

STATUTES OF NEVADA 1956

SPECIAL SESSION, 1956

59

Assembly Bill No. 1—Committee on Education

CHAPTER 32

AN ACT relating to the establishment, maintenance, government and operation of public and private schools in the State of Nevada; providing for state and local administrative organization of the public schools; creating certain departments, commissions and boards and defining their powers and duties; providing for the finances and financial support of the public schools; providing for a system of public instruction, courses of study and the adoption and use of textbooks; providing for the certification, employment and retirement of teachers and other personnel in the public schools; providing for the transportation, health, safety and attendance of pupils and the care, management and control of public school property; regulating private schools; providing for the education of the deaf, dumb and blind; providing penalties for violations hereof; repealing certain acts and parts of acts; and other matters properly relating thereto.

[Approved March 2, 1956]

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

CHAPTER I

STATE ADMINISTRATIVE ORGANIZATION

ARTICLE 1. STATE DEPARTMENT OF EDUCATION

Section 1. State Department of Education: Creation; Composition; Functions; Duties of Superintendent of Public Instruction.

1. A state department of education is hereby created. The state department of education shall function under the direction and control of the state board of education, and the superintendent of public instruction shall be the executive head.

2. The state department of education shall consist of the state board of education, the state board for vocational education, the state textbook commission, and such other agencies and officers as are added by law to the state department of education and the administrative organizations and staffs required for the performance of their functions.

3. All administrative functions of the state board of education and of the superintendent of public instruction shall be exercised through the state department of education, and the department shall exercise all administrative functions of the state relating to supervision, management and control of schools not conferred by law on some other agency.

4. Establishment of the state department of education shall not affect the exercise of any educational function now conferred by law upon any other state agency or officer.

5. As executive head of the state department of education, the superintendent of public instruction shall perform duties prescribed by law and also:

(a) Execute, direct and supervise all administrative and technical activities of the department in accord with the policies prescribed by the state board of education.

(b) Employ such personnel as are approved by the state board of

education and as are necessary for efficient operation of the department.

(c) Be responsible for organizing the department in a manner which will assure efficient operation and service.

(d) Be responsible for maintaining liaison and coordinating activities with other state agencies exercising educational functions.

ARTICLE 2. STATE BOARD OF EDUCATION

SEC. 2. State Board of Education: Composition; Election and Appointment of Members; Terms; Filling of Vacancies.

1. The state board of education shall consist of eight lay members: Six members shall be elected, one from each of the educational supervision districts of the state; and two members shall be appointed by the elected members of the board.

2. The elective lay members shall be elected as follows:

(a) At the general election in 1956, and every 4 years thereafter, three members shall be elected, one from each of the odd-numbered educational supervision districts.

(b) At the general election in 1958, and every 4 years thereafter, three members shall be elected, one from each of the even-numbered educational supervision districts.

3. Each of the lay members so elected shall hold office for a term of 4 years.

4. The elected members shall appoint two members to serve for terms of 4 years, but the members so appointed shall not be residents of the same county. One of the appointed members shall be representative of labor, and one shall be representative of agriculture.

5. If a vacancy shall occur on the board from among the elected members, the governor shall appoint a member to fill the vacancy for the remainder of the unexpired term. If a vacancy shall occur in the office of an appointive member, the elected members shall fill the vacancy for the remainder of the unexpired term.

6. The elected members of the state board of education, as the same is constituted on the effective date of this act, shall continue to hold office for the terms for which they were elected.

7. In order that the state board of education shall be brought to the full complement of eight lay members on and after the effective date of this act, the governor shall, immediately after the effective date of this act, appoint three members, who, with the five members presently serving, shall constitute the state board of education until the 1st Monday of January 1957. One of the three members so appointed shall be representative of labor and one shall be representative of agriculture, but the members so appointed shall not be residents of the same county. The third member so appointed shall be a resident of one of the counties comprising educational supervision district number 6. On the 1st Monday in January 1957, the three elected members presently serving and whose terms expire on that date shall be succeeded in office by the members elected at the general election of 1956, as provided in subsection 2. On the 1st Monday of January 1959, the two elected members presently serving and whose terms of office expire on

that date, together with the three members appointed by the governor immediately after the effective date of this act, shall be succeeded in office by the three members elected at the general election of 1958 and the two members to be appointed as provided in subsection 4.

8. After the appointment of the two members as provided in subsection 7, subsection 7 shall become inoperative; and thereafter the composition of the state board of education shall be maintained in accordance with the provisions of subsections 1, 2, 3, 4 and 5.

SEC. 3. Officers of the Board: President; Secretary.

1. At its first meeting after each election and qualification of the lay members, the state board of education shall organize by electing one of its members as president, to serve at the pleasure of the board.

2. The superintendent of public instruction shall be the secretary of the board and shall serve without additional salary.

SEC. 4. Meetings and Quorum.

1. The state board of education shall hold at least four meetings annually at the state capital. The secretary shall call all meetings.

2. The board may hold special meetings at such other times and places as the board may direct. The secretary shall call meetings upon the written request of the president or any three members of the board.

3. A majority of the board shall constitute a quorum for the transaction of business.

SEC. 5. Compensation, Expenses of Members.

1. The members of the state board of education shall receive no compensation for their services.

2. Members shall be allowed their traveling and subsistence expenses incurred in attending meetings of the board at the rate authorized by law. Claims for expenses shall be approved by the superintendent of public instruction and the state board of examiners, and shall be allowed and paid from funds provided by direct legislative appropriation from the general fund as other claims against the State are allowed and paid.

SEC. 6. Seal: Adoption and Use. The board shall adopt and use an official seal in authentication of its acts.

SEC. 7. Record of Proceedings. The board shall keep a record of its proceedings in the form of minutes of its meetings.

SEC. 8. Rules and Regulations: General; Changes Affecting Teachers' Qualifications. The board shall have power to adopt rules and regulations not inconsistent with the constitution and laws of the State of Nevada for its own government and which are proper or necessary for the execution of the powers and duties conferred upon it by law; provided:

1. That any change, made by the state board of education, by which the required scholarship, training or experience of any teacher for any certificate or diploma is increased, shall be announced when made, and shall not be effective before 3 months from the date when such change is announced; and

2. That such change or changes, when made, shall not affect certificates or diplomas then in force.

SEC. 9. Rules and Regulations: Issuance, Renewal of Certificates, Diplomas; State Teacher Examinations.

1. The state board of education shall prescribe rules and regulations for the issuance and renewal of elementary, junior high school, high school, and special certificates, and for diplomas.

2. The state board of education shall prescribe rules and regulations for and authorize the holding of state teacher examinations in Nevada school law, the constitution of the State of Nevada, and the Constitution of the United States.

SEC. 10. Regulations Prescribing Conditions Under Which Funds, Commodities or Services From Federal Agencies May Be Accepted for Use by Public Schools.

1. The state board of education shall prescribe regulations under which contracts, agreements or arrangements may be made with agencies of the Federal Government for funds, services, commodities or equipment to be made available to the public schools and school systems under the supervision or control of the state department of education.

2. All contracts, agreements or arrangements made by public schools and school systems in the State of Nevada involving funds, services, commodities or equipment which may be provided by agencies of the Federal Government, shall be entered into in accordance with the regulations prescribed by the state board of education and in no other manner.

3. Nothing contained in this section shall be construed to apply to any funds received by any school district in the State of Nevada pursuant to the provisions of:

(a) "An Act to provide financial assistance for local educational agencies in areas affected by federal activities, and for other purposes," being Public Law 874—81st Congress; and

(b) "An Act relating to the construction of school facilities in areas affected by federal activities, and for other purposes," being Public Law 815—81st Congress,

as the same have been amended or may be hereafter amended.

SEC. 11. Board To Prescribe Courses of Study for Public Schools. The state board of education shall prescribe and cause to be enforced the courses of study for the public schools of this state; provided:

1. That high schools may have modified courses of study, subject to the approval of the state board of education; and

2. That any high school offering courses normally accredited as being beyond the level of the 12th grade shall, before offering such courses, have them approved by the state board of education.

SEC. 12. Lists of Books for School Libraries: Approval of Board. The state board of education shall approve or disapprove the action of the superintendent of public instruction with respect to the lists of books for use in school libraries as provided in section 24.

SEC. 13. Printing at State Printing Office. The board shall cause the superintendent of state printing to do any printing required by the board, such as this act, state courses of study, the proceedings of teachers' institutes, blank forms, and such other matter as the board

State Board shall prescribe rules & regulations for teacher exams

State Board shall prescribe courses of study for public schools

may require. Textbooks shall not be printed by the superintendent of state printing.

SEC. 14. State Department of Education Bulletin. The board shall publish a bulletin as the official organ of the state department of education. The bulletin shall be printed in the state printing office.

ARTICLE 3. SUPERINTENDENT OF PUBLIC INSTRUCTION

SEC. 15. Election; Term of Office.

1. The superintendent of public instruction shall be elected quadrennially by the qualified electors of the state at the same time and in the same manner as the governor is elected.

2. He shall hold office for a term of 4 years, beginning on the 1st Monday in January immediately following each such election, and continuing until the 1st Monday in January 4 years later, or until his successor is elected and qualified.

SEC. 16. Qualifications. To be eligible to the office of superintendent of public instruction, a person shall:

1. Be a qualified elector.

2. Be a graduate of the University of Nevada or a college of equal standard.

3. Hold a Nevada teacher's certificate of the high school grade.

4. At the time of his nomination, have had at least 20 semester hours in educational subjects, by actual attendance at some standard college or university, or, in lieu of such semester hours, shall hold a Nevada life diploma of high school and elementary grade.

5. At the time of his election:

(a) Have attained the age of 25 years and been a citizen resident of this state for 2 years next preceding the election.

(b) Have had not less than 45 months of successful teaching experience, at least 20 months of which shall have been in the State of Nevada.

SEC. 17. Salary.

1. The annual salary of the superintendent of public instruction shall be \$6,600. From and after the expiration of the present term of the superintendent of public instruction, his successor and successors in office thereafter shall receive an annual salary of \$9,000.

2. From the effective date of this act until 12 p. m. of the 1st Monday of January 1959, the superintendent of public instruction as ex officio secretary of the state textbook commission shall receive an annual salary of \$2,400, payable from the general fund at the times and in the manner provided by law.

SEC. 18. Visitation of Schools, Consultations With Educators: Traveling Expenses.

1. The superintendent of public instruction shall:

(a) Visit each county in the state at least once each school year, and shall conduct institutes, visit schools, consult with school officers, or address public assemblies on subjects pertaining to the schools.

(b) Consult and study with school officers and educators of this and other states on topics of school administration, school methods and school law.

2. The necessary traveling expenses incurred by the superintendent of public instruction in the performance of such duties, including the cost of transportation and board and lodging while absent from his place of residence, shall be allowed, audited and paid at the rate authorized by law. Funds to carry out the provisions of this section shall be provided by direct legislative appropriation from the general fund, and shall be paid out on claims as other claims against the State are paid.

SEC. 19. Conferences of Teachers, School Administrators.

1. The superintendent of public instruction shall:

(a) Convene teachers' conferences in the various sections of the state in such places and at such times as he may deem advisable.

(b) Engage such conference lecturers and leaders as he shall deem advisable.

(c) Preside over and regulate the programs of all teachers' conferences.

No conference shall continue more than 5 days. The expenses of holding such conferences shall be paid from the state distributive school fund, but the amount for teachers' conferences shall not exceed \$8,400 in any one biennium. The state controller is authorized and directed to draw his warrants for such expenses upon the order of the superintendent of public instruction.

2. The superintendent of public instruction shall convene, in such places and at such times as he may designate, conferences of school administrators.

3. Nothing in this section shall be construed to prohibit the superintendent of public instruction from altering the character of any conference in line with advanced educational procedure.

SEC. 20. Regulations and Blanks for Execution of Reports. The superintendent of public instruction shall:

1. Prescribe and modify proper and necessary rules and regulations for making all reports and conducting all necessary proceedings under the provisions of this article.

2. Furnish suitable blanks upon which the required reports shall be made.

3. Cause the blanks, with such instructions as shall be deemed necessary and proper for the organization and government of schools, to be transmitted to the local school officers, who shall be governed in accordance with the instructions.

SEC. 21. Preparation and Printing of Registers, Pamphlets, Forms. The superintendent of public instruction shall:

1. Prepare a convenient form of school register for the purpose of securing accurate returns from the teachers of public schools, and shall furnish such registers to each school board to be delivered as needed to each of the teachers of its schools.

2. Prepare pamphlet copies of the school law, and shall transmit a copy to each school, school trustee, and other school officer in the state. When additions or amendments are made to the school law, he shall have them printed and transmitted immediately thereafter. Each

pamphlet shall be marked "State property—to be turned over to your successor in office."

3. Prepare and have printed teachers' contracts, school registers, and other necessary forms and supplies, and shall supply the same to school trustees and teachers.

4. Have done at the state printing office, in accordance with law, all printing required in the performance of his duties.

SEC. 22. Power To Administer Oaths. The superintendent of public instruction shall have power:

1. To administer oaths to teachers.

2. To administer other oaths relating to public schools.

SEC. 23. Biennial Report to Governor.

1. The superintendent of public instruction shall report to the governor biennially, on or before December 1, in the year immediately preceding a regular session of the legislature. The governor shall transmit the report to the legislature at its first regular session thereafter.

2. The report shall contain:

(a) A statement of the public school affairs in the state.

(b) A statement of the condition and amount of all funds and property apportioned and dedicated to the purposes of public education or under the control or supervision of the superintendent of public instruction.

(c) The number of schools in each county.

(d) The number of children under the age of 18 years attending public schools in each county.

(e) The amount of public schools moneys apportioned to each county.

(f) The separate amount of money raised by county taxation and the sources thereof.

(g) The amount of money raised for building public schoolhouses.

(h) A statement of plans for the management and improvement of public schools.

(i) Such other information relative to the educational affairs of the public schools of the state as the superintendent of public instruction shall deem proper.

SEC. 24. Approval of School Library Books. The superintendent of public instruction shall approve or disapprove lists of books for use in school libraries, but such lists shall not include books containing or including any story in prose or poetry the tendency of which would be to influence the minds of children in the formation of ideals not in harmony with truth and morality or the American way of life, or not in harmony with the constitution and laws of the United States or of the State of Nevada.

SEC. 25. Delivery of Property to Successor. At the expiration of his term of office, the superintendent of public instruction shall deliver immediately to his successor in office all property and effects belonging to the office, and he shall take a receipt for the same.

SEC. 26. General Duties. The superintendent of public instruction shall perform such other duties relative to public schools as may be prescribed by law.

SEC. 27. Attorney General To Advise Superintendent of Public

Instruction. When required, the attorney general shall give his opinion in writing and without fee to the superintendent of public instruction on matters relating to the duties of the office of the superintendent.

ARTICLE 4. EDUCATIONAL SUPERVISION DISTRICTS; ASSISTANT AND DEPUTY SUPERINTENDENTS OF PUBLIC INSTRUCTION.

SEC. 28. Educational Supervision Districts: Establishment; Change of Boundaries.

1. Six educational supervision districts are hereby established as follows:

District No. 1. Elko County shall comprise educational supervision district number 1.

District No. 2. White Pine, Nye, Esmeralda and Eureka Counties shall comprise educational supervision district number 2.

District No. 3. Humboldt, Pershing and Lander Counties shall comprise educational supervision district number 3.

District No. 4. Washoe and Churchill Counties shall comprise educational supervision district number 4.

District No. 5. Lincoln and Clark Counties shall comprise educational supervision district number 5.

District No. 6. Storey, Ormsby, Douglas, Lyon and Mineral Counties shall comprise educational supervision district number 6.

2. Notwithstanding the provisions of subsection 1, the state board of education may make such changes in the boundaries of the educational supervision districts as may be found, in the judgment of the state board of education, to be better adapted to the needs of the several educational supervision districts.

SEC. 29. First Assistant Superintendent of Public Instruction: Qualifications; Appointment, Powers and Duties.

1. The superintendent of public instruction shall have power to appoint a first assistant superintendent of public instruction, who shall have the same qualifications as those required of the superintendent of public instruction.

2. The first assistant superintendent of public instruction shall:

(a) Assist in the work of the office of the superintendent of public instruction, and do such work as the state board of education or the superintendent of public instruction may direct under the laws of the state.

(b) Have the power to perform all duties required of the superintendent of public instruction.

SEC. 30. Second Assistant Superintendent of Public Instruction: Qualifications and Appointment.

1. The superintendent of public instruction shall have power to appoint a second assistant superintendent of public instruction.

2. The second assistant superintendent of public instruction shall:

(a) Be a graduate of a 4-year accredited college or university.

(b) Have familiarity with the field of education, as evidenced by either:

(1) Sufficient college credits in education to qualify for a Nevada high school teacher's certificate; or

Six educational districts, which comprise of the different counties.

2nd Ass't Super shall qualify for a Nev high school teacher's certificate.

(2) Participation in recognized educational research and study.
(c) Have familiarity with the general field of public administration and budgeting, as evidenced by either:

(1) Sufficient college credits to qualify for a minor in public administration, government management or business management; or

(2) Experience in the preparation of government budgets, government accounting or government research.

3. No person shall be appointed to the position of second assistant superintendent of public instruction unless he has the qualifications herein outlined in both the fields of education and public administration.

SEC. 31. Powers, Duties of Second Assistant Superintendent of Public Instruction. The powers and duties of the second assistant superintendent of public instruction shall be:

1. To perform all duties pursuant to the contract of integration of the public school teachers' retirement system with the public employees' retirement system.

2. To apportion all state school funds to schools of the state as prescribed by law.

3. To develop for schools of the state a uniform system of budgeting and accounting, which system, when approved by the superintendent of public instruction and the state board of education, shall be made mandatory for all public schools in the state, and shall be enforced by the deputy superintendents of public instruction in each educational supervision district as provided for in subsection 4 of section 41.

4. To carry on a continuing study of school finance in the state, and particularly of the method by which schools are financed on the state level, and to make such recommendations to the superintendent of public instruction and the state board of education as he may, from time to time, deem advisable.

5. To recommend to the superintendent of public instruction and the state board of education such changes in budget and financial procedures as his studies may show to be advisable.

6. To perform any other statistical and financial duties pertaining to the administration and finance of the schools of the state as may, from time to time, be required by the superintendent of public instruction.

7. To prepare the budgets of the state department of education for biennial submission to the governor.

8. To employ one secretary at the rate fixed in accordance with the pay plan adopted by the state merit and personnel system.

SEC. 32. Compensation of Assistant Superintendents.

1. The first and second assistant superintendents of public instruction shall receive salaries which shall be fixed in accordance with the pay plan adopted by the state merit and personnel system, and they shall receive subsistence and travel expenses as provided by law.

2. Funds to carry out the provisions of this section shall be provided by direct legislative appropriation from the general fund, and shall be paid out on claims as other claims against the state are paid.

SEC. 33. Deputy Superintendents of Public Instruction: Appointment.

1. The superintendent of public instruction, with the approval of the state board of education, shall appoint one deputy superintendent of public instruction for each educational supervision district.

2. Each deputy superintendent of public instruction shall devote his entire time to school supervision and shall not engage in any other work while holding office.

SEC. 34. Qualifications of Deputies.

1. Any person holding a teacher's certificate of high school grade and who shall have had not less than 45 months of successful experience in teaching, at least 20 months of which shall have been in the State of Nevada, shall be eligible to appointment as a deputy superintendent of public instruction.

2. No other person shall be eligible to such appointment.

SEC. 35. Compensation of Deputies; Travel Expenses.

1. The compensation of each deputy superintendent of public instruction shall be paid out of funds appropriated by the legislature from the general fund in the same manner as the salaries of other state officers are paid.

2. All claims for traveling expenses, including the cost of transportation and cost of living, as fixed by law for state officers, of each deputy superintendent of public instruction while absent from his place of residence, together with necessary office expenses, shall be paid out of funds appropriated by the legislature from the general fund, whenever such claims shall be allowed by the state board of examiners.

SEC. 36. Visitation of Schools, Advancement of Educational Interests by Deputies. Each deputy superintendent of public instruction shall:

1. Visit each school in his educational supervision district at least twice a year.

2. Examine the records and observe the work of each school carefully.

3. Advise with teachers as to organization, management and teaching.

4. Inspect school buildings, libraries and apparatus.

5. Confer with boards of trustees and county officers as to the condition and needs of the schools.

6. Hold teachers' meetings.

7. Assist at state and district conferences.

8. Advance the educational interests of his educational supervision district.

SEC. 37. Attendance of Deputies at Meetings of State Board of Education. When the state board of education shall order his attendance, a deputy superintendent of public instruction shall attend the meetings of the state board of education to furnish information pertaining to the schools of his educational supervision district.

SEC. 38. Gradation of Schools by Deputies. Each deputy superintendent of public instruction shall grade the schools in his educational supervision district in July of each year, designating which

schools are high schools and which are elementary schools. He shall keep in his office a record of such gradation.

SEC. 39. Deputies To Act as Deputy Examiners at Teachers' Examinations; Preparation of Courses of Study. Each deputy superintendent of public instruction shall act as a deputy examiner at teachers' examinations, as a member of the board of educational examiners, and shall assist the state board of education in preparing courses of study.

SEC. 40. Suspension of Teachers' Certificates by Deputies. Within his educational supervision district, a deputy superintendent of public instruction shall have power:

1. To suspend, for a time not to exceed 1 year, the certificate of any teacher who fails to attend any district conference, unless the teacher is excused from attending by the superintendent of public instruction.

2. To suspend, after 10 days' notice and a hearing, the certificate of any teacher for any of the causes for which a certificate may be revoked by the state board of education.

SEC. 41. Powers and Duties of Deputies Concerning School Finances. Within his educational supervision district, each deputy superintendent of public instruction shall:

1. File with the county auditor of each county a directory of all teachers who shall be entitled to draw salaries from the state or the county school funds, and he shall advise the county auditor from time to time of any changes or additions to the directory. The county auditor shall not draw any warrant in favor of any teacher until he shall be informed officially by the deputy superintendent of public instruction that such teacher is legally entitled to receive a salary from the state or county school funds.

2. File with the county auditor a directory of all qualified school trustees of each county.

3. Investigate any claim against any school fund whenever a written protest against the drawing of a warrant in payment of the claim against any school fund shall be filed with the county auditor. If, upon investigation, the deputy superintendent of public instruction finds that any claim against any school fund is unearned, illegal or unreasonably excessive, he shall notify the county auditor and the clerk of the board of trustees who drew the order for such claim, stating the reasons in writing why such order is unearned, illegal or excessive. If so notified, the county auditor shall not draw his warrant in payment of such claim. If the deputy superintendent of public instruction finds that any protested claim is legal and actually due the claimant, he shall authorize the county auditor to draw his warrant for such claim, and the county auditor shall immediately draw his warrant in payment of the claim.

4. Inspect the record books and accounts of boards of trustees, and he shall authorize and enforce an efficient method of keeping the financial records and accounts of the school district.

5. Inspect the school fund accounts of the county auditors of the several counties, and he shall report the condition of the funds of any school district to the board of trustees thereof.

Deputy Super has power to suspend certificate of any teacher.

SEC. 42. Power To Administer Oaths; Additional Powers May Be Conferred on Deputies by Superintendent of Public Instruction.

1. Deputy superintendents of public instruction are authorized to administer:

- (a) Oaths or affirmations of office to teachers.
- (b) All other oaths and affirmations relating to public schools.

2. The superintendent of public instruction shall confer upon the deputy superintendents of public instruction such power and authority to act in his name as he shall deem proper, but such power and authority conferred shall be in accordance with the laws of this state.

SEC. 43. Regulations Governing Deputies To Be Adopted by State Board of Education. The state board of education shall adopt such rules and regulations further defining the powers and duties of deputy superintendents of public instruction as shall, in its judgment, be necessary to secure efficiency and coordination. The rules and regulations, when adopted, shall be in accordance with the law of this state, and may be modified as the board deems necessary.

SEC. 44. Written Reports by Deputies. The superintendent of public instruction shall have the power to require written reports from each deputy superintendent of public instruction at such times as he may direct.

SEC. 45. Appeals From Decisions of Deputies.

1. From any decision made by any deputy superintendent of public instruction affecting adversely the rights, powers or duties of any teacher or board of trustees as fixed by law, in any case in which no appeal is allowed to be taken to the state board of education, an appeal may be taken to the superintendent of public instruction.

2. The superintendent of public instruction shall have the power to act on appeals from decisions by deputy superintendents of public instruction when there is no appeal to the state board of education. The decision of the superintendent of public instruction on such appeals shall be final.

SEC. 46. Attorney General To Advise Deputy Superintendents of Public Instruction. When required, the attorney general shall give his opinion in writing and without fee to the deputy superintendents of public instruction on matters relating to the duties of their offices.

CHAPTER II

LOCAL ADMINISTRATIVE ORGANIZATION

ARTICLE 5. SCHOOL DISTRICTS

SEC. 47. School Districts: Creation; Kinds; Power To Sue.

1. The school districts of the State of Nevada are of two kinds:

- (a) County school districts.
- (b) Joint school districts.

2. County school districts, the boundaries of which are conterminous with the boundaries of the counties of the state, are hereby created.

3. Joint school districts, composed of all of the territory of two

or more contiguous county school districts, may hereafter be created in the manner provided in this act.

4. Each county school district created by this act and each joint school district which may hereafter be created is hereby declared to be a political subdivision of the State of Nevada whose purpose is to administer the state system of public education.

5. Each school district shall have the power to sue and may be sued, but this legislative declaration in no way constitutes a waiver of immunity to tort liability, express or otherwise.

SEC. 48. Existing School Districts Dissolved; Transfer of Functions; Assumption of Obligations by County School Districts.

1. Every school district, joint school district, union school district, consolidated school district, educational district, and every other kind or type of school district or educational district heretofore created and existing and operating under the provisions of "An Act concerning public schools of the State of Nevada, establishing and defining certain crimes and providing punishment therefor, and repealing certain acts and parts of acts relating thereto," approved March 15, 1947, and being chapter 63, Statutes of Nevada 1947, or any other law of the State of Nevada, is hereby dissolved and disestablished upon the effective date of this act; and the functions of all such school districts and educational districts heretofore existing are hereby transferred to the county school districts created by this act and to the joint school districts which may hereafter be created.

