul style="list-style-type: none"> • Existing law requires a district court to dismiss an action for medical malpractice or dental malpractice if the action is filed without an affidavit of a medical expert that supports the allegations in the action. (NRS 41A.071) This bill authorizes the plaintiff's attorney in such an action to file the affidavit of a medical expert at a later time under certain circumstances. • There is no need to follow this bill.

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<p>AB151 (BDR 43-12)</p>	<ul style="list-style-type: none"> • Under the existing traffic laws of this State, it is a crime to engage in various activities while operating a motor vehicle or to operate a motor vehicle in a reckless or unsafe manner. (Chapters 484A-484E of NRS) Section 2 of this bill makes it a crime for a person to manually type or enter text into a cellular telephone or other handheld wireless communications device, or to send or read data using any such device while operating a motor vehicle. Section 2 provides an exception when the cellular telephone or other device is used by law enforcement officers and other emergency personnel who are acting within the course and scope of their employment. Additional exceptions apply if the person is using the cellular telephone or other device to report or request assistance relating to a medical emergency, a safety hazard or criminal activity, or if the person is responding to a situation requiring immediate action and stopping the vehicle would be inadvisable, impractical or dangerous. A first or second violation of the provisions of section 2 within the immediately preceding 7 years is a misdemeanor, and a third or subsequent violation within the immediately preceding 7 years is a gross misdemeanor. If a violation is the proximate cause of the death of, or substantial bodily harm to, another person, the violation is punishable as a category B felony and, pursuant to section 1 of this bill, will result in the revocation of the driver's license of the person for 3 years. Section 3 of this bill makes the enhanced penalty for certain traffic violations that occur in a temporary traffic control zone applicable to violations of these new crimes. • This bill is very similar to SB140. • There is no need to follow this bill.
<p>AB153 (BDR 7-560)</p>	<ul style="list-style-type: none"> • Under existing law, various boards, commissions, departments, divisions and other governing bodies have authority to issue and to deny, refuse to renew, suspend or revoke various licenses, permits and certificates to engage in business or to practice a profession. This bill provides that the provisions of existing law authorizing such action shall not be construed to authorize the issuing board, commission, department, division or governing body to use a record of an arrest of a person to deny, refuse to renew, suspend or revoke a license, permit or certificate. • There is no need to follow this bill.
<p>AB155 (BDR 57-727)</p>	<ul style="list-style-type: none"> • Under existing law, an insurer seeking to increase or decrease the rate of certain kinds and lines of insurance must file a proposal with the Commissioner of Insurance. (NRS 686B.070) The Commissioner may, within 60 days, approve or disapprove the proposal, and if no action is taken within 60 days, the proposal is deemed effective. (NRS 686B.110) • Section 1 of this bill provides that an insurer may file with the Commissioner a proposal to increase or decrease the rate of a line of insurance by not more than 7 percent, which rate becomes effective upon filing. An insurer may not make a filing pursuant to section 1 if the Commissioner has made a determination that the market for that line of insurance is not competitive. The Commissioner may require an insurer to file supporting data and provide that a rate change filed pursuant to section 1 becomes effective not less than 30 days after the filing if the insurer filing the proposal is determined by the Commissioner to be in hazardous financial condition or to have exhibited a pattern of engaging in rating practices which are unfairly discriminatory. The Commissioner may order any rate set in accordance with section 1 to be discontinued if the Commissioner later determines that the rate is inadequate or unfairly discriminatory, or otherwise violates any provision of the Nevada Insurance Code. • There is no need to follow this bill.
<p>AB161 (BDR 15-729)</p>	<ul style="list-style-type: none"> • Under existing law, unless a greater penalty is provided by NRS 200.603, which governs the crime of peering, peeping or spying through an opening of the dwelling of another person, a person who commits the crime of trespassing is guilty of a misdemeanor. (NRS 207.200)

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		<p>A person who is convicted of a misdemeanor generally must be punished by: (1) imprisonment in the county jail for not more than 6 months; (2) a fine of not more than \$1,000; or (3) both imprisonment and a fine. Alternatively, instead of all or a portion of such punishment, a person may be sentenced to perform community service. (NRS 193.150)</p> <ul style="list-style-type: none"> This bill requires that unless a greater penalty is provided by NRS 200.603, a person who is convicted of trespassing on the premises of a licensed gaming establishment for the third or subsequent time within 5 years must be punished by: (1) a fine of \$1,000; or (2) a fine of \$1,000 and imprisonment in the county jail for not more than 6 months. A person may also be sentenced to perform community service instead of all or a portion of such punishment. There is no need to follow this bill.
AB173 (BDR 43-104)		<ul style="list-style-type: none"> Under the existing traffic laws of this State, it is a crime to engage in various activities while operating a motor vehicle or to operate a motor vehicle in a reckless or unsafe manner. (Chapters 484A-484E of NRS) Section 2 of this bill makes it a crime for a person to manually type or enter text into a cellular telephone or other similar device, or to send or read data using any such device while operating a motor vehicle. Section 2 further prohibits a person from using such a device for 7 voice communications unless the device is used with an accessory which allows the person to communicate without using his or her hands, with certain limited exceptions. Section 2 provides an exception to the prohibitions when the cellular telephone or other device is used by law enforcement officers and other emergency personnel who are acting within the course and scope of their employment. Additional exceptions apply if the person is using the cellular telephone or other device to report or request assistance relating to a medical emergency, a safety hazard or criminal activity, or if the person is responding to a situation requiring immediate action and stopping the vehicle would be inadvisable, impractical or dangerous. A first or second violation of the provisions added by section 2 within the immediately preceding 7 years is a misdemeanor, and a third or subsequent violation within the immediately preceding 7 years is a gross misdemeanor. If a violation is the proximate cause of the death of, or substantial bodily harm to, another person, the violation is punishable as a category B felony and, pursuant to section 1 of this bill, will result in the revocation of the driver's license of the person for 3 years. Section 3 of this bill makes the enhanced penalty for certain traffic violations that occur in a temporary traffic control zone applicable to violations of these new crimes. This bill is very similar to SB140 and AB151. There is no need to follow this bill.
AB179 (BDR 23-841)		<ul style="list-style-type: none"> Under existing law, an appointing authority may dismiss or demote a permanent classified employee if the appointing authority considers that the dismissal or demotion will serve the good of the public service, and the appointing authority may suspend a permanent employee without pay for disciplinary purposes for up to 30 days. (NRS 284.385) The employee may then request a hearing to determine whether the dismissal, demotion or suspension was reasonable. (NRS 284.390) Section 1 of this bill requires an appointing authority to provide appropriate training, warnings and notice of a policy and of the procedure for disciplinary action before taking disciplinary action against an employee. Section 1 also requires the appointing authority to assign one supervisor to conduct a fact-finding investigation and a second supervisor to determine whether substantial evidence of the allegation exists based on the investigation, if the accused employee disputes the allegation that would form the basis of a disciplinary action. Does not Affect CCASAPE. There is no need to follow this bill.
AB190		<ul style="list-style-type: none"> Existing law generally authorizes a professional entity to issue any owner's interest in the entity only to natural persons licensed to render

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(BDR 7-676)		<p>the same professional services as those for which the professional entity was formed. (NRS 89.070) This bill additionally authorizes a professional entity to issue any owner's interest to other natural persons licensed by the same regulating board that licenses such natural persons who render the same professional services as those for which the professional entity was formed, as long as such other natural persons maintain only minority ownership of the professional entity.</p> <ul style="list-style-type: none"> • There is no need to follow this bill.
AB199 (BDR 54-875)		<ul style="list-style-type: none"> • Existing law authorizes a registered pharmacist to collaborate with a physician to engage in the implementation and modification of drug therapy for a patient at a licensed medical facility or licensed pharmacy. (NRS 639.0124) Sections 4 and 9 of this bill authorize a registered pharmacist, pursuant to a collaborative practice agreement entered into with a physician and approved by the State Board of Pharmacy, to implement, monitor and modify the drug therapy of a patient at a facility other than a licensed medical facility or licensed pharmacy. Section 5 of this bill requires that a facility other than a licensed medical facility or licensed pharmacy, while being used for collaborative pharmacy practice, be continuously supervised by a registered pharmacist, physician or certain other qualified persons whom the Board may authorize to supervise the facility in the absence of a registered pharmacist or physician. Section 6 of this bill requires the Board to establish by regulation the content and required terms of a collaborative practice agreement and the procedures for securely maintaining confidential medical information and prescription drugs at the facility being used for collaborative pharmacy practice. Section 6 also requires the Board to adopt regulations prescribing the acts which a registered pharmacist engaged in collaborative pharmacy practice may or may not perform pursuant to a collaborative practice agreement. Section 8 of this bill exempts a facility at which a registered pharmacist practices collaborative pharmacy practice from provisions governing pharmacies. • A person who violates any provision of chapter 639 of NRS governing pharmacists and pharmacies, including any provision of this bill, is guilty of a misdemeanor. (NRS 639.310) • There is no need to follow this bill.
AB209 (BDR 31-756)		<ul style="list-style-type: none"> • Existing law authorizes a local government to establish funds which are to be used exclusively for the construction of capital projects and the extraordinary maintenance, repair or improvement of capital projects or facilities that replace capital projects. (NRS 354.6105, 354.6113) Sections 1 and 2 of this bill authorize a local government to transfer money from such funds that are designated exclusively for capital projects to the local government's fund for medical assistance to indigent persons, except that such a transfer is prohibited if the transfer would affect adversely any outstanding obligations of the local government. • This bill will not impact school districts. • There is no need to follow this bill.
AB242 (BDR 31-67)		<ul style="list-style-type: none"> • Existing law requires certain governmental entities to report quarterly to the Interim Finance Committee regarding the taxes and fees that were legally due to be paid to the governmental entity, the taxes and fees that the governmental entity was actually able to collect, and the taxes and fees that the governmental entity failed to collect or otherwise did not collect. (Chapter 238, Statutes of Nevada 2009, pp. 970-71) Section 5 of this bill requires each quasi-public organization that receives money from a state agency in the form of a donation, gift, grant or other conveyance to report to the Legislative Commission, on or before September 1 of each year for the immediately preceding fiscal year, concerning the disposition and use of the money so received. Section 6 of this bill requires that each state agency which conveys money to a quasi-public organization include an entry in the budget of the state agency summarizing that conveyance. Section 7 of this bill exempts from the preceding requirements any money that is conveyed by a state agency to a quasi-public organization in the

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		<p>form of a direct appropriation, if the money so conveyed is required to be used for a specific purpose as a condition of the appropriation. Section 3 of this bill defines the term “quasi-public organization” for the purposes of the bill to mean: (1) a nonprofit organization that qualifies for tax exempt status under 26 U.S.C. § 501(c); or (2) any entity that is created by or pursuant to an interlocal agreement.</p> <ul style="list-style-type: none"> • There is no need to follow this bill.
AB250 (BDR 1-314)		<ul style="list-style-type: none"> • Under existing law, police officers are exempt from service as grand or trial jurors, but this provision is only effective through June 30, 2011. (NRS 6.020) This bill repeals the prospective expiration of the exemption from jury service of any police officer. (Section 3, chapter 136, Statutes of Nevada 2007, p. 417) • There is no need to follow this bill.
AB256 (BDR 53-1121)		<ul style="list-style-type: none"> • Under existing law, an employee’s average monthly wage for the purposes of the Nevada Industrial Insurance Act is calculated using the employee’s actual wages, less wages from certain employment. The Nevada Supreme Court held that wages earned from employment with the Federal Government were excluded from calculation of the average monthly wage. (<i>State Indus. Ins. Sys. v. Prewitt</i>, 113 Nev. 616 (1997)) Section 1 of this bill supersedes that decision to allow for inclusion of wages from employment in a different jurisdiction in certain circumstances. • Under existing law, a claimant is entitled to certain benefits relating to industrial insurance. (Chapters 616A-616D of NRS) Section 4 of this bill specifies how these benefits must be paid by an insurer. Section 5 of this bill requires an insurer to provide a claimant with a list of treating physicians or chiropractors from which the claimant may choose a treating physician or chiropractor and to both post such a list on the insurer’s website and email the list to the claimant or his or her representative. Section 6 of this bill requires various events relating to a medical examination requested by the insurer or employer or ordered by an appeals officer or hearing officer to occur within certain periods of time. Section 7 of this bill establishes various requirements and time limits relating to requests for medical records. Section 9 of this bill requires an insurer to comply with a decision rendered by an appeals officer within 15 days after the decision. Section 10 of this bill reduces the amount of time for a stay of a decision of an appeals officer to be granted. Section 15 of this bill revises provisions governing vocational rehabilitation benefits. • Under existing law, an employee who is injured while on a temporary assignment outside of Nevada may receive compensation from the Uninsured Employers’ Claim Account if the employee was denied workers’ compensation in the state where the injury occurred. Section 8 of this bill allows for such compensation for an injury that occurs in a jurisdiction other than a state. • Under existing law, the degree of permanent partial disability for which an employee may be compensated must be reduced to account for a previous disability. Section 13 of this bill revises the method for such a reduction to account for a previous disability or preexisting condition. • Existing law provides for benefit penalties, in addition to administrative fines, to be imposed against various persons, including insurers and third-party administrators, for certain violations of the industrial insurance statutes. Section 16 of this bill: (1) removes those provisions which authorize benefit penalties to be imposed against insurers and third-party administrators; and (2) leaves intact those provisions which authorize administrative fines to be imposed against insurers and third-party administrators. Section 16 also revises the time within which an insurer must make a payment after a decision is rendered. Sections 2, 11 and 14 of this bill revise various industrial insurance statutes to be consistent with the revisions made in section 16. • Existing law prohibits causes of action from being brought or maintained against insurers or third-party administrators and provides that

