

SENATE BILL NO. 353—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON EDUCATION)

MARCH 25, 2021

Referred to Committee on Education

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

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to education; requiring the Department of Education to review examinations and assessments for certain information; requiring the Department to adopt regulations that prescribe certain limitations on examinations and assessments; authorizing the board of trustees of a school district or the governing body of a charter school to request a waiver from the State Board of Education for certain limitations; authorizing the State Board to grant a waiver in certain circumstances; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides for the administration of examinations and assessments
2 to measure the achievement and proficiency of pupils in various subjects. (NRS
3 390.055, 390.105) **Section 2** of this bill requires the Department of Education to
4 review the examinations and assessments administered to pupils for: (1) the
5 educational benefit of administering an examination or assessment; (2) the costs of
6 administering an examination or assessment; and (3) redundancy in the
7 information, skills or abilities measured by an examination or assessment. **Section**
8 **3** of this bill requires the Department to adopt regulations that prescribe limitations
9 for: (1) the time taken from instruction to conduct an examination or assessment;
10 and (2) the number of examinations or assessments administered in a school year.
11 **Section 3** requires the board of trustees of a school district or the governing body of
12 a charter school to request a waiver from the State Board of Education if the board
13 of trustees or the governing body intends to administer an examination or



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

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

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

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

5 1. *The educational benefit of an examination or assessment;*

6 2. *The cost of administering an examination or assessment;*
7 *and*

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

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

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

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

16 2. *If the board of trustees of a school district or the governing*
17 *body of a charter school intends to administer an examination or*
18 *assessment pursuant to this chapter that would exceed a limitation*
19 *in a regulation adopted by the Department pursuant to subsection*
20 *1, the board of trustees of the school district or the governing body*
21 *of the charter school must request a waiver from the State Board*
22 *to exceed the limitation. The State Board may grant a waiver*
23 *requested pursuant to this subsection if the State Board deems it*
24 *appropriate.*

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

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

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

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



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

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

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



