

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.

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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 and*  
5 *examinations and assessments required to be administered by the*  
6 *board of trustees of a school district, the governing body of a*  
7 *charter school or a public school on a district-wide or school-wide*  
8 *basis, as applicable, for:*

- 9 1. *The educational benefit of an examination or assessment;*  
10 2. *The cost of administering an examination or assessment;*  
11 *and*  
12 3. *Any redundancy in the information, skills or abilities*  
13 *measured by different examinations and assessments.*

14 **Sec. 3.** 1. *The Department shall adopt regulations that, for*  
15 *an examination or assessment administered pursuant to this*  
16 *chapter or required to be administered by the board of trustees of a*  
17 *school district, the governing body of a charter school or a public*  
18 *school on a district-wide or school-wide basis, as applicable,*  
19 *prescribe limits on the:*

20 (a) *Actual time taken from instruction to conduct an*  
21 *examination or assessment; and*

22 (b) *Number of examinations or assessments administered to*  
23 *pupils in a school year.*

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

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



1	For the Fiscal Year 2021-2022.....	\$65,364
2	For the Fiscal Year 2022-2023.....	\$187,500

3       2. Any balance of the sums appropriated by subsection 1  
4 remaining at the end of the respective fiscal years must not be  
5 committed for expenditure after June 30 of the respective fiscal  
6 years by the entity to which the appropriation is made or any entity  
7 to which money from the appropriation is granted or otherwise  
8 transferred in any manner, and any portion of the appropriated  
9 money remaining must not be spent for any purpose after  
10 September 16, 2022, and September 15, 2023, respectively, by  
11 either the entity to which the money was appropriated or the  
12 entity to which the money was subsequently granted or transferred,  
13 and must be reverted to the State General Fund on or before  
14 September 16, 2022, and September 15, 2023, respectively.

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

17       2. Sections 1, 2 and 3 of this act become effective on  
18 January 1, 2022.