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		<p>finances imposed pursuant to certain industrial insurance provisions are the exclusive remedies for violations of the industrial insurance statutes by insurers and third-party administrators. Section 17 of this bill repeals this law, allowing causes of action to be brought and maintained against insurers and third-party administrators.</p> <ul style="list-style-type: none"> • There is no need to follow this bill.
AB262 (BDR 20-1039)		<ul style="list-style-type: none"> • Under existing law, most counties elect a public administrator every 4 years. For certain other counties (currently Humboldt, Lander, Lincoln and White Pine Counties), the district attorney of the county serves, ex officio, as the public administrator of the county. (NRS 253.010, 253.050) Sections 1 and 2 of this bill provide for the District Attorney of Storey County to serve, ex officio, as the Public Administrator of that county. Section 3 of this bill provides that the District Attorney of Storey County shall begin to serve, ex officio, as the Public Administrator of Storey County on July 1, 2011. • There is no need to follow this bill.
AB280 (BDR 40-517)		<ul style="list-style-type: none"> • Existing law requires certain medical facilities to adopt patient safety plans and establish patient safety committees to oversee matters relating to the health and safety of patients at the facilities. (NRS 439.865, 439.875) Sections 1 and 5 of this bill require the patient safety committee of such a medical facility to adopt certain patient safety checklists to improve the health outcomes of patients in the medical facility. Sections 1 and 5 also require the patient safety committee to review those checklists at least annually and revise the checklists as necessary. Section 1 also provides for annual reporting by the patient safety committees to the Legislative Committee on Health Care. Section 4 of this bill requires the patient safety checklists to be included in the patient safety plan established for the medical facility. • Section 7 of this bill provides that existing administrative sanctions which may be imposed against a medical facility that fails to adopt a patient safety plan or establish a patient safety committee may be imposed against a medical facility for a violation of section 1. • We certainly support this bill. There is no need to follow this bill.
AB296 (BDR 54-1087)		<ul style="list-style-type: none"> • Existing law requires the Board of Examiners for Long-Term Care Administrators to provide notice and a hearing before imposing certain administrative sanctions on a nursing facility administrator or an administrator of a residential facility for groups. (NRS 654.190) This bill removes the requirement for a hearing, instead requiring that a nursing facility administrator or an administrator of a residential facility for groups be afforded an opportunity for a hearing after reasonable notice. • There is no need to follow this bill.
AB317 (BDR 3-540)		<ul style="list-style-type: none"> • Existing law requires certain claims relating to residential property to be submitted for mediation or arbitration with the Real Estate Division of the Department of Business and Industry by filing a written claim with the Division as a prerequisite to filing a civil action based on those claims. Existing law further requires a person who is served with such a claim to file a written answer with the Division within 30 days after the person was served. (NRS 38.310, 38.320) Section 1 of this bill requires the Division to: (1) find a person to be in default if the person is served with such a claim and fails to file a written answer with the Division within 30 days; and (2) appoint an arbitrator for the claim. Section 1 further requires the arbitrator appointed by the Division to set and give notice of a hearing to allow an opportunity for the person who failed to file a written answer to prove that the failure to file was a result of excusable neglect. Section 1 also sets forth the procedures governing the arbitration if: (1) the arbitrator determines the failure to file was not a result of excusable neglect; (2) the person who failed to file the answer does not appear at the hearing; or (3) the arbitrator determines the failure to file was a result of excusable neglect. • Section 4 of this bill requires: (1) the Division to send to the parties the written claim filed with the Division a list of mediators and

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	<p>arbitrators; and (2) the parties to notify the Division of, among other things, their selection of a mediator or arbitrator within a specific period. Existing law authorizes, under certain circumstances, any party to nonbinding arbitration to commence a civil action concerning the claim which was submitted for arbitration within 30 days after a decision and award have been served upon the parties. (NRS 38.330) Section 4 requires such a decision and award to be both final and dispositive of any and all issues of the claim which were submitted to nonbinding arbitration before such a party may commence a civil action.</p> <ul style="list-style-type: none"> Existing law requires the Division to establish and maintain a list of mediators and arbitrators who the Division determines have received training and experience in the resolution of disputes concerning residential property within a common interest community and who are available for mediation and arbitration of claims arising from such disputes. (NRS 38.340) Section 5 of this bill mandates rather than authorizes the Division to require a mediator or arbitrator to present proof of that training and experience before the Division includes the mediator or arbitrator on the list and also requires the training to: (1) include at least 8 hours of continuing education approved by the Division; and (2) be completed during the 1-year period before the initial inclusion of the mediator or arbitrator on the list and each year thereafter. There is no need to follow this bill.
<p>AB338 (BDR 23-1010)</p>	<ul style="list-style-type: none"> Under existing law, no state, county or municipal department, housing authority, agency or board, including the Nevada System of Higher Education, may discriminate against any person in employment because of the person's race, creed, color, national origin, sex, sexual orientation, age, political affiliation or disability, except when based upon a bona fide occupational qualification. (NRS 281.370) The Nevada Supreme Court has held that when the Nevada Legislature prescribes, by legislation, duties concerning fair treatment of personnel, and when such duties apply broadly to all state and local governing boards, such duties may also be imposed upon the Board of Regents of the University of Nevada and in no way interfere with the constitutional authority of the Board to exercise essential management and control of the University of Nevada. (<i>Bd. of Regents v. Oakley</i>, 97 Nev. 605, 608 (1981)) Section 1 of this bill requires an appointing authority to provide appropriate training, warnings and notice of a policy and of the procedure for making a personnel decision that adversely affects an employee before making such a decision against an employee. Section 1 also requires the appointing authority to assign one supervisor to conduct a fact-finding investigation and a second supervisor to determine whether substantial evidence of the allegation exists based on the investigation, if the accused employee disputes the allegation that would form the basis of a personnel decision that adversely affects the employee. There is no need to follow this bill.
<p>AB340 (BDR 53-995)</p>	<ul style="list-style-type: none"> Existing law requires the Division of Industrial Relations of the Department of Business and Industry to enforce the Nevada Occupational Safety and Health Act. (NRS 618.175) Section 3 of this bill requires the Division to adopt regulations: (1) prescribing with specificity those situations in which a serious violation exists in a place of employment; (2) prescribing the criteria which the Division must consider in evaluating the gravity of a violation; (3) prescribing the criteria which the Division must consider in evaluating the amount of any administrative fine assessed by the Division; and (4) requiring that the employees and agents of the Division who conduct inspections receive certain training. Section 4 of this bill prohibits the Division from assessing an administrative fine for a violation if the Occupational Safety and Health Administration of the United States Department of Labor has identified the violation as a violation of a substantially similar provision of federal law and has imposed a fine or other sanction pursuant to federal law. Section 5 of this bill exempts certain persons who are performing work on a residential building that is not more than three stories in

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		<p>height from certain requirements in state law concerning the completion of training relating to the safety and health of construction workers. Section 5 also exempts certain persons who are performing work in a county whose population is less than 50,000 (currently all counties other than Clark and Washoe Counties and Carson City) from such requirements. These persons would instead be required to comply with the federal laws and regulations governing such training which are administered by the Occupational Safety and Health Administration. Section 2 of this bill expresses the findings and declarations of the Legislature that exempting such persons from the requirements in state law concerning such training will have a beneficial economic effect on this State and will not have a detrimental effect on the safety and health of the residents of this State.</p> <ul style="list-style-type: none"> • There is no need to follow this bill.
AB369 (BDR 40-705)		<ul style="list-style-type: none"> • This bill enacts the Freedom of Choice in Health Care Act in the State of Nevada to provide that residents of this State have the right to enter into contracts with providers of health care directly to obtain health care services and to purchase private insurance to cover health services provided to the person. This bill also includes a pledge from the Legislature that it will not enact legislation which requires a person to participate in any health care system or plan or which imposes any type of penalty against a person for declining health care coverage or for participating in any particular health care system or plan. • There is no need to follow this bill.
AB370 (BDR 19-608)		<ul style="list-style-type: none"> • This bill provides that if a person's gender is required to be indicated on a document submitted to an agency of the State or a local government, the gender indicated on the document must be the gender shown on the person's birth certificate unless the person: (1) has undergone surgery for gender reassignment; and (2) submits a declaration from a physician licensed in this State confirming that the person has undergone such surgery. • There is no need to follow this bill.
AB377 (BDR 15-354)		<ul style="list-style-type: none"> • Under existing law, a person who knowingly and willfully possesses child pornography is guilty of a category B felony for the first offense and a category A felony for any subsequent offense. (NRS 200.730) Additionally, any person who, knowingly, willfully and with the specific intent to view any film, photograph or other visual presentation depicting a person under the age of 16 engaging in or simulating sexual conduct, uses the Internet to control such a film, photograph or other visual presentation is guilty of a category C felony for the first offense and a category B felony for any subsequent offense. (NRS 200.727) • Section 1 of this bill expands the prohibition against possessing child pornography to include the act of accessing child pornography through the use of the Internet, and section 3 of this bill repeals the existing prohibition against using the Internet to control such child pornography. Section 2 of this bill makes a technical change to reflect the change in the name of the crime resulting from the revision in section 1. • There is no need to follow this bill.
AB381 (BDR 15-123)		<ul style="list-style-type: none"> • Under existing case law, there is no duty to retreat before using deadly force if the person using deadly force is not the original aggressor and reasonably believes that he or she is about to be killed or seriously injured. (<i>Culverson v. State</i>, 106 Nev. 484 (1990)) Section 1 of this bill provides that under the defense of justifiable homicide there is no duty to retreat if the person using deadly force: (1) is not the original aggressor; (2) has a reasonable belief that he or she is in danger of being killed or seriously injured by the person against whom deadly force is used; (3) has a right to be present at the location where deadly force is used; and (4) is not engaged in criminal activity at the time deadly force is used. Section 1 also revises the definition of "justifiable homicide" to include specifically the killing of a person in