2. On the effective date of this act, all of the debts, liabilities and obligations, except bonded indebtedness, of the school districts and educational districts abolished by this act shall become and be the debts, liabilities and obligations of the county school district whose territory includes the areas of the school districts and educational districts abolished by this act.

SEC. 49. Names of School Districts.

1. Every county school district shall be designated by the name and style of ".....County School District" (using the name of the county the boundaries of which are coterminous with the boundaries of the county school district).

2. Every joint school district shall be designated by the name and style of ".....Joint School District" (using the names of all of the counties the territories of which are included within the boundaries of the joint school district).

SEC. 50. Creation of Joint School District: Procedure.

1. The board of trustees of any county school district employing 45 or less certified employees may, in writing, petition the board of trustees of any contiguous county school district employing any number of certified employees to join with that county school district to create a joint school district.

2. If the board of trustees of the county school district to which the petition is addressed consents to the creation of a joint school district, that board of trustees shall manifest its consent by a written

All other kinds of school districts established in 1947 are dissolved.

resolution. A copy of the petition and the resolution shall be transmitted to the state board of education by the clerk of the board of trustees to which the petition was addressed.

3. If, after receipt of the copies of the petition and the resolution, the state board of education finds that creation of the joint school district will result in improvements in the administration and fiscal management of the public schools in the areas comprising the proposed joint school district, the state board of education shall, by a written order, create the joint school district.

4. The superintendent of public instruction shall, after an order is made creating a joint school district, mail copies of the order to the boards of trustees of the county school districts comprising the joint school district, and he shall file certified copies of the order with the county clerks, county auditors and county treasurers of the counties affected.

SEC. 51. Inclusion of County School District in Joint School District: Procedure.

1. The board of trustees of any county school district employing 45 or less certified employees may, in writing, petition the board of trustees of any contiguous joint school district employing any number of certified employees to be included in the joint school district.

2. If the board of trustees of the joint school district to which the petition is addressed consents to the inclusion of the contiguous county school district, that board of trustees shall manifest its consent by a written resolution. A copy of the petition and the resolution shall be transmitted to the state board of education by the clerk of the board of trustees of the joint school district.

3. If, after receipt of the copies of the petition and the resolution, the state board of education finds that the inclusion of the county school district in the joint school district will result in improvements in the administration and fiscal management of the public schools in the areas to be affected, the state board of education shall, by a written order, include the county school district in the joint school district.

4. The superintendent of public instruction shall, after an order is made including a county school district in a joint school district, mail copies of the order to the boards of trustees of the county school district and the joint school district, and he shall file certified copies of the order with the county clerks, county auditors and county treasurers of the counties affected.

SEC. 52. Withdrawal and Exclusion of a County From Joint School District: Procedure.

1. A written petition requesting withdrawal of the territory of a county from a joint school district composed of three or more counties, signed by a majority of the members of the board of trustees elected from the territory of that county, may be filed with the board of trustees of the joint school district.

2. If the board of trustees does not approve the petition, no further action shall be taken, but such disapproval shall not prevent the filing of a subsequent petition or petitions for withdrawal.

3. If the board of trustees approves the petition for withdrawal,

approval shall be stated by a written resolution. A copy of the resolution, together with a copy of the petition, shall be transmitted to the state board of education by the clerk of the board of trustees.

4. If, after receipt of the copies of the petition and the resolution, the state board of education finds that the withdrawal of the territory of the county from the joint school district will result in improvements in the administration and fiscal management of the public schools in the areas to be affected, the state board of education shall, by a written order, exclude the territory of the county from the joint school district.

5. The superintendent of public instruction shall, after an order is made excluding the territory of a county from a joint school district, mail copies of the order to the board of trustees of the joint school district and to the board of trustees of the reestablished county school district, and he shall file certified copies of the order with the county clerks, county auditors and county treasurers of the counties affected.

6. If the exclusion of the territory of any one county will result in noncontiguity of the remaining territory within the joint school district, the state board of education shall order the dissolution of the joint school district without a petition being filed for dissolution as required by section 53 of this act.

SEC. 53. Dissolution of Joint School District: Procedure.

1. A written petition requesting dissolution of a joint school district, signed by a majority of the members of the board of trustees of the joint school district, may be filed with the state board of education.

2. If, after receipt of the petition, the state board of education finds that the dissolution of the joint school district will result in improvements in the administration and fiscal management of the public schools in the areas to be affected, the state board of education shall, in writing, order the dissolution of the joint school district.

3. The superintendent of public instruction shall, after an order is made dissolving a joint school district, mail a copy of the order to the board of trustees of the joint school district, and he shall file certified copies of the order with the county clerks, county auditors and county treasurers of the counties affected.

SEC. 54. Joint School Districts: Effective Date of Creation, Exclusion and Dissolution. Any action undertaken to create a joint school district, to withdraw and exclude the territory of a county from a joint school district, or to dissolve a joint school district shall be completed prior to February 1 of the school year in which the action was begun and shall be effective on July 1 next succeeding.

SEC. 55. Joint School District: Funds, Property and Obligations. Whenever two or more county school districts join to constitute a joint school district, all funds, property and obligations except bonded indebtedness of the county school districts joining shall become the funds, property and obligations of the joint school district formed.

SEC. 56. Automatic Reestablishment of County School Districts, Boards of Trustees.

1. Whenever the state board of education orders the exclusion of

the territory of a county from a joint school district or the dissolution of a joint school district, the territory of each county excluded from the joint school district and the territory of each county which constituted a part of the joint school district prior to dissolution shall be automatically reestablished as a county school district on July 1 next succeeding the order of the state board of education.

2. Upon an order of exclusion or dissolution being made by the state board of education, the trustees elected from the territory of each county to membership on the board of trustees of the joint school district shall, on and after July 1 next succeeding, be the board of trustees of the reestablished county school district, and shall hold office until their successors are elected and qualified in the manner provided by law. Prior to July 1 of any year in which an order of exclusion or dissolution becomes effective, the trustees who will constitute the board of trustees of the reestablished county school district shall take all necessary and proper action to reorganize and activate their respective county school districts so that each county school district shall begin operation on July 1.

ARTICLE 6. BOARDS OF TRUSTEES

SEC. 57. Board of Trustees: Body Corporate; Name.

1. The trustees of a school district shall constitute a board, which is hereby created a body corporate.

2. The board of trustees of a county school district shall be designated by the name and style of "The Board of Trustees of the..... County School District" (using the name of the county the boundaries of which are coterminous with the boundaries of the county school district).

3. The board of trustees of a joint school district shall be designated by the name and style of "The Board of Trustees of the..... Joint School District" (using the names of all of the counties the territories of which are included within the boundaries of the joint school district).

SEC. 58. County School District: Number of Trustees.

1. The board of trustees of a county school district shall consist of five or seven members.

2. In any county school district where 1,000 or more pupils were enrolled during the school year next preceding any general election, the board of trustees shall consist of seven members.

3. In any county school district where less than 1,000 pupils were enrolled during the school year next preceding any general election, the board of trustees shall consist of five members.

SEC. 59. Joint School Districts: Number of Trustees.

1. Upon the creation of a joint school district, the trustees who constitute each board of trustees of the joining county school districts shall be the board of trustees of the joint school district. They shall hold their offices until the 1st Monday in January following the first general election after the creation of the joint school district.

2. After the 1st Monday in January following the first general election after the creation of a joint school district, and thereafter,

each board of trustees of a joint school district shall consist of the total number of trustees elected from each school trustee election district within the joint school district as provided by law.

SEC. 60. Governing Boards of County School Districts Until January 1957; Abolishment of Previously Existing School Boards; Validation of Acts.

1. On and after the effective date of this act, the boards of trustees elected as county school boards on May 2, 1955, in accordance with the provisions of chapter 402, Statutes of Nevada 1955, shall be the only governing bodies of the county school districts created by this act, and the members thereof shall hold their offices until the 1st Monday of January following the general election in 1956. Immediately after the effective date of this act, in a county school district having 1,000 or more pupils enrolled therein and in which only five trustees were elected on May 2, 1955, pursuant to the provisions of section 44 of chapter 402, Statutes of Nevada 1955, at page 815, the board of county commissioners shall appoint two additional qualified persons as trustees of the county school district, and they shall hold their offices until the 1st Monday of January following the general election in 1956.

2. The boards of trustees of all school districts, joint school districts, union school districts, consolidated school districts, and the boards of education of all educational districts, and the boards of trustees of every other kind or type of school district or educational district heretofore created and existing and operating under the provisions of "An Act concerning public schools of the State of Nevada, establishing and defining certain crimes and providing punishment therefor, and repealing certain acts and parts of acts relating thereto," approved March 15, 1947, and being chapter 63, Statutes of Nevada 1947, or any other law of the State of Nevada, are hereby abolished.

3. All acts, contracts, actions and proceedings of the county school boards the members of which were elected on May 2, 1955, and all acts, contracts, actions and proceedings of the boards of trustees of all school districts, joint school districts, union school districts, consolidated school districts, and the boards of education of all educational districts, and the boards of trustees of every other kind or type of school district or educational district heretofore created and existing and operating under the provisions of chapter 63, Statutes of Nevada 1947, or any other law of the State of Nevada, from May 2, 1955, to the effective date of this act, are hereby ratified, approved and confirmed.

SEC. 61. Superintendent of Public Instruction To File Certificates With County Clerks Prior to June 1 in General Election Year. On or before June 1 in any year in which a general election is held, the superintendent of public instruction shall:

1. File with each clerk of a county whose boundaries are coterminous with a county school district a certificate stating:

(a) The total number of pupils enrolled during that school year in the county school district.

(b) The number and offices of trustees of the county school district to be filled at the next general election.

2. File with each clerk of a county whose boundaries are conterminous with a school trustee election district within a joint school district a certificate stating:

(a) The total number of pupils enrolled during that school year in the school trustee election district of the joint school district.

(b) The number and offices of trustees of the joint school district to be filled from that school trustee election district at the next general election.

SEC. 62. Election of Trustees in County School Districts Having a Pupil Enrollment Under 1,000.

1. At the general election in 1956, in a county school district where less than 1,000 pupils were enrolled during the preceding school year, five trustees shall be elected at large within the county school district, as follows:

(a) One person who resides at the county seat shall be elected for a term of 2 years; but if less than 20 percent of the residents of the county reside at the county seat then such person need not reside at the county seat.

(b) One person who resides at the county seat shall be elected for a term of 4 years; but if less than 40 percent of the residents of the county reside at the county seat then such person need not reside at the county seat.

(c) One person who resides in the county but who resides neither at the county seat nor in any incorporated city within the county shall be elected for a term of 2 years.

(d) One person who resides in the county but not at the county seat shall be elected for a term of 4 years.

(e) One person who resides in the county but not at the county seat shall be elected for a term of 4 years; but if 80 percent or more of the residents of the county reside at the county seat then a person who resides at the county seat may be elected to the office.

2. Thereafter, at each general election, the offices of school trustees shall be filled for terms of 4 years in the order in which the terms of office expire.

SEC. 63. Election of Trustees in County School Districts Having a Pupil Enrollment of 1,000 or More.

1. At the general election in 1956, in a county school district where 1,000 or more pupils were enrolled during the preceding school year, seven trustees shall be elected at large within the county school district, as follows:

(a) Two persons who reside at the county seat shall be elected for terms of 2 years.

(b) One person who resides at the county seat shall be elected for a term of 4 years.

(c) One person who resides in the county but not at the county seat shall be elected for a term of 2 years.

(d) One person who resides in the county but not at the county seat shall be elected for a term of 4 years.

(e) One person who resides in the county but resides neither at the county seat nor in any incorporated city within the county shall be elected for a term of 4 years.

(f) One person who resides in the county shall be elected for a term of 2 years.

2. Thereafter, at each general election, the offices of school trustees shall be filled for terms of 4 years in the order in which the terms of office expire.

SEC. 64. Election of School Trustees in County School District Where Enrollment of Pupils Drops Below 1,000.

1. At the general election in 1958, if the certificate of the superintendent of public instruction filed with the county clerk states that the pupil enrollment during the preceding school year in a county school district was less than 1,000, and the board of trustees of the county school district is composed of seven elected members based upon a previous pupil enrollment of 1,000 or more, then one of the offices of trustee provided for in paragraph (a) of subsection 1 of section 63 and the office of trustee provided for in paragraph (c) of subsection 1 of section 63 shall not be filled by election or appointment, and the candidate for the office of trustee provided for in paragraph (f) of subsection 1 of section 63 shall have the qualifications required by paragraph (e) of subsection 1 of section 62.

2. Thereafter, while continued pupil enrollment in the county school district is less than 1,000, the offices of school trustees shall be filled as provided in section 62.

SEC. 65. Election of Two Additional Trustees in County School District When Pupil Enrollment Increases After Previous General Election.

1. At the general election in 1958, if the certificate of the superintendent of public instruction filed with the county clerk states that the pupil enrollment during the preceding school year in a county school district was 1,000 or more, and the board of trustees of the county school district is composed of five elected members based upon a previous pupil enrollment of less than 1,000, then one additional trustee who resides at the county seat shall be elected for a term of 4 years, and one additional trustee who resides in the county shall be elected for a term of 4 years.

2. Thereafter, while continued pupil enrollment in the county school district is 1,000 or more, the offices of school trustees shall be filled as provided in section 63.

SEC. 65.1. Creation of Trustee Election Areas Within County School District: Procedure; Election of Trustees.

1. Notwithstanding the provisions of sections 62 and 63, or any other section of this act, the trustees of a county school district may be elected in the alternate manner hereinafter provided in this section.

2. Within 30 days prior to May 1 of any year in which a general election is to be held in the state, 10 percent or more of the registered voters of a county school district may file a written petition with the board of county commissioners of the county praying for the creation of school trustee election areas within the county school district in

the manner provided in this section. The petition shall specify with particularity the school trustee election areas proposed to be created, the number of trustees to be elected from each such area, and the manner of their nomination and election. The number of school trustee election areas proposed shall not exceed the number of trustees authorized for the particular county school district pursuant to section 58 of this act. The description of the proposed school trustee election areas need not be given by metes and bounds or by legal subdivisions, but shall be sufficient to enable a person to ascertain what territory is proposed to be included within a particular school trustee election area. The signatures to the petition need not all be appended to one paper, but each signer must add to his name his place of residence, giving the street and number whenever practicable. One of the signers of each paper shall make oath, before an officer competent to administer oaths, that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

3. Immediately after the receipt of the petition, the board of county commissioners shall fix a date for a public hearing to be held during the month of May, and shall give notice thereof by publication at least once in a newspaper published in the county, or if no such newspaper is published therein then in a newspaper published in the State of Nevada and having a general circulation in the county. The costs of publication of such notice shall be a proper charge against the county school district fund.

4. If, as a result of the public hearing, the board of county commissioners finds that the creation of school trustee election areas within the county school district is desirable, the board of county commissioners shall, by resolution regularly adopted prior to June 1, divide the county school district into the number of school trustee election areas specified in the petition, designate them by number and define their boundaries. The territory comprising each school trustee election area shall be contiguous. The resolution shall further set forth the number of trustees to be elected from each school trustee election area and the manner of their nomination and election.

5. Prior to June 1 and immediately following the adoption of the resolution creating school trustee election areas within a county school district, the clerk of the board of county commissioners shall transmit a certified copy of the resolution to the superintendent of public instruction.

6. Upon the creation of school trustee election areas within a county school district the terms of office of all trustees then in office shall expire on the 1st Monday of January thereafter next following a general election. At the general election held following the creation of school trustee election areas within a county school district, school trustees to represent the odd-numbered school trustee election areas shall be elected for terms of 4 years and school trustees to represent the even-numbered school trustee election areas shall be elected for terms of 2 years. Thereafter, at each general election, the offices of

school trustees shall be filled for terms of 4 years in the order in which the terms of office expire.

7. A candidate for the office of trustee of a county school district in which school trustee election areas have been created shall be a qualified elector and shall be a resident of the school trustee election area which he seeks to represent.

8. School trustee election areas may be altered or abolished, or the number of school trustees representing such areas or the manner of their nomination or election may be changed, in the same manner as herein provided for the creation of school trustee election areas and the election of school trustees.

9. If the certificate of the superintendent of public instruction, filed with the county clerk in compliance with the provisions of section 61, states that the pupil enrollment during the preceding school year in a county school district was less than 1,000, and the board of trustees of the county school district is composed of seven elected members based upon a previous pupil enrollment of 1,000 or more, then the board of county commissioners shall alter such school trustee election areas or change the number of trustees to be elected from such areas, or the manner of their nomination and election, as may be necessary to provide for reduction of the membership of the board of trustees of the county school board from seven to five members, and only five school trustees shall thereafter be nominated and elected at the forthcoming elections.

10. If the certificate of the superintendent of public instruction, filed with the county clerk in compliance with the provisions of section 61, states that the pupil enrollment during the preceding school year in a county school district was 1,000 or more, and the board of trustees of the county school district is composed of five elected members based upon a previous pupil enrollment of less than 1,000, then the board of county commissioners shall alter such school trustee election areas or change the number of trustees to be elected from such areas, or the manner of their nomination and election, as may be necessary to provide for increasing the membership of the board of trustees of the county school district from five to seven members, and two additional school trustees shall thereafter be nominated and elected at the forthcoming elections.

SEC. 66. Election of School Trustees for Joint School District; School Trustee Election Districts.

1. Each joint school district shall contain a number of school trustee election districts equal to the number of county school districts which joined to create the joint school district. The boundaries of each school trustee election district shall be conterminous with the boundaries of the county school district which joined to create the joint school district.

2. At the first general election following the creation of a joint school district, a board of trustees for the joint school district shall be elected as follows:

(a) If the pupil enrollment for the preceding school year is less than 1,000 in a school trustee election district, five trustees who have the qualifications set forth in section 62 shall be elected at large for terms of 4 years by the qualified electors of that school trustee election district.

(b) If the pupil enrollment for the preceding school year is 1,000 or more in a school trustee election district, seven trustees who have the qualifications set forth in section 63 shall be elected at large for terms of 4 years by the qualified electors of that school trustee election district.

3. Thereafter, at each general election, the offices of school trustees of the joint school district shall be filled from the school trustee election districts within the joint school district in the order in which the terms of office expire.

SEC. 67. Reestablished County School District: Composition of Board Upon Withdrawal; Election of New Board.

1. When the state board of education orders the withdrawal and exclusion of the territory of a county from a joint school district, those trustees of the board of trustees of the joint school district elected from the school trustee election district included in the territory withdrawn and excluded shall constitute the board of trustees of the reestablished county school district until the 1st Monday in January following the next general election.

2. At the next general election, a board of trustees for the reestablished county school district shall be elected as provided in section 62 or section 63.

SEC. 68. Dissolution of Joint School District: Composition of Boards of Reestablished County School Districts; Election of New Boards.

1. When the state board of education orders the dissolution of a joint school district, those trustees of the board of trustees of the joint school district elected from each school trustee election district shall constitute the boards of trustees of the reestablished county school districts until the 1st Monday in January following the next general election.

2. At the next general election, boards of trustees for the reestablished county school districts shall be elected as provided in section 62 or section 63.

SEC. 69. Qualifications of Trustees. A candidate for the office of trustee of a school district shall:

1. Be a qualified elector.

2. Have the qualifications of residence within the county school district or the school trustee election district within the joint school district required for the office for which he seeks election.

SEC. 70. Nomination of School Trustees.

1. Candidates for the office of trustee shall be nominated as provided in "An Act regulating the nomination of candidates for public office in the State of Nevada," approved March 23, 1917, being chapter 155, Statutes of Nevada 1917, as heretofore and hereafter amended.

2. The declaration of candidacy, the designation of nomination,

and the acceptance of nominations by candidates for the office of trustee of county school districts shall be filed with the county clerk of the county whose boundaries are conterminous with the county school district boundaries.

3. The declaration of candidacy, the designation of nomination and the acceptance of nominations by candidates for the office of trustee of a joint school district shall be filed with the county clerk of the county whose boundaries are conterminous with the school trustee election district boundaries.

Sec. 71. Election of School Trustees.

1. Trustees shall be elected as provided in:

(a) "An Act relating to elections," approved March 24, 1917, and being chapter 197, Statutes of Nevada 1917, as heretofore and hereafter amended; and

(b) "An act to provide a method for voting at any general, special or primary elections by qualified voters who by reason of the nature of their vocation or business or other causes are unavoidably absent from the polls in the county of their residence on the day of election, providing penalties for the violation thereof, and other matters properly connected therewith," approved March 11, 1921, and being chapter 90, Statutes of Nevada 1921, as heretofore and hereafter amended; and

(c) "An Act to provide local adoption of certain approved voting machines at any or all elections and all matters properly connected therewith," approved March 17, 1951, and being chapter 136, Statutes of Nevada 1951, as heretofore and hereafter amended.

2. After the close of any election, and in accordance with law, the board of county commissioners shall make abstracts of the votes cast for trustees and shall immediately transmit the abstracts to the board of trustees of the county school district or joint school district, as the case may be. Upon receipt of the abstracts, the board of trustees shall:

(a) Meet forthwith.

(b) Examine the abstracts.

(c) Declare the results of the election.

(d) Order the clerk of the board of trustees to issue election certificates to the candidates elected.

3. Immediately, the clerk of the board of trustees shall transmit a copy of each election certificate to the deputy superintendent of public instruction of the proper educational supervision district.

Sec. 72. Vacancies: Filled by Superintendent of Public Instruction. Any vacancy occurring in a board of trustees shall be filled for the unexpired term by an appointment by the superintendent of public instruction. Any person appointed to fill a vacancy shall have the qualifications provided in section 69.

Sec. 73. Recall of Trustees.

1. A trustee of a county school district may be recalled from office in the manner provided by the constitution and laws of this state.

2. A trustee of a joint school district may be recalled from office by the qualified electors of the school trustee election district from which he was elected in the manner provided by the constitution and laws of this state.

SEC. 74. Compensation and Traveling Expenses of Trustees.

1. No trustee shall be entitled to or be allowed any compensation for his services as trustee. This subsection shall not be construed to prevent payment of a salary to any trustee elected as clerk of a board of trustees.

2. Except as provided in subsection 3, a trustee shall be allowed:

(a) His traveling expenses for traveling each way between his home and the place where board meetings are held at the rate authorized by law for state officers.

(b) His living expenses necessarily incurred while in actual attendance at board meetings at the rate authorized by law for state officers.

3. Claims for mileage and per diem allowances shall be allowed and paid in the same manner as other claims against the school district fund are paid, but no claim for mileage and per diem allowances for living expenses shall be allowed or paid to a trustee residing not more than 5 miles from the place where board meetings are held.

SEC. 75. Trustees: Terms; Oaths. Each trustee shall:

1. Enter upon the duties of his office on the 1st Monday in January next following his election.

2. Hold office until his successor is elected and qualified.

3. Take and subscribe to the official oath.

4. File with the deputy superintendent of public instruction of the proper educational supervision district a copy of his official oath together with a statement showing the term for which he has been elected or appointed.

SEC. 76. Officers of the Board of Trustees; Organization.

1. On the 1st Monday in January following a general election, the board of trustees shall meet and organize by:

(a) Electing one of its members as president.

(b) Electing one of its members as clerk, or by selecting some other qualified person as clerk.

2. A record of the organization of the board of trustees shall be entered in the minutes, together with the amount of salary to be paid to the clerk.

3. Immediately after the organization of the board of trustees, the clerk shall file the names of the president, the clerk and the members of the board of trustees with the deputy superintendent of public instruction of the proper educational supervision district and the county auditor or auditors of the county or counties whose boundaries are contemporaneous with the boundaries of the county school district or joint school district.

SEC. 77. Clerk of the Board of Trustees: Salary; Duties.

1. If the average daily attendance of pupils between the ages of 6 years and 18 years attending school in the school district for the immediately preceding school year is less than 1,000, the clerk of the board of trustees may receive a salary of not to exceed \$40 a month.

2. If the average daily attendance of pupils between the ages of 6 years and 18 years attending school in the school district for the immediately preceding school year is 1,000 or more, the clerk of the board of trustees may receive a salary of not to exceed \$80 a month.

3. The clerk shall:

(a) Keep the minutes of all meetings and transactions of the board of trustees.

(b) Subject to the written direction of the board of trustees, draw all orders for the payment of moneys belonging to the school district.

SEC. 78. Meetings of the Board of Trustees; Quorum.

1. The board of trustees shall hold a regular meeting at least once each month, at such time and place as the board shall determine.

2. Special meetings of the board of trustees shall be held at the call of the president whenever there is sufficient business to come before the board, or upon the written request of three members of the board.

3. The clerk of the board of trustees shall give written notice of each special meeting to each member of the board of trustees by personal delivery of the notice of the special meeting to each trustee at least 1 day before the meeting, or by mailing the notice to each trustee's residence of record in the office of the deputy superintendent of the proper educational supervision district by deposit in the United States mails, postage prepaid, at least 4 days before the meeting. The notice shall specify the time, place and purpose of the meeting. If all of the members of the board of trustees are present at a special meeting, the lack of notice shall not invalidate the proceedings of the board of trustees.

4. A majority of the members of the board of trustees shall constitute a quorum for the transaction of business, and no action of the board of trustees shall be valid unless such action shall receive, at a regularly called meeting, the approval of a majority of all the members of the board of trustees.

SEC. 79. Seal. The board of trustees may adopt and use a common seal.

SEC. 80. General Powers of Board of Trustees. Each board of trustees is hereby given such reasonable and necessary powers, not conflicting with the constitution and the laws of the State of Nevada, as may be requisite to attain the ends for which the public schools are established and to promote the welfare of school children.

SEC. 81. Rules of Board of Trustees. Each board of trustees shall have the power to prescribe and enforce rules, not inconsistent with law or rules prescribed by the state board of education, for its own government and the government of public schools under its charge.

SEC. 82. Annual Reports to Deputy Superintendent of Public Instruction. Annually, on or before July 1, each board of trustees shall make or cause to be made a report to the deputy superintendent of public instruction of the proper educational supervision district, in the manner and form and on the blanks prescribed by the superintendent of public instruction.

SEC. 83. Power to Administer Oaths. Every member of a board of trustees of a school district shall have power to administer:

1. Oaths or affirmations of office to teachers.
2. All other oaths and affirmations relating to public schools.

SEC. 84. Acceptance of Gifts. Each board of trustees shall have the power to accept on behalf of and for the school district any gift or

bequest of money or property for a purpose deemed by the board of trustees to be suitable, and to utilize such money or property for the purpose so designated.

SEC. 85. Trustee Not To Be Financially Interested in Contracts. No member of any board of trustees shall be financially interested in any contract made by the board of trustees of which he is a member.

SEC. 86. Opinions of District Attorneys, Attorney General.

1. In addition to other duties imposed by law concerning school districts, each district attorney of a county whose boundaries are coterminous with the boundaries of a county school district shall, when required, give his written opinion without fee to the board of trustees of the county school district on matters relating to the duties of the board.

2. When required, the attorney general shall give his written opinion without fee to the board of trustees of a joint school district on matters relating to the duties of the board.

CHAPTER III

FINANCIAL SUPPORT OF THE SCHOOL SYSTEM

ARTICLE 7. STATE SCHOOL FUNDS

SEC. 87. State Permanent School Fund: Composition; Investment.

1. The state permanent school fund, consisting of:

(a) All moneys accruing to the State of Nevada from the sale of lands heretofore given or bequeathed, or that may hereafter be given or bequeathed, for public school purposes; and

(b) All fines collected under the penal laws of the state; and

(c) All estates which may escheat to the state, shall be and the same hereby is solemnly pledged for educational purposes, and shall not be transferred to any other fund for other uses.

2. The state permanent school fund shall constitute an irreducible and indivisible fund which shall be invested by the state board of finance as provided by law.

SEC. 88. State Treasurer To Be Custodian of Securities; Liability on Bond. The state treasurer shall be the legal custodian of all securities in which the moneys of the state permanent school fund are or may hereafter be invested. He shall be liable on his official bond for their safekeeping.

SEC. 89. Interest on Securities; Payment Into State Distributive School Fund. When the interest on any securities belonging to the state permanent school fund is due, the state treasurer shall:

1. Upon the warrant of the state controller and in the presence of a majority of the members of the state board of examiners, cut off and pay the coupons on such securities.

2. Place the money so paid into the state distributive school fund.

3. Keep a correct account thereof in his books.

SEC. 90. State Controller To Make Statements of State Permanent School Fund Securities to State Board of Education. On or before April 10, 1956, and thereafter on or before August 1, November 1,

February 1 and April 1 of each year, the state controller shall make a statement to the state board of education of the securities belonging to the state permanent school fund.

SEC. 91. State Distributive School Fund: Composition; Distribution. All moneys derived from interest on the state permanent school fund, together with all moneys derived from other sources provided by law, shall:

1. Be placed in and constitute a fund to be known as the state distributive school fund; and

2. Be apportioned among the several school districts of the state at the times and in the manner provided in this act.

SEC. 92. State Controller To Keep Separate Accounts of School Moneys. The state controller shall keep a separate and distinct account of:

1. The state permanent school fund.
2. The interest and income of the state permanent school fund.
3. All moneys derived from special appropriations or otherwise for the support of public schools.

SEC. 93. Payment of Public School Moneys by State Treasurer. The state treasurer shall pay over all public school moneys received by him only on warrants of the state controller issued:

1. Upon the orders of the superintendent of public instruction under the seal of the state board of education, in favor of county treasurers; or

2. Upon orders of the state board of education, for purposes of investment as provided in section 87, which orders, duly endorsed, shall be valid vouchers in the hands of the state controller for the disbursement of public school moneys.

SEC. 94. Restrictions on the Use of Public School Moneys.

1. No portion of the public school funds or of the money specially appropriated for the purpose of public schools shall be devoted to any other object or purpose.

2. No portion of the public school funds shall in any way be segregated, divided or set apart for the use or benefit of any sectarian or secular society or association.

ARTICLE 8. RECEIPTS FROM THE FEDERAL GOVERNMENT.

SEC. 95. Vocational Education Grants: Acceptance of Congressional Acts and Funds.

1. The State of Nevada accepts the provisions of, and each of the funds provided by, the act of Congress entitled "An act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide cooperation with the States in the preparation of teachers in vocational subjects; and to appropriate money and regulate its expenditure," known as the Smith-Hughes Vocational Education Act, and approved February 23, 1917.

2. The State of Nevada accepts the provisions of, and each of the funds provided by, the act of Congress entitled "An act to provide

for the further development of vocational education in the several states and territories," known as the Vocational Education Act of 1946, approved June 8, 1936, and amended August 1, 1946.

3. In accepting the benefits of the acts of Congress referred to in subsections 1 and 2, the State of Nevada agrees to comply with all of their provisions and to observe all of their requirements.

4. The state treasurer is designated and appointed custodian of all moneys received by the State of Nevada from the appropriations made by the acts of Congress referred to in subsections 1 and 2, and he is authorized to receive and provide for the proper custody of the same and to make disbursements therefrom in the manner provided in the acts and for the purposes therein specified.

5. Upon the order of the state board for vocational education, the state treasurer shall also pay out any moneys appropriated by the State of Nevada for the purpose of carrying out the provisions of this section.

SEC. 96. Vocational Rehabilitation Grants: Acceptance of Congressional Act of 1920.

1. The State of Nevada accepts the provisions and benefits of the act of Congress entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, and as the same has been amended.

2. In accepting the provisions and benefits of the act of Congress referred to in subsection 1, the State of Nevada agrees to observe and comply with all of its requirements.

3. The state treasurer is designated and appointed as custodian of the funds for vocational rehabilitation, and shall receive and provide for the proper custody and disbursement of moneys paid to the state from the appropriations made by the act of Congress referred to in subsection 1, and of moneys hereinafter appropriated by the state for this purpose.

SEC. 97. Apportionment of Federal Money From Forest Reserves. As provided in chapter 191, Statutes of Nevada 1907, 50 percent of the moneys paid to the State of Nevada by the Secretary of the Treasury under the provisions of that certain act of Congress, approved May 23, 1908, and being 16 U.S.C.A. § 500, providing for the distribution and payment to states and territories of a fixed and definite percentage of the money received by the Government of the United States from the forest reserves established therein, shall be distributed to the county or counties in which the forest reserves are situated and paid into the county school district fund, to be expended for the benefit of the public schools. When any forest reserve is in more than one county, the distributive share to each from the proceeds of such forest shall be proportional to its area therein.

SEC. 98. Disposition of Federal Funds Received Under Congressional Act of 1920 Pertaining to Federal Coal, Oil and Gas Land Leases.

1. The assent of the State of Nevada is given to the provisions of the act of Congress entitled "An act to promote the mining of coal,

phosphate, oil, oil shale, gas and sodium on the public domain," approved February 25, 1920.

2. All money derived from bonuses, royalties and rentals under the act of Congress referred to in subsection 1, and apportioned under the act to the State of Nevada, shall be received by the state treasurer and by him deposited in the state distributive school fund.

SEC. 99. (This section deleted by amendment.)

ARTICLE 9. FEDERAL FUNDS FOR SCHOOL LUNCH PROGRAMS

SEC. 100. Definitions. As used in this article:

1. "School" means any public elementary school and any public high school.

2. "School lunch program" means a program under which lunches are served by any public school in this state on a nonprofit basis to children in attendance, including any such program under which a public school receives assistance out of funds appropriated by the Congress of the United States.

SEC. 101. Federal Funds: Acceptance; Disbursement.

1. The state board of education is authorized to accept and direct the disbursement of funds appropriated by any act of Congress and apportioned to the State of Nevada for use in connection with school lunch programs.

2. The state board of education shall deposit with the state treasurer, in a special account to be known as the Nevada school lunch fund, all such funds received from the Federal Government or from other sources. The state treasurer shall make disbursements therefrom upon the direction of the state board of education in the same manner as other claims against the state are paid.

SEC. 102. Administration of School Lunch Programs. The state board of education may:

1. Enter into agreements with any agency of the Federal Government, with any board of trustees of a school district, or with any other agency or person, and prescribe such regulations, employ such personnel, and take such other action as it may deem necessary to provide for the establishment, maintenance, operation and expansion of any school lunch program.

2. Direct the disbursement of federal and state funds in accordance with any applicable provisions of federal-state law.

3. Give technical advice and assistance to any board of trustees of a school district in connection with the establishment and operation of any school lunch program.

4. Assist in training personnel engaged in the operation of any school lunch program.

SEC. 103. Acceptance of Gifts for School Lunch Programs. The state board of education and any board of trustees of a school district may accept any gift, donation or bequest for use in connection with any school lunch program.

SEC. 104. Powers of School Trustees Concerning School Lunch Programs. Boards of trustees of school districts are authorized:

1. To operate or provide for the operation of school lunch programs in the public schools under their jurisdiction.

2. To use therefor funds disbursed to them under the provisions of this article, gifts, donations and other funds received from the sale of school lunches under such programs.

3. To contract with respect to food, services, supplies, equipment and facilities for the operation of such programs.

SEC. 105. Accounts and Audits: Regulations of State Board of Education. The state board of education shall:

1. Prescribe regulations for the keeping of accounts and records and the making of reports by or under the supervision of boards of trustees of school districts. Such accounts and records shall, at all times, be available for inspection and audit by authorized officials, and shall be preserved for such period of time, not in excess of 5 years, as the state board of education shall prescribe.

2. Conduct or cause to be conducted such audits, inspections and administrative reviews of accounts, records and operations with respect to school lunch programs as may be necessary to determine whether its agreements with boards of trustees of school districts and regulations made pursuant to this article are being complied with, and to insure that school lunch programs are administered effectively.

SEC. 106. Studies, Appraisals and Reports to Governor. The state board of education is authorized, to the extent that funds are available for that purpose, and in cooperation with other appropriate agencies and organizations:

1. To conduct studies of methods of improving and expanding school lunch programs and promoting nutritional education in the public schools.

2. To conduct appraisals of the nutritive benefits of school lunch programs.

3. To report its findings and recommendations, from time to time, to the governor.

SEC. 107. Appropriation of State Funds. To enable the state board of education to provide for the establishment, maintenance, operation and expansion of school lunch programs, including the cost of supervisors' and clerical salaries, office supplies and equipment, travel and per diem allowances, postage and express, telephone, telegraph and printing, funds shall be provided by legislative appropriation from the general fund as a budgeted part of the appropriation for the support of the state department of education, and shall be paid out on claims as other claims against the state are paid.

SEC. 108. School Lunch Revolving Fund: Creation; Use.

1. The school lunch revolving fund is hereby created in the state treasury, and may be used by the state board of education for the payment of freight, storage and handling charges incidental to the food, supplies and equipment obtained by schools and institutions under the provisions of this article.

2. Funds from the school lunch revolving fund shall be paid out on claims as other claims against the state are paid, and such claims

shall be approved by the superintendent of public instruction before they are paid.

3. Payments made from the school lunch revolving fund for freight, storage and handling charges shall be reimbursed promptly by the recipients of such food, supplies and equipment, and the receipts shall be deposited by the school lunch supervisor in the state treasury to the credit of the school lunch revolving fund.

SEC. 109. State Funds To Be Expended Only When Federal Participating Aid Received. No funds shall be expended under the provisions of this article except during the period when participating aid is provided by the Government of the United States.

ARTICLE 10. APPORTIONMENTS AND ALLOWANCES FROM STATE SCHOOL FUNDS.

SEC. 110. Quarterly Statements of State Controller Concerning State Funds Available for Apportionment to School Districts. On or before April 10, 1956, and thereafter on or before August 1, November 1, February 1 and April 1 of each year, the state controller shall render to the superintendent of public instruction a statement of the moneys in the state treasury subject to distribution to the several school districts of the state as provided in this article.

SEC. 111. Quarterly Apportionments Until July 1, 1956, Based Upon Current Average Daily Attendance. Until July 1, 1956, all apportionments from state school funds to the public schools of the State of Nevada shall be paid quarterly upon the basis of the current school year's average daily attendance as estimated by the board of trustees of a school district and as approved by the deputy superintendent of public instruction for that educational supervision district, provided:

1. That these quarterly apportionments shall be subject to adjustment from time to time as the need therefor may appear, and a final adjustment shall be made in the July apportionment of the succeeding year by adding or subtracting the difference between the amount paid in the previous year and the amount computed on the actual average daily attendance of the highest 6 months of the previous year so that for any school year the adjusted amount paid shall be equal to but shall not exceed the sum computed from the highest 6 months of average daily attendance.

2. That the total amount of state aid paid to any one school district shall not be less than that computed from the previous year's highest 6 months' average daily attendance, when a petition from the board of trustees of that school district, approved by the deputy superintendent of public instruction of that educational supervision district, justifies to the superintendent of public instruction that such computation was necessary to meet obligations made by the board of trustees in good faith.

SEC. 112. Apportionments and Payments of State School Funds Until July 1, 1956.

1. Until July 1, 1956, the state board of education shall apportion

the state distributive school fund, the state school reserve fund, the state high school fund and the emergency school fund and may order payments from the aid to rural school fund to the several county school districts. The totals of such apportionments and payments shall not exceed the amounts which would have been apportioned and ordered paid by the superintendent of public instruction to the several school districts and educational districts, the areas of which are now within a county school district, had such districts not been abolished by this act.

2. Apportionments and payments shall be made and ordered by the state board of education at such times and in such a manner as may be practicable to conform with the provisions of chapters 25 and 27 of chapter 63, Statutes of Nevada 1947, and by regulations prescribed by the state board of education.

3. From the effective date of this act until July 1, 1956:

(a) In addition to the present state support for public schools provided by subsections 1 and 2, there shall be added quarterly \$4 per pupil for each elementary and high school pupil in average daily attendance.

(b) In addition to the apportionments provided for by subsections 1 and 2, there shall be added a sum of \$30 quarterly for each elementary and high school pupil in average daily attendance, in excess of the average daily attendance of the previous school year.

SEC. 113. Apportionment of State Distributive School Fund On and After July 1, 1956.

1. The state board of education shall establish uniform rules to be used in calculating the average daily attendance of pupils and the actual number of certified employees to which each school district is entitled for apportionment purposes. For making the apportionments now or hereafter authorized and directed to be made under the provisions of this act, "average daily attendance" shall mean the 6 months of highest average daily attendance for the current school year.

2. Immediately after the state controller shall have made his quarterly report, the state board of education shall apportion the state distributive school fund among the several county school districts and joint school districts in the following manner:

(a) The minimum yearly requirements of each school district shall be determined, which requirements shall be the sum of:

(1) \$4,000 per certified employee.

(2) \$80 per pupil.

(3) \$40 per kindergarten pupil.

(4) One-half of the cost of transportation during the previous year computed in a manner prescribed by the state board of education, but which computation shall not include the cost of purchase of new school buses. For the first year, one-half of the actual expenses during the preceding year shall be used, but if there was no actual expense for the prior year the budget estimate shall be used and adjustments made.

(5) \$200 per handicapped child as defined in section 280.

(b) From July 1, 1956, until July 1, 1957, the availability of local

funds shall be determined, which local funds shall be the sum of the proceeds of the 70-cent local tax levied in accordance with the provisions of section 127 or section 139. On and after July 1, 1957, the availability of local funds shall be determined, which local funds shall be the sum of:

(1) The proceeds of the 70-cent local tax, computed as provided in section 128 or section 140.

(2) Forty percent of the receipts during the previous year from all federal funds for maintenance and operation paid because of the existence of federally-owned, tax-exempt property within the school district.

(c) Apportionment computed on a yearly basis shall consist of the difference between the minimum yearly requirements as computed in paragraph (a) of this subsection and the local funds available as computed in paragraph (b) of this subsection, but no school district shall receive less than one-half of the minimum yearly requirements.

(d) Apportionments shall be paid quarterly at the times provided in section 110, each quarterly payment to consist of approximately one-fourth of the yearly apportionment as computed in paragraph (c) of this subsection. The first quarterly apportionment based on an estimated number of certified employees and pupils and succeeding quarterly apportionments shall be subject to adjustment from time to time as the need therefor may appear. A final adjustment shall be made in the August apportionment of the succeeding year by adding or subtracting the difference between the amount paid in the previous year and the amount computed on the actual average daily attendance of the highest 6 months of the previous year, so that for any school year the adjusted amount paid shall be equal to, but shall not exceed, the sum computed for the highest 6 months of average daily attendance.

3. Pupils who are excused from attendance at examinations or have completed their work in accordance with the rules of the board of trustees shall be credited with attendance during that period.

4. This section shall be effective on July 1, 1956.

ARTICLE 11. STATE FINANCIAL ASSISTANCE FOR SCHOOL DISTRICTS AFFECTED BY STATE ACTIVITIES.

SEC. 114. Definitions. As used in this article:

1. "Average cost per pupil for maintenance and operation" means the amount, determined by the superintendent of public instruction, that is expended for the average maintenance and operation of the public schools in this state for each pupil in average daily attendance, and computed by the superintendent of public instruction by dividing the aggregate total expenditure during the preceding school year by the aggregate number of pupils in average daily attendance.

2. "Average daily attendance" means the 6 months of highest daily attendance for the school year last preceding, as computed and determined by the superintendent of public instruction.

SEC. 115. Declaration of Policy. In recognition of the responsibility of the State of Nevada for the impact which certain state agencies and activities have on local educational facilities, and in recognition

of the fact that the influx of children of state employees who attend the public schools causes a considerable drain on the revenue available to support certain school districts, it is hereby declared to be the policy of the State of Nevada to provide financial assistance for those school districts in accordance with the provisions of this article.

SEC. 116. Aid for Maintenance and Operation of Schools. In any school district in the State of Nevada where state employment of a parent or parents, or the attendance of pupils who are wards of the State of Nevada, has a direct effect on the school population within the school district, that school district shall be eligible for additional and supplemental state financial aid under the following conditions:

1. The total of the proportion of pupils in average daily attendance whose parent or parents are state employees and the proportion of pupils who attend schools in the school district as wards of the State of Nevada, must exceed 10 percent of the total average daily attendance of the particular school district for the school year next preceding the date of application.

2. School districts whose pupil average daily attendance includes a total of over 10 percent of state employees' children and children who are wards of the State of Nevada shall be entitled to additional and supplemental state aid, over and above their apportionments from the state distributive school fund, in an amount equal to the number of such pupils in average daily attendance for the preceding school year multiplied by one-half the average cost per pupil for maintenance and operation, as computed from state records, for elementary and high schools in this state. The average cost per pupil for maintenance and operation in elementary and high schools in this state shall be computed by the superintendent of public instruction after consultation with the boards of trustees of the school districts, and the cost so determined shall be used as the basis under the provisions of this article for each school district making an application hereunder. The determination of the superintendent of public instruction shall be final and conclusive.

3. The application for payment of the amount determined to be payable for any school year shall be submitted by the school district, prior to the beginning of such school year, to the state board of education and filed in accordance with the rules and regulations of the state board of education. The application shall give adequate assurance that the school district will submit such reports as the state board of education may reasonably require to determine the amount which the school district is entitled to receive.

4. Upon determining and approving the amount which the school district is entitled to receive, the state board of education shall authorize the superintendent of public instruction to certify such amount for payment by the state treasurer to the county treasurer out of the state distributive school fund on or before February 1 and August 1 of each school year in the same manner as provided by law for the apportionment and payment of other claims against the state distributive school fund.

ARTICLE 12. STATE FINANCIAL ASSISTANCE FOR SCHOOL
CONSTRUCTION IN SCHOOL DISTRICTS AFFECTED
BY STATE ACTIVITIES.

SEC. 117. Definitions. As used in this article:

1. "Average daily attendance" means the 6 months of highest daily attendance for the school year last preceding as computed and determined by the superintendent of public instruction.

2. "Average per pupil cost of construction" means the amount determined by the superintendent of public instruction that is expended for school construction in this state, including the preparation of drawings and specifications for school facilities and erecting, building, acquiring, altering, remodeling, improving or extending school facilities, for each pupil in daily attendance.

SEC. 118. Declaration of Policy. In recognition of the impact which certain state agencies and activities have had on the school construction needs in the school districts in which such state activities have been or are being carried on, it is hereby declared to be the policy of the State of Nevada to bear a portion of the cost of constructing such school facilities in those school districts in the manner and to the extent provided in this article.

SEC. 119. Aid for Construction of School Facilities. In any school district in the State of Nevada where state employment of a parent or parents, or where the attendance of pupils in the school district as wards of the State of Nevada, has a direct effect on the school population within the school district so that there is a need of new or improved school facilities, that school district shall be eligible for additional state financial aid in the following manner:

1. The total of the proportion of pupils in average daily attendance whose parent or parents are state employees and the proportion of pupils who attend school as wards of the State of Nevada, must exceed 15 percent of the total average daily attendance of the particular school district for the school year next preceding the date of application.

2. The particular school district, to qualify for state school construction relief, must have a bonded indebtedness exceeding 60 percent of its bonding capacity.

3. Each such school district shall be entitled to receive an amount equal to the total number of pupils in average daily attendance whose parent or parents are state employees and who attend school in the school district as wards of the State of Nevada, multiplied by the sum of \$1,220, which sum is determined to be, and is declared to be, the average per pupil cost of construction in this state, as found by the superintendent of public instruction, and which amount shall be paid as state school construction relief to those school districts qualifying under the provisions of this article.

4. The application for payment of the amount determined to be payable for construction of school facilities in any school district shall be submitted by the school district to the state board of education and filed in accordance with the rules and regulations of the state board

of education. The application shall state the qualifications of the school district, the reasons for the construction of the school facilities, and shall give assurance that the school district will submit such reports as the state board of education may reasonably require to determine the school district's needs and that the existing school facilities will be open to inspection by the state board of education, any member thereof, or its duly authorized representatives.

5. The state board of education shall determine the maximum amounts which are available under the provisions of this article. The state board of education thereafter shall review this amount in the light of the particular needs of the school district, and is authorized to reduce the maximum amount which such school district is entitled to receive if it finds that such a reduced amount will adequately serve the needs of the school district and is in proportion to the additional demands which the pupils who are children of state employees and wards of the State of Nevada place on the particular school district.

6. Upon finally determining and approving the total amount payable to a school district, the claim shall be certified to be paid out of the state school construction relief fund, which fund is hereby created in the state treasury, as other claims against the state are paid.

SEC. 120. State School Construction Relief Fund: Issuance and Sale of State Bonds.

1. To provide the state school construction relief fund in the state treasury with funds, the governor, the secretary of state, and the attorney general of the State of Nevada are hereby constituted a commission, and are hereby directed to issue bonds of the State of Nevada as and when needed in a sum not to exceed \$500,000.

2. Such bonds shall:

(a) Be in denominations of \$1,000 each, payable in legal tender of the United States.

(b) Be numbered serially from 1 to 500, inclusive, and when retired shall be retired in the order of their issuance.

(c) Be signed by the governor and endorsed by the secretary of state and the attorney general, countersigned by the state controller and authenticated by the great seal of the State of Nevada.

(d) Bear interest at such rate as may be fixed by the commission, but such interest rate so fixed shall not be more than 3 percent per annum.

(e) Specify the interest rate payable and the redemption date of each bond.

(f) Specify that both principal and interest shall be payable at the office of the state treasurer in Carson City, Nevada.

(g) Have coupons for interest attached in such a manner that the coupons may be removed without injury to the bonds. Each coupon shall be consecutively numbered and shall be signed by the engraved facsimile signatures of the governor, the secretary of state and the attorney general.

3. Interest shall be payable semiannually on January 1 and July 1 of each year, the first payment to be made on January 1, 1956.

4. Upon the issuance and execution of each bond, without advertising the bonds for sale or calling for bids thereon, the same may be sold and delivered to the state permanent school fund, the university 90,000-acre-grant fund, the university 72-section-grant fund, the state insurance fund of the Nevada industrial commission, and such other state funds as may have money available for legal investment in such bonds, as moneys may be available in the state treasury in such funds, or any of them.

5. If money is not available in any or all of such funds, the bonds may be sold as needed for the purpose herein stated at public or private sale, as the commission may deem for the best interests of the state. Such bonds shall be sold at not less than par, and shall be issued and sold only as and when the proceeds thereof are needed. The proceeds of the sale of such bonds shall be placed in the state school construction relief fund.

6. At least 13 of such bonds as may be issued shall be redeemed and paid on each of the dates herein specified for the payment of interest, but all such bonds shall be redeemed and paid within 20 years from March 28, 1955.

7. Payment of the principal and the interest on the bonds shall be made from the consolidated bond interest and redemption fund of the State of Nevada, under the provisions of chapter 197, Statutes of Nevada 1939.

SEC. 121. Article Not To Be Repealed, Taxes Omitted Until Bonds and Interest Paid in Full.

1. The faith of the State of Nevada is hereby pledged that this article shall not be repealed and that the taxation imposed under the provisions of chapter 197, Statutes of Nevada 1939, as heretofore and hereafter amended, shall not be omitted until all the bonds issued by virtue of this article, and the interest thereon, shall have been paid in full as in this article provided.

2. This article shall be construed as a continuation and restatement of chapter 329, Statutes of Nevada 1955, and shall not be construed as a repeal thereof.

ARTICLE 13. SOURCES AND USES OF COUNTY SCHOOL DISTRICT FUNDS

SEC. 122. County School District Fund: Creation; Transfers.

1. There is hereby created in each county treasury a fund to be designated as the county school district fund.

2. Immediately after the effective date of this act, each county treasurer shall transfer to the county school district fund all public school moneys held by him and remaining to the credit of the several school districts and educational districts abolished by this act, the areas of which are included within the county school district, and all public school moneys held by him and remaining to the credit of the county school fund, the county aid to district high school fund, and any other unapportioned county fund established for the support of the public schools. Any moneys so transferred from an existing school

district building reserve fund shall be expended only in the manner provided in section 147.

SEC. 123. Composition of County School District Fund. The county school district fund shall be composed of:

1. All local taxes for the maintenance and operation of kindergartens, elementary schools and high schools.
2. All moneys received from the Federal Government for the maintenance and operation of public schools.
3. Receipts from the sales of school property.
4. Apportionments by the state as provided in sections 112 and 113.
5. All moneys transferred in compliance with the provisions of section 122.
6. Any other receipts, including gifts, for the operation and maintenance of the public schools in the county school district.

SEC. 124. Duties of Trustees To Pay Money Collected Into County School District Fund. The board of trustees of each county school district shall pay all moneys, from any source whatever, collected by it for school purposes, into the county treasury at the end of each month to be placed to the credit of the county school district fund.

SEC. 125. Payment of Apportionments From State Distributive School Fund to County School Districts.

1. All school moneys due each county school district shall be paid over by the state treasurer to the county treasurer on April 10, 1956, and thereafter on August 1, November 1, February 1 and April 1 of each year or as soon thereafter as the county treasurer may apply for the same, upon the warrant of the state controller drawn in conformity with the apportionment of the state board of education as provided in sections 112 and 113.

2. No county school district shall receive any portion of the public school moneys unless that school district shall have complied with the provisions of this act and the rules and regulations of the state board of education.

SEC. 126. Taxes Collected for Operation of Prior Existing School Districts Deposited in County School District Fund. All taxes levied by the boards of county commissioners for the maintenance and operation of the public schools of the school districts and educational districts abolished by this act, the areas of which are now included within county school districts, shall be collected and deposited in the county school district funds.

SEC. 127. Mandatory Tax Levies for Support of County School Districts.

1. At the time of levying county taxes, the board of county commissioners of each county shall levy a county school district tax.

2. In 1956 and in each year thereafter when the board of county commissioners levies county taxes:

(a) It shall be mandatory for each board of county commissioners to levy a 70-cent tax on each \$100 of assessed valuation of taxable property within the county, which taxes shall be used by the county school

district for the maintenance and operation of the public schools within the county school district; and

(b) When recommended by the board of trustees of the county school district, in addition to the mandatory levy of taxes provided in paragraph (a), each board of county commissioners shall levy a tax of not to exceed 80 cents on each \$100 of assessed valuation of taxable property within the county for the support of the public schools within the county school district.

(c) In addition to the taxes levied in accordance with the provisions of paragraphs (a) and (b), each board of county commissioners shall levy a tax for the payment of interest and redemption of outstanding bonds of the county school district.

SEC. 128. Nevada Tax Commission To Determine Average Ratio of Assessed Valuation to True Valuation of Property; Computation of Proceeds of Mandatory Tax.

1. Not later than July 1, 1957, and not later than July 1 of each year thereafter, the Nevada tax commission shall:

(a) Determine for each county each year the average ratio, expressed as a percentage, of assessed valuation of property to a true valuation of property by means of a sampling of the assessment practices or other proper method.

(b) Publish and certify to the superintendent of public instruction the average ratio of assessed valuation to true valuation of property in each county and the state.

2. In computing the proceeds of a 70-cent mandatory uniform county school district tax, the superintendent of public instruction shall:

(a) Divide the total assessed valuation of property of each county by the assessment ratio for that county.

(b) Multiply the quotient obtained in paragraph (a) by the state average ratio of assessed valuation to true valuation of property to obtain an adjusted assessed valuation for each county.

(c) Multiply the adjusted assessed valuation of property of each county by the 70-cent per \$100 assessed valuation mandatory county school levy.

The product thus obtained is the adjusted yield of the 70-cent tax levy in each county and shall be used when computing state aid as provided in section 113.

SEC. 129. Authorized Uses of County School District Funds.

1. Except as provided in section 130, moneys on deposit in the county school district fund shall be used for:

(a) Maintenance and operation of public schools.

(b) Payment of premiums for Nevada industrial insurance.

(c) Rent of schoolhouses.

(d) Construction, furnishing or rental of teacherages, when approved by the superintendent of public instruction.

(e) Transportation of pupils, including the purchase of new buses.

(f) School lunch programs, if such expenditures do not curtail the established school program or make it necessary to shorten the school

term, and each pupil furnished lunch whose parent or guardian is financially able so to do pays at least the actual cost of such lunch.

2. Money on deposit in the county school district fund, when available, may be used for:

- (a) Purchase of sites for school facilities.
- (b) Purchase of buildings for school use.
- (c) Repair and construction of buildings for school use.

SEC. 130. Expenditures From County School Fund Until July 1, 1956: Restrictions; Authorized Expenses.

1. Until July 1, 1956, the moneys set aside from the county school fund to the credit of the school insurance fund as provided in section 181, chapter 63, Statutes of Nevada 1947, and thereafter transferred by the county treasurer to the county school district fund in compliance with the provisions of section 122 of this act, upon order of the board of trustees of the county school district may be paid to the Nevada industrial commission as premiums for industrial insurance covering county school district employees, notwithstanding that such expenditures were not specially provided for by the budgets of the school districts and educational districts abolished by this act.

2. The approved budgets heretofore prepared by the governing boards of the school districts and educational districts abolished by this act, the areas of which are now within a county school district, shall constitute the budget for the county school district until July 1, 1956; provided:

(a) That expenditures from the county school district fund by the board of trustees of the county school district shall be made for the benefit of those areas within the county school district which constituted the school districts and educational districts abolished by this act in a manner practicable to conform with the budgets heretofore prepared and approved.

(b) That if funds are available in the county school district fund, the board of trustees of a county school district may:

(1) Employ a superintendent of schools and order the payment of his salary;

(2) Order the payment of travel and per diem allowances of members of the board of trustees; and

(3) Order the payment of all other necessary expenses incurred for the operation of the county school district, notwithstanding that such expenditures were not specially provided for by the budgets of the school districts and educational districts abolished by this act.

SEC. 131. Duties of County Treasurer. Each county treasurer shall:

1. Receive and hold as a special deposit all public school moneys, whether received by him from the state treasurer or raised by the county for the benefit of the public schools, or from any other source, and keep separate accounts thereof and of their disbursements.

2. Pay over all public school moneys received by him only on warrants of the county auditor, issued upon orders of the board of trustees of the county school district. All orders issued in accordance with

law by the board of trustees shall be valid vouchers in the hands of the county auditors for warrants drawn upon such orders.

SEC. 132. Duties of County Auditor. Annually, on or before July 10, the county auditor shall make to the superintendent of public instruction a full report of the public school moneys received into the county school district fund during the year ending June 30 next previous thereto, together with a particular statement of the disbursements of the school moneys and any balances remaining in the fund, in such form as the superintendent of public instruction may require.

SEC. 133. Penalties for Failure of County Treasurer, County Auditor To Perform Duties.

1. If any county treasurer or county auditor shall fail or neglect to perform the duties required of him by sections 131 and 132, he shall forfeit for the benefit of the county school district fund the sum of \$100 from his official compensation.

2. Upon notification by the superintendent of public instruction of such failure or neglect on the part of the county treasurer or county auditor, the board of county commissioners shall deduct \$100 from the official compensation of such county treasurer or county auditor and shall place the same to the credit of the county school district fund.

SEC. 134. School Moneys To Be Received, Disbursed Without Fee. No tax collector or county treasurer shall receive any fees or compensation whatever for collecting, receiving, keeping, transporting or disbursing any public school moneys.

ARTICLE 14. SOURCES AND USES OF JOINT SCHOOL DISTRICT FUNDS

SEC. 135. Joint School District Fund: Creation; Transfers.

1. Upon the creation of a joint school district, the county treasurer of the county having the largest pupil enrollment within the joint school district shall establish a joint school district fund in the treasury of his county.

2. Immediately after July 1 of any year in which a joint school district is created, each county treasurer of a county the territory of which is within the joint school district shall transfer to the joint school district fund all public school moneys held by him and remaining to the credit of the county school district which has joined to create the joint school district.

3. The county treasurer and county auditor of the county where the joint school district fund is first established shall continue to perform their duties with respect to public school moneys of the joint school district if a county school district with a larger pupil enrollment is subsequently included in the joint school district, or if the territory of a county within the joint school district, other than the territory of the county wherein the county treasurer and county auditor hold office, is subsequently withdrawn and excluded from the joint school district. If the territory of the county wherein the county treasurer and county auditor hold office is withdrawn and excluded from the

joint school district then the joint school district fund shall be transferred to the county treasurer of the remaining county having the largest pupil enrollment in the joint school district, and the county treasurer and county auditor of that county shall perform the duties concerning the public school moneys of the joint school district.

SEC. 136. Composition of Joint School District Fund. The joint school district fund shall be composed of:

1. All local taxes for the maintenance and operation of kindergartens, elementary schools and high schools.
2. All moneys received from the Federal Government for the maintenance and operation of public schools.
3. Receipts from the sales of school property.
4. Apportionments by the state as provided in section 113.
5. All moneys transferred in compliance with the provisions of section 135.
6. Any other receipts, including gifts, for the operation and maintenance of the public schools in the joint school district.

SEC. 137. Duties of Trustees and County Treasurers To Pay Money Collected Into Joint School District Fund.

1. The board of trustees of each joint school district shall pay all moneys from any source whatever collected by it, for school purposes, into the joint school district fund at the end of each month.
2. All receipts and taxes for the maintenance and operation of the public schools collected by a county treasurer of a county the territory of which is within a joint school district shall be paid by him to the county treasurer holding the joint school district fund.

SEC. 138. Payment of Apportionments From State Distributive School Fund to Joint School District Fund.

1. All school moneys due each joint school district shall be paid over by the state treasurer to the county treasurer holding the joint school district fund on August 1, November 1, February 1 and April 1 of each year, or as soon thereafter as the county treasurer may apply for the same, upon the warrant of the state controller drawn in conformity with the apportionment of the state board of education as provided in section 113.
2. No joint school district shall receive any portion of the public school moneys unless that school district shall have complied with the provisions of this act and the rules and regulations of the state board of education.

SEC. 139. Mandatory Tax Levies for Support of Joint School Districts.

1. At the time of levying county taxes, each board of county commissioners of each county the territory of which is within a joint school district shall levy a joint school district tax.
2. In each year when the board of county commissioners levies county taxes:
 - (a) It shall be mandatory for each board of county commissioners to levy a 70-cent tax on each \$100 of assessed valuation of taxable property within the county, which taxes shall be used by the joint

school district for the maintenance and operation of the public schools within the joint school district; and

(b) When recommended by the board of trustees of the joint school district, in addition to the mandatory levy of taxes provided in paragraph (a), each board of county commissioners shall levy a tax of not to exceed 80 cents on each \$100 of assessed valuation of taxable property within the county for the support of the public schools within the joint school district. The tax levied in accordance with the provisions of this paragraph (b) shall be the same in all counties the territories of which comprise the joint school district.

(c) In addition to the taxes levied in accordance with the provisions of paragraphs (a) and (b), each board of county commissioners shall levy a tax for the payment of interest and redemption of outstanding bonds of the joint school district. The tax levied in accordance with the provisions of this paragraph (c) shall be the same in all counties the territories of which comprise the joint school district.

SEC. 140. Computation for State Aid of Proceeds of Mandatory Tax by Superintendent of Public Instruction. The adjusted yield of the 70-cent tax levy in each county the territory of which is within a joint school district shall be determined by the superintendent of public instruction in the manner provided in section 128, and the total of the adjusted yields for all counties the territories of which are within a joint school district shall be used when computing state aid for a joint school district as provided in section 113.

SEC. 141. Authorized Uses of Joint School District Funds.

1. Moneys on deposit in the joint school district fund shall be used for:

- (a) Maintenance and operation of public schools.
- (b) Payment of premiums for Nevada industrial insurance.
- (c) Rent of schoolhouses.
- (d) Construction, furnishing or rental of teacherages, when approved by the superintendent of public instruction.
- (e) Transportation of pupils, including the purchase of new buses.
- (f) School lunch programs, if such expenditures do not curtail the established school program or make it necessary to shorten the school term, and each pupil furnished lunch whose parent or guardian is financially able so to do pays at least the actual cost of such lunch.

2. Money on deposit in the joint school district fund, when available, may be used for:

- (a) Purchase of sites for school facilities.
- (b) Purchase of buildings for school use.
- (c) Repair and construction of buildings for school use.

SEC. 142. Duties of County Treasurer Holding Joint School District Fund. Each county treasurer holding a joint school district fund shall:

1. Receive and hold as a special deposit all public school moneys, whether received by him from the state treasurer or raised by the counties the territories of which are within the joint school district for the benefit of the public schools, or from any other source, and keep separate accounts thereof and of their disbursements.

2. Pay over all public school moneys received by him only on warrants of the county auditor, issued upon orders of the board of trustees of the joint school district. All orders issued in accordance with law by the board of trustees shall be valid vouchers in the hands of the county auditor for warrants drawn upon such orders.

SEC. 143. Duties of County Auditors.

1. The county auditor of the county where a joint school district fund is established in the county treasury shall perform all duties required by law for the joint school district.

2. Annually, on or before July 10, that county auditor shall make to the superintendent of public instruction a full report of the public school moneys received into the joint school district fund during the year ending June 30 next previous thereto, together with a particular statement of the disbursements of the school moneys and any balances remaining in the fund, in such form as the superintendent of public instruction may require.

SEC. 144. Penalties for Failure of County Treasurer, County Auditor To Perform Duties for Joint School District.

1. If any county treasurer or county auditor shall fail or neglect to perform the duties required of him by sections 142 and 143, he shall forfeit for the benefit of the joint school district fund the sum of \$100 from his official compensation.

2. Upon notification by the superintendent of public instruction of such failure or neglect on the part of the county treasurer or county auditor, the board of county commissioners shall deduct \$100 from the official compensation of such county treasurer or county auditor and shall place the same to the credit of the joint school district fund.

SEC. 145. Joint School District Moneys To Be Received, Disbursed Without Fees. No tax collector or county treasurer shall receive any fees or compensation whatever for collecting, receiving, keeping, transporting or disbursing any public school moneys of a joint school district.

SEC. 146. Distribution of Joint School District Fund When Territory Withdrawn and Excluded or District Dissolved. Upon the withdrawal and exclusion of the territory of a county from a joint school district or the dissolution of a joint school district, the joint school district fund shall be divided in the manner provided in section 444.

ARTICLE 15. SCHOOL DISTRICT BUILDING RESERVE FUNDS

SEC. 147. School District Building Reserve Fund: Creation; Tax Levy; Use.

1. With the approval of the state board of finance, the board of trustees of any school district may accumulate a fund for a period of time not to exceed 10 years for the purpose of constructing or making additions to an elementary school, a junior high school or a high school, by the levy of an annual special tax not to exceed 35 cents on each \$100 of assessed valuation of taxable property within the school district. Any levy of an annual special tax authorized by this section shall be included within the tax levy authorized by paragraph (b) of

subsection 2 of section 127 or paragraph (b) of subsection 2 of section 139.

2. All moneys collected from such special tax shall be placed in a fund with the county treasurer holding the county school district fund or the joint school district fund to be designated as the..... school district building reserve fund.

3. No moneys in the fund at the end of the fiscal year shall revert to the county school district fund or the joint school district fund, nor shall such moneys be a surplus for any other purpose than those specified and for which the levies were made.

4. All moneys in a building reserve fund of a school district or educational district abolished by this act and transferred to the county school district fund pursuant to the provisions of section 122 shall, after the effective date of this act, be expended only for the purpose of constructing or making additions to elementary schools, junior high schools or high schools within the area which formerly constituted the school district or educational district abolished by this act wherein the annual special tax was levied and collected.

SEC. 148. Distribution of Joint School District Building Reserve Fund When Territory Withdrawn and Excluded or District Dissolved. Upon the withdrawal and exclusion of the territory of a county from a joint school district or the dissolution of a joint school district, the joint school district building reserve fund shall be divided in the manner provided in section 444.

ARTICLE 16. SCHOOL DISTRICT BUDGETS, EMERGENCY LOANS AND EXPENDITURES

SEC. 149. Budgets: Preparation. Boards of trustees of county school districts and joint school districts shall prepare budgets of the amounts of money estimated to be necessary to pay the expenses of conducting the public business of the school districts as provided in "An act regulating the fiscal management of counties, cities, towns, school districts, and other governmental agencies or political subdivisions of the State of Nevada; repealing certain acts and parts of acts, and other matters properly connected herewith," approved March 28, 1953, and being chapter 335, Statutes of Nevada 1953, as heretofore and hereafter amended.

SEC. 150. Emergency Loans. Temporary loans for the purpose of meeting a necessity or emergency may be authorized by the board of trustees of a school district in the manner provided in chapter 335, Statutes of Nevada 1953.

SEC. 151. Orders for Warrants: Issuance by Clerk of Board of Trustees.

1. Subject to the direction of the board of trustees, the clerk of the board shall draw all orders for the payment of moneys belonging to the school district.

2. When signed by the president and the clerk of the board of trustees or by a majority of the board of trustees, such orders shall be valid vouchers in the hands of the county auditor for him to issue

warrants on the county treasurer to be paid out of the funds belonging to such school district.

3. No order in favor of the board of trustees or any member thereof, except for authorized travel expenses and subsistence of trustees or for services of any trustee as clerk of the board, shall be drawn.

SEC. 152. Statements of Purpose to Accompany Orders; Liability of Trustees.

1. Every order drawn by the clerk of the board of trustees of a school district shall be accompanied by an itemized statement of the purpose or purposes for which the order is issued. The statement shall be filed in the office of the county auditor and shall be subject to inspection by the superintendent of public instruction and the deputy superintendent of public instruction of the proper educational supervision district. Statements shall be kept on file until ordered destroyed by the state board of education.

2. No order for the payment of money of any school district shall be issued by the clerk of the board of trustees unless there shall be in the county treasury, to the credit of the school district, a sum of money equal to the full amount for which the order is issued, and which sum is available for the purpose of the order.

3. If the clerk of any board of trustees shall draw any order for the payment of school moneys in violation of law, the members of the board of trustees shall be jointly and severally liable for the amount of the order.

SEC. 153. Quarterly Publication of School District Expenditures.

1. During the quarter of the school year in which this act becomes effective, and in each quarter school year thereafter, the clerk of the board of trustees of a county school district shall cause to be published a list of expenditures of the county school district made during the previous quarter school year.

2. During the quarter of the school year beginning October 1, 1956, and in each quarter school year thereafter the clerk of the board of trustees of a joint school district shall cause to be published lists of expenditures of the joint school district made during the previous quarter school year.

3. The publication required by subsection 1 shall be printed in some newspaper published and of general circulation in the county the boundaries of which are conterminous with the boundaries of the county school district.

4. The publications required by subsection 2 shall be printed in some newspaper published and of general circulation in each of the counties whose territories are included within the area of the joint school district.

5. The newspapers described in subsections 3 and 4 must possess the qualifications prescribed in chapter 60, Statutes of Nevada 1925, as heretofore and hereafter amended.

6. If no qualified newspaper is published within a county, then the required publication shall be printed in some qualified newspaper printed in the State of Nevada and having a general circulation within the county.

SEC. 154. Limitation of Actions on Bills Incurred by Trustees. No action can be maintained against any board of trustees upon any bill not presented for payment to the board of trustees within 6 months of the time when the bill was incurred.

SEC. 154.1. Examinations and Audits of School District Fiscal Affairs.

1. As soon as practicable after the effective date of this act and at least once every two years thereafter and at such other times as the board may deem it necessary, the board of trustees of a school district shall cause to be examined and audited all fiscal books, records and accounts of all officers, personnel, custodians of public funds, disbursing officers, property custodians and purchasing agents of the school district, and cause to be made independent verifications of all assets, liabilities, revenues and expenditures of the school district, its officers and departments, now in existence or hereafter created.

2. The audits and examinations herein provided to be made shall be made for the following purposes:

(a) To determine whether the handling of the public money is protected by adequate accounting controls.

(b) To determine whether all revenues or accounts due have been collected or properly accounted for, and whether expenditures have been made in conformance with law and good business practice.

(c) To determine whether the fiscal controls established by law and administrative regulation are being properly applied.

(d) To determine whether fraud or dishonesty has occurred in the handling of funds or property.

(e) To determine whether property and equipment are properly accounted for, and that none is improperly used or disposed of.

(f) To determine whether the accounting reports and statements issued by the school district under examination are an accurate reflection of the operations and financial condition.

(g) To provide assistance to trustees of the school district with respect to outlining and installing a uniform, adequate and efficient system of records and accounting.

3. The audits and examinations herein provided for shall be made and conducted by:

(a) A practicing public accountant residing within the State of Nevada, who shall not serve the board of trustees of the school district in any other capacity; or

(b) A certified public accountant duly licensed to practice under the laws of this state.

The practicing public accountant or certified public accountant shall be selected and employed by the board of trustees of the school district, and he shall be compensated from the school district fund of the school district which so employs him.

4. Upon completion of each audit and examination, the auditor's report shall be delivered to the board of trustees of the school district, and the board shall take such action with respect to the contents of such report as may be required by law or as the board may deem necessary or desirable. The board of trustees shall cause a copy of such

audit report to be filed with the county auditor, and shall cause a notice of such filing to be published at least once in a newspaper published in the school district, or if no such newspaper is published therein, then in a newspaper published in the State of Nevada having a general circulation in the school district. The notice shall state that the auditor's report is available for public examination in the office of the county auditor.

ARTICLE 17. COUNTY SCHOOL DISTRICT BONDS

SEC. 155. County School District Authorized To Borrow Money by Issuance, Sale of Negotiable Bonds; Purposes; Union of Purposes as Single Proposition.

1. The board of trustees of a county school district may, when in its judgment it is advisable, call an election and submit to the electors of the county school district the question whether the negotiable coupon bonds of the county school district shall be issued and sold for the purpose of raising money for the following purposes, and no others:

(a) Construction or purchase of new school buildings, including but not limited to teacherages, dormitories, dining halls, gymnasiums and stadiums.

(b) Enlarging or repairing existing school buildings, including but not limited to teacherages, dormitories, dining halls, gymnasiums and stadiums.

(c) Acquiring school building sites or additional real property for necessary school purposes, including but not limited to playgrounds, athletic fields and sites for stadiums.

(d) Purchasing necessary school equipment.

(e) Refunding of any outstanding valid indebtedness of the county school district, evidenced by bonds, when the interest rate or rates on the indebtedness are to be increased or any bond maturity is to be extended.

2. Any one or more of the purposes enumerated in subsection 1, except that of refunding any outstanding valid indebtedness of the county school district evidenced by bonds, may, by order of the board of trustees entered in its minutes, be united and voted upon as one single proposition.

SEC. 156. Resolution of Board of Trustees Calling Election: Contents.

1. When the board of trustees of a county school district deems it necessary to incur any bonded indebtedness authorized by this article by issuing the negotiable coupon bonds of the county school district, the board of trustees shall, by a resolution adopted and entered in its minutes:

(a) Find the necessity of and state the purpose or purposes for incurring the bonded indebtedness.

(b) Determine the maximum amount of bonds to be issued.

(c) Call an election for submission of the question whether the negotiable coupon bonds of the county school district should be issued and sold to raise money for the purpose or purposes stated.

(d) Designate whether the election shall be consolidated with the

next general election, or shall be a special election which the board of trustees is authorized to call.

(e) Fix the date of the election.

2. The resolution adopted by the board of trustees pursuant to the provisions of subsection 1 shall fix a date for the election which will:

(a) Allow sufficient time for the electors of the county school district to register to vote pursuant to the provisions of "An act regulating the registration of electors for general, special, and primary elections, providing penalties for the violation hereof," approved March 27, 1917, and being chapter 231, Statutes of Nevada 1917, as heretofore and hereafter amended; and

(b) Allow sufficient time for the county clerk to perform the duties required of him by chapter 231, Statutes of Nevada 1917, as heretofore and hereafter amended.

SEC. 157. Notice of General, Special Election: Duties of Clerk of Board of Trustees and County Commissioners.

1. Following the adoption of a resolution, as provided in section 156, designating that the election shall be consolidated with the next general election, the clerk of the board of trustees shall:

(a) Immediately transmit certified copies of the resolution to the county clerk and to the board of county commissioners of the county whose boundaries are conterminous with the boundaries of the county school district.

(b) Cause a notice of the election to be published in some newspaper printed in and having a general circulation in the county school district once in each calendar week for two successive calendar weeks immediately preceding the date of the election.

2. Following the adoption of a resolution, as provided in section 156, designating the election as a special election, the clerk of the board of trustees shall immediately transmit certified copies of the resolution to the county clerk and to the board of county commissioners of the county whose boundaries are conterminous with the boundaries of the county school district. Immediately upon receipt of a certified copy of the resolution calling a special school bond election, the board of county commissioners shall take such action as the board of county commissioners may deem necessary in accordance with the provisions of subsection 3 of section 160, and thereupon shall, in writing, notify the clerk of the board of trustees of such action. After receipt of the written notice from the board of county commissioners the clerk of the board of trustees shall cause a notice of the election to be published in some newspaper printed in and having a general circulation in the county school district once in each calendar week for two successive calendar weeks immediately preceding the date of the election.

3. If no newspaper is printed in the county school district, then publication of the notice of election shall be made in some newspaper printed in the State of Nevada and having a general circulation in the county school district.

SEC. 158. Contents of Notice of Election. Except as provided in section 159, the notice of election shall contain:

1. The time and places of holding the election.

2. The hours during the day in which the polls will be open, which shall be the same as provided for general elections.
3. The purposes for which the bonds are to be issued.
4. The maximum amount of the bonds.
5. The maximum rate of interest, not to exceed 5 percent.
6. The maximum number of years, not exceeding 20, which the bonds are to run.

SEC. 159. Consolidation of Bond Election With General Election.

1. Any election called pursuant to this Article may be consolidated with a general election.
2. If the election is consolidated with the general election, the notice need not set forth the places of holding the election, but may instead state that the places of holding the election shall be the same as those provided for the general election.

SEC. 160. Conduct of School Bond Elections: Procedure; Special Election or Consolidated Election Precincts; Costs of Election.

1. All school bond elections shall be conducted as nearly as practicable in the manner provided in "An act relating to elections," approved March 24, 1917, and being chapter 197, Statutes of Nevada 1917, as heretofore and hereafter amended.
2. Upon receipt of the certified copies of the resolution adopted by the board of trustees as provided in section 157, the board of county commissioners and the county clerk shall perform the duties required by law for holding elections in the several counties, and the election shall be conducted as nearly as practicable in all respects as if it were a county election.
3. The board of county commissioners charged with conducting a special school bond election may, for the purposes of the election, divide the county into special election or consolidated election precincts by consolidating existing precincts, or otherwise, and may change and alter the precincts for such elections, as often as occasion requires.
4. The costs of holding a school bond election consolidated with a general election shall be borne by the county, but the expenses of printing necessary ballots and forms of affidavit shall be paid by the county school district.
5. The costs of holding a special school bond election shall be borne by the county school district.
6. Costs incurred by a board of trustees of a county school district for holding a school bond election shall be a proper charge against the county school district fund notwithstanding that such costs have not been budgeted in accordance with law.

SEC. 161. Ballots: Color and Form.

1. The county clerk shall provide printed ballots for the use of the voters entitled to vote at any school bond election. Two sets of ballots shall be provided. One set shall be printed on white paper and the other set shall be printed on colored paper.
2. There shall be printed on all ballots:
 - (a) Instructions respecting the manner of marking the ballots.
 - (b) A brief statement of the proposition, setting forth the maximum amount of the bonds to be voted upon, the maximum rate of interest,

and the purposes for which the proceeds of the sale of the bonds are to be used. No defect in the statement other than in the statement of the maximum amount of the bonds to be authorized shall invalidate the bonds.

(c) The words "Bonds—Yes" and "Bonds—No," or words of similar import.

SEC. 162. Ballot Boxes: Furnished by County Commissioners; Number.

1. The board of county commissioners shall furnish one ballot box at each voting place within the county school district.

2. Ballots of both colors voted at a school bond election shall be deposited in the ballot box so provided, and no other ballots shall be deposited therein.

SEC. 163. Qualifications of Electors; Manner of Voting by Persons Owning and Not Owning Property; Absent Voting.

1. Every citizen of the United States, 21 years of age or over, who has continuously resided in this state 6 months and in the county 30 days and in the precinct 10 days next preceding the day of a school bond election, shall be entitled to vote at such election if he has complied with the registration laws of this state.

2. If a registered elector is the owner of or the spouse of the owner of real property in the county school district, assessed on the assessment roll of the county, he shall, after making the required affidavit, be furnished, by an election officer conducting the election, a ballot printed on colored paper. All such ballots, when voted, shall be deposited in the ballot box.

Before any person shall be allowed to vote a ballot printed on colored paper, he shall be required to make before one of the officers of the election, any of whom is authorized to take the same, an affidavit, showing that he is the owner or the spouse of the owner of real property so assessed in the county school district.

3. If a registered elector is not the owner of or the spouse of the owner of real property in the county school district, assessed on the assessment roll of the county, he shall be furnished, by an election officer conducting the election, a ballot printed on white paper. All such ballots, when voted, shall be deposited in the ballot box.

4. The provisions of "An act to provide a method for voting at any general, special or primary elections by qualified voters who by reason of the nature of their vocation or business or other causes are unavoidably absent from the polls in the county of their residence on the day of election, providing penalties for the violation thereof, and other matters properly connected therewith," approved March 11, 1921, and being chapter 90, Statutes of Nevada 1921, as heretofore and hereafter amended, shall apply to all school bond elections except:

(a) The application of an absent voter shall be accompanied with a statement by the applicant that he is or is not the owner of or the spouse of the owner of real property in the county school district.

(b) Upon receipt of an application, if the county clerk shall determine that the applicant is entitled to vote at the election, the county clerk shall immediately, or as soon thereafter as the official absent

voter's ballot for the precinct in which the applicant resides has been printed, send to the absent voter by mail, postage prepaid, one official absent voter's ballot of the proper color. If the applicant states that he is the owner of or the spouse of the owner of real property in the county school district, the county clerk shall enclose with the official absent voter's ballot a form of affidavit to be executed by the applicant before a notary public or other officer authorized to administer oaths showing that he is the owner of or the spouse of the owner of real property in the county school district.

(c) The county clerk shall enclose with the official absent voter's ballot and the form of affidavit, when required, an envelope which shall bear upon the front thereof the name, official title and post office address of the county clerk, and upon the other side a printed affidavit substantially in the form provided by law, stating that the elector is entitled to vote in the election.

(d) The absent voter shall mark his ballot, fold it so as to conceal the vote, and together with the executed affidavit showing that he is the owner of or the spouse of the owner of real property in the county school district, if required, shall deposit them in the envelope provided, securely seal the envelope and mail it, postage prepaid.

(e) On the day of the election, the board of election which received the absent voters' ballots from the county clerk shall, in the presence of a majority of the number of the election board officers, proceed to deposit the ballots in the ballot box in the following manner. The name of the voter, as shown on the carrier envelope, is to be called and checked as if the voter were voting in person by the comparison of the signature on the back of the envelope with the voter's signature on the original affidavit of registration. If it is found that the voter is entitled to cast his vote, the envelope is then, but not until then, opened, the number torn off, and if the number on the envelope agrees with the number on the ballot, and if the ballot is not a colored ballot, it shall then, without being examined or unfolded, be deposited in the ballot box provided for the bond election. If the ballot is a colored ballot and is accompanied with the executed affidavit of the voter showing that he is the owner of or the spouse of the owner of real property in the county school district, it shall then, without being examined or unfolded, be deposited in the ballot box. Any colored ballot which is not accompanied with an executed affidavit shall be rejected by the election board.

SEC. 164. Use of Voting Machines at School Bond Elections. Notwithstanding any other provision of this article, at any school bond election ballots or votes may be cast, registered, recorded and counted by means of voting machines, as provided in "An act to provide local adoption of certain approved voting machines at any or all elections and all matters properly connected therewith," approved March 17, 1951, and being chapter 136, Statutes of Nevada 1951, as heretofore and hereafter amended.

SEC. 165. Canvass of Votes.

1. Immediately after the closing of the polls, the election officers shall proceed to canvass the ballots in the ballot box.

2. Separate and distinct records shall be made of the canvass of the ballots. The results disclosed by the canvass of the ballots of different colors shall be certified separately by the election officers to the board of trustees of the county school district.

SEC. 166. Canvass of Returns. On the 10th day (or if that day shall fall on Sunday, then on the Monday following) after the election, or sooner, if all the returns are received, the board of trustees of the county school district shall meet at its usual meeting place and publicly canvass the returns. If all the returns have not then been received, the board shall adjourn from day to day until the returns are all received, and shall then proceed to canvass them. The canvass may be continued from day to day until completed.

SEC. 167. Approval or Rejection of Bonds: Procedure.

1. If a majority of the ballots cast of each color is in favor of the issuance of the bonds, the proposal to issue them shall have been carried, and the board of trustees of the county school district shall:

(a) Cause an entry of that fact to be made upon its minutes.

(b) Proceed to complete the printing, execution, advertising and sale of the bonds.

2. If the majority of the ballots of either color is against the issuance of the bonds, the proposal to issue them shall have failed, and the board of trustees of the county school district shall proceed no further with the printing, execution, advertisement or sale of the bonds.

SEC. 168. Limitation of Total Amount of Bonds.

1. The total bonded indebtedness of a county school district shall at no time exceed an amount equal to 10 percent of the total of the last assessed valuation of taxable property situated within the county school district less an amount equal to any total outstanding bonded indebtedness of the school districts and educational districts abolished by this act whose areas are now within the county school district.

2. In computing the limitation of the total bonded indebtedness of a county school district the outstanding bonded indebtedness of the school districts and educational districts abolished by this act expressly assumed by the county school district by a vote of the electors as provided in section 192 shall be deemed to constitute bonded indebtedness of the county school district.

SEC. 169. Denominations.

1. Except as provided in subsection 2, the denomination of each of the bonds shall not be less than \$100 nor more than \$1,000.

2. Whenever the State of Nevada or any board or department thereof is the successful bidder on any bonds offered for sale, the board of trustees shall have the bonds printed in any denomination desired and indicated by the State of Nevada or the board or department thereof.

SEC. 170. Interest: Rate and Payment.

1. The bonds shall not bear a rate of interest greater than 5 percent per annum, payable annually or semiannually, but the first interest payment date may be any time within 1 year from the date of the bonds.

2. When a vote of the registered electors shall have been taken on

the question of the issuance of the bonds, and the proposition submitted to them shall have specified the maximum rate of interest to be borne by such bonds, no increase of such maximum rate of interest shall be allowed on any of the bonds.

SEC. 171. Maximum Term of Bonds. The number of years the whole or any part of the bonds are to run shall not exceed 20 years from the date of their issue.

SEC. 172. Form of Bonds and Coupons: Signing; Expense for Preparation, Sales and Delivery.

1. The board of trustees by an order entered upon its minutes shall prescribe the form of the bonds and of the interest coupons attached thereto, if any, payable at such place or places within or without the State of Nevada as may be provided by the board of trustees. The board of trustees by such order may provide for the registration of such bonds for the payment of principal or interest or both, and may provide for the redemption of any or all of the bonds prior to maturity, upon such terms and upon the payment of such premium, if any, not exceeding 5 percent of the principal amount of the bonds redeemed as may be determined by the board of trustees.

2. Every issue of school bonds, including refunding bonds, shall be serial in form and maturity, and numbered from 1 upward consecutively.

3. The bonds shall be signed by the president of the board of trustees, attested by the clerk of the board of trustees, sealed with the seal of the county school district, and countersigned by the county treasurer.

4. The interest coupons to be attached to the bonds shall be signed by the original or engraved facsimile signatures of the president, the clerk and the county treasurer.

5. All bonds shall bear the certificate of the county treasurer of the county whose boundaries are coterminous with the county school district issuing the bonds to the effect that the bonds are issued and registered under the provisions of this act.

6. All expenses incurred for the preparation, sale and delivery of the school bonds, including the preparation of the certified copy of the transcript for the successful bidder, is a legal charge against the funds of the county school district issuing the bonds.

SEC. 173. Sale of Bonds: Public Sale; Notice.

1. All bonds shall be sold at public sale. No bonds shall be sold at less than par and accrued interest, nor shall any discount or commission be allowed or paid for the sale of the bonds.

2. Before selling the bonds, or any part of them, the board of trustees shall:

(a) Cause a notice calling for bids for the purchase of the bonds to be published in some newspaper printed in the county school district, or, if no such newspaper is printed in the county school district, then in some newspaper printed in the State of Nevada and having a general circulation in the county school district. The notice shall be published once in each calendar week for four successive calendar weeks immediately preceding the day when the bids will be opened publicly.

(b) Give such other notice as may be deemed necessary by the board of trustees.

3. At least 3 weeks prior to the date fixed for the opening of bids for the purchase of the bonds, a copy of the notice shall be mailed, postage prepaid, to the state board of finance, Carson City, Nevada.

SEC. 174. Contents of Notice. The notice shall:

1. Specify a place and designate a day and the hour thereof when sealed bids for the purchase of the bonds shall be received and opened publicly by the board of trustees.

2. Specify the maximum rate of interest the bonds shall bear.

3. Require each bidder to submit a written bid specifying:

(a) The lowest rate of interest and premium, if any, above par, at which the bidder will purchase the bonds; or

(b) The lowest rate of interest at which the bidder will purchase the bonds at par.

SEC. 175. Preparation of Bond Brochures. The county school district by action of its board of trustees may prepare, or have prepared, bond brochures to serve as a prospectus for bond buyers to assist in the satisfactory sale of the bonds, the expense of such brochures to be payable out of the funds of the county school district. Such brochures may be prepared only after the issuance of the bonds to be sold has been approved by the electors of the county school district pursuant to this article.

SEC. 176. Contents of Bids. All bids shall:

1. Be in writing.

2. Be sealed.

3. Except any bid of the State of Nevada or any board or department thereof, if one is received, be accompanied by a deposit of 5 percent of the amount of the bid, either in cash or by certified check.

SEC. 177. Award to Highest Responsible Bidder; Equal Bids.

1. The bonds shall be sold to the responsible bidder making the highest bid therefor, subject to the right of the board of trustees to reject any and all bids and to readvertise the bonds for sale.

2. If there be two or more equal bids for the bonds, and such equal bids are the highest bids received from responsible bidders, and for not less than par and accrued interest, the board of trustees shall determine which of the equal bids shall be accepted, or may divide the bonds so issued between or among the equal bidders.

SEC. 178. Deposits: Return; Forfeiture; Award to Next Highest Bidder; Public Resale.

1. If a bid for the bonds is accepted the board of trustees shall return the deposits of all other bidders immediately.

2. If the successful bidder fails or neglects to complete the purchase of the bonds within 30 days immediately following the acceptance of the bid, or within 10 days after the bonds are made ready and are offered by the district for delivery, whichever is later, the amount of the deposit shall be forfeited to the county school district fund (but no bidder shall forfeit such deposit whenever the bonds are not ready and so offered for delivery within 60 days from the date of the acceptance

of his bid), and the board of trustees may publicly resell the bonds as provided in this article.

SEC. 179. Rejection of Bids; Readvertisement for Sale. If all bids for the bonds are rejected, the board of trustees shall:

1. Forthwith return the deposits of all bidders.
2. Readvertise the bonds for sale in the same manner as is provided for the original advertisement.

SEC. 180. Registration and Delivery of Bonds.

1. Before a county school district shall deliver bonds under the provisions of this article, all such bonds shall be registered by the county treasurer of the county whose boundaries are coterminous with the boundaries of the county school district in a book kept in his office for that purpose.

2. The register shall show:

- (a) The county school district issuing the bonds.
- (b) The amount of the bonds.
- (c) The time of payment.
- (d) The rate of interest the bonds bear.

3. After registration by the county treasurer, the county treasurer shall cause the bonds to be delivered to the purchaser or purchasers thereof from the board of trustees, upon payment being made therefor on the terms of the sale or sales.

SEC. 181. Annual Maturities and Redemption of Bonds. The various annual maturities shall commence not later than the third year after the date of issue of the bonds. All bonds, insofar as practicable, shall mature serially, at the option of the board of trustees, in substantially equal annual installments of principal, or upon an amortization plan for such bonds so that substantially equal annual tax levies shall be required for the payment of the principal of and the interest on such bonds, or upon an amortization plan for all bonds of the district so that substantially equal annual tax levies shall be required for the payment of the principal of and the interest on all outstanding bonds of the district, but the first or last installment of principal, or both, may be for greater or lesser amounts than required by any of the aforesaid limitations.

SEC. 182. Division of Bonds Into Series of Different Dates Permissible.

1. Subject to the provisions of subsection 2, the board of trustees of a county school district may divide the principal amount of any issue authorized at any election into two or more series and fix different dates of issue for the bonds of each series. The bonds of any one series may be made payable at different times from those of any other series. If the bonds of any authorized issue are divided into series, the maturity of each respective series shall comply with the provisions of this article. For the purpose of computing the maturity of each series the term "date of issue" shall be deemed to be the date of the bonds of each series respectively.

2. No county school district bonds shall be issued or sold by the board of trustees after the expiration of 3 years from the date of the election authorizing such issue.

SEC. 183. Effect of Error, Irregularity or Omission. No error, irregularity or omission which does not affect the substantial rights of the taxpayers within the county school district or the electors voting at any election at which bonds of any county school district are authorized to be issued shall invalidate the election or any bonds authorized.

SEC. 184. Levy of Tax for Interest.

1. Whenever any county school district shall issue bonds under the provisions of this article, or shall have any bonds outstanding, the board of county commissioners of the county whose boundaries are coterminous with the boundaries of the county school district shall levy and assess a special tax on all the taxable property in the county school district, including the net proceeds of mines, in an amount sufficient to pay the interest accruing thereon promptly when and as the same becomes due according to the tenor and effect of the bonds.

2. The county treasurer of that county shall:

(a) Collect the special tax as other taxes are collected, without any additional commission or other compensation therefor.

(b) Keep the same in a bond interest fund separate from all other funds received by him.

(c) Cause the interest to be paid promptly at the place of payment specified in the bonds.

(d) If there shall be any money remaining after paying the interest and the lawful expense of collecting the special tax, without delay transfer the same to the credit of the county school district fund. Any funds so transferred shall be subject to the disposal of the board of trustees of the county school district in accordance with law.

(e) If the tax for interest on the bonds for the first year after the date of their issue is not collected in time to use in paying the interest coupons maturing during that year, or any part thereof, pay the interest so accruing on the bonds in that year, temporarily, out of the county general fund; and shall return, as soon as the funds are realized from the taxes for interest on the bonds, from the interest fund, the amount so borrowed and paid from the county general fund.

SEC. 185. Levy of Tax for Payment of Bonds; Sinking Fund.

1. Following the issuance of bonds by a county school district and within sufficient time so that the receipts of the special tax shall be sufficient to pay the principal as it accrues, and annually thereafter until the bonds have been paid in full, the board of county commissioners of the county whose boundaries are coterminous with the boundaries of the county school district shall levy and assess a special tax, and shall continue to levy and assess such special tax, and shall cause it to be collected, on all the taxable property in the county school district, including the net proceeds of mines, in an amount sufficient to pay the principal accruing promptly when and as the same becomes due according to the tenor and effect of the bonds, which amount shall be levied, assessed and collected by the county treasurer of that county in the same manner as the tax for the payment of the interest coupons.

2. When the special tax is collected it shall be deposited to the credit of the.....school district bond sinking fund, which

fund is hereby created in each of the county treasuries, and shall be used only in the payment of the bonds.

SEC. 186. Payment and Cancellation of Bonds at Maturity. At the maturity of the bonds, or prior to the maturity thereof as provided in section 187, and at the place of payment of the bonds, the county treasurer shall:

1. Cause the bonds and accrued interest thereon to be paid.
2. Cancel the paid bonds.
3. Certify his action to the board of trustees of the county school district.

SEC. 187. Redemption of Bonds Before Maturity.

1. If there is in the hands of the county treasurer in the county school district bond sinking fund a sufficient sum to redeem one or more of the bonds, and a sufficient sum in the bond interest fund to pay the accrued interest thereon, although before the maturity of such bonds and interest, the county treasurer, if requested by the board of trustees of the county school district, shall:

(a) Post a notice of redemption in a conspicuous place at the main entrance to the building in which his office is situated. The notice shall be posted at least 30 days prior to the day set for the receipt of proposals for the purchase of the bonds.

(b) Deposit a copy of the notice in the United States post office, postage prepaid, addressed to the owners of record of such bonds as are outstanding at their last post office addresses known to the county treasurer.

2. The notice of redemption asking for proposals or offers shall be in substantially the following form:

The county treasurer of.....County, State of Nevada, has on hand in the.....School District Bond Sinking Fund sufficient funds to redeem.....bonds of.....issue, and there is in the bond interest fund sufficient money to pay the accrued interest on such number of bonds; he will on the.....day of....., 19....., at the hour of.....a. m., at his office, receive proposals for his purchase of such number of bonds and his payment of the accrued interest thereon. Any proposal to sell bonds to the county treasurer shall not involve a premium on the same of more than.....percent.

3. Upon the opening of the proposals, the bid of any person offering any bond or bonds, up to the total number to be redeemed, at the lowest rate of premium, shall be accepted by the county treasurer; provided:

(a) That if the entire issue of such bonds is to mature serially at different times, then the county treasurer shall redeem such bond or bonds in the order of their maturity, but if their date of maturity is the same, then he shall redeem the bond or bonds which are offered at the lowest premium; and

(b) That if the entire issue of such bonds is to mature at one time the county treasurer shall redeem first on the basis of the lowest

offered premium, and second, if there are several offers at the same premium, he shall redeem the bond or bonds bearing the lowest serial number.

4. The county treasurer shall then certify all of his actions under this section to the board of trustees of the county school district as provided in section 186.

5. Whenever bonds of a county school district have been issued subject to call and redemption before maturity at the option of the county school district and without the consent of the holders of such bonds in compliance with the provisions in the authorizing proceedings, and such bonds issued subject to call and redemption prior to maturity contain a recital to that effect, the board of trustees of the county school district may, by resolution, determine that all or a part of such bonds shall be called and redeemed before maturity, fix the price or prices at which such bonds shall be redeemed, and fix the method of giving notice of redemption to holders of bonds to be redeemed, in the order and manner provided by the authorizing proceedings.

SEC. 188. Priority of Taxes Levied for Payment of Bonded Indebtedness. Taxes levied for the payment of bonded indebtedness of a county school district shall enjoy the priority provided by law.

SEC. 189. Taxes To Constitute Liens.

1. All taxes levied and assessed as provided in this article shall constitute a lien on the property charged therewith on the date and in the manner provided in section 2 of chapter 344, Statutes of Nevada 1953, as amended by chapter 243, Statutes of Nevada 1955, at page 399.

2. No additional allowance, fee or compensation whatever shall be paid to any officer for carrying out the provisions of this article.

SEC. 190. Abolition or Change of Boundaries of County School Districts.

1. Whenever a county is abolished as provided in section 36 of article IV of the constitution of the State of Nevada and chapter 109, Statutes of Nevada 1953, the county school district whose boundaries are coterminous with the boundaries of the county abolished shall, by such action, also be abolished.

2. When all of the territory of an abolished county is included within the territory of an existing county, the territory of the abolished county school district shall be included within the county school district whose boundaries are coterminous with the boundaries of the existing county.

3. When all of the territory of an abolished county is included within the territory of two or more existing counties, the territory of the abolished county school district shall be included within the territory of the county school districts whose boundaries are coterminous with the boundaries of the existing counties.

4. When a portion of a county is detached and annexed to another county, that portion so detached and annexed shall become a part of the county school district whose boundaries are coterminous with the boundaries of the county to which the portion is annexed.

5. When territory is taken from one county school district and annexed to another, the territory becomes liable to taxation for the bonded indebtedness of the district to which it is annexed.

6. The state board of education shall, by order entered on its minutes, within 60 days after the changes, determine what proportion of the outstanding bonded indebtedness of the county school district, from which territory was taken, was incurred for the acquisition or improvement of school sites, buildings or fixtures situated in the territory transferred. The district to which the territory was annexed shall thereupon become liable for the proportion of the indebtedness so determined.

SEC. 191. Bonded Indebtedness of Prior Existing School Districts: Continuing Obligation; Levy and Collection of Special Tax.

1. Except as provided in subsection 2, the bonded indebtedness of any school district or educational district abolished by this act incurred prior to the effective date of this act shall continue to be an obligation of the territory within the school district or educational district as it existed prior to the effective date of this act, and the board of county commissioners of the county in which such territory is situated shall continue annually to levy and assess a special tax on all the taxable property in such territory, including the net proceeds of mines, and shall cause it to be collected until payment is made in full of the principal of and the interest on all such outstanding bonded indebtedness.

2. If such bonded indebtedness is assumed by the county school district in accordance with the provisions of section 192, the board of county commissioners of the county whose boundaries are coterminous with the boundaries of the county school district shall annually levy and assess a special tax on all the taxable property in the county school district, including the net proceeds of mines, and shall cause it to be collected until payment is made in full of the principal of and the interest on all such outstanding bonded indebtedness so assumed.

SEC. 192. Assumption of Bonded Indebtedness of Prior Existing School Districts by County School District: Procedure.

1. The board of trustees of a county school district may call an election in the county school district for the purpose of permitting the qualified electors to vote upon the question of whether or not the county school district shall assume the bonded indebtedness of the school districts or educational districts abolished by this act, the territories of which are within the boundaries of the county school district.

2. The election shall be called, held and conducted as are elections for the issuance of county school district bonds, except that the notice for the election shall contain the following:

- (a) The time and places of holding the election.
- (b) The hours during the day in which the polls will be open, which shall be the same as provided for general elections.
- (c) The amount of the bonded indebtedness and the interest rate thereon proposed to be assumed by the county school district.

3. The ballots at the election shall contain the words "Assumption

of Bonded Indebtedness—Yes” and “Assumption of Bonded Indebtedness—No,” or words of similar import.

4. No bonded indebtedness shall be assumed by a county school district unless a majority of the ballots cast of each color is in favor of the assumption.

5. Any election called pursuant to this section may be consolidated with a general election or a special bond election.

SEC. 193. Bonds of Prior Existing School Districts, Educational Districts Declared Valid, Binding Obligations. All bonds of every school district and educational district abolished by this act which have heretofore been authorized and issued pursuant to the provisions of chapter 63, Statutes of Nevada 1947, as heretofore amended, and the purchase price therefor received, and which are now outstanding and have not been declared invalid by a court of competent jurisdiction, are hereby validated and declared to be legal and binding obligations in accordance with their terms, notwithstanding any question as to the validity of such bonds which could have been raised except for the enactment of this section.

ARTICLE 18. JOINT SCHOOL DISTRICT BONDS

SEC. 194. Joint School District Authorized To Borrow Money by Issuance, Sale of Negotiable Bonds; Purposes; Union of Purposes as Single Proposition.

1. The board of trustees of a joint school district may, when in its judgment it is advisable, call an election and submit to the electors of the joint school district the question whether the negotiable coupon bonds of the joint school district shall be issued and sold for the purpose of raising money for the following purposes, and no others:

(a) Construction or purchase of new school buildings, including but not limited to teacherages, dormitories, dining halls, gymnasiums and stadiums.

(b) Enlarging or repairing existing school buildings, including but not limited to teacherages, dormitories, dining halls, gymnasiums and stadiums.

(c) Acquiring school building sites or additional real property for necessary school purposes, including but not limited to playgrounds, athletic fields and sites for stadiums.

(d) Purchasing necessary school equipment.

(e) Refunding of any outstanding valid indebtedness of the joint school district, evidenced by bonds, when the interest rate or rates on the indebtedness are to be increased or any bond maturity is to be extended.

2. Any one or more of the purposes enumerated in subsection 1, except that of refunding any outstanding valid indebtedness of the joint school district evidenced by bonds, may, by order of the board of trustees entered in its minutes, be united and voted upon as one single proposition.

SEC. 195. Resolution of Board of Trustees Calling Election: Contents.

1. When the board of trustees of a joint school district deems it necessary to incur any bonded indebtedness authorized by this article by issuing the negotiable coupon bonds of the joint school district, the board of trustees shall, by a resolution adopted and entered in its minutes:

(a) Find the necessity of and state the purpose or purposes for incurring the bonded indebtedness.

(b) Determine the maximum amount of bonds to be issued.

(c) Call an election for submission of the question whether the negotiable coupon bonds of the joint school district should be issued and sold to raise money for the purpose or purposes stated.

(d) Designate whether the election shall be consolidated with the next general election, or shall be a special election which the board of trustees is authorized to call.

(e) Fix the date of the election.

2. The resolution adopted by the board of trustees pursuant to the provisions of subsection 1 shall fix a date for the election which will:

(a) Allow sufficient time for the electors of the joint school district to register to vote pursuant to the provisions of "An Act regulating the registration of electors for general, special, and primary elections, providing penalties for the violation hereof," approved March 27, 1917, and being chapter 231, Statutes of Nevada 1917, as heretofore and hereafter amended; and

(b) Allow sufficient time for the county clerks to perform the duties required of them by chapter 231, Statutes of Nevada 1917, as heretofore and hereafter amended.

SEC. 196. Notice of General, Special Election: Duties of Clerk of Board of Trustees and County Commissioners.

1. Following the adoption of a resolution, as provided in section 195, designating that the election shall be consolidated with the next general election, the clerk of the board of trustees shall:

(a) Immediately transmit certified copies of the resolution to the county clerks and to the boards of county commissioners of the counties whose areas are within the joint school district.

(b) Cause notices of the election to be published in newspapers printed in and having a general circulation in each of the counties the areas of which comprise the joint school district once in each calendar week for two successive calendar weeks immediately preceding the date of the election.

2. Following the adoption of a resolution, as provided in section 195, designating the election as a special election, the clerk of the board of trustees shall immediately transmit certified copies of the resolution to the county clerks and the boards of county commissioners of the counties whose areas are within the joint school district. Immediately upon receipt of a certified copy of the resolution calling a special school bond election, the boards of county commissioners shall take such action as the boards of county commissioners may deem necessary in accordance with the provisions of subsection 3 of section 199, and thereupon shall, in writing, notify the clerk of the board of

trustees of such action. After receipt of the written notices from the boards of county commissioners the clerk of the board of trustees shall cause notices of the election to be published in newspapers printed in and having a general circulation in each of the counties the areas of which comprise the joint school district once in each calendar week for two successive calendar weeks immediately preceding the date of the election.

3. If no newspaper is printed in a county the area of which is in a joint school district, then publication of the notice of election shall be made in some newspaper printed in the State of Nevada and having a general circulation in that area.

Sec. 197. Contents of Notice of Election. Except as provided in section 198, the notice of election shall contain:

1. The time and places of holding the election.
2. The hours during the day in which the polls will be open, which shall be the same as provided for general elections.
3. The purposes for which the bonds are to be issued.
4. The maximum amount of the bonds.
5. The maximum rate of interest, not to exceed 5 percent.
6. The maximum number of years, not exceeding 20, which the bonds are to run.

Sec. 198. Consolidation of Bond Election With General Election.

1. Any election called pursuant to this article may be consolidated with a general election.

2. If the election is consolidated with the general election, the notice need not set forth the places of holding the election, but may instead state that the places of holding the election shall be the same as those provided for the general election.

Sec. 199. Conduct of School Bond Elections: Procedure; Special Election or Consolidated Election Precincts; Costs of Election.

1. All school bond elections in a joint school district shall be:
(a) Held separately and simultaneously in each of the counties the areas of which comprise the joint school district.

(b) Conducted as nearly as practicable in the manner provided in "An act relating to elections," approved March 24, 1917, and being chapter 197, Statutes of Nevada 1917, as heretofore and hereafter amended.

2. Upon receipt of the certified copies of the resolution adopted by the board of trustees as provided in section 196, each board of county commissioners and each county clerk shall perform the duties required by law for holding elections in the several counties, and the election shall be conducted as nearly as practicable in all respects as if it were a county election.

3. Each board of county commissioners charged with conducting a special school bond election may, for the purposes of the election, divide the county into special election or consolidated election precincts by consolidating existing precincts, or otherwise, and may change and alter the precincts for such elections, as often as occasion requires.

4. The costs of holding a school bond election consolidated with a

general election shall be borne by the counties, but the expenses of printing necessary ballots and forms of affidavit shall be paid by the joint school district.

5. The costs of holding a special school bond election shall be borne by the joint school district.

6. Costs incurred by a board of trustees of a joint school district for holding a school bond election shall be a proper charge against the joint school district fund notwithstanding that such costs have not been budgeted in accordance with law.

SEC. 200. Ballots: Color and Form.

1. Each county clerk shall provide printed ballots for the use of the voters entitled to vote at any school bond election. Two sets of ballots shall be provided. One set shall be printed on white paper and the other set shall be printed on colored paper.

2. There shall be printed on all ballots:

(a) Instructions respecting the manner of marking the ballots.

(b) A brief statement of the proposition, setting forth the maximum amount of the bonds to be voted upon, the maximum rate of interest, and the purposes for which the proceeds of the sale of the bonds are to be used. No defect in the statement other than in the statement of the maximum amount of the bonds to be authorized shall invalidate the bonds.

(c) The words "Bonds—Yes" and "Bonds—No," or words of similar import.

SEC. 201. Ballot Boxes: Furnished by County Commissioners; Number.

1. Boards of county commissioners of the counties whose areas are within the joint school district shall furnish one ballot box at each polling place within their respective counties.

2. Ballots of both colors voted at a school bond election shall be deposited in the ballot box so provided, and no other ballots shall be deposited therein.

SEC. 202. Qualifications of Electors; Manner of Voting by Persons Owning and Not Owning Property; Absent Voting.

1. Every citizen of the United States, 21 years of age or over, who has continuously resided in this state 6 months and in the county 30 days and in the precinct 10 days next preceding the day of a school bond election, shall be entitled to vote at such election if he has complied with the registration laws of this state.

2. If a registered elector is the owner of or the spouse of the owner of real property in a county the area of which is within the joint school district, assessed on the assessment roll of the county, he shall, after making the required affidavit, be furnished, by an election officer conducting the election, a ballot printed on colored paper. All such ballots, when voted, shall be deposited in the ballot box.

Before any person shall be allowed to vote a ballot printed on colored paper, he shall be required to make before one of the officers of the election, any of whom is authorized to take the same, an affidavit,

showing that he is the owner or the spouse of the owner of real property so assessed in the county the area of which is within the joint school district.

3. If a registered elector is not the owner of or the spouse of the owner of real property in a county the area of which is within the joint school district, assessed on the assessment roll of the county, he shall be furnished, by an election officer conducting the election, a ballot printed on white paper. All such ballots, when voted, shall be deposited in the ballot box.

4. The provisions of "An act to provide a method for voting at any general, special or primary elections by qualified voters who by reason of the nature of their vocation or business or other causes are unavoidably absent from the polls in the county of their residence on the day of election, providing penalties for the violation thereof, and other matters properly connected therewith," approved March 11, 1921, and being chapter 90, Statutes of Nevada 1921, as heretofore and hereafter amended, shall apply to all school bond elections except:

(a) The application of an absent voter shall be accompanied with a statement by the applicant that he is or is not the owner of or the spouse of the owner of real property in the county in which he is qualified to vote.

(b) Upon receipt of an application, if the county clerk shall determine that the applicant is entitled to vote at the election, the county clerk shall immediately, or as soon thereafter as the official absent voter's ballot for the precinct in which the applicant resides has been printed, send to the absent voter by mail, postage prepaid, one official absent voter's ballot of the proper color. If the applicant states that he is the owner of or the spouse of the owner of real property in the county in which he is qualified to vote, the county clerk shall enclose with the official absent voter's ballot a form of affidavit to be executed by the applicant before a notary public or other officer authorized to administer oaths showing that he is the owner of or the spouse of the owner of real property in the county in which he is qualified to vote.

(c) The county clerk shall enclose with the official absent voter's ballot and the form of affidavit, when required, an envelope which shall bear upon the front thereof the name, official title and post office address of the county clerk, and upon the other side a printed affidavit substantially in the form provided by law, stating that the elector is entitled to vote in the election.

(d) The absent voter shall mark his ballot, fold it so as to conceal the vote, and together with executed affidavit showing that he is the owner of or the spouse of the owner of real property in the county in which he is qualified to vote, if required, shall deposit them in the envelope provided, securely seal the envelope and mail it, postage prepaid.

(e) On the day of the election, the board of election which received the absent voters' ballots from the county clerk shall, in the presence of a majority of the number of the election board officers, proceed to deposit the ballots in the ballot box in the following manner. The name

of the voter, as shown on the carrier envelope, is to be called and checked as if the voter were voting in person by the comparison of the signature on the back of the envelope with the voter's signature on the original affidavit of registration. If it is found that the voter is entitled to cast his vote, the envelope is then, but not until then, opened, the number torn off, and if the number on the envelope agrees with the number on the ballot, and if the ballot is not a colored ballot, it shall then, without being examined or unfolded, be deposited in the ballot box provided for the bond election. If the ballot is a colored ballot and is accompanied with the executed affidavit of the voter showing that he is the owner of or the spouse of the owner of real property in the county in which he is qualified to vote, it shall then, without being examined or unfolded, be deposited in the ballot box. Any colored ballot which is not accompanied with an executed affidavit shall be rejected by the election board.

SEC. 203. Use of Voting Machines at School Bond Elections. Notwithstanding any other provision of this article, at any school bond election ballots or votes may be cast, registered, recorded and counted by means of voting machines, as provided in "An act to provide local adoption of certain approved voting machines at any or all elections and all matters properly connected therewith," approved March 17, 1951, and being chapter 136, Statutes of Nevada 1951, as heretofore and hereafter amended.

SEC. 204. Canvass of Votes.

1. Immediately after the closing of the polls, the election officers shall proceed to canvass the ballots in the ballot box.

2. Separate and distinct records shall be made of the canvass of the ballots. The results disclosed by the canvass of the ballots of different colors shall be certified separately by the election officers to the board of trustees of the joint school district.

SEC. 205. Canvass of Returns. On the 10th day (or if that day shall fall on Sunday, then on the Monday following) after the election, or sooner, if all the returns are received, the board of trustees of the joint school district shall meet at its usual meeting place and publicly canvass the returns. If all the returns have not then been received, the board shall adjourn from day to day until the returns are all received, and shall then proceed to canvass them. The canvass may be continued from day to day until completed.

SEC. 206. Approval or Rejection of Bonds: Procedure.

1. If a majority of the ballots cast of each color is in favor of the issuance of the bonds, the proposal to issue them shall have been carried, and the board of trustees of the joint school district shall:

(a) Cause an entry of that fact to be made upon its minutes.

(b) Proceed to complete the printing, execution, advertising and sale of the bonds.

2. If the majority of the ballots of either color is against the issuance of the bonds, the proposal to issue them shall have failed, and the board of trustees of the joint school district shall proceed no further with the printing, execution, advertisement or sale of the bonds.

SEC. 207. Limitation of Total Amount of Bonds of Joint School

District. The total bonded indebtedness of a joint school district shall at no time exceed an amount equal to 10 percent of the total of the last assessed valuation of taxable property situated within the joint school district less an amount equal to any total outstanding bonded indebtedness of the school districts and educational districts abolished by this act whose areas are within the joint school district and any total outstanding bonded indebtedness of the county school districts joining to create the joint school district or subsequently uniting with a joint school district.

SEC. 208. Denominations.

1. Except as provided in subsection 2, the denomination of each of the bonds shall not be less than \$100 nor more than \$1,000.

2. Whenever the State of Nevada or any board or department thereof is the successful bidder on any bonds offered for sale, the board of trustees shall have the bonds printed in any denomination desired and indicated by the State of Nevada or the board or department thereof.

SEC. 209. Interest: Rate and Payment.

1. The bonds shall not bear a rate of interest greater than 5 percent per annum, payable annually or semiannually, but the first interest payment date may be any time within 1 year from the date of the bonds.

2. When a vote of the registered electors shall have been taken on the question of the issuance of the bonds, and the proposition submitted to them shall have specified the maximum rate of interest to be borne by such bonds, no increase of such maximum rate of interest shall be allowed on any of the bonds.

SEC. 210. Maximum Term of Bonds. The number of years the whole or any part of the bonds are to run shall not exceed 20 years from the date of their issue.

SEC. 211. Form of Bonds and Coupons: Signing; Expense for Preparation, Sales and Delivery.

1. The board of trustees by an order entered upon its minutes shall prescribe the form of the bonds and of the interest coupons attached thereto, if any, payable at such place or places within or without the State of Nevada as may be provided by the board of trustees. The board of trustees by such order may provide for the registration of such bonds for the payment of principal or interest or both, and may provide for the redemption of any or all of the bonds prior to maturity, upon such terms and upon the payment of such premium, if any, not exceeding 5 percent of the principal amount of the bonds redeemed as may be determined by the board of trustees.

2. Every issue of school bonds, including refunding bonds, shall be serial in form and maturity, and numbered from 1 upward consecutively.

3. The bonds shall be signed by the president of the board of trustees, attested by the clerk of the board of trustees, sealed with the seal of the joint school district, and countersigned by the county treasurer having custody of the joint school district fund.

4. The interest coupons to be attached to the bonds shall be signed

by the original or engraved facsimile signatures of the president, the clerk and the county treasurer having custody of the joint school district fund.

5. All bonds shall bear the certificate of the county treasurer having custody of the joint school district fund to the effect that the bonds are issued and registered under the provisions of this act.

6. All expenses incurred for the preparation, sale and delivery of the school bonds, including the preparation of the certified copy of the transcript for the successful bidder, is a legal charge against the funds of the joint school district issuing the bonds.

SEC. 212. Sale of Bonds: Public Sale; Notice.

1. All bonds shall be sold at public sale. No bonds shall be sold at less than par and accrued interest, nor shall any discount or commission be allowed or paid for the sale of the bonds.

2. Before selling the bonds, or any part of them, the board of trustees shall:

(a) Cause a notice calling for bids for the purchase of the bonds to be published in some newspaper printed in the joint school district, or, if no such newspaper is printed in the joint school district, then in some newspaper printed in the State of Nevada and having a general circulation in the joint school district. The notice shall be published once in each calendar week for four successive calendar weeks immediately preceding the day when the bids will be opened publicly.

(b) Give such other notice as may be deemed necessary by the board of trustees.

3. At least 3 weeks prior to the date fixed for the opening of bids for the purchase of the bonds, a copy of the notice shall be mailed, postage prepaid, to the state board of finance, Carson City, Nevada.

SEC. 213. Contents of Notice. The notice shall:

1. Specify a place and designate a day and the hour thereof when sealed bids for the purchase of the bonds shall be received and opened publicly by the board of trustees.

2. Specify the maximum rate of interest the bonds shall bear.

3. Require each bidder to submit a written bid specifying:

(a) The lowest rate of interest and premium, if any, above par, at which the bidder will purchase the bonds; or

(b) The lowest rate of interest at which the bidder will purchase the bonds at par.

SEC. 214. Preparation of Bond Brochures. The joint school district by action of its board of trustees may prepare, or have prepared, bond brochures to serve as a prospectus for bond buyers to assist in the satisfactory sale of the bonds, the expense of such brochures to be payable out of the funds of the joint school district. Such brochures may be prepared only after the issuance of the bonds to be sold has been approved by the electors of the joint school district pursuant to this article.

SEC. 215. Contents of Bids. All bids shall:

1. Be in writing.

2. Be sealed.

3. Except any bid of the State of Nevada or any board or department thereof, if one is received, be accompanied by a deposit of 5 percent of the amount of the bid, either in cash or by certified check.

SEC. 216. Award to Highest Responsible Bidder; Equal Bids.

1. The bonds shall be sold to the responsible bidder making the highest bid therefor, subject to the right of the board of trustees to reject any and all bids and to readvertise the bonds for sale.

2. If there be two or more equal bids for the bonds, and such equal bids are the highest bids received from responsible bidders, and for not less than par and accrued interest, the board of trustees shall determine which of the equal bids shall be accepted, or may divide the bonds so issued between or among the equal bidders.

SEC. 217. Deposits: Return; Forfeiture; Award to Next Highest Bidder; Public Resale.

1. If a bid for the bonds is accepted the board of trustees shall return the deposits of all other bidders immediately.

2. If the successful bidder fails or neglects to complete the purchase of the bonds within 30 days immediately following the acceptance of the bid, or within 10 days after the bonds are made ready and are offered by the district for delivery, whichever is later, the amount of the deposit shall be forfeited to the joint school district fund (but no bidder shall forfeit such deposit whenever the bonds are not ready and so offered for delivery within 60 days from the date of the acceptance of his bid), and the board of trustees may publicly resell the bonds as provided in this article.

SEC. 218. Rejection of Bids; Readvertisement for Sale. If all bids for the bonds are rejected, the board of trustees shall:

1. Forthwith return the deposits of all bidders.
2. Readvertise the bonds for sale in the same manner as is provided for the original advertisement.

SEC. 219. Registration and Delivery of Bonds.

1. Before a joint school district shall deliver bonds under the provisions of this article, all such bonds shall be registered by the county treasurer having custody of the joint school district fund in a book kept in his office for that purpose.

2. The register shall show:

- (a) The joint school district issuing the bonds.
- (b) The amount of the bonds.
- (c) The time of payment.
- (d) The rate of interest the bonds bear.

3. After registration by the county treasurer, the county treasurer shall cause the bonds to be delivered to the purchaser or purchasers thereof from the board of trustees, upon payment being made therefor on the terms of the sale or sales.

SEC. 220. Annual Maturities and Redemption of Bonds. The various annual maturities shall commence not later than the third year after the date of issue of the bonds. All bonds, insofar as practicable, shall mature serially, at the option of the board of trustees, in substantially equal annual installments of principal, or upon an amortization plan for such bonds so that substantially equal annual tax

levies shall be required for the payment of the principal of and the interest on such bonds, or upon an amortization plan for all bonds of the district so that substantially equal annual tax levies shall be required for the payment of the principal of and the interest on all outstanding bonds of the district, but the first or last installment of principal, or both, may be for greater or lesser amounts than required by any of the aforesaid limitations.

SEC. 221. Division of Bonds Into Series of Different Dates Permissible.

1. Subject to the provisions of subsection 2, the board of trustees of a joint school district may divide the principal amount of any issue authorized at any election into two or more series and fix different dates of issue for the bonds of each series. The bonds of any one series may be made payable at different times from those of any other series. If the bonds of any authorized issue are divided into series, the maturity of each respective series shall comply with the provisions of this article. For the purpose of computing the maturity of each series the term "date of issue" shall be deemed to be the date of the bonds of each series respectively.

2. No joint school district bonds shall be issued or sold by the board of trustees after the expiration of 3 years from the date of the election authorizing such issue.

SEC. 222. Effect of Error, Irregularity or Omission. No error, irregularity or omission which does not affect the substantial rights of the taxpayers within the joint school district or the electors voting at any election at which bonds of any joint school district are authorized to be issued shall invalidate the election or any bonds authorized.

SEC. 223. Levy of Tax for Interest.

1. Whenever any joint school district shall issue bonds under the provisions of this article, or shall have any bonds outstanding, the boards of county commissioners of the counties the areas of which constitute the joint school district shall levy and assess a special tax on all the taxable property in the joint school district, including the net proceeds of mines, in an amount sufficient to pay the interest accruing thereon promptly when and as the same becomes due according to the tenor and effect of the bonds.

2. Each of the county treasurers of the counties whose areas comprise the joint school district shall:

(a) Collect the special tax as other taxes are collected, without any additional commission or other compensation therefor.

(b) Transfer the special tax so collected to the county treasurer having custody of the joint school district fund.

3. The county treasurer having custody of the joint school district fund shall:

(a) Keep the special tax collected by him and received by him from the other county treasurers in a bond interest fund separate from all other funds received by him.

(b) Cause the interest to be paid promptly at the place of payment specified in the bonds.

(c) If there shall be any money remaining after paying the interest,

without delay transfer the same to the credit of the joint school district fund. Any funds so transferred shall be subject to the disposal of the board of trustees of the joint school district in accordance with law.

(d) If the tax for interest on the bonds for the first year after the date of their issue is not collected in time to use in paying the interest coupons maturing during that year, or any part thereof, pay the interest so accruing on the bonds in that year, temporarily, out of the county general fund; and shall return, as soon as the funds are realized from the taxes for interest on the bonds, from the interest fund, the amount so borrowed and paid from the county general fund.

SEC. 224. Levy of Tax for Payment of Bonds; Sinking Fund.

1. Following the issuance of bonds by a joint school district and within sufficient time so that the receipts of the special tax shall be sufficient to pay the principal as it accrues, and annually thereafter until the bonds have been paid in full, the boards of county commissioners of the counties whose areas comprise the joint school district shall levy and assess such special tax, and shall continue to levy and assess a special tax, and shall cause it to be collected, on all the taxable property within the respective counties the areas of which comprise the joint school district, including the net proceeds of mines, in an amount sufficient to pay the principal accruing promptly when and as the same becomes due according to the tenor and effect of the bonds, which amount shall be levied, assessed and collected by the county treasurers of the counties in the same manner as the tax for the payment of the interest coupons.

2. When the special tax is collected it shall be transferred to the county treasurer having custody of the joint school district fund and shall be deposited by him to the credit of the.....joint school district bond sinking fund, which fund is hereby created in the county treasury of the county whose county treasurer has custody of the joint school district fund, and shall be used only in the payment of the bonds.

SEC. 225. Payment and Cancellation of Bonds at Maturity. At the maturity of the bonds, or prior to the maturity thereof as provided in section 226, and at the place of payment of the bonds, the county treasurer having custody of the joint school district bond sinking fund shall:

1. Cause the bonds and accrued interest thereon to be paid.
2. Cancel the paid bonds.

3. Certify his action to the board of trustees of the joint school district.

SEC. 226. Redemption of Bonds Before Maturity.

1. If there is in the hands of the county treasurer having custody of the joint school district bond sinking fund a sufficient sum to redeem one or more of the bonds, and a sufficient sum in the bond interest fund to pay the accrued interest thereon, although before the maturity of such bonds and interest, the county treasurer, if requested by the board of trustees of the joint school district, shall:

(a) Post a notice of redemption in a conspicuous place at the main entrance to the building in which his office is situated. The notice shall

be posted at least 30 days prior to the day set for the receipt of proposals for the purchase of the bonds.

(b) Deposit a copy of the notice in the United States post office, postage prepaid, addressed to the owners of record of such bonds as are outstanding at their last post office addresses known to the county treasurer.

2. The notice of redemption asking for proposals or offers shall be in substantially the following form:

The county treasurer of.....County, State of Nevada, has on hand in the.....Joint School District Bond Sinking Fund sufficient funds to redeem.....bonds of.....issue, and there is in the bond interest fund sufficient money to pay the accrued interest on such number of bonds; he will on the.....day of....., 19....., at the hour of.....a.m., at his office, receive proposals for his purchase of such number of bonds and his payment of the accrued interest thereon. Any proposal to sell bonds to the county treasurer shall not involve a premium on the same of more than.....percent.

3. Upon the opening of the proposals, the bid of any person offering any bond or bonds, up to the total number to be redeemed, at the lowest rate of premium, shall be accepted by the county treasurer; provided:

(a) That if the entire issue of such bonds is to mature serially at different times, then the county treasurer shall redeem such bond or bonds in the order of their maturity, but if their date of maturity is the same, then he shall redeem the bond or bonds which are offered at the lowest premium; and

(b) That if the entire issue of such bonds is to mature at one time the county treasurer shall redeem first on the basis of the lowest offered premium, and second, if there are several offers at the same premium, he shall redeem the bond or bonds bearing the lowest serial number.

4. The county treasurer shall then certify all of his actions under this section to the board of trustees of the joint school district as provided in section 225.

5. Whenever bonds of a joint school district have been issued subject to call and redemption before maturity at the option of the joint school district and without the consent of the holders of such bonds in compliance with the provisions in the authorizing proceedings, and such bonds issued subject to call and redemption prior to maturity contain a recital to that effect, the board of trustees of the joint school district may, by resolution, determine that all or a part of such bonds shall be called and redeemed before maturity, fix the price or prices at which such bonds shall be redeemed, and fix the method of giving notice of redemption to holders of bonds to be redeemed, in the order and manner provided by the authorizing proceedings.

SEC. 227. Priority of Taxes Levied for Payment of Bonded Indebtedness. Taxes levied for the payment of bonded indebtedness of a joint school district shall enjoy the priority provided by law.

SEC. 228. Taxes To Constitute Liens.

1. All taxes levied and assessed as provided in this article shall constitute a lien on the property charged therewith on the date and

in the manner provided in section 2 of chapter 344, Statutes of Nevada 1953, as amended by chapter 243, Statutes of Nevada 1955, at page 399.

2. No additional allowance, fee or compensation whatever shall be paid to any officer for carrying out the provisions of this article.

SEC. 229. Abolishment of County; Changes of Boundaries of Joint School Districts.

1. In a joint school district, when a county is abolished as provided in section 36 of article IV of the constitution of the State of Nevada, and chapter 109, Statutes of Nevada 1953, as heretofore and hereafter amended, and the territory thereof is annexed to one or more existing counties, or when a portion of a county is detached and annexed to another county, the territory so annexed shall become liable to taxation for the bonded indebtedness of the school district to which it becomes annexed.

2. The state board of education, by order entered on its minutes within 60 days after the changes, shall determine what proportion of the outstanding bonded indebtedness of the joint school district from which territory was taken was incurred for the acquisition or improvement of school sites, buildings or fixtures situated in the territory transferred. The district to which the territory was annexed shall thereupon become liable for the proportion of the indebtedness so determined.

SEC. 230. Bonded Indebtedness Incurred by County School District Prior to Joining Joint School District; Levy and Collection of Special Tax. The bonded indebtedness of any county school district incurred prior to its joining with any other county school district or a joint school district shall remain the sole obligation of the territory within the county school district as it existed prior to its joining with the other county school district or the joint school district, and the board of county commissioners of the county whose boundaries are contemporaneous with the boundaries of the county school district so joining with another county school district or a joint school district shall continue annually to levy and assess a special tax on all the taxable property within the county, including the net proceeds of mines, and shall cause it to be collected until payment is made in full of the principal of and the interest on all such outstanding bonded indebtedness.

SEC. 231. Liability of Reestablished County School District for Bonded Indebtedness of Joint School District. The territory of a county excluded from a joint school district and reestablished as a county school district shall continue to be liable for the same proportion of the bonded indebtedness of the joint school district, incurred before the withdrawal and exclusion, as it would have been liable for had it not withdrawn and been excluded.

SEC. 232. Dissolution of Joint School District: Liability for Outstanding Bonded Indebtedness. If a dissolved joint school district has an outstanding bonded indebtedness, taxes shall be levied and collected on all taxable property in the territory constituting the joint school district at the time of its dissolution, for the purpose of paying principal and interest of the bonds, in the same manner and at the same time as if the district had not been dissolved.

ARTICLE 19. REFUNDING BONDS OF SCHOOL DISTRICTS

SEC. 233. School Districts Authorized to Issue and Sell Refunding Bonds. Any school district having, or which hereafter may have, existing indebtedness may, by resolution of the board of trustees thereof, authorize the issuance and sale of funding or refunding bonds, at a greater, lesser or the same rate of interest, to pay the principal and interest of such existing indebtedness or to extend the bond maturities.

SEC. 234. Election: When Required.

1. If the interest rate or rates on the existing indebtedness are to be increased, or if any bond maturity is to be extended, the board of trustees shall submit the question of the issuance of such funding or refunding bonds at an election to be held in the manner and form provided by law governing the issuance of bonds by school districts.

2. If the interest rate or rates on the existing indebtedness are to be the same or at a lesser rate and no bond maturity is to be extended, the board of trustees need not submit the question of the issuance of the funding or refunding bonds at an election.

SEC. 235. Levy and Collection of Taxes for Payment. The officers charged by law with the duty to levy and collect general taxes within school districts are authorized, empowered and directed to impose, fix, levy and collect a tax upon all the property thereof subject to taxation, including the net proceeds of mines, sufficient to pay the interest on and principal of such funding or refunding bonds as the same shall become due, in addition to all other taxes required by law to be levied or assessed upon such property.

CHAPTER IV**SYSTEM OF PUBLIC INSTRUCTION****ARTICLE 20. GENERAL PROVISIONS**

SEC. 236. "Public Schools" Defined. Within the meaning of this act, "public schools" includes all kindergartens and elementary schools, junior high schools and high schools which receive their support through public taxation, and whose textbooks, courses of study and other regulations are under the control of the state board of education.

SEC. 237. Kinds of Public Schools.

1. An elementary school is a public school in which no grade work above that included in the eighth grade, according to the regularly adopted state course of study, is given.

2. A junior high school is a public school in which the seventh, eighth and ninth grades are taught under a course of study prescribed and approved by the state board of education.

3. A high school is a public school in which subjects above the eighth grade, according to the state course of study, may be taught.

SEC. 238. Division of Public Schools in School District Into Departments. Whenever the board of trustees of a school district shall deem it necessary, the board shall divide the public schools within the school

district into kindergarten, primary, grammar and high school departments, and shall employ competent and legally qualified teachers for the instruction of the different departments; provided:

1. That such division into departments shall be in accordance with the state courses of study and all rules and regulations of the state department of education; and

2. That there shall be money for all such departments; if not, then the division shall be in the order in which the departments are named in this section, excepting the kindergarten department, which shall not be considered as taking precedence over any other department; and

3. That the kindergarten department shall not be established in any school attendance area having a school population of less than 100 resident children of school age.

SEC. 239. Zoning of School District by Trustees. In any school district having and maintaining more than one school offering instruction in the same grade or grades, the board of trustees shall have the power to zone the school district and to determine which pupils shall attend each school.

SEC. 240. School Attendance Areas: Creation; Abolishment; "Resident Child" Defined.

1. The board of trustees of a school district, with the approval of the deputy superintendent of public instruction of the proper educational supervision district, may create a new school attendance area in the school district and define its boundaries when:

(a) A school attendance area is not in existence.

(b) Transportation to an existing school is not feasible or practical.

2. Whenever the attendance of any school child or school children is the determining factor in the creation of a school attendance area, such child must be a "resident child" or such children must be "resident children" within the meaning of subsection 3 before any such school district shall be entitled to receive any apportionment of public school money.

3. As used in this act, the terms "resident child" and "resident children" mean all normal children between the ages of 6 and 18 years who have actually resided in the proposed school attendance area within the school district with a parent or parents, or a guardian or guardians, for a period of at least 3 months, but do not include:

(a) Children residing in the proposed school attendance area within the school district who have already completed the grades proposed to be taught in the school.

(b) Children whose parents or guardians reside or have their home outside the state or in any other school attendance area within the school district or in any other school district within the state.

4. A school attendance area shall be abolished when the board of trustees act according to the powers granted them in section 239.

SEC. 241. Kindergartens: Establishment; Maintenance; Discontinuance.

1. The board of trustees of a school district may establish, equip

and maintain a kindergarten or kindergartens in school attendance areas when:

(a) The board receives a petition from the parents or guardians of 25 or more resident children who will be eligible to attend kindergarten under the provisions of this section; and

(b) The deputy superintendent of public instruction for the educational supervision district approves.

2. No child shall be eligible to attend kindergarten who will not reach the age for his enrollment in the first grade the following school year under the provisions of section 363.

3. The board of trustees of a school district in which a kindergarten is to be established under the provisions of this act shall budget for such purposes by including the costs in the next regular budget for the school district.

4. If the average daily attendance of any kindergarten in any school district is 15 or less for the school year, the board of trustees shall, at the close of the school year, discontinue the kindergarten.

SEC. 242. Maintenance of Schools With Equal Rights and Privileges. When feasible, boards of trustees must maintain all the schools established by them for an equal length of time during the year and, as far as practicable, with equal rights and privileges.

Public school year
July 1 to June 30

ARTICLE 21. SCHOOL TERMS; HOLIDAYS AND OBSERVANCES

SEC. 243. School Year. The public school year shall commence on the 1st day of July and shall end on the last day of June.

SEC. 244. Minimum Annual School Term. Boards of trustees of school districts shall provide at least 6 months of free school in the districts under their charge.

SEC. 245. Maintenance of 9 Months of School if Funds Available.

1. If funds are made available therefor, boards of trustees of school districts shall maintain at least 9 months of school in their school districts each school year.

2. Whenever there shall be sufficient money to the credit of any school district to pay the expenses of maintaining a school for 9 months in any school year, and the board of trustees shall, for any reason, neglect to provide for the 9 months of school, the deputy superintendent of public instruction shall:

(a) Take such steps as may be necessary to prolong and maintain the school for at least 9 months.

(b) Draw his order on the county auditor. The county auditor shall draw his warrant on the county treasurer in payment of all expenses incurred in prolonging school as provided in this section.

SEC. 246. Days When Public Schools To Close. No school shall be kept open on:

January 1 (New Year's Day)

May 30 (Memorial Day)

July 4 (Independence Day)

First Monday in September (Labor Day)

Thanksgiving Day

December 25 (Christmas Day)

Any day appointed by the President of the United States or the governor for public fast, thanksgiving or holiday.

SEC. 247. Observances, Exercises on Certain Days.

1. All schools shall be kept open and shall observe with appropriate exercises:

February 12 (Lincoln's Birthday)
February 22 (Washington's Birthday)
Last Friday in April (Arbor Day)
October 31 (Nevada Day)
November 11 (Veterans Day)

2. If the days specified in subsection 1 do not occur on regular school days, then exercises shall be held on the school day nearest those days; but this shall not be construed so as to interfere with the participation by the schools in community exercises held in the observance of such days.

SEC. 248. Arbor Day: Proclamation by Governor.

1. The last Friday in April of each year is established as Arbor Day in the State of Nevada.

2. The governor shall proclaim the same at least 1 month prior thereto, setting forth in his proclamation a recommendation that Arbor Day be observed by the people of this state in the planting of trees, shrubs and vines, in the promotion of forest growth and culture, in the adornment of public and private grounds, places and ways, and in such other efforts and undertakings as shall be in harmony with the character of Arbor Day.

3. Arbor Day shall be observed with appropriate exercises by the public schools of this state.

SEC. 249. (This section deleted by amendment.)

ARTICLE 22. PROHIBITED INSTRUCTION

SEC. 250. Subjects, Except Foreign Languages, To Be Taught in English.

1. It shall be unlawful for any board of trustees or for any teacher or other person teaching in the public schools in this state to cause to be taught or to teach any subject or subjects, other than foreign languages, in the public schools in the state in any language except the English language.

2. Any trustee, teacher or other person who violates any provision of subsection 1 shall be guilty of a misdemeanor, and:

(a) Upon conviction of the first offense shall be punished by a fine of not less than \$100 nor more than \$250.

(b) Upon conviction of each subsequent offense shall be punished by a fine of not less than \$260 nor more than \$500, or by imprisonment in the county jail for not less than 30 days nor more than 6 months, or by both fine and imprisonment.

3. Each separate day or any portion thereof during which any violation of this section occurs or continues shall constitute a separate offense.

SEC. 251. Use, Distribution of Sectarian, Denominational Publications; Teaching of Sectarian Doctrines; Forfeiture of Apportionments.

1. No books, tracts or papers of a sectarian or denominational character shall be used or introduced in any public school established under the provisions of this act, nor shall any sectarian or denominational doctrines be taught in any public school.

2. Any school district whose officers knowingly allow any public schools to be taught in violation of this section forfeits all right to any public school funds.

ARTICLE 23. EVENING SCHOOLS

SEC. 252. Authority To Establish Evening Schools.

1. Any board of trustees of a school district may establish an evening school as a part of a public school whenever 15 or more bona fide applicants for instruction in such evening school residing in the school district shall petition the board of trustees for the same.

2. The evening school shall be open to all persons living in the school district.

3. Only such courses of instruction shall be given in the evening school as shall have been approved by the state board of education.

4. Instruction in the evening school is authorized to be given at any convenient hour subsequent to the close of the afternoon session of the public school in which the evening school is established.

SEC. 253. Trustees To Employ Teachers, Provide Rooms. The board of trustees of any public school in which an evening school is held shall:

1. Provide suitable rooms with adequate light and heat.

2. Employ the necessary teachers therefor. Teachers employed in evening schools must hold legal certificates for corresponding work in the public day schools, or special evening school certificates which are authorized to be issued by the state board of education.

SEC. 254. Apportionments for Evening Schools; Reports.

1. At the time of making the regular quarterly apportionments, the superintendent of public instruction shall apportion from the state distributive school fund to the school districts which have established and maintained evening schools in accordance with the provisions of this article such an amount as is shown, by reports from the several evening schools, to be necessary under this article. In no case shall the total amount so apportioned in any one year exceed the amount set aside for this purpose in the general appropriation act and budgeted for this purpose. Apportionment to any school district for evening schools shall be made in accordance with regulations made by the state board of education.

2. Reports shall be made to the superintendent of public instruction at such time and in such manner as he shall prescribe.

3. Teachers in evening schools shall keep, by months, daily records of enrollment and attendance of pupils under their instruction, and before the school district receives any apportionment provided for in this article, and at the close of the session, they shall make a final

report in triplicate on the blanks provided therefor by the superintendent of public instruction, and file a copy thereof with the superintendent of public instruction, with the deputy superintendent of public instruction for that educational supervision district, and with the clerk of the board of trustees of the school district.

SEC. 255. Payment of Claims; Charges Against County General Fund.

1. On written orders of the board of trustees having charge of a school wherein an evening school is located, the county auditor shall issue warrants upon the county treasurer for the payment of valid claims for equipment and maintenance, and for additional salaries of teachers in amounts not to exceed those amounts apportioned to the school district for teachers from the state distributive school fund or from other state and federal funds. All such claims shall be legal charges against the school district fund, and the county treasurer is authorized and directed to pay the same.

2. If the legislature has failed to provide funds for the support of evening schools as authorized under this article, then any board of trustees of a school district desiring to establish an evening school may present the annual budget for the evening school to the board of county commissioners. The board of county commissioners may thereupon authorize the establishment of the evening school, and determine the amount to be allowed for equipment, maintenance and salaries for the evening school and authorize payment for valid claims therefor to be made from the general fund of the county.

ARTICLE 24. PART-TIME SCHOOLS AND CLASSES.

SEC. 256. Establishment of Part-Time Schools, Classes.

1. The board of trustees of any school district in which not less than 15 children between the ages of 14 and 18 years reside or are employed, which children have entered upon employment, and who are not attending regular school by reason of such employment, shall establish part-time schools or classes for such employed children.

2. Whenever any board of trustees shall deem it inexpedient to organize part-time schools or classes for employed minors, the board shall state the reasons for such inexpediency in a petition to the state board of education. When the state board of education, upon the recommendation of the superintendent of public instruction, accepts the reasons as valid, the board of trustees shall be excused from the establishment of such part-time schools or classes.

SEC. 257. Regulations of State Board of Education for Organization, Administration. The state board of education shall establish rules and regulations governing the organization and administration of part-time schools and classes.

SEC. 258. Hours and Term of Instruction. Part-time schools or classes established in accordance with the provisions of this article shall be in session not less than 4 hours a week between 8 a.m. and 6 p.m. during the number of weeks which other public schools are maintained in the school district establishing such part-time schools or classes.

SEC. 259. Reimbursement of School District for Expenditures. Whenever any part-time school or class shall have been established in accordance with the provisions of this article and with the rules and regulations established by the state board of education, the school district shall be entitled to reimbursement for not less than 50 percent of the moneys expended for salaries of teachers and coordinators of such part-time school or class. Reimbursement shall be made from federal and state funds available for that purpose.

SEC. 260. Nature of Education To Be Provided by Part-Time School, Class. A part-time school or class established in accordance with the terms of this article shall provide an education for children who have entered employment, which instruction shall be either supplemental to the work in which they are engaged, continue their general education, or promote their civic and vocational training.

SEC. 261. Employed Children To Attend Part-Time Classes; Exceptions. All employed children of this state between the ages of 14 and 18 years shall attend part-time classes established in their respective school districts, unless they shall have completed the eight grades of the prescribed grammar school course, or the equivalent thereof, and are excused from such attendance by authority of the boards of trustees of their respective school districts for any of the following reasons:

1. That the distance between the place of employment and the school building is so great as to make part-time school attendance impossible or impracticable.

2. That the student is bound to an apprenticeship under a satisfactory contract.

3. That the student is excused from attendance at regular school in accordance with the terms of sections 364 to 369, inclusive.

SEC. 262. Issuance of Certificate to Employed Child; Presentation to Employer.

1. The board of trustees of any school district, or any person designated by the board, shall issue to a child over the age of 14 years who has been excused from attending school by the board a certificate, which shall be presented by the child to his employer.

2. The certificate shall state:

(a) The age of the child as it appears upon the register of the school which he has been attending, or from other evidence satisfactory to the board of trustees.

(b) The grade which he has attained.

(c) His place of residence.

SEC. 263. Filing and Return of Certificates by Employer.

1. The employer of any minors under 18 years of age shall:

(a) Keep a list of minors so employed.

(b) Keep on file the certificates issued by the boards of trustees of school districts.

(c) Notify the board of trustees of the school district in which the child last attended school of the fact of employment.

(d) Within 10 days after discharge of an employed minor, return the certificate to the board of trustees issuing it.

SEC. 264. Part-Time School Attendance Counted as Part of Hours

Employed children

excused from
attendance at regular
school

of Legal Employment. Whenever the number of hours for which a child between the ages of 14 and 18 years may be employed are fixed by federal or state law, the hours of attendance in a part-time school or class organized in accordance with the provisions of this article shall be counted as a part of the number of hours fixed for legal employment by federal or state laws.

SEC. 265. Employer To Permit Employed Child To Attend Part-Time School. Any person, firm or corporation employing a child between the ages of 14 and 18 years shall permit the attendance of such child in a part-time school or class whenever such part-time school or class shall have been established in the school district where the child resides or is employed.

SEC. 266. Duty of Parent, Guardian To Send Employed Child To Part-Time School. Unless excused in accordance with the provisions of this act, every parent, guardian or other person in the state having control of any employed child between the ages of 14 years and 18 years shall be required to send the child to a part-time school or class whenever a part-time school or class has been established in the school district where the child resides or is employed.

SEC. 267. Enforcement of Attendance. The officers charged by law with the responsibility for the enforcement of the attendance in regular public schools of children over 6 years of age shall also be charged with the responsibility for enforcement of attendance in part-time schools and classes of children between the ages of 14 and 18 years, in accordance with the provisions of this article.

SEC. 268. Penalties for Parents, Guardians, Employers.

1. If any parent, guardian or other person having control or charge of any child between the ages of 14 and 18 years shall fail to comply with the provisions of this article, he shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment in the county jail for not less than 2 days nor more than 10 days, or by both fine and imprisonment.

2. Any person, firm or corporation employing any child between the ages of 14 and 18 years contrary to the provisions of this article shall be subject to a fine of not less than \$10 nor more than \$100 for each separate offense.

ARTICLE 25. VOCATIONAL EDUCATION

SEC. 269. State Board for Vocational Education: Composition. The state board for vocational education shall consist of the state board of education.

SEC. 270. Executive Officer of Board: Duties.

1. The superintendent of public instruction shall serve as executive officer of the state board for vocational education.

2. The executive officer shall:

(a) With the advice and consent of the state board for vocational education, designate such assistants as may be necessary to carry out properly the provisions of this act.

Truancy officers

(b) Carry into effect such rules and regulations as the state board for vocational education may require.

(c) Maintain an office for the board at the state capital.

(d) Keep all records of the board in the office of the board.

SEC. 271. Regular and Special Meetings of the Board.

1. The state board for vocational education shall hold at least four meetings in each year at the state capital.

2. The board shall hold meetings at such other times as may be designated by the executive officer or upon the request in writing of a majority of the members of the board.

SEC. 272. Powers of the Board. The state board for vocational education shall have authority:

1. To cooperate with any federal agency, board or department designated to administer the acts of Congress referred to in section 95.

2. To administer any legislation enacted pursuant thereto by the State of Nevada.

3. To administer the funds provided by the Federal Government and the State of Nevada under the provisions of this act for the promotion of vocational education in agricultural subjects, trade and industrial subjects and home economics subjects.

4. To formulate plans for the promotion of vocational education in such subjects as are an essential and integral part of the public school system of education in the State of Nevada.

5. To provide for the preparation of teachers of such subjects.

6. Within the limits of the provisions of chapter 351, Statutes of Nevada 1953, as heretofore and hereafter amended, to fix the compensation of such officials and assistants as may be necessary to administer the federal act and this act for the State of Nevada.

7. To pay such compensation and other necessary expenses of administration and travel from appropriated funds.

8. To make studies and investigations relating to vocational education in such subjects.

9. To promote and aid in the establishment by local communities of schools, departments or classes giving training in such subjects.

10. To cooperate with local communities in the maintenance of such schools, departments or classes.

11. To prescribe qualifications for the teachers, directors and supervisors of such subjects.

12. To provide for the certification of such teachers, directors and supervisors.

13. To cooperate in the maintenance of classes supported and controlled by the public for the preparation of the teachers, directors and supervisors of such subjects, or to maintain such classes under its own direction and control.

14. To establish and determine by general regulations the qualifications to be possessed by persons engaged in the training of vocational teachers.

SEC. 273. Report to Legislature. The state board for vocational education shall make a report biennially to the legislature setting forth:

1. The condition of vocational education in the State of Nevada.
2. A list of the schools to which federal and state aid has been given.
3. A detailed statement of the expenditures of the federal funds and state funds provided in section 275.

SEC. 274. Boards of Trustees May Establish, Maintain Vocational Schools and Classes. Any board of trustees of a school district may:

1. Establish and maintain vocational schools or classes giving instruction in agricultural subjects, trade or industrial subjects, or home economics subjects.
2. Raise and expend money for the establishment and maintenance of such vocational schools or classes in the same manner in which moneys are raised and expended for other public school purposes. Moneys so raised may be expended in providing vocational education as outlined in this act.

SEC. 275. School Districts Establishing, Maintaining Vocational Schools, Classes To Share in Federal and State Funds. Whenever any board of trustees of a school district has organized a vocational school or classes in accordance with rules and regulations adopted by the state board for vocational education, which vocational school or classes have been approved by the state board for vocational education, the school district shall be entitled to share in federal and state funds available for the promotion of vocational education in such amounts as shall be determined and approved by the state board for vocational education.

SEC. 276. Funds for Administration of Vocational Education.

1. The moneys for vocational education, which consists of agricultural education, trade and industrial education, home economics education, and such other phases of vocational education as the state board for vocational education may approve for adoption in Nevada schools, shall be provided for and raised in the manner specified in section 95 and this article.
2. The state treasurer shall be custodian of such moneys, which shall be used and administered under the authority of the state board for vocational education.

ARTICLE 26. VOCATIONAL REHABILITATION

SEC. 277. Designation of State Board To Cooperate With Federal Agency. The state board for vocational education is designated as the state board for the purposes of the act of Congress referred to in section 96, and is given all necessary power to cooperate with any federal agency, board or department designated to administer the act of Congress.

SEC. 278. Gifts, Donations for Vocational Rehabilitation; Special Maintenance Fund.

1. The state board for vocational education is authorized to receive gifts and donations, either from public or private sources, which may be offered unconditionally or under such conditions related to the vocational rehabilitation of persons disabled in industry or otherwise as are proper and consistent with the provisions of this act.

2. All moneys received as gifts or donations shall be deposited in the state treasury and shall constitute a permanent fund to be called the special maintenance fund for the vocational rehabilitation of disabled persons, to be used to defray the expenses of vocational rehabilitation in special cases of persons undergoing reeducation and training.

SEC. 279. Vocational Rehabilitation Disability Determinations.

1. In order to facilitate the making of vocational rehabilitation disability determinations in this state, the state board for vocational education on behalf of the State of Nevada is authorized to enter into an agreement with the United States Government, by and through the Secretary of Health, Education, and Welfare, for the making of disability determinations, receiving and expending federal funds for the making of such determinations, and to perform other acts and functions necessary to effectuate the provisions of Title 2 of the Social Security Amendments of 1954, being Public Law 761, 83rd Congress of the United States, and in conformity with section 221 thereof and with all applicable federal regulations adopted pursuant thereto.

2. The state treasurer is authorized and directed to act as custodian of the moneys paid by the Federal Government to the State of Nevada to carry out the agreement referred to in subsection 1. He shall provide for the proper custody and disbursement thereof.

3. The state board for vocational education, by and through its executive officer, shall make the disability determinations required by section 221 of Title 2 of the Social Security Amendments of 1954, and the state treasurer is directed to disburse the funds required for the making of such determinations upon claims by the executive officer of the state board for vocational education in the same manner as other claims against the state are paid.

ARTICLE 27. EDUCATION OF PHYSICALLY OR MENTALLY HANDICAPPED MINORS

SEC. 280. "Physically or Mentally Handicapped Minor" Defined. As used in this article, "physically or mentally handicapped minor" means a physically or mentally defective or handicapped person under the age of 21 years who is in need of education. Any minor who, by reason of physical or mental impairment, cannot receive the full benefit of ordinary education facilities shall be considered a physically or mentally handicapped person for the purposes of this article. Minors with vision, hearing, speech, orthopedic, mental and neurological disorders or defects, or with rheumatic or congenital heart disease, or any disabling condition caused by accident, injury or disease, shall be considered as being physically or mentally handicapped.

SEC. 281. Special Provisions for Education of Handicapped Minors.

1. Subject to the provisions of this article, the board of trustees of a school district may make such special provisions as in its judgment may be necessary for the education of physically or mentally handicapped minors.

2. The board of trustees of a school district may establish uniform rules of eligibility for instruction under the special education programs provided for by this article. The rules and regulations shall be

subject to such standards as may be prescribed by the state department of education.

SEC. 282. Handicapped Minor Need Not Take Advantage of Special Provisions. No minor shall be required to take advantage of the special provisions for the education of physically or mentally handicapped minors if the parent or guardian of the minor files a statement with the board of trustees of the school district showing that the minor is receiving adequate educational advantages.

SEC. 283. Examination of Mentally Retarded Child by Psychologist; Consultation With Parents or Guardian; Consultation With Psychiatrist.

1. Before any child is placed in a school or class for mentally retarded children:

(a) A consultation shall be held with his parents or guardian.

(b) He shall be given a careful individual examination by a competent psychologist approved by the state department of education, or by a person serving under the supervision of such a psychologist and approved by the state department of education, to determine whether the child can profit by education.

2. A psychiatrist may be consulted in any specific case when the board of trustees of a school district deems it necessary.

SEC. 284. Residence of Minor. Any school district furnishing education to physically or mentally handicapped minors shall furnish such education to any resident handicapped minor of the school district.

SEC. 285. Age of Admission to Special Schools, Classes. Handicapped minors may be admitted at the age of 3 years to special schools or classes established for such minors, and their attendance shall be counted for apportionment purposes as if they were already 6 years of age.

SEC. 286. Special Ungraded Schools; Powers of Trustees.

1. Physically or mentally handicapped minors may be instructed in special ungraded schools or classes for the instruction of handicapped minors.

2. Boards of trustees of school districts may:

(a) Purchase sites and erect buildings for such purposes in the same manner as other school sites or school buildings may be purchased and erected.

(b) Rent suitable property at an economical rental for special or ungraded rooms.

(c) Accept gifts or donations of sites and buildings for such purposes.

SEC. 287. Transportation. The board of trustees of a school district may provide for the transportation of pupils assigned to special schools or classes for physically or mentally handicapped pupils.

SEC. 288. Minimum Standards Prescribed by State Board of Education; Limitations on Apportionments. The state department of education shall prescribe minimum standards for the special education of physically or mentally handicapped minors. No apportionment of state funds shall be made by the superintendent of public instruction

to any school district for the instruction of physically or mentally handicapped minors until the program of instruction maintained therein for such handicapped minors is approved by the state department of education as meeting the prescribed minimum standards.

SEC. 289. Computation of Average Daily Attendance. The state board of education shall establish rules and regulations for the computation of average daily attendance of pupils enrolled under the provisions of this article.

SEC. 290. Attendance Reports. The attendance of all physically or mentally handicapped pupils instructed in accordance with the provisions of this article, including those instructed under cooperative arrangements for vocational rehabilitation with the state department of education, shall be reported annually, together with all other attendance, on forms prescribed by the superintendent of public instruction.

CHAPTER V

COURSES OF STUDY

ARTICLE 28. COURSES OF STUDY GENERALLY

SEC. 291. Enforcement of Courses of Study by Trustees. Boards of trustees of school districts shall enforce in schools the courses of study prescribed and adopted by the proper authority.

SEC. 292. Instruction in United States and Nevada Constitutions; Passage of Examination.

1. In all public schools and the Nevada school of industry, instruction shall be given in the essentials of the Constitution of the United States and the constitution of the State of Nevada, including the origin and history of the constitutions and the study of and devotion to American institutions and ideals.

2. The instruction required in subsection 1 shall be given during at least 1 year each of the elementary school and high school grades.

3. No student in such schools shall receive a certificate or diploma of graduation without previously having passed a satisfactory examination upon the constitutions.

SEC. 293. Instruction in American History, Civics, State History. American history, history of the State of Nevada and American civil government shall be taught in all of the grade schools and high schools in the State of Nevada, special scientific schools excepted.

SEC. 294. Patriotic Exercises. There shall be at least 1 hour set aside each school week in all graded schools and high schools in the State of Nevada for the purpose of holding patriotic exercises.

SEC. 295. High School Instruction in Citizenship, Physical Training.

1. All school officers in control of public high schools in the state shall provide for courses of instruction designed to prepare the pupils for the duties of citizenship, both in time of peace and in time of war. Such instruction shall include:

(a) Physical training designed to secure the health, vigor and physical soundness of the pupil.

(b) Instruction relative to the duties of citizens in the service of their country.

It shall be the aim of such instruction to inculcate a love of country and a disposition to serve the country effectively and loyally.

2. Boards of trustees of school districts offering a 4-year high school course are empowered to employ teachers of physical training who shall devote all or part of their time to physical instruction for both boys and girls.

SEC. 296. Instruction in Physiology and Hygiene. Physiology and hygiene shall be taught in the public schools of this state, and special attention shall be given to the effects of stimulants and narcotics upon the human system.

SEC. 297. Instruction in Fish and Game Laws. The fish and game laws of the State of Nevada shall be taught in the public schools of this state, with special attention placed on oral instruction for all children relative to the preservation of songbirds, fish and game.

SEC. 298. Instruction in Thrift. All teachers in the public schools of this state shall teach, in their respective schools, lessons on the subject of thrift. The lessons shall emphasize:

1. The importance of industry, production, earning, wise spending, regular saving and safe investment and government taxes.
2. The importance of thrift in time and material.

SEC. 299. Automobile Driver Training.

1. The state board of education shall adopt rules and regulations governing the establishment, conduct and scope of automobile driver training in the public schools of this state.

2. The aims and purposes of automobile driver training shall be to develop the knowledge, attitudes, habits and skills necessary for the safe operation of motor vehicles.

3. The board of trustees of a school district maintaining a high school may establish and maintain automobile driver training for pupils enrolled in the regular full-time day high schools in the district only in accordance with the rules and regulations adopted by the state board of education.

4. A board of trustees maintaining courses in automobile driver training shall insure against any liability arising out of the use of motor vehicles in connection with such courses. The cost of such insurance shall be paid from available school district funds.

5. Automobile driver training shall be conducted by the state board of education and boards of trustees and shall not be duplicated by any other agency, department, commission or officer of the State of Nevada. The duties of automobile driver training previously conducted by the public service commission of Nevada are transferred to the state board of education.

CHAPTER VI

TEXTBOOKS

ARTICLE 29. STATE TEXTBOOK COMMISSION

SEC. 300. Recognition and Membership. There is in the state department of education a state textbook commission, consisting of the members of the state board of education and six additional persons appointed by the governor, one from each of the educational supervision districts of the state.

SEC. 301. Qualifications of Appointive Members. The appointive members of the state textbook commission shall be persons actively engaged in school work.

SEC. 302. Terms of Appointive Members.

1. The five members of the state textbook commission appointed by the governor prior to the effective date of this act, together with one new member to be appointed by the governor within 30 days after the effective date of this act, shall constitute the appointive members of the state textbook commission until February 1, 1959.

2. On or before January 15, 1959, and every 4 years thereafter, the governor shall appoint six members of the state textbook commission, who will hold office for 4 years from and after February 1 succeeding their appointment.

SEC. 303. Oaths of Appointive Members. Before entering upon the duties of his office, an appointive member of the state textbook commission shall take the constitutional oath of office and file the same in the office of the secretary of state.

SEC. 304. Appointment to Fill Vacancy. If a vacancy occurs during the term of an appointive member by death, resignation or removal, the governor shall fill the vacancy by the appointment of an eligible person to serve for the remainder of the unexpired term.

SEC. 305. President, Secretary of the Commission.

1. The governor shall be ex officio president of the state textbook commission.

2. The superintendent of public instruction shall be ex officio secretary of the state textbook commission.

SEC. 306. Rules of Procedure. The state textbook commission shall adopt rules of procedure not inconsistent with the provisions of this chapter.

SEC. 307. Quorum. A majority of the members of the commission shall constitute a quorum for the transaction of business.

SEC. 308. Regular and Special Meetings.

1. The state textbook commission shall hold regular meetings to adopt textbooks in the office of the superintendent of public instruction in Carson City, Nevada, not later than the 3rd Tuesday in March 1956, and not later than the 3rd Tuesday in March every 2 years thereafter, unless an earlier date is requested by a majority of the members. The secretary shall give written notice of the meetings.

2. At the request or with the consent of five members, the secretary may call a special meeting whenever there is important business to justify the call. The written call given by the secretary shall state definitely the purpose of the meeting.

3. All meetings of the state textbook commission shall be public. The secretary shall keep a full and correct record of all proceedings, which record shall be open to public inspection.

4. The state textbook commission shall not be in session more than 20 days in any 1 year.

SEC. 309. Meetings for Adoption of Textbooks: Rollcall Vote; Adjournments.

1. At the meeting held not later than the 3rd Tuesday in March

1956, and not later than the 3rd Tuesday in March every 2 years thereafter, the state textbook commission may adopt a uniform series of textbooks for exclusive use as textbooks in all the elementary public schools of the state.

2. When regular adoptions are being made, the state textbook commission may adjourn from day to day, but the session shall not continue beyond 15 actual days.

3. Votes on the adoption of all textbooks shall be by rollcall, and the secretary shall record the name and the vote of each member.

SEC. 310. Expenses of Members.

1. The members of the state textbook commission shall receive actual and necessary per diem and travel expenses as authorized by law when engaged in transacting the business of the state textbook commission.

2. Funds to carry out the provisions of this section shall be provided by legislative appropriation from the general fund.

3. Claims for expenses shall be allowed and paid as other claims against the state are paid.

ARTICLE 30. SELECTION AND PURCHASE OF TEXTBOOKS

SEC. 311. Notice to Textbook Publishers; Sealed Proposals.

1. Not later than November 10, 1957, and every 2 years thereafter, if the state textbook commission shall deem it advisable to make changes in the lists of prescribed textbooks, the secretary shall notify all publishers of textbooks who have placed their names and post office addresses on file with the superintendent of public instruction that up to 12 noon of the first day set for the meeting of the state textbook commission the state textbook commission will receive sealed proposals for supplying the State of Nevada with a series of textbooks and approved supplemental books for use in all the public elementary schools of the state for a period of 4 years from and after September 1 next following the meeting, the books to cover the following subjects: Reading, grammar, arithmetic, geography, history of the United States, physiology and hygiene, writing, spelling, drawing, music, and such other subjects as are approved by the state board of education.

2. Sealed proposals shall:

(a) Be made in accordance with a form to be prescribed by the state textbook commission.

(b) Be addressed to the superintendent of public instruction, Carson City, Nevada.

(c) Be endorsed, "Sealed proposals for supplying textbooks for use in the State of Nevada."

(d) Include a statement of the introductory price, the exchange price for new books in the hands of dealers, the exchange price for secondhand books, and the retail price at which publishers will agree to furnish each textbook to the school children of Nevada at one or more places in the state designated as state textbook depositories by the state textbook commission.

SEC. 312. Notices to Textbook Publishers When Purchase Contract Expires, Terminates. Whenever a contract for any textbook adopted

at a regular meeting of the state textbook commission shall be terminated by reason of the failure of any contracting publisher to perform the terms and conditions of the contract, or when any contract shall cease to be effective, the state textbook commission may adopt another textbook after notice has been given to textbook publishers in the manner provided in section 311 that:

1. Adoption will be made to fill out the unexpired term of the contract; and

2. Sealed bids will be filed with the superintendent of public instruction on or before a specified date to be determined by the state textbook commission.

SEC. 313. Adoption of Textbooks by Commission; Rejection of Proposals.

1. The state textbook commission shall:

- (a) Meet at the time and place mentioned in the notice.

- (b) Open all sealed proposals publicly in the presence of a quorum of the commission.

- (c) Select and adopt textbooks for use in the public schools.

- (d) Approve such supplemental books as in the opinion of the commission will best serve the educational interests of the state.

2. The state textbook commission may reject any and all proposals, if it be deemed by the commission to be in the interest of the state so to do, and call for new proposals, stating the time when such new proposals shall be opened, which time shall not be later than 30 days from the rejection of the previous proposals.

SEC. 314. Certification of Selected Textbooks.

1. The series of textbooks selected and approved by the state textbook commission shall be certified to by the president and the secretary. The certificate, with a copy of the books named therein, shall be filed in the office of the superintendent of public instruction.

2. The certificate shall contain a complete list of all books adopted and approved by the state textbook commission, giving introductory, exchange and retail prices for which each textbook will be furnished, and the names of the publishers agreeing to furnish the same.

3. The books named in the certificate shall, for a period of 4 years from and after September 1 next following the date of adoption, be used in all the public schools of the state to the exclusion of all others.

4. Nothing in this chapter shall be construed so as to prevent the purchase or use by a school district after approval by the superintendent of public instruction of any supplemental or reference books for use in the schools of this state.

SEC. 315. Power of Commission To Make Contracts; Provisions of Contracts.

1. The state textbook commission shall have power to make such contracts for the purchase and use of textbooks in the name of the state as the commission shall deem necessary for the interests of the public schools.

2. Contracts shall:

- (a) Set forth the introductory, exchange and retail price of each

textbook, which prices shall not be less favorable than those at which such books are sold in any other state.

(b) Provide that the state or any school district may purchase its books direct from the publishers of the same.

3. If payment for such books is delayed more than 60 days after delivery, the account shall draw interest at the rate of 6 percent per annum from the date of delivery until paid.

SEC. 316. Contracting Publisher To Furnish Bond; Forfeiture; Action by Attorney General.

1. Each publisher contracting to furnish textbooks adopted by the state textbook commission shall give a bond in an amount equal to one-half of the value of the books to be furnished during one school year, as estimated by the state textbook commission. The bond shall be forfeited to the state distributive school fund if the publisher fails to comply with the terms of the contract in any county of the state.

2. The bond shall not be forfeited through the unauthorized action of textbook dealers in this state if the publisher, after notice given by the superintendent of public instruction, corrects promptly any violation of contract prices on the part of any local dealer.

3. Upon information furnished by the state textbook commission, the attorney general shall bring an action for the recovery of the amount of any such bond of any publisher who shall have failed to comply with the terms of any contract, and the full amount named in the bond shall be deemed to be fixed and liquidated damages for the breach of such contract.

SEC. 317. Contracts Effective When Bonds Filed. No contract with a publisher of textbooks shall be effective until the publisher shall file with the secretary of state his bond, with at least two sufficient sureties, or a bond written by a surety company authorized to do business in the State of Nevada, approved by the governor in the sum determined by the state textbook commission.

SEC. 318. Failure of Contracting Publisher To Comply With Conditions; Adoption of Textbooks Void.

1. If, on or before July 15 next following the adoption of any textbooks by the state textbook commission, a publisher shall not have filed with the secretary of state a bond as required by this article, or if the publisher shall at any time thereafter fail to comply with the terms of the contract, and if, within a reasonable time after notice shall have been given by the superintendent of public instruction, the publisher shall have failed to comply with the conditions of the contract in any respect, the adoption of such books shall become void.

2. The textbooks adopted by the state textbook commission under this act shall, upon the compliance of the publishers with the required conditions, continue in use for the period of 4 years after September 1 next following the date of such adoption, to the exclusion of all other textbooks.

SEC. 319. Distribution of Guaranteed Prices of Textbooks. Whenever the publishers of the textbooks adopted under the provisions of this chapter shall have filed their bonds, the superintendent of public

instruction shall cause all prices of textbooks as guaranteed by the publishers to be printed and distributed among the superintendents of schools and boards of trustees of school districts. Boards of trustees shall cause such prices to be kept available in each school building.

SEC. 320. Penalty for Overcharges on Textbooks.

1. Any person who shall sell or bargain to sell any of the regularly adopted textbooks for any amount more than the prices agreed upon by the several textbook publishers and the state textbook commission shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$20 nor more than \$100.

2. Any local dealer in the state may, when sending out such books by mail, include in the selling price the cost of postage necessary to send such books by mail.

ARTICLE 31. USE OF TEXTBOOKS

SEC. 321. Trustees to Enforce Use of Adopted Textbooks. Boards of trustees of school districts in this state shall enforce in schools the use of textbooks prescribed and adopted by the proper authority.

SEC. 322. Use of Adopted Textbooks; Penalties; Teachers' Reports.

1. The textbooks adopted by the state textbook commission shall be used in every public school in the state in the grades for which they are adopted, and no other books shall be used as textbooks in such grades.

2. This section shall not be interpreted in such a manner as to prohibit:

(a) The continued use of such textbooks previously approved until they become unserviceable.

(b) The use of supplemental books purchased by a school district with the approval of the superintendent of public instruction.

(c) After approval by the state textbook commission, the temporary use for tryout purposes of textbooks submitted by textbook publishers for state adoption.

3. Any school officer or teacher who shall violate the provisions of this chapter by requiring pupils to use textbooks other than those adopted by the state textbook commission or other approved textbooks, or by permitting the use of such other books as textbooks, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$20 nor more than \$100.

4. All superintendents, principals, teachers and school officers are charged with the execution of this section, and the superintendent of public instruction shall require the teachers of the several school districts or the principals of the schools thereof to report annually as to the textbooks used in their schools.

CHAPTER VII

PERSONNEL

ARTICLE 32. CERTIFICATION OF EDUCATIONAL PERSONNEL

SEC. 323. Kinds of Teachers' Certificates.

1. There are in this state the following kinds of teachers' certificates:

Teacher's Certificates

- (a) High school certificates.
- (b) Elementary certificates.
- (c) Junior high school certificates.
- (d) Special certificates.

2. A high school certificate authorizes the holder thereof to teach in any high school in the state.

3. An elementary certificate authorizes the holder thereof to teach in any elementary school in the state, but no teacher shall be eligible to act as principal of an elementary school unless he holds an elementary certificate of the first grade, as defined by the rules and regulations of the state board of education.

4. A junior high school certificate authorizes the holder thereof to teach in any junior high school in the state.

5. A special certificate authorizes the holder thereof to teach such branches of learning and in such grades and school districts as are named in the certificate.

Sec. 324. Teachers' Certificates, Life Diplomas Granted by State Board of Education. All teachers' certificates and life diplomas shall be granted by the state board of education. The state board of education may issue certificates to all qualified persons under the rules and regulations of the state board of education.

Sec. 325. Certification Bureau. The state board of education is authorized to provide for and establish a certification bureau in the state department of education and to provide for the employment of a competent assistant. The superintendent of public instruction, without extra compensation, shall be the administrator of the certification bureau.

Sec. 326. Fees for Issuance, Renewal of Certificates, Diplomas.

1. The state board of education is authorized to fix fees for the issuance and renewal of certificates and for the issuance of life diplomas. Fees for issuing duplicate certificates or diplomas shall be the same as for issuing the originals.

2. The moneys received from fees collected under the provisions of this article shall be paid into the general fund.

Sec. 327. Legislative Appropriations To Carry Out Provisions of Article. Funds to carry out the provisions of this article shall be provided by legislative appropriation from the general fund, and shall be paid out on claims as other claims against the state are paid. All claims shall be approved by the superintendent of public instruction before they are paid.

ARTICLE 33. QUALIFICATIONS AND REQUIREMENTS OF TEACHERS AND OTHER EMPLOYEES

Sec. 328. Citizenship Requirements.

1. Except as provided in section 329, it shall be unlawful for:

(a) The superintendent of public instruction or a board of trustees of a school district to employ any teacher, instructor, principal or superintendent of schools who is not a citizen of the United States or who has not declared his intention to become a citizen of the United States.

(b) The state controller or any county auditor to issue any warrant

State Board to issue
teachers' certificates

Certification Bureau

Teacher Qualifications

to any teacher, instructor, principal or superintendent of schools who is not a citizen of the United States or who has not declared his intention of becoming a citizen of the United States.

2. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$500, or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

SEC. 329. Employment of Alien Exchange Teachers. Nothing in section 328 or in any other law shall be construed to prohibit the employment, by the superintendent of public instruction or a board of trustees of a school district, of any teacher or instructor authorized to teach in the United States under the teacher exchange programs authorized by laws of the Congress of the United States.

SEC. 330. Official Oath for Teachers.

1. Each teacher employed in this state whose compensation is payable out of the public funds, except teachers employed pursuant to the provisions of section 329, shall take and subscribe to the constitutional oath of office before entering upon the discharge of his duties.

2. The oath of office, when taken and subscribed, shall be filed in the office of the deputy superintendent of public instruction of the proper educational supervision district.

3. The superintendent of public instruction, deputy superintendents of public instruction, members of boards of trustees of school districts, superintendents of schools and principals of schools are empowered to administer the oath of office to teachers.

SEC. 331. Teachers Required To Show Knowledge of United States Constitution, Nevada Constitution.

1. Any person who is:

(a) Granted a certificate to teach in the public schools of Nevada; or

(b) Granted a renewal of his certificate; or

(c) Charged with the duty at the Nevada industrial school of giving instruction in the Constitution of the United States and the constitution of the State of Nevada,

shall be required to show, by examination or credentials showing college, university or normal school study, satisfactory evidence of adequate knowledge of the origin, history, provisions and principles of the Constitution of the United States and the constitution of the State of Nevada.

2. The state board of education may grant a reasonable time for compliance with the terms of this section.

ARTICLE 34. EMPLOYMENT AND SALARIES OF TEACHERS AND OTHER EMPLOYEES

SEC. 332. Employment of Personnel by Boards of Trustees.

1. The board of trustees of a school district may employ a superintendent of schools, teachers and all other necessary employees.

2. Notwithstanding the provisions of section 7 of chapter 125, Statutes of Nevada 1865, the board of trustees of a school district may

Teachers required to show, by exam or credentials, knowledge of US & Nev Constitutions

employ independent legal counsel when such employment is deemed necessary by the board.

SEC. 333. Superintendent of Schools.

1. The board of trustees of a school district is authorized to:

(a) Employ any person regularly certificated to serve as the superintendent of schools of the school district. In school districts having 7,000 or more students, the superintendent of schools shall hold at least a master's degree in school administration or education.

(b) Define his powers and fix his duties.

(c) Fix his salary.

2. No superintendent of schools shall be employed for more than a term of 1 year unless he shall have first served 2 years satisfactorily in the school district. If he has served 2 years satisfactorily in the school district he may be employed for a term of not to exceed 4 years.

3. A superintendent of schools may be dismissed at any time for cause.

4. A superintendent of schools is authorized to administer:

(a) Teachers' oaths or affirmations of office.

(b) All other oaths or affirmations relating to public schools.

SEC. 334. Teachers: Written Contracts of Employment; Limitations Upon Employment.

1. Boards of trustees of the school districts in this state shall have the power to employ legally qualified teachers, to determine the salary to be paid each teacher, and the length of the term of school for which teachers shall be employed. These conditions shall be embodied in a written contract to be signed by the president and the clerk of the board of trustees and the teacher, or by a majority of the trustees and the teacher. A copy of the contract, properly written, shall be delivered to each teacher not later than the opening of the term of school.

2. A board of trustees shall not have the right to employ teachers for any school year commencing after the expiration of the time for which any member of the board of trustees was elected or appointed.

3. It shall be unlawful for the board of trustees of any school district to employ any teacher who is not legally qualified to teach all the grades which such teacher is engaged to teach.

SEC. 335. Reemployment of Teachers; Acceptance.

1. On or before May 1 of each year, boards of trustees of the several school districts shall notify in writing the teachers in their employ concerning the reemployment of such teachers for the ensuing year. If the board, through its proper official, shall fail so to notify its teachers, then those teachers who are employed and who have been so employed for the major part of the current year shall be deemed reemployed on the same terms as for the then-closing school year, and the board shall issue the regular contracts in such cases as though the board had employed the teachers in the usual manner.

2. Any teacher who shall have been informed of his reemployment by written notice from the board, or who shall have been automatically reemployed in accordance with the provisions of this section, shall, within 10 days thereafter, present to the board in writing his

Each teacher to have a contract

Board of Trustees to notify each teacher concerning his reemployment for the ensuing year.

acceptance of the position. Failure on the part of the teacher to notify the board of his acceptance as provided in this subsection shall be regarded as conclusive evidence of his nonacceptance of the position.

SEC. 336. Unlawful Employment of Relatives by Trustees.

1. Except as provided in subsection 2, no person acting as a member of a board of trustees of a school district shall employ any person in violation of the provisions of "An act to prohibit school trustees, state, county, municipal and township officials from employing or keeping in their employ any person or persons related to them within the third degree of consanguinity, or affinity, and providing penalties for the violation of the provisions of this act," approved March 16, 1925, and being chapter 75, Statutes of Nevada 1925.

2. If, as a result of the abolishment of a school district or an educational district by this act, the continued employment by a county school district of any person theretofore lawfully employed by the abolished school district or educational district becomes unlawful, the board of trustees of the county school district may continue the employment of such person until July 1, 1957, notwithstanding the provisions of chapter 75, Statutes of Nevada 1925.

SEC. 337. Payment of Teachers' Salaries From State Apportionments; Withholding for Group Insurance.

1. Boards of trustees of school districts in this state shall have the power to pay toward the salaries of legally qualified teachers the public moneys apportioned to school districts for such purpose, by giving them orders therefor on the county auditor.

2. Boards of trustees are authorized to deduct from teachers' salaries, upon the written request of the teachers, moneys for the payment of group insurance of any kind.

SEC. 338. Determination of Teachers' Salaries. The salaries of teachers shall be determined by the character of the service required. In no school district shall there be any discrimination against female teachers in the matter of salary.

SEC. 339. Conditions for Receipt of Salaries. No teacher shall be entitled to receive any portion of the public school moneys as compensation for services rendered unless:

1. The teacher shall have been legally employed by the board of trustees of the school district in which he is teaching.

2. The teacher shall have a certificate issued in accordance with law and in full force at the time the services are rendered.

3. The teacher shall have made a full, true and correct report, in the form and manner prescribed by the state board of education, to the superintendent of public instruction and to the board of trustees.

SEC. 340. Payment of Salaries of Teachers, Other Employees; Absences With Compensation.

1. As used in this section, "teacher" means a teacher, a principal and a superintendent of schools of a school district in this state.

2. A school month in any public school in this state shall consist of 4 weeks of 5 days each, and, except as otherwise provided, a teacher thereof shall be paid only for the time in which he is actually engaged

in teaching or in other educational services rendered the school district.

3. Nothing contained in this section shall prohibit the payment of teachers' compensation in 12 equal monthly payments for 9 or more months' teaching.

4. The per diem deduction from the salary of a teacher because of absence from service for reasons other than those specified in this section shall be made on the basis of the monthly payment of such salary.

5. Boards of trustees may pay the salary of any teacher unavoidably absent because of personal illness or accident, or because of serious illness, accident or death in his family, but such salary shall not be paid for more than 10 school days in the aggregate in any one school year, or for more than 20 school days in the aggregate for any two consecutive school years, or for more than 30 school days in the aggregate for any three consecutive school years in the same school unless:

(a) Specifically authorized by the unanimous vote of the board of trustees upon the written request of the teacher for some special, substantial and convincing reason, and under such peculiar circumstances as to make such compensation fair and reasonable to all affected thereby and not detrimental to the school district; and

(b) Approved by the deputy superintendent of public instruction of the proper educational supervision district.

6. When an intermission of less than 6 days is ordered by the board of trustees for any good reason, no deduction of salary shall be made therefor. When on account of sickness, epidemic or other emergency in the community, a longer intermission is ordered by the board of trustees or by a duly constituted board of health and such intermission or closing does not exceed 30 days at any one time, there shall be no deduction or discontinuance of salaries.

Sec. 341. Teachers' Salaries Not To Be Paid in Advance. It shall be unlawful for a board of trustees of any school district to order the payment of teachers' salaries in advance of the time when earned.

Sec. 342. Teachers' Salaries Prior Claims on School Fund. The salaries of the teachers in a school district as determined by the contracts between the teachers and the board of trustees shall be prior claims upon the school district fund.

ARTICLE 35. POWERS AND DUTIES OF PRINCIPALS AND TEACHERS

Sec. 343. Trustees May Empower Principals and Teachers. The board of trustees of a school district may direct the principals and teachers employed by them to exercise such powers and authority in the schools as the board of trustees has under this act.

Sec. 344. Principals May Administer Oaths. School principals are authorized to administer the oath or affirmation of office to teachers, and all other oaths and affirmations relating to public schools.

Sec. 345. Teachers: Filing of Certificates and Oaths With Deputy Superintendent.

1. Upon the opening of any public school in this state, every teacher

therein shall file with the deputy superintendent of public instruction of the proper educational supervision district a Nevada teacher's certificate entitling the holder to teach in the school in which he will be employed, together with the oath of office, and any other report that the superintendent of public instruction shall require.

2. The deputy superintendent of public instruction shall acknowledge the receipt of each teacher's certificate and shall make a proper record of the same in his office. The teacher's certificate shall remain on file and shall be safely kept in the office of the deputