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FIRST REPRINT

A.B. 342

ASSEMBLY BILL NO. 342—ASSEMBLYMEN ROBERTS, HAFEN,
LEAVITT, EDWARDS; GORELOW, KRAMER, KRASNER,
MONROE-MORENO, NGUYEN AND WATTS

MARCH 18, 2019

JOINT SPONSORS: SENATORS HAMMOND AND SPEARMAN

Referred to Committee on Education

SUMMARY—Revises provisions governing pupils who are children of military personnel. (BDR 34-624)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; revising provisions governing the eligibility of a pupil who transfers schools pursuant to the Interstate Compact on Educational Opportunity for Military Children to participate and practice in a sanctioned sport or other interscholastic event; revising provisions relating to the administration and implementation of the Compact; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 The Interstate Compact on Educational Opportunity for Military Children
2 addresses issues relating to the education of children of certain military families in
3 states that are members of the Compact, including guidelines for the enrollment,
4 placement, graduation and extracurricular activities of those children. (Chapter
5 388F of NRS) Existing law requires the appointment of a liaison to assist military
6 families and the State of Nevada in facilitating the implementation of the Compact.
7 (NRS 388F.030) **Section 4** of this bill requires each school district to designate an
8 employee of the school district to serve as a liaison between the school district and
9 military families within the school district to facilitate the implementation and
10 administration of the Compact.

11 Existing law creates a State Council for the Coordination of the Interstate
12 Compact on Educational Opportunity for Military Children for the purpose of
13 coordinating and furthering the provisions contained in the Compact. (NRS
14 388F.020) Additionally, existing law requires the Governor to appoint a



15 Commissioner to administer and manage the participation of this State in the
16 Compact. (NRS 388F.040) **Section 5** of this bill requires the State Council to meet
17 at least twice per year and at the call of the Commissioner.

18 The Compact requires education agencies in states who participate in the
19 Compact to facilitate the opportunity for transitioning children of military families
20 to be included in extracurricular activities to the extent the children are otherwise
21 qualified, regardless of application deadlines. (Art. VI, NRS 388F.010) Existing
22 law establishes the Nevada Interscholastic Activities Association, which governs,
23 among other matters, the eligibility and participation of certain children in
24 interscholastic activities and events. (NRS 385B.050, 385B.060, 385B.130) Under
25 existing regulation, any pupil who transfers to another school is presumed ineligible
26 to participate in any sanctioned sport at the school to which the pupil transfers for
27 180 school days. (NAC 385B.716) **Sections 1 and 1.7** of this bill provide that a
28 pupil who is a school-aged child enrolled in kindergarten or grades 1 through 12,
29 inclusive, in the household of a person on active duty and transfers schools
30 pursuant to the Compact is immediately eligible to participate and practice in any
31 sanctioned sport or other interscholastic activity or event at the school to which the
32 pupil transfers. **Sections 2 and 3** of this bill make conforming changes.

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

1 **Section 1.** Chapter 385B of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *“Child of a military family” has the meaning ascribed to it in*
4 *NRS 388F.010.*

5 **Sec. 1.5.** NRS 385B.010 is hereby amended to read as follows:

6 385B.010 As used in this chapter, unless the context otherwise
7 requires, the words and terms defined in NRS 385B.020 to
8 385B.045, inclusive, *and section 1 of this act* have the meanings
9 ascribed to them in those sections.

10 **Sec. 1.7.** NRS 385B.130 is hereby amended to read as follows:

11 385B.130 **1.** Any rules and regulations adopted by the
12 Nevada Interscholastic Activities Association governing the
13 eligibility of a pupil who transfers from one school to another school
14 to participate in an interscholastic activity or event must apply
15 equally to public schools and to private schools that are members of
16 the Association.

17 **2.** *Notwithstanding any provision of law to the contrary, a*
18 *pupil who is a child of a military family and transferred schools*
19 *pursuant to the provisions of chapter 388F of NRS is immediately*
20 *eligible to participate and practice in any sanctioned sport or other*
21 *interscholastic activity or event at the school to which the pupil*
22 *transfers.*

23 **Sec. 2.** NRS 385B.160 is hereby amended to read as follows:

24 385B.160 No challenge may be brought by the Nevada
25 Interscholastic Activities Association, a school district, a public



1 school or a private school, a parent or guardian of a pupil enrolled in
2 a public school or a private school, a pupil enrolled in a public
3 school or private school, or any other entity or person claiming that
4 an interscholastic activity or event is invalid because homeschooled
5 children , ~~or~~ opt-in children *or children of a military family who*
6 *transferred schools pursuant to the provisions of chapter 388F of*
7 *NRS* are allowed to participate in the interscholastic activity or
8 event.

9 **Sec. 3.** NRS 385B.170 is hereby amended to read as follows:

10 385B.170 A school district, public school or private school
11 shall not prescribe any regulations, rules, policies, procedures or
12 requirements governing the:

13 1. Eligibility of homeschooled children , ~~or~~ opt-in children *or*
14 *children of a military family who transferred schools pursuant to*
15 *the provisions of chapter 388F of NRS* to participate in
16 interscholastic activities and events pursuant to this chapter; or

17 2. Participation of homeschooled children , ~~or~~ opt-in children
18 *or children of a military family who transferred schools pursuant*
19 *to the provisions of chapter 388F of NRS* in interscholastic
20 activities and events pursuant to this chapter,

21 ↪ that are more restrictive than the provisions governing eligibility
22 and participation prescribed by the Nevada Interscholastic Activities
23 Association pursuant to NRS 385B.060 ~~and~~ *and 385B.130.*

24 **Sec. 4.** Chapter 388F of NRS is hereby amended by adding
25 thereto a new section to read as follows:

26 1. *Each school district shall designate an employee of the*
27 *school district to serve as a liaison between the school district and*
28 *military families within the school district to facilitate the*
29 *implementation and administration of the Interstate Compact on*
30 *Educational Opportunity for Military Children within the school*
31 *district. The liaison designated by the school district shall:*

32 (a) *Coordinate with the liaison appointed pursuant to NRS*
33 *388F.030 and other liaisons designated pursuant to this section*
34 *regarding the provision of information about the Compact;*

35 (b) *Provide support to parents and guardians of children of*
36 *military families in understanding the provisions of and*
37 *protections provided by the Compact; and*

38 (c) *Take such other actions as necessary to facilitate the*
39 *proper administration of the Compact within the school district.*

40 2. *Each school district shall ensure that the person*
41 *designated to serve as a liaison pursuant to subsection 1 possesses*
42 *knowledge of the Compact and has the necessary training, skills*
43 *and experience to carry out the duties of the liaison.*



1 **Sec. 5.** NRS 388F.020 is hereby amended to read as follows:

2 388F.020 1. In furtherance of the provisions contained in the
3 Interstate Compact on Educational Opportunity for Military
4 Children, there is hereby created a State Council for the
5 Coordination of the Interstate Compact on Educational Opportunity
6 for Military Children, consisting of the following members:

7 (a) One representative of the Nevada National Guard, appointed
8 by the Governor.

9 (b) One representative of each military installation in this State,
10 appointed by the commanding officer of that military installation.

11 (c) The Superintendent of Public Instruction.

12 (d) The superintendent of each school district in which a
13 military installation is located.

14 (e) One Legislator or other person appointed by the Legislative
15 Commission to represent the interests of the Legislature.

16 (f) One person appointed by the Governor to represent the
17 interests of the Governor.

18 2. A member of the State Council serves a term of 2 years and
19 until his or her successor is appointed. A member may be
20 reappointed.

21 3. A member of the State Council may be removed from office
22 by the appointing authority at any time.

23 4. A vacancy on the State Council must be filled in the same
24 manner as the original appointment.

25 5. The members of the State Council serve without
26 compensation and are not entitled to any per diem or travel
27 expenses.

28 6. *The State Council shall meet at least twice per year, with at*
29 *least one meeting held before the beginning of each school*
30 *semester, and may meet at other times upon the call of the*
31 *Commissioner appointed pursuant to NRS 388F.040.*

32 **Sec. 6.** This act becomes effective on July 1, 2019.