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	<p>defense of property where a person is present, including, without limitation, a motor vehicle or place of business or employment.</p> <ul style="list-style-type: none"> Existing law provides that a killing is justifiable if the circumstances were sufficient to excite the fears of a reasonable person and the person killing really acted under the influence of those fears and not in a spirit of revenge. (NRS 200.130) Section 2 of this bill establishes a presumption that the killing is justifiable under the standard set forth in NRS 200.130 if the person killing: (1) knew or had reason to believe that the person who was killed was entering unlawfully and with force, or attempting to enter unlawfully and with force, the habitation or property of another; (2) knew or had reason to believe that the person who was killed was committing or attempting to commit a felony; and (3) did not provoke the person who was killed. Existing law provides that in a civil action brought by or on behalf of a person against whom force which is intended or likely to cause death or bodily injury was used: (1) there is a presumption that the person who used such force had a reasonable fear of imminent death or bodily injury to himself or herself or another person if the person against whom such force was used was committing burglary or invasion of the home; and (2) that presumption must be overcome by clear and convincing evidence to the contrary for the civil action to be maintained. (NRS 41.095) Section 3 of this bill removes that presumption and enacts a provision, based upon Texas law, which provides that a person is immune from civil liability for using force which is intended or likely to cause death or bodily injury if the person was justified in using such force under the applicable provisions of Nevada criminal law. (Texas Civil Practice and Remedies Code, § 83.001) There is no need to follow this bill.
<p>AB382 (BDR 54-1006)</p>	<ul style="list-style-type: none"> Under existing law, with certain exceptions, a person is not allowed to engage in the practice of chiropractic unless he or she is licensed by the Chiropractic Physicians' Board of Nevada. (NRS 634.227) Sections 3-5 of this bill require the Board to establish a preceptor program to enable a student who is enrolled in a college of chiropractic and satisfies other eligibility criteria to obtain supervised clinical experience under an agreement with a licensed chiropractor who is approved by the Board to act as a preceptor in the program. Section 4 of this bill authorizes a student participating in the program to perform chiropractic, other than chiropractic adjustment or manipulation, under the direct supervision of a preceptor for up to 1 year. Section 8 of this bill authorizes the Board to impose a fee for filing an application to participate in the preceptor program. Section 9 of this bill provides that a student who participates in the program and who performs chiropractic does not violate the law prohibiting the unlicensed practice of chiropractic. There is no need to follow this bill.
<p>AB406 (BDR 18-584)</p>	<ul style="list-style-type: none"> Section 3 of this bill creates the Evaluation and Sunset Advisory Commission and sets forth the details regarding the members of the Commission, who are appointed by the Governor and the Majority and Minority Leaders of each House of the Legislature. Section 5 of this bill sets forth the duties of the Commission which include, without limitation, reviewing and evaluating all agencies, boards and commissions and statutory tax exemptions, abatements and earmarks in this State for necessity and efficacy and for duplication by other agencies, boards and commissions of the Federal Government, this State or local governments in this State. Section 4 of this bill requires the Commission to meet at least bimonthly and to annually report its findings and recommendations to the Governor and the Legislature. Section 6 of this bill authorizes the Commission to apply for and receive gifts, grants, contributions or other money to carry out its duties. There is no need to follow this bill.
<p>AB411 (BDR 40-372)</p>	<ul style="list-style-type: none"> This bill enacts the Freedom of Choice in Health Care Act in the State of Nevada to provide that residents of this State have the right to enter into contracts with providers of health care directly to obtain health care services and to purchase private insurance to cover health

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		<p>services provided to the person. This bill also includes a pledge from the Legislature that it will not enact legislation which requires a person to participate in any health care system or plan or which imposes any type of penalty against a person for declining health care coverage or for participating in any particular health care system or plan.</p> <ul style="list-style-type: none"> • This bill is identical to AB369. • There is no need to follow this bill.
AB421 (BDR 54-768)		<ul style="list-style-type: none"> • Existing federal law requires that certain drugs or medications that are prescribed must have a black box warning on the label to warn the patient of the serious risks associated with the use of the drug or medication. (21 C.F.R. § 201.57) Existing Nevada regulations require a pharmacist or an intern pharmacist to provide certain information to patients regarding prescription drugs before dispensing the drugs, unless the patient refuses to accept the counseling. (NAC 639.707) Section 2 of this bill requires a person who prescribes a drug or medication for which a black box warning is required to counsel the patient regarding the reason for the warning and the risks and benefits of using the drug or medication. Section 3 of this bill similarly requires a person who dispenses such a drug or medication to counsel the patient or person who is filling the prescription about the black box warning and certain other information. The person dispensing the drug or medication is further required to include certain written information with the drug or medication. Section 3 prohibits a person from dispensing such a drug or medication if the patient or person caring for the patient refuses to accept the counseling and it is the first time that the prescription is filled. Sections 2 and 3 provide that a person who prescribes or dispenses a drug or medication requiring a black box warning who does not comply with these requirements shall be deemed to have engaged in unprofessional conduct. • There is no need to follow this bill.
AB427 (BDR 40-1079)		<ul style="list-style-type: none"> • This bill establishes a program for requiring deposits to be paid and then refunded on certain recyclable beverage containers sold in this State. Under section 10 of this bill, every beverage container, with certain exceptions, has a refund value of 5 cents. Section 11 of this bill requires every beverage container sold in this State to be clearly labeled with that refund value and as being recyclable and originally sold in this State. Section 12 of this bill requires a consumer to deposit the refund value of each beverage container when purchasing a filled container, and section 13 of this bill provides for the refunding of that value to the consumer and the eventual return of empty beverage containers to bottlers. Section 14 of this bill prohibits a person from attempting to return for a refund more than a certain number of empty beverage containers that the person knows or has reason to know were not originally sold in this State. Section 15 of this bill provides for the separate accounting of money received as a deposit for a beverage container and requires certain surplus money to be transferred to the Division of Environmental Protection of the State Department of Conservation and Natural Resources for use in recycling and recycling promotion and education programs. Section 16 of this bill requires certain reports to be made to the Division, and section 17 of this bill requires the Division to adopt regulations necessary to carry out the provisions of this bill. • There is no need to follow this bill.
AB436 (BDR 32-724)		<ul style="list-style-type: none"> • Existing law requires employers to pay a payroll tax on the wages paid to their respective employees during each calendar quarter. The tax is currently imposed on employers other than financial institutions at the rate of 0.5 percent of the total wages paid per calendar quarter that do not exceed \$62,500 plus 1.17 percent of any additional quarterly wages. On July 1, 2011, the rate of the tax is scheduled to change to 0.63 percent of the wages paid per calendar quarter. (NRS 363B.110) This bill authorizes employers in Nevada to deduct from the total amount of wages reported and upon which the payroll tax is imposed any wages paid to newly hired employees during the 4-year period next following their hiring if the employees are paid wages above a specified amount and certain other conditions are

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		<p>satisfied.</p> <ul style="list-style-type: none"> • There is no need to follow this bill.
<p>AB438 (BDR 40-1066)</p>		<ul style="list-style-type: none"> • Existing state law provides for the medical use of marijuana by setting forth a limited exemption from state and local prosecution for persons with qualifying medical conditions, and their designated primary caregivers, who possess, deliver or produce marijuana in prescribed quantities. Existing state law provides no mechanism by which persons authorized to engage in the medical use of marijuana are to obtain marijuana. (Chapter 453A of NRS) Under existing state law, the chapter pertaining to the medical use of marijuana is not subject to the laws of this State pertaining to controlled substances to the extent that those laws on controlled substances are inconsistent with the medical use of marijuana. (NRS 453.005) • This bill provides for: (1) the registration and regulation of producers of marijuana by the State Department of Agriculture; (2) the registration and regulation of manufacturers of marijuana and medical marijuana facilities by the Health Division of the Department of Health and Human Services; (3) the imposition of fees to register as a producer of marijuana, manufacturer of marijuana or medical marijuana facility; (4) the creation of a Medical Marijuana Regulatory Board that will evaluate, monitor and report upon various matters of importance to patients who use marijuana for medicinal purposes; (5) the imposition of civil penalties against and the suspension or termination of the certificate of registration of producers of marijuana, manufacturers of marijuana and medical marijuana facilities that operate in violation of the provisions of this bill; (6) certain civil protections for persons engaged in the medical use of marijuana or assisting in the medical use of marijuana; (7) expansion of the permissible activities in which persons involved in the medical use of marijuana may engage; and (8) the taxation of marijuana sold in connection with the medical use of marijuana. • There is no need to follow this bill.
<p>AB536 (BDR 38-201)</p>		<ul style="list-style-type: none"> • Under existing law, certain types of facilities which provide residential services to children are required to obtain background investigations for holders of licenses, employees and certain residents of the facility, including, without limitation, foster homes and child care facilities. Existing law does not require similar background investigations to be conducted for holders of licenses and employees of other types of facilities which provide residential services to children, including, without limitation, juvenile justice facilities, facilities that provide mental health treatment to children, and other medical and related facilities which provide residential services to children. This bill prescribes, to the extent applicable, standard requirements for background investigations, records of background investigations, supervision of persons pending background investigations and termination of the employment of persons who have committed certain crimes. • Sections 2-6 of this bill prohibit a person from having unsupervised contact with a child pending the outcome of his or her background investigation and require foster homes to terminate the employment of an employee or remove a resident who is over 18 years of age if the person has been convicted of a crime prescribed in section 4. Sections 2-6 also require foster homes to maintain certain records relating to background investigations which are conducted for employees and residents of the homes. A background investigation must be conducted every 5 years after the initial investigation. • Sections 8-10 of this bill require child care facilities to maintain certain records for certain employees, residents and participants of the facilities and prohibit unsupervised contact with a child pending the results of a background investigation. A background investigation must be conducted every 5 years after the initial investigation. • Sections 12-14 of this bill require public or private institutions and agencies to which a juvenile court commits a child to conduct background investigations of all employees of the institution or agency. Sections 12-14 also prohibit a person from having unsupervised

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	<p>contact with a child pending the outcome of his or her background investigation and require institutions and agencies to terminate the employment of employees who have been convicted of a crime prescribed in section 12. Sections 12-14 further require institutions and agencies to maintain certain records relating to the background investigations which are conducted for employees. A background investigation must be conducted every 5 years after the initial investigation.</p> <ul style="list-style-type: none"> • Sections 17-19 of this bill require certain facilities which provide residential mental health treatment to children to conduct background investigations of all employees of the facility. Sections 17-19 also prohibit a person from having unsupervised contact with a child pending the outcome of his or her background investigation and require such facilities to terminate the employment of employees who have been convicted of a crime prescribed in section 17. Sections 17-19 also require those facilities to maintain certain records relating to the background investigations which are conducted for employees. A background investigation must be conducted every 5 years after the initial investigation. • Under existing law, each applicant for a license to operate and each employee of a facility for intermediate care, facility for skilled nursing, residential facility for groups, agency to provide personal care services in the home or home for individual residential care must submit to a background investigation. (NRS 449.173-449.188) These provisions specifically exclude a facility for the treatment of abuse of alcohol or drugs under existing law. Sections 20-24 of this bill include other medical facilities and facilities for the treatment of abuse of alcohol or drugs if those facilities provide residential services to children. Sections 20-24 also amend provisions relating to unsupervised contact with children and the maintenance of records to be consistent with this bill. • Section 25 of this bill requires persons who are required to submit to background investigations pursuant to the amendatory provisions of this bill to submit to such investigations on or before October 1, 2011, and authorizes such persons to have contact with children without supervision pending the results of the investigation. • There is no need to follow this bill.
<p>AB537 (BDR 54-1115)</p>	<ul style="list-style-type: none"> • The United States Food and Drug Administration requires that certain prescription drugs include a label which meets federal regulations for such labels. Existing law in this State authorizes certain health care practitioners, including physicians, physician assistants, dentists, advanced practitioners of nursing, osteopathic physicians, osteopathic physician assistants, podiatric physicians, optometrists and veterinarians, to prescribe and administer controlled substances and dangerous drugs under certain circumstances. This bill prohibits those health care practitioners and pharmacists from aiding, assisting, employing or advising, directly or indirectly, any person in the procurement, purchase or consumption of controlled substances and dangerous drugs that do not include a label as required under federal law. This bill further authorizes disciplinary action to be taken against health care practitioners for violations of the prohibition. • There is no need to follow this bill.
<p>AB545 (BDR 20-548)</p>	<ul style="list-style-type: none"> • Unless expressly provided otherwise or required by context, “population” is defined under existing law for the entire Nevada Revised Statutes as “the number of people in a specified area as determined by the last preceding national decennial census conducted by the Bureau of the Census of the United States Department of Commerce” pursuant to the United States Constitution and as reported by the Secretary of Commerce to the Governor of Nevada. (NRS 0.050) The Nevada Supreme Court has upheld classifications in statutes based on the population of entities if the classification is rationally related to the subject matter and purpose of the statute, applies prospectively to all such entities that might come within its designated class and does not create an odious, absurd or bizarre distinction. (<i>County of Clark v. City of Las Vegas</i>, 97 Nev. 260, 264 (1981)) This bill constitutes the Legislature’s reconsideration of the population classifications

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		<p>in existing law to determine whether those classifications continue to meet the conditions expressed by the Nevada Supreme Court.</p> <ul style="list-style-type: none"> • There is no need to follow this bill.
AB553 (BDR 23-1222)		<ul style="list-style-type: none"> • Under existing law, a state agency is required to pay a share of the costs of coverage under the Public Employees' Benefits Program of its active officers and employees. The amount of this share is established by the Legislature based on permanent, full-time employment. (NRS 287.044) Section 1 of this bill provides for a proration of the amount of this subsidy for officers and employees who are not employed on a full-time basis. • Existing law provides for the payment of a subsidy to cover a portion of the cost of coverage under the Public Employees' Benefits Program for certain retired officers and employees with state service. (NRS 287.046) Section 2 of this bill provides that officers and employees initially hired after July 1, 2011, with state service are not eligible for a subsidy upon retirement. The calculation of a subsidy for officers and employees with state service who are initially hired before July 1, 2011, and who retire after July 1, 2012, is also limited by section 2 to the person's number of years of full-time service as of June 30, 2012. Section 2 of this bill does not change the calculation of subsidies for: (1) persons who retired before January 1, 1994, and who receive the entire base funding level defined by the Legislature under existing law; and (2) persons who retired on or after January 1, 1994, but before July 1, 2012, and who receive the base funding level, as adjusted by their years of service, under existing law. • This bill does not establish a dollar amount for the subsidies. • There is no need to follow this bill.
AB556 (BDR 23-1186)		<ul style="list-style-type: none"> • Under existing law, each state agency that participates in the Public Employees' Benefits Program is required to pay to the Program a monthly assessment that is set by law each biennium for each state officer and employee who is employed by the agency on a permanent and full-time basis and who elects to participate in the Program. (NRS 287.044; see, e.g., Chapter 394, Statutes of Nevada 2009, p. 2187) The subsidies paid by state agencies for coverage of their active officers and employees under the Program are currently deposited into the Fund for the Public Employees' Benefits Program. (NRS 287.0435, 287.044) This bill requires instead that those subsidies be deposited in the Active Employee Group Insurance Subsidy Account within the Agency Fund for the Payroll of the State. This Account is established in this bill. Money from this Account will be transferred to the Fund for the Public Employees' Benefits Program periodically based on the actual cost of the subsidies for that period. • There is no need to follow this bill.
AB560 (BDR 23-1158)		<ul style="list-style-type: none"> • Existing law provides for the establishment of a personnel system for state employees. (Chapter 284 of NRS) This includes prescribing the rates at which annual leave and sick leave accrue for those employees. Sections 2 and 3 of this bill reduce the rate at which state employees accrue annual leave and sick leave, effective July 1, 2012. • Existing law provides, in addition to paying state employees on state holidays, for payment at the rate of time and one-half for employees who work on a holiday. Section 1 of this bill eliminates this premium for working on a holiday. • Existing law provides for the purchase of credit for service for the purposes of the Public Employees' Retirement System for certain employees who agree to retire when a state agency is required to reduce the number of its employees. (NRS 286.3007) Section 4 of this bill limits that benefit to employees hired before July 1, 2011. • Existing law provides for a plan to encourage continuity of service in State Government, under which semiannual payments are made to state employees rated standard or better with 8 years or more of continuous service, commonly known as "longevity pay." Existing law

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		<p>also provides for state employees who are rated standard or better and have not attained the top step of their grade to receive a merit pay increase annually. Those semiannual payments and merit pay increases were temporarily suspended by the Legislature in 2009 for the 2009-2011 biennium. Section 5 of this bill continues the suspension of those payments and increases for the next 2 fiscal years.</p> <ul style="list-style-type: none"> • There is no need to follow this bill.
AB564 (BDR 7-891)		<ul style="list-style-type: none"> • Existing law provides for the formation of various business entities and establishes certain powers and duties of such entities. (Chapters 78-89 of NRS) Sections 1, 4-7, 10, 11 and 14-18 of this bill authorize the Secretary of State to adopt regulations interpreting the terms “meeting,” “writing,” “written” and other terms to allow such business entities to carry out those powers and duties through the use of the most recent technology available, including, without limitation, the use of electronic communications, videoconferencing and telecommunications. • Sections 8 and 9 of this bill revise provisions relating to certain meetings held by members of a board of directors and others within a nonprofit corporation to provide that members may participate in meetings through electronic communications, videoconferencing, teleconferencing or other available technology which allows for simultaneous or sequential communication and that such participation constitutes meeting in person. • Sections 12 and 13 of this bill provide that the operating agreement of a limited-liability company is not required to be in writing. In addition, section 13 provides that the written consent of the members needed to adopt such an agreement may be in a tangible or electronic format. Section 13 further authorizes the Secretary of State to develop and make available a model operating agreement which a limited-liability company is authorized to use under the terms and limitations established by the Secretary of State. • There is no need to follow this bill.
AB576 (BDR 17-53)		<ul style="list-style-type: none"> • Under existing law, the Legislative Counsel is required to keep the organizational structure of the Nevada Revised Statutes current, and the Legislative Counsel may revise the titles, chapters and sections of the Nevada Revised Statutes when necessary to effectuate the orderly and logical arrangement of the statutes. (NRS 220.120) In addition, the Legislative Counsel may make recommendations to the Legislature regarding the clarification of existing statutes and the revision or elimination of obsolete and antiquated statutes. (NRS 220.080, 220.085) • Following the 2009 Legislative Session, title 17 of NRS, which contains provisions relating to the Legislative Department of the State Government, was reorganized to improve and enhance the orderly and logical arrangement of the statutes. This bill supplements the reorganization of title 17 of NRS by clarifying existing provisions, adding new provisions and revising and eliminating obsolete and antiquated provisions relating to the Legislative Department of the State Government. • Do Not Follow
SB8 (BDR 23-425)		<ul style="list-style-type: none"> • Under existing law, employees in the Executive Department of the State Government are entitled to paid sick leave for each month of service. Upon the employee’s retirement, termination through no fault of the employee or death while in public employment, the employee or the employee’s beneficiaries are entitled to payment for a certain amount of the employee’s unused sick leave. An employee who is entitled to such a payment may choose to receive the payment in one or more of the following forms: (1) a lump-sum payment; (2) an advanced payment of premiums or contributions for health insurance coverage; or (3) the purchase of additional retirement credit. (NRS 284.355) This bill removes the optional forms in which an employee may choose to receive such a payment and requires that the payment be made in a lump-sum.

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		<ul style="list-style-type: none"> • Since this bill applies to state employees only, there is no need for us to follow it.
SB21 (BDR 53-479)		<ul style="list-style-type: none"> • Existing law requires an insurer to reopen a claim of compensation for a permanent partial disability if the claimant proves three conditions are met: (1) the claim was closed and the claimant was not evaluated as required; (2) at the time of closing, the claimant met the qualifications for an evaluation; and (3) the insurer violated NRS 616D.120 with regard to the claim. (NRS 616C.392) NRS 616D.120 lists prohibited acts for which the Administrator of the Division of Industrial Relations of the Department of Business and Industry may seek penalties from an insurer, such as failure to pay, inducing a claimant to settle, refusing to process a claim, or intentionally failing to follow a statute or regulation, but does not refer to evaluations for a permanent partial disability. • This bill removes the third condition concerning a violation of NRS 616D.120, so a claimant, in order to reopen a claim, would be required to show that at the time his or her case was closed he or she was qualified to receive an evaluation and no evaluation was scheduled. • There is no need for us to follow this bill.
SB26 (BDR 14-323)		<ul style="list-style-type: none"> • Revises various provisions relating to judicial administration. • There is no need to follow this bill.
SB37 (BDR 54-106)		<ul style="list-style-type: none"> • Makes various changes concerning complaints received by a health care licensing board. • There is no need to follow this bill.
SB43 (BDR 40-443)		<ul style="list-style-type: none"> • Makes various changes relating to electronic health records. • There is no need to follow this bill.
SB47 (BDR 15-121)		<ul style="list-style-type: none"> • On July 30, 2009, the Fourth Judicial District Court, in and for the County of Elko, held that the provisions of NRS 200.710 concerning the unlawful use of a minor in producing pornography or as a subject of sexual portrayal in a performance are unconstitutionally vague because it is unclear whether the term “minor” means a person under 16 years of age or a person under 18 years of age. (<i>State of Nevada v. Aaron Taylor Hughes</i>, Nev. Fourth Jud. Dist. Ct. Case No. CR-FP-08-2848 (July 30, 2009)) • This bill defines “minor,” as used in title 15 of NRS (Crimes and Punishments), to mean a person who is under 18 years of age, except as otherwise defined by specific statute. • There is no need to follow this bill.
SB57 (BDR 11-289)		<ul style="list-style-type: none"> • Expands the circumstances pursuant to which a court is authorized to issue certain warrants. • There is no need to follow this bill.
SB58 (BDR 53-287)		<ul style="list-style-type: none"> • Makes various changes relating to an employer who knowingly misrepresents or conceals a material fact relating to a person’s eligibility for industrial insurance benefits. • There is no need to follow this bill.
SB79 (BDR 32-291)		<ul style="list-style-type: none"> • Makes various changes relating to the Tobacco Master Settlement. • Initially this bill was of interest because of the use of tobacco settlement money for the Governor Guinn Millennium Scholarship. However there is nothing contained in this bill regarding the Governor Guinn Millennium Scholarship and therefore is no longer of interest to us. • There is no need to follow this bill.
SB115 (BDR 40-192)		<ul style="list-style-type: none"> • Under existing law, a hospital is required to provide emergency services and care and to admit certain patients where appropriate, regardless of the financial status of the patient. (NRS 439B.410) Existing law also requires certain major hospitals to reduce total billed

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		<p>charges by at least 30 percent for hospital services provided to certain patients who have no insurance or other contractual provision for the payment of the charges by a third party. (NRS 439B.260) Section 13 of this bill requires an out-of-network hospital with 100 or more beds that is not operated by a federal, state or local governmental entity to accept, under certain circumstances, as payment in full for the provision of emergency services and care to certain patients a rate which does not exceed the greater of: (1) the amount that the third party negotiated with other hospitals in this State; (2) the amount calculated using the same method the third party uses to determine payments to out-of-network hospitals, without reducing the calculation for cost sharing; or (3) the amount that would be paid by Medicare. The Commissioner of Insurance may adopt regulations to interpret these provisions in a manner that is similar to the interpretation of the federal regulation establishing the amount that certain health insurance providers must pay to out-of-network hospitals for emergency services. (29 C.F.R. § 2590.715-2719A) Section 14 of this bill requires an out-of-network physician on the medical staff of an out-of-network hospital with 100 or more beds to accept as payment in full for the provision of emergency services and care, other than services and care provided to stabilize a patient, a rate which is similarly calculated to that in section 13. Section 15 of this bill requires an out-of-network physician on the medical staff of an in-network hospital with 100 or more beds to accept as payment in full for the provision of medical services and care, other than services and care provided to stabilize a patient, a rate which is similarly calculated to that in section 13. Sections 13-15 further provide that, if a hospital or physician, as applicable, determines that the amount prescribed pursuant to those sections is not sufficient to reimburse for the provision of services and care to a patient, the hospital or physician may negotiate a different rate with the third party and may, under certain circumstances, file a complaint and request for mediation with the Director of the Office for Consumer Health Assistance. Section 17 of this bill requires the Director to establish a procedure for filing and processing such complaints and requests for mediation.</p> <ul style="list-style-type: none"> • Section 16 of this bill requires a third party who wishes to pay the amounts prescribed pursuant to sections 13-15 to maintain an adequate network of providers and submit certain reports to the Commissioner of Insurance and to the Legislative Committee on Health Care. Section 18 of this bill requires the Commissioner of Insurance to prescribe the standards of adequacy for the networks of third parties in this State and to determine whether third parties have adequate networks. • There is no need to follow this bill.
<p>SB124 (BDR 21-750)</p>		<ul style="list-style-type: none"> • Under existing law, the governing body of an incorporated city may displace or limit competition in certain areas to provide adequate, economical and efficient services to the inhabitants of the city. (NRS 268.081) This bill expands the areas in which the governing body of an incorporated city may displace or limit competition by removing the requirement that a service otherwise authorized by law to be provided by the city must also be demanded by the inhabitants of the city. • There is no need to follow this bill.
<p>SB135 (BDR 53-717)</p>		<ul style="list-style-type: none"> • Existing law provides a presumption that certain occupational diseases, including heart disease, lung disease, cancer and hepatitis, diagnosed after the termination of the employment of a person in certain occupations, including as a police officer, firefighter or arson investigator, arose out of the employment of the person if the person was employed full-time, continuously for 5 years or more. (NRS 617.453, 617.455, 617.457, 617.485, 617.487) This bill limits the applicability of the presumption that certain occupational diseases arose out of such employment and provides that the presumption applies if: (1) the person was employed in a full-time continuous, uninterrupted and salaried occupation for 5 years or more before the diagnosis of the occupational disease; and (2) the diagnosis occurs during the person's employment or within a limited period after the termination of the person's employment. That period is limited to 5

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		<p>years for persons diagnosed with cancer, lung disease or heart disease and 1 year for persons diagnosed with hepatitis.</p> <ul style="list-style-type: none"> • There is no need to follow this bill.
<p>SB138 (BDR 40-642)</p>		<ul style="list-style-type: none"> • Existing law requires all persons who serve as attendants on any ambulance or air ambulance and certain firefighters who provide intermediate or advanced medical care to sick or injured persons at the scene of an emergency or while transporting those persons to a medical facility to hold valid licenses issued by a health authority. (NRS 450B.250) Existing law prohibits the owner, operator, director or chief officer of any ambulance, air ambulance or vehicle of a fire-fighting agency from offering to provide certain emergency care unless the licensed attendant or firefighter who is providing the care has successfully completed a program of training and meets other qualifications. (NRS 450B.1905, 450B.191, 450B.195) • Section 1 of this bill authorizes the holder of a permit for the operation of an ambulance or a vehicle of a fire-fighting agency to use a person other than a licensed attendant or firefighter to provide certain emergency care and assistance in a county whose population is less than 15,000 (currently Esmeralda, Eureka, Lander, Lincoln, Mineral, Pershing, Storey and White Pine Counties) if the county health officer or any other person designated by the board of county commissioners of the county has determined that an insufficient number of attendants and firefighters are available and the health or safety of the public is in danger as a result of that insufficiency. Section 9 of this bill provides immunity from civil liability for an unlicensed person who provides emergency care and assistance pursuant to section 1 under certain circumstances. • There is no need to follow this bill.
<p>SB140* (BDR 43-45)</p>		<ul style="list-style-type: none"> • Under existing traffic laws of this State, it is a crime to engage in various activities while operating a motor vehicle or to operate a motor vehicle in a reckless or unsafe manner. (Chapters 484A-484E of NRS) Section 1 of this bill makes it a crime for a person to manually type or enter text into a cellular telephone or other similar device, or to send or read data using any such device, while operating a motor vehicle. Section 1 further prohibits a person from using such a device for voice communications unless the device is used with an accessory which allows the person to communicate without using his or her hands, with certain limited exceptions. Section 1 provides an exception to the prohibitions when the cellular telephone or other device is used by law enforcement officers and other emergency personnel who are acting within the course and scope of their employment. Additional exceptions apply if the person is using the cellular telephone or other device to report or request assistance relating to a medical emergency, a safety hazard or criminal activity, or if the person is responding to a situation requiring immediate action and stopping the vehicle would be inadvisable, impractical or dangerous. A violation of the provisions added by section 1 is a misdemeanor and punishable by a fine of \$250 for a first offense within the immediately preceding 7 years, \$500 for a second offense within the immediately preceding 7 years and \$1,000 for a third or subsequent offense within the immediately preceding 7 years. Section 1 further provides that a first offense will not be treated as a moving traffic violation. Additionally, if a person is convicted of a third or subsequent offense, in addition to the fine, the driver's license of the person will be suspended for 6 months. Section 2 of this bill makes the enhanced penalty for certain traffic violations that occur in a temporary traffic control zone applicable to violations of these new crimes. • There is no need to follow this bill.
<p>SB145 (BDR 43-385)</p>		<ul style="list-style-type: none"> • Existing law designates certain violations of traffic laws by a child to be minor traffic offenses. (NRS 62A.220) Existing law further authorizes a court to take various actions when a child is found to have committed a minor traffic offense. Those actions include payment of a fine, suspension of the driver's license of the child, attendance at a traffic survival course, payment for attendance at the traffic

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		<p>survival course or probation, or any combination of those actions. In addition, the minor traffic offense is reported to the Department of Motor Vehicles. (NRS 62E.700) Section 1 of this bill makes it a minor traffic offense for a child to use a cellular telephone or other handheld wireless communications device to talk, access the Internet or engage in nonvoice communications such as texting, electronic messaging or instant messaging, except in certain emergency situations. Section 1 provides that any report of such an offense to the Department of Motor Vehicles will not be treated as a moving violation. Section 2 of this bill further requires the justice court to treat any such violation as more serious when determining the action to take with respect to the child if the violation occurred in an area designated as a temporary traffic control zone, a school crossing zone or a school zone.</p> <ul style="list-style-type: none"> • There is no need to follow this bill.
SB149 (BDR 39-603)		<ul style="list-style-type: none"> • Section 1 of this bill establishes the policy of the State to treat persons with intellectual disabilities with consideration and respect. • Existing law establishes the preferred manner of referring to persons with disabilities in the Nevada Revised Statutes and provides that it is the policy of this State that such persons are referred to in a similar manner in the Nevada Administrative Code. (NRS 220.125, 233B.062) Section 2 of this bill establishes a preference for the phrase “persons with intellectual disabilities” and requires the Legislative Counsel to replace references to “persons with mental retardation” with references to “persons with intellectual disabilities.” This change is similar to the federal law commonly cited as Rosa’s Law. (Pub. L. No. 111-256) • There is no need to follow this bill.
SB164 (BDR 57-232)		<ul style="list-style-type: none"> • Existing law requires a third-party administrator for an insurer to have a certificate of registration issued by the Commissioner of Insurance. (NRS 616B.500, 616B.503, 683A.085) • Section 7 of this bill prohibits a claims examiner or a vocational rehabilitation counselor from working for a third-party administrator without a license. Sections 8 and 9 of this bill provide the application process for such a license. Section 10 of this bill provides that such a license expires after 3 years and may be renewed. Sections 1 and 2 of this bill provide the fees for the application for and the renewal of such a license. Section 11 of this bill provides for disciplinary action against a license. Section 12 of this bill provides a penalty for working without such a license. Section 13 of this bill provides a penalty for a third-party administrator for hiring or retaining an unlicensed claims examiner or vocational rehabilitation counselor or for failing to conduct a reasonable investigation as to whether a prospective employee is licensed. • Section 17 of this bill requires the Administrator of the Division of Industrial Relations of the Department of Business and Industry to prescribe by regulation the qualifications for a claims examiner or vocational rehabilitation counselor. • There is no need to follow this bill.
SB205 (BDR 54-84)		<ul style="list-style-type: none"> • Under existing law, the State Board of Nursing is authorized to grant a certificate of recognition as an advanced practitioner of nursing to a registered nurse who meets certain requirements. (NRS 632.237) This bill adds the requirement that to obtain a certificate of recognition as an advanced practitioner of nursing in Nevada the registered nurse must be certified as an advanced practitioner of nursing by a nationally recognized certification agency effective June 1, 2014. • There is no need to follow this bill.
SB209 (BDR 40-193)		<ul style="list-style-type: none"> • Existing law requires certain medical facilities to submit to the Health Division of the Department of Health and Human Services reports of sentinel events. (NRS 439.835) The term “sentinel event” is defined for the purposes of these reports to mean an unexpected occurrence involving facility-acquired infection, death or serious physical or psychological injury or the risk thereof. (NRS 439.830) The Health Division

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		<p>is required to prepare annual reports concerning those reports which were submitted by medical facilities located in a county whose population is 100,000 or more (currently Clark and Washoe Counties). (NRS 439.840) Section 1 of this bill requires the Health Division to make those annual reports available on the Department's website.</p> <ul style="list-style-type: none"> Existing law requires medical facilities which provide care to 25 or more patients per day to submit information to the Internet-based surveillance system established and maintained by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services and requires the Health Division to analyze that information. (NRS 439.847) Section 2 of this bill requires the Health Division to report that information publicly in a format which allows comparisons of medical facilities. There is no need to follow this bill.
SB224 (BDR 40-990)		<ul style="list-style-type: none"> Existing law authorizes the State Board of Pharmacy to adopt regulations to add substances to, or delete or reschedule substances included in, the schedules of controlled substances. (NRS 453.146) Existing law also provides criminal penalties for various acts involving a schedule I controlled substance, including, without limitation, possession, manufacture, compounding, importation, distribution, sale, transfer, trafficking or driving under the influence of a schedule I controlled substance. (NRS 453.321, 453.322, 453.336, 453.337, 453.3385, 484C.110) In addition to criminal penalties, existing law provides for civil penalties against a person who engages in certain acts involving the unlawful manufacture, distribution or sale of a schedule I controlled substance. (NRS 453.553-453.5533) Section 1 of this bill requires the Board to designate certain substances commonly known as fake cocaine in the list of schedule I controlled substances. When these substances are added to schedule I, the substances will be subject to the same criminal and civil penalties applicable to other schedule I controlled substances. Sections 2 and 3 of this bill make this bill effective upon passage and approval and require the Board to adopt the regulations to add these substances to schedule I on or before October 1, 2011. There is no need to follow this bill.
SB225 (BDR 40-938)		<ul style="list-style-type: none"> This bill establishes provisions for the Health Division of the Department of Health and Human Services to acknowledge and prepare a list of hospitals that are designated as primary stroke centers. This bill also authorizes the State Board of Health to adopt regulations relating to such designations. This bill further provides that a licensed hospital which is not designated as a primary stroke center may not advertise that the hospital is a primary stroke center. This bill does not prohibit any hospital from providing care to a victim of stroke, even if the hospital does not receive such a designation. There is no need to follow this bill 03-07-11
SB231 (BDR 20-742)		<ul style="list-style-type: none"> Section 1 authorizes the sheriff of a county to provide to persons who hold permits to carry concealed firearms information concerning instructors and organizations that offer courses in firearm safety which focus on issues relating to firearm safety in an educational environment. Existing law prohibits a person from carrying a concealed firearm on the property of the Nevada System of Higher Education, unless the person holds a permit to carry a concealed firearm and has written permission from the president of a branch or facility of the System to carry the concealed firearm. (NRS 202.265, 202.3673) Sections 3, 4 and 6 of this bill authorize a person who holds a permit to carry a concealed firearm to carry a concealed firearm while on the property of the Nevada System of Higher Education. Section 5 of this bill authorizes the Police Department for the System to provide to persons who hold permits to carry concealed firearms information concerning instructors and organizations that offer courses in firearm safety which focus on issues relating to firearm safety in an educational environment.

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<p>SB233 (BDR 18-1058)</p>	<ul style="list-style-type: none"> • There is no need to follow this bill. • Existing law provides for the Office of the Governor and authorizes the Governor to employ such persons as he or she deems necessary to provide an appropriate staff for the Office. (NRS 223.085) Section 2 of this bill creates the Office of Grant Procurement, Coordination and Management in the Office of the Governor, authorizes the Governor to appoint the Director of the Office and sets forth the qualifications for the Director. Section 3 of this bill sets forth the duties of the Director, which include: (1) seeking out grants and writing grant proposals for state and local agencies in Nevada; (2) compiling information about grants and providing information to state and local agencies about grants for which they are eligible to apply; (3) keeping track of all the grants for which state and local agencies have applied and of all grants they have received, and coordinating with those agencies that have received grants for similar projects to ensure they do not duplicate their efforts or services; and (4) seeking grants for which businesses can apply to develop projects in Nevada and offering to help those companies in applying for such grants. • Section 4 of this bill requires all state and local agencies to notify the Office of Grant Procurement, Coordination and Management of any grants for which they apply and any grants which they receive. Section 4 also prohibits state and local agencies from establishing any program which provides essential services with funds from a grant from the Federal Government if the grant is not continuous or reasonably certain to be renewed. • Section 8 of this bill requires the Director of the Office of Grant Procurement, Coordination and Management, on or before January 1, 2013, to develop suggestions and proposals for an incentive program to encourage businesses to apply for grants to develop projects in Nevada and to submit a report setting forth those suggestions and proposals, together with any recommendations for legislation, to the Director of the Legislative Counsel Bureau for transmittal to the Legislature. • There is no need to follow this bill.
<p>SB242 (BDR 53-168)</p>	<ul style="list-style-type: none"> • Existing law relating to unemployment compensation uses a set of factors commonly known as the “ABC Test” to determine whether services performed by a person for wages are deemed to be employment. (NRS 612.085) Section 1 of this bill revises the term “independent contractor” for the purposes of industrial insurance to incorporate the “ABC Test.” • Existing law requires an employer to post a notice in a conspicuous place that identifies the employer’s industrial insurer and provides certain information about the insurer. (NRS 616A.490) Section 2 of this bill requires that such notice include the definitions of “employee” and “independent contractor” as used in the Nevada Industrial Insurance Act (Chapters 616A-616D of NRS). • There is no need to follow this bill.
<p>SB246 (BDR 40-796)</p>	<ul style="list-style-type: none"> • Existing law requires certain employees of certain entities that have custody of children pursuant to the order of a court to receive training on a variety of topics, including the administration of medication to children. (NRS 62B.250, 63.190, 424.0365, 432A.177, 433B.175, 449.037) Section 1 of this bill requires the Administrator of the Health Division of the Department of Health and Human Services to ensure that adequate training is available in this State to provide necessary instruction concerning the administration and management of medication to employees of public and private entities that have custody of children pursuant to the order of a court. In addition, the Administrator is required to maintain a list of approved training programs and make the list available on the Internet website of the Department. Section 2 of this bill requires an employee of a medical facility that accepts custody of children pursuant to the order of a court successfully to complete a training program that has been approved by the Administrator before the employee may be allowed to administer medication to a child in the facility.

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	<ul style="list-style-type: none"> Sections 8-12 of this bill impose the same requirement concerning the completion of a training program on an employee of: (1) a public or private institution or agency to which a juvenile court commits a child, including, without limitation, a facility for the detention of children; (2) a state facility for the detention or commitment of children; (3) a specialized foster home or a group foster home; (4) a child care facility which occasionally or regularly has physical custody of children pursuant to the order of a court; and (5) a treatment facility and any other facility of the Division of Child and Family Services of the Department of Health and Human Services into which a child may be committed by a court order. There is no need to follow this bill.
SB252 (BDR 53-1054)	<ul style="list-style-type: none"> Existing law requires an employer, with certain exceptions, to pay an employee 1 1/2 times the regular wage rate of the employee for certain overtime worked by the employee. (NRS 608.018) This bill provides an exception to that requirement for caregivers who are employed by an agency to provide personal care services in the home. There is no need to follow this bill.
SB258 (BDR 54-843)	<ul style="list-style-type: none"> Existing law provides for the licensure of physician assistants by the Board of Medical Examiners or the State Board of Osteopathic Medicine. Such physician assistants work under the supervision of a physician or an osteopathic physician. (NRS 630.273, 633.433) Sections 7 and 41 of this bill provide for licensure of anesthesiologist assistants by the Board of Medical Examiners and the State Board of Osteopathic Medicine. Sections 6, 11, 40 and 45 of this bill provide that such anesthesiologist assistants must work under the direct supervision of an anesthesiologist. Sections 8 and 42 of this bill require the respective Boards to adopt regulations establishing requirements for the licensure of anesthesiologist assistants, including educational and examination requirements, details of the application and licensure process, the anesthesia services an anesthesiologist assistant may perform and the grounds and procedures for imposing disciplinary action against an anesthesiologist assistant. Sections 6 and 40 provide that an anesthesiologist assistant may prescribe only those controlled substances that the supervising anesthesiologist is authorized to prescribe. Sections 22 and 50 of this bill establish the maximum fees for the issuance, renewal or registration of a license to provide anesthesia services. Sections 23 and 51 of this bill provide for the filing of certain complaints concerning an anesthesiologist assistant to the appropriate Board. Sections 24-32 of this bill provide procedures for the investigation of complaints and the taking of disciplinary action by the Board of Medical Examiners against an anesthesiologist assistant. Sections 33 and 52 of this bill provide that a person who holds himself or herself out as an anesthesiologist assistant without being licensed by the appropriate board of this State is guilty of a category D felony. Sections 56 and 57 of this bill provide that anesthesiologist assistants are immune from civil liability for rendering medical care in certain emergency situations. Sections 59-61 of this bill require anesthesiologist assistants to report instances of suspected neglect or abuse of children, older persons and certain vulnerable persons. There is no need to follow this bill.
SB261 (BDR 42-836)	<ul style="list-style-type: none"> Under existing law, a fire protection district may be formed by: (1) an affirmative vote by the electors of the territory included in a proposed district; or (2) an ordinance adopted by the board of county commissioners of the county in which the fire protection district is located. The powers and duties of a fire protection district created by election differ from the powers and duties of a fire protection district created by a board of county commissioners. Under certain circumstances, a board of county commissioners may reorganize a fire protection district that was created by the board. Upon reorganization, the fire protection district has the same powers and duties as a fire protection district originally created by election.

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	<ul style="list-style-type: none"> • This bill requires a board of county commissioners to provide notice of the board's hearing to consider the reorganization of a fire protection district that was created by the board. Such notice must be published in a newspaper of general circulation once a week for 3 weeks. If a board of county commissioners does not adopt an ordinance reorganizing the fire protection district after the hearing, this bill requires the board to submit the issue of reorganization to the electors of the fire protection district at the next primary or general election. • There is no need to follow this bill.
SB270 (BDR 54-379)	<ul style="list-style-type: none"> • Existing law authorizes certain health care practitioners, including physicians, physician assistants, dentists, advanced practitioners of nursing, osteopathic physicians, osteopathic physician assistants, podiatric physicians, optometrists and veterinarians to prescribe and administer controlled substances and dangerous drugs under certain circumstances. • Sections 1-3 of this bill require that an applicant for a license to practice medicine, for licensure as a physician assistant under certain circumstances or for the renewal of a license to complete a course of instruction relating to prescription drug abuse and addiction approved by the Board of Medical Examiners before the issuance or renewal of the license. • Section 4 of this bill requires an applicant for a license to practice dentistry or any of its special branches to complete a course of instruction relating to prescription drug abuse and addiction approved by the Board of Dental Examiners of Nevada before the issuance of the license. Section 5 of this bill requires the Board to include a course of instruction relating to prescription drug abuse and addiction as a component of the continuing education requirements for persons licensed by the Board. • Section 6 of this bill prohibits the State Board of Nursing from issuing a license or certificate to an applicant for certification as an advanced practitioner of nursing unless the applicant has completed a course of instruction relating to prescription drug abuse and addiction which is approved by the Board. Section 7 of this bill provides that, as a condition of the renewal of a license or certificate by the Board, an advanced practitioner of nursing must complete a course of continuing education relating to prescription drug abuse and addiction. • Sections 8-10 of this bill require an applicant for a license to practice osteopathic medicine, for licensure as an osteopathic physician assistant under certain circumstances or for the renewal of a license to complete a course of instruction relating to prescription drug abuse and addiction approved by the State Board of Osteopathic Medicine before the issuance or renewal of the license. • Section 11 of this bill requires an applicant for a license to practice podiatry to complete a course of instruction relating to prescription drug abuse and addiction approved by the State Board of Podiatry before the issuance of a license. Section 12 of this bill requires the Board to include a course of instruction relating to prescription drug abuse and addiction as a component of the continuing education requirements for persons licensed by the Board. • Sections 13 and 14 of this bill require an applicant for a license to practice optometry or for the renewal of a license to complete a course of instruction relating to prescription drug abuse and addiction approved by the Nevada State Board of Optometry before the issuance or renewal of the license. • Sections 15 and 16 of this bill require an applicant for a license to practice veterinary medicine or for the renewal of a license to complete a course of instruction relating to prescription drug abuse and addiction approved by the Nevada State Board of Veterinary Medical Examiners before the issuance or renewal of the license. • There is no need to follow this bill.
SB285	<ul style="list-style-type: none"> • Existing law sets forth the exclusive list of persons who may possess and administer dangerous drugs in this State, which includes drugs

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(BDR 40-14)		<p>and medicines which are immunizations. (NRS 454.213) Section 1 of this bill authorizes medical assistants, under the supervision of a physician or physician assistant, to possess and administer immunizations.</p> <ul style="list-style-type: none"> • Sections 4 and 9 of this bill authorize a physician to employ a medical assistant and require the physician to notify the Board of Medical Examiners or the State Board of Osteopathic Medicine, as applicable, when the physician employs or terminates the employment of a medical assistant. A medical assistant may be supervised by a physician or a physician assistant in accordance with the regulations of the applicable board. Sections 4 and 9 also require those boards to adopt regulations relating to the employment and supervision of medical assistants. • Sections 6 and 11 of this bill provide that failure to supervise adequately a medical assistant is a ground for disciplinary action. • There is no need to follow this bill.
SB289 (BDR 57-521)		<ul style="list-style-type: none"> • Under existing law, certain insurance coverages that cannot be procured from authorized insurers in Nevada, known as surplus lines, may be obtained from unauthorized insurers if certain conditions are met. (NRS 685A.040) Additionally, a tax is assessed on the premiums charged for surplus lines coverages. (NRS 685A.175, 685A.180) On July 21, 2010, the Dodd-Frank Wall Street Reform and Consumer Protection Act, of which the Nonadmitted and Reinsurance Reform Act (NRRRA) was a part, was signed into law. (Pub. L. No. 111-203, 124 Stat. 1376) The NRRRA authorizes the states to participate in a multi-state agreement to allocate premium tax proceeds for nonadmitted insurance on multi-state risks amongst the states and prohibits any state other than the insured's home state from collecting premium taxes on nonadmitted insurance. The NRRRA also prohibits any state other than the insured's home state from regulating the placement of nonadmitted insurance and from requiring a surplus lines broker to be licensed. (15 U.S.C. §§ 8201 et seq.) • This bill makes various changes to existing law to conform to the NRRRA. Sections 17, 32 and 33 of this bill authorize the Commissioner to enter into the Nonadmitted Insurance Multi-State Agreement and to provide for the payment of premium tax to and disbursement of premium tax from the clearinghouse established through the Nonadmitted Insurance Multi-State Agreement. • There is no need to follow this bill.
SB292 (BDR 57-1074)		<ul style="list-style-type: none"> • Under existing law, a person is not authorized to engage in the business of transacting insurance unless the person is issued a license by the Commissioner of Insurance. Sections 2-15 of this bill provide for the licensure and regulation of persons who sell or offer coverage under a new limited line of insurance, the coverage of portable electronics against the risk of loss, which provides coverage for the repair or replacement of portable electronics and which may cover portable electronics against loss, theft, mechanical failure, malfunction, accidental damage or other perils in accordance with the terms of the policy. A vendor who sells or offers coverage under a policy of portable electronics insurance must be licensed as a producer of insurance and pay certain fees. (NRS 680B.010, 680C.110) Existing law provides that a violation of certain provisions of the Nevada Insurance Code, including sections 2-17, is a misdemeanor. • There is no need to follow this bill.
SB294 (BDR 40-16)		<ul style="list-style-type: none"> • Existing law sets forth the exclusive list of persons who may possess and administer dangerous drugs in this State. (NRS 454.213) Sections 1 and 7 of this bill authorize medical assistants, under the supervision of a physician, to possess and administer dangerous drugs. • Sections 4 and 10 of this bill authorize a physician to employ a medical assistant and require the physician to notify the Board of Medical Examiners or the State Board of Osteopathic Medicine, as applicable, that the physician has employed a medical assistant. Sections 4 and 10 also require the Boards to adopt regulations relating to the employment and supervision of medical assistants, including limitations

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		<p>on the possession and administration of dangerous drugs.</p> <ul style="list-style-type: none"> • Sections 6 and 12 of this bill provide that failure to supervise adequately a medical assistant is grounds for disciplinary action. • There is no need to follow this bill.
<p>SB300 (BDR 40-797)</p>		<ul style="list-style-type: none"> • Existing law requires major hospitals with 200 or more beds to reduce by at least 30 percent the total billed charges for hospital services provided to inpatients who: (1) do not have insurance; (2) are not eligible for a government program which provides medical assistance; and (3) make arrangements to pay the hospital bill. (NRS 439B.260) Section 1 of this bill revises the definition of a major hospital to include hospitals with 150 or more beds. Section 2 of this bill specifies that the reduction in total billed charges applies only to inpatients who do not have health insurance and specifically excludes policies of insurance such as casualty and property insurance for purposes of determining whether an inpatient has insurance. Existing law requires major hospitals to give patients, upon discharge, notice of the provisions concerning the reduction of billed charges. (NRS 449.730) Section 2 additionally requires major hospitals to include such a notice on or with the first statement of the hospital bill provided to each patient. Existing law prescribes civil and administrative penalties which are applicable to a violation of the provisions of section 2. (NRS 439B.500) • Section 3 of this bill prohibits a hospital from collecting any amount owed to the hospital for hospital care from the proceeds or potential proceeds of a civil action or from an insurer other than a health insurer if the patient was covered by health insurance or a public program which may pay all or part of the bill. • There is no need to follow this bill.
<p>SB308 (BDR 41-46)</p>		<ul style="list-style-type: none"> • This bill authorizes charitable organizations to operate remote caller bingo games. Section 3 of this bill defines “remote caller bingo game” as a bingo game in which: (1) the numbers or symbols on randomly drawn plastic balls are announced by a natural person who is present at the location where a live bingo game is being operated; and (2) the charitable organization operating the bingo game uses audio and video technology to link any of the charitable organization’s in-state facilities for the purpose of transmitting the remote calling of the live bingo game to multiple locations that are owned, leased or rented by the charitable organization. Section 4 of this bill requires the Nevada Gaming Commission, with the advice and assistance of the State Gaming Control Board, to adopt regulations governing the operation of remote caller bingo games and the licensing of operators of remote caller bingo games. Section 4 also requires that such regulations adopted by the Commission include certain provisions relating to the operation of remote caller bingo games. • Section 7 of this bill provides that it is unlawful for a person to operate a remote caller bingo game without first obtaining and thereafter maintaining all required gaming licenses, and a person who willfully violates or attempts or conspires to violate this provision is guilty of a category B felony. • There is no need to follow this bill.
<p>SB310 (BDR 40-69)</p>		<ul style="list-style-type: none"> • This bill enacts the Freedom of Choice in Health Care Act in the State of Nevada to provide that residents of this State have the right to enter into contracts with providers of health care directly to obtain health care services and to purchase private insurance to cover health services provided to the person. This bill also includes a pledge from the Legislature that it will not enact legislation which requires a person to participate in any health care system or plan or which imposes- any type of penalty against a person for declining health care coverage or for participating in any particular health care system or plan. • This is the third bill introduced this week dealing with the Choice in Health Care Act (AB369, AB411 and SB310). It is identical to AB369 and AB411.

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<p><u>SB329</u> (BDR 54-904)</p>	<ul style="list-style-type: none"> • There is no need to follow this bill. • Existing law authorizes, but does not require, a practitioner to ask a patient if the patient wishes to have included on the label of a prescription the symptom or purpose for which the drug is dispensed and, if the patient so requests, requires the practitioner to include such information on the written prescription. (NRS 639.2352) Sections 1-3 and 7 of this bill require the practitioner to include the symptom or purpose for which the drug is dispensed on the written prescription. Section 2 also requires the practitioner to ask the patient if the patient wants such information included on the label attached to the container of the drug and to include on the written prescription a notation whether the symptom or purpose for which the drug is dispensed must be included on the label. Section 6 of this bill requires that a prescription filled by a practitioner be dispensed in a container with a label that clearly shows the symptom or purpose for which the drug is prescribed, if the prescription contains a notation that the symptom or purpose must be included on the label as requested by the patient. • Existing law prohibits a pharmacist from sharing the contents of a prescription except with certain authorized persons, including the patient, certain practitioners or pharmacists, members or investigators of certain boards and agencies, insurance carriers, persons authorized by court order and certain peace officers. (NRS 639.238) Section 4 of this bill authorizes a pharmacist to share the contents of a prescription with a person authorized by the patient or a parent or legal guardian of the patient. • There is no need to follow this bill.
<p><u>SB332</u> (BDR 53-708)</p>	<ul style="list-style-type: none"> • The Fair Labor Standards Act requires that compensation for overtime be paid to certain employees for hours worked in excess of 40 hours in any week of work. (29 U.S.C. § 207) Under existing Nevada law, certain employees, including certain classified employees of this State, certain employees of contractors working on public works projects and certain other employees of private employers, are entitled to compensation for overtime at a rate of 1 1/2 times an employee's regular wage rate for any hours worked in excess of 8 hours in any workday or in excess of 40 hours in any week of work. (NRS 284.180, 338.020, 608.018) Sections 1-3 of this bill remove the provisions which require payment of compensation for overtime for hours worked in excess of 8 hours in any workday, while retaining the provisions which require payment of compensation for overtime for hours worked in excess of 40 hours in any week of work. • There is no need to follow this bill.
<p><u>SB336</u> (BDR 40-234)</p>	<ul style="list-style-type: none"> • Existing law authorizes the State Board of Pharmacy to add, delete or reschedule substances from the schedule of controlled substances, and classifies marijuana as a schedule I controlled substance. (NRS 453.146; NAC 453.510) Section 1 of this bill requires the Board to designate marijuana as a controlled substance included in schedule III, regardless of the amount thereof. • Under existing law, a person with a qualifying medical condition may obtain a registry identification card indicating that the person is exempt from state prosecution for engaging in the medical use of marijuana. However, existing law provides no mechanism by which such a cardholder is to obtain marijuana for medical use. (Chapter 453A of NRS) Section 2 of this bill establishes a pilot program pursuant to which the State Board of Pharmacy will certify compounding pharmacies, growing facilities and laboratories to provide marijuana for medical use to persons holding a valid registry identification card. • There is no need to follow this bill.
<p><u>SB337</u> (BDR 40-1055)</p>	<ul style="list-style-type: none"> • Existing law establishes the rights of donors and recipients of anatomical gifts of all or part of a human body for the purpose of transplantation, therapy, research or education. Existing law also sets forth various requirements and procedures for making and receiving anatomical gifts. (NRS 451.500-451.598) This bill provides that, before certain anatomical gifts may pass to an appropriate eye, tissue or

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		organ bank, the gift must first pass to a family member of the donor who is: (1) a medically suitable recipient for the part; (2) a resident of this State; and (3) related to the donor within the fourth degree of consanguinity or affinity.
SB338 (BDR 40-261)		<ul style="list-style-type: none"> • There is no need to follow this bill. • Section 1 of this bill requires each facility for skilled nursing which provided medical services and care to an average of 25 or more patients during each business day in the immediately preceding calendar year to participate in the secure, Internet-based surveillance system established by the Division of Healthcare Quality Promotion of the Centers for Disease Control and Prevention of the United States Department of Health and Human Services. Section 1 also provides that other facilities for skilled nursing may participate in the system. Section 1 additionally authorizes the Health Division of the Department of Health and Human Services to report the information submitted to the system by all medical and skilled nursing facilities. • Sections 2 and 3 of this bill require hospitals to submit, as part of the program to increase public awareness of health care information, data relating to the readmission of a patient if the readmission was preventable and related to the initial treatment received by the patient. Section 4 of this bill requires the Department of Health and Human Services to post that information on an Internet website. Existing law authorizes the Department to seek injunctive relief or civil penalties against facilities that violate the reporting requirements. (NRS 439A.300, 439A.310) • There is no need to follow this bill.
SB339 (BDR 40-662)		<ul style="list-style-type: none"> • Section 2 of this bill requires each medical facility to provide to its patients certain information relating to facility-acquired infections and to post in public areas of the facility information on reporting facility-acquired infections. • Section 3 of this bill requires medical facilities to designate an infection control officer to carry out certain duties relating to the prevention and control of infections. • Existing law requires each medical facility to prepare a patient safety plan and to submit a copy of the plan to the Health Division of the Department of Health and Human Services on or before March 1 of each year. (NRS 439.843, 439.865) Section 6 of this bill requires the patient safety plan which is prepared by each medical facility to be revised annually and to include a program for the prevention and control of infections. Section 5 of this bill requires the Department to post each patient safety plan on an Internet website maintained by the Department. • There is no need to follow this bill.
SB340 (BDR 40-663)		<ul style="list-style-type: none"> • Sections 1 and 2 of this bill require hospitals and surgical centers for ambulatory patients to report certain data concerning the names of physicians who perform surgical procedures and other data relating to those surgical procedures to the programs to increase public awareness of health care information. Section 3 of this bill requires the Department of Health and Human Services to post that information on an Internet website. Existing law authorizes the Department to seek injunctive relief or civil penalties against facilities that violate the reporting requirements. (NRS 439A.300, 439A.310) • There is no need to follow this bill.
SB350 (BDR 57-1057)		<ul style="list-style-type: none"> • Under existing law, a contract between certain insurers and certain providers of health care for the provision of medical or dental services under a policy of health insurance or health care plan is subject to certain restrictions regarding modification of the contract, the form used for such a contract and submission by the insurer to the provider of the schedule of payments applicable to the provider. (NRS 689A.035, 689B.015, 689C.435, 695A.095, 695B.035, 695C.125, 695F.090, 695G.430) Sections 1-7, 9-11, 13 and 14 of this bill provide that a

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		<p>contract between an insurer or a self-insured governmental entity and a dentist for the provision of dental care to insureds must not include a provision that requires the dentist to charge no more than a fee set by the insurer or self-insured governmental entity for a dental service that is not a covered dental service under the applicable policy or plan. Sections 1-7, 9-11, 13 and 14 further provide that a dentist providing such a non-covered service may not charge more for the dental service than his or her usual billed charge for that service. Sections 1-7, 9-11, 13 and 14 also prohibit an insurer from providing de minimus coverage for dental services to avoid the provisions of this bill. Sections 8 and 12 of this bill exempt from the requirements of this bill health maintenance organizations and managed care organizations that provide health care services to recipients of Medicaid under the State Plan for Medicaid or insurance pursuant to the Children’s Health Insurance Program pursuant to a contract with the Division of Health Care Financing and Policy of the Department of Health and Human Services. Section 15 of this bill applies the requirements of this bill to contracts that are entered into or renewed on or after October 1, 2011.</p> <ul style="list-style-type: none"> • This bill will not impact our plan. • There is no need to follow this bill.
<p>SB352 (BDR 53-389)</p>		<ul style="list-style-type: none"> • Under existing law, the Labor Commissioner is required to enforce all labor laws of this State. (NRS 607.160, 608.180) Existing law imposes certain requirements on employers regarding the payment of wages and the provision to employees of various notices concerning payday information and certain labor laws. (NRS 608.013, 608.016, 608.018, 608.080) Section 3 of this bill prohibits an employer from retaliating or discriminating against an employee or other person who exercises certain rights, reports certain violations or cooperates in certain investigations by the Labor Commissioner. Section 3 also provides that an employee who is subjected to retaliation or discrimination may bring an action against the employer. Section 4 of this bill requires an employer to provide certain information regarding wages and benefits to newly hired employees. It is a misdemeanor to violate the provisions of existing law and sections 3 and 4 governing the payment and collection of wages and other benefits. (NRS 608.195) • Sections 2 and 6 of this bill exclude an independent contractor from the definition of “employee.” • Section 9 of this bill requires a court that awards certain money to an employee in an action to recover wages due from an employer to also award an additional amount for each day that the employee was unpaid or improperly paid. • Existing law requires an employer to retain certain records of wages, compensation, deductions and hours worked for each employee for 2 years and to provide such records to an employee upon a request by the employee. (NRS 608.115) Section 8 of this bill requires an employer to provide such records to each employee at the end of each pay period and requires an employer to retain copies of such records for 3 years. Section 8 also creates a rebuttable presumption that an employer who fails to retain such records for 3 years did not pay the required minimum wage to the employee for whom such records were not retained. • Existing law provides that an employee may bring a civil action to recover wages due under the minimum wage law but must file such an action within 2 years after the alleged underpayment. (NRS 608.260) Section 12 of this bill extends the time limit for the filing of such an action to 3 years. • Section 13 of this bill provides that the provisions of this bill apply only to actions alleged to have occurred on or after October 1, 2011. • There is no need to follow this bill.
<p>SB354 (BDR 54-254)</p>		<ul style="list-style-type: none"> • Existing law authorizes the Governor to appoint members to various boards and commissions which license and regulate various professions, occupations and businesses. The majority of the members are licensed, registered or certified by the board or commission

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		<p>and working in the respective profession or occupation. The number of board or commission members who represent the general public varies. This bill directs the Governor to appoint two members who represent the general public to the majority of the boards and commissions, and one such member to certain smaller boards. This bill also requires the Governor to appoint a public member to serve as Chair or President, as appropriate, of the designated board or commission. If a board is authorized to hire an Executive Director or other employees and consultants under existing law, this bill requires the Chair or President of the board to hire such employees after consultation with the other members of the board.</p> <ul style="list-style-type: none"> • Section 105 of this bill clarifies that current members of the boards and commissions remain in office until the end of their term and that the membership changes created by this bill go into effect as the specified vacancies occur. Also, any contracts for employment or lease entered into before July 1, 2011, remain in effect. • There is no need to follow this bill.
<u>SB358</u> (BDR 22-665)		<ul style="list-style-type: none"> • Existing law establishes a priority of right for persons who are blind or visually impaired to operate vending stands in or on any public buildings or properties. (NRS 426.640) Existing law also exempts from that priority of right vending stands in any building, terminal or parking facility owned, operated or leased by a regional transportation commission in a county whose population is 400,000 or more (currently Clark County). (NRS 277A.320) Section 2 of this bill removes that exemption for both existing and future contracts. Section 3 of this bill clarifies that the removal of the exemption applies with respect to any vending stand contract entered into by such a regional transportation commission on or after the effective date of this bill, and that any such existing vending stand contract must comply with the amendatory provisions of this bill on and after July 1, 2011. • There is no need to follow this bill.
<u>SB367</u> (BDR 54-625)		<ul style="list-style-type: none"> • This bill, which is patterned after legislation recently enacted in California, requires certain health care practitioners to communicate the practitioner's name, type of state-granted practitioner license and highest level of academic degree to each of the practitioner's patients by: (1) providing such information in writing at a patient's initial office visit; (2) prominently displaying such information in an area of the practitioner's office that is visible to patients; or (3) both providing such information in writing and prominently displaying such information. If a health care practitioner chooses to disclose such required information by providing the information in writing at a patient's initial office visit, the information must conform to a certain format. Additionally, a health care practitioner who provides information regarding health care services on an Internet website that is directly controlled or administered by the practitioner or his or her office personnel must prominently display the required information regarding the practitioner's name, license and degree on the Internet website. This bill also exempts certain health care practitioners from disclosing such required information to patients. • There is no need to follow this bill.
<u>SB371</u> (BDR 38-3)		<ul style="list-style-type: none"> • Under existing law, each agency which provides child welfare services is required to establish appropriate policies to ensure that children in the custody of the agency have timely access to clinically appropriate psychotropic medication. (NRS 432B.197) Sections 2-7 of this bill require the appointment of a person who is legally responsible for the health care of each child who is in the custody of such an agency and who requires mental health care, including making all decisions concerning services, treatment and psychotropic medications provided to such children. • Section 3 of this bill requires an agency which provides child welfare services to nominate a person who is legally responsible for the health care of a child who is in the custody of the agency and who requires mental health care. The court with jurisdiction over the child is

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		<p>required pursuant to section 7 of this bill to appoint a person who is legally responsible for the health care of the child. The court may appoint the person nominated by the agency or may appoint any other person who the court determines is qualified to carry out the duties and responsibilities of a person who is legally responsible for the health care of the child.</p> <ul style="list-style-type: none"> • Section 4 of this bill requires the person who is legally responsible for the health care of a child to provide written consent or, in writing, deny consent for each appointment or for a course of routine treatment for mental health care of the child and to maintain current information concerning the medical history and the emotional, behavioral and educational needs of the child. Section 5 of this bill requires the person who is legally responsible for the health care of a child to approve or deny the administration of each psychotropic medication recommended for the child and to provide notice of the approval or denial. Sections 5 and 9 of this bill prohibit the administration of a psychotropic medication to a child in the custody of an agency without consent from the person who is legally responsible for the health care of the child. • Section 6 of this bill requires that reasonable care be taken by a person who is legally responsible for the health care of a child and imposes criminal and civil liability for certain acts committed by or harm occurring to the child under certain circumstances. • Section 14 of this bill requires certain providers of health care to obtain written consent from a person who is legally responsible for the health care of a child before providing mental health care to a child in the custody of an agency which provides child welfare services and requires the provider of health care to keep a copy of the consent in the health care record of the child. • There is no need to follow this bill.
SB374 (BDR S-992)		<ul style="list-style-type: none"> • This bill requires the deposit into the State General Fund of the portion of the property taxes levied for the next 4 fiscal years for operating purposes by Clark County at the rate of 2 cents per \$100 of assessed valuation. This bill requires the use of those tax proceeds for the support of the College of Southern Nevada. • There is no need to follow this bill.
SB376 (BDR 15-1000)		<ul style="list-style-type: none"> • Existing law makes it a misdemeanor to commit certain acts that: (1) interfere with or deny access to or use of a computer, system or network; and (2) relate to the use or access of a computer, system, network, telecommunications device, telecommunications service or information service. (NRS 205.477) Under existing law, a misdemeanor is punishable by imprisonment in the county jail for a term of not more than 6 months, or a fine of up to \$1,000, or both. (NRS 193.140) This bill increases the penalty for engaging in such acts from a misdemeanor to a category E felony which is punishable by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 4 years and the court may also impose a fine of not more than \$5,000. For this category of felony, the court is required to grant probation except in certain circumstances. • There is no need to follow this bill.
SB379 (BDR 40-1012)		<ul style="list-style-type: none"> • Existing law authorizes the Health Division of the Department of Health and Human Services to charge and collect a fee for a license to operate a medical facility, facility for the dependent or a home for individual residential care in this State and to charge and collect a fee for a permit which authorizes certain facilities and offices to offer to patients the service of general anesthesia, conscious sedation or deep sedation. Existing law also authorizes the Health Division to inspect and investigate such facilities and homes to ensure that the facilities and homes are in compliance with certain federal and state laws, regulations and standards. Furthermore, existing law requires facilities and offices that offer to patients the service of general anesthesia, conscious sedation or deep sedation and surgical centers for ambulatory patients to be inspected annually by the Health Division. If a medical facility, facility for the dependent or a home for individual

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		<p>residential care passes a periodic inspection by the Health Division that is required by existing law, section 2 of this bill: (1) requires the Health Division to conduct the next consecutive periodic inspection of the facility or home after the expiration of a period that is equal to one and one-half times the usual period between inspections that is required by state law, or that is equal to the period which is required by federal law or regulation, whichever is shorter; and (2) requires the Health Division to reduce by 25 percent certain fees for the licensing of the facility or home. Section 3 of this bill sets forth similar provisions for a surgical center for ambulatory patients or an office of a physician or a facility which is required to obtain a permit to offer patients a service of general anesthesia, conscious sedation or deep sedation.</p> <ul style="list-style-type: none"> • There is no need to follow this bill.
SB382 (BDR 40-630)		<ul style="list-style-type: none"> • Federal law authorizes states to provide early intervention services to infants and toddlers with disabilities or who are at risk of experiencing substantial developmental delays and provides grants to states that provide such services. (20 U.S.C. §§ 1431 et seq.) The Health Division of the Department of Health and Human Services makes provision for early intervention services for infants and toddlers with disabilities and their families in this State through its Bureau of Early Intervention Services and through other providers of early intervention services. Section 5 of this bill designates the Health Division as the agency in this State to cooperate with the Federal Government for the provision of early intervention services to infants and toddlers with disabilities and their families. Section 6 of this bill amends existing provisions relating to early intervention services to reflect the terms defined in the federal law. • Section 7 of this bill requires the Health Division to provide early intervention services to infants and toddlers with disabilities and their families using private providers deemed qualified by the Health Division. Section 7 also authorizes the parent or guardian of an infant or toddler with a disability to choose whether he or she wants services provided directly through the Health Division or through a contracted provider. • There is no need to follow this bill.
SB412 (BDR 54-1105)		<ul style="list-style-type: none"> • Existing law authorizes the Board of Homeopathic Medical Examiners to regulate the practice of homeopathic medicine in this State, including persons licensed or certified by the Board to engage in the practice of homeopathic medicine. (Chapter 630A of NRS) This bill revises existing law to provide for the regulation of the practice of complementary integrative medicine, which includes homeopathy. Sections 4-38 of this bill provide definitions for various therapies, treatments, modalities or other terms relating to the practice of complementary integrative medicine. Sections 43-99 of this bill revise existing law to provide for the licensing or certification, regulation and discipline of complementary integrative physicians, complementary integrative practitioners, complementary integrative technicians and complementary integrative assistants. • Sections 45 and 55 of this bill replace the Board of Homeopathic Medical Examiners with the Board of Complementary Integrative Medicine. Section 70 of this bill provides for the regulation and certification of complementary integrative assistants and complementary integrative technicians by the Board of Complementary Integrative Medicine. Section 41 of this bill authorizes a provider of health care, a complementary integrative physician or a complementary integrative practitioner to screen a patient to determine whether certain complementary integrative medical services would be beneficial for the patient. • Sections 42, 100, 106 and 107 of this bill authorize a complementary integrative physician or complementary integrative practitioner to prescribe or possess dangerous drugs and controlled substances under certain circumstances. • Section 58 of this bill makes it unlawful to practice or hold oneself out as qualified to practice complementary integrative medicine without

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	<p>a license or certificate issued by the Board of Complementary Integrative Medicine.</p> <ul style="list-style-type: none"> • Sections 76-80 of this bill revise provisions pertaining to grounds for disciplinary action by the Board of Complementary Integrative Medicine to include complementary integrative physicians, complementary integrative practitioners, complementary integrative technicians and complementary integrative assistants. Sections 81-86 of this bill expand the authority of the Board of Complementary Integrative Medicine to investigate and examine persons licensed or certified by the Board for certain conduct. • Sections 98 and 99 of this bill provide that, except for certain personal assistants, a person who practices complementary integrative medicine without a license or certificate issued by the Board of Complementary Integrative Medicine is guilty of a category D felony. • Section 108 of this bill requires an insurer who offers or issues any plan, policy or contract of health insurance in this State to use an ABC coding system under certain circumstances. Sections 109-113 of this bill require certain persons who provide coverage for health care to contract with at least one complementary integrative physician or complementary integrative practitioner under certain circumstances. • There is no need to follow this bill.
<p>SB418 (BDR 40-695)</p>	<ul style="list-style-type: none"> • In 2010, Congress passed and President Obama signed into law the Patient Protection and Affordable Care Act. (Pub. L. No. 111-148) The bill was modified shortly thereafter by the Health Care and Education Reconciliation Act of 2010. • 4 (Pub. L. No. 111-152) Collectively, the Patient Protection and Affordable Care Act and its modifications in the Health Care and Education Reconciliation Act constitute a major federal reform of the health care system. • This bill requires the creation of a subcommittee of the Legislative Committee on Health Care to oversee the implementation of federal health care reform. The Subcommittee on Health Care Reform must consist of three members, including at least one from each House of the Legislature and one from the minority political party, appointed by the Chair of the Legislative Committee on Health Care. The Subcommittee is required to review the implementation of federal health care reform and is authorized to make recommendations concerning its effective implementation. State agencies responsible for the administration of federal health care reform are required to cooperate with the Subcommittee and to provide periodic reports to the Subcommittee concerning the implementation of federal health care reform. • There is no need to follow this bill.
<p>SB440 (BDR 57-1172)</p>	<ul style="list-style-type: none"> • This bill creates the Silver State Health Insurance Exchange to provide services relating to the purchase and sale of health insurance by residents and certain employers in this State. The Exchange is governed by the Board of Directors consisting of five voting members appointed by the Governor, one voting member appointed by the Senate Majority Leader and one voting member appointed by the Speaker of the Assembly. The Board also consists of the directors, or designees thereof, of the Department of Health and Human Services, the Department of Business and Industry and the Department of Administration as ex officio nonvoting members to assist the voting members by providing advise and expertise. Voting members of the Board serve terms of 3 years each. The Board appoints an Executive Director of the Exchange, who in turn may employ such persons as are necessary and as funding allows. Among other duties, the Exchange is required to create and administer a state-based health insurance exchange, facilitate the purchase and sale of qualified health plans, provide for the establishment of a program to help certain small employers in Nevada in facilitating the enrollment of employees in qualified health plans, and perform all other duties that are required of it pursuant to the federal Patient Protection and Affordable Care Act, the federal Health Care and Education Reconciliation Act of 2010 and any amendments to or regulations or guidance issued pursuant to those acts. (Pub. L. No. 111-148, Pub. L. No. 111-152)

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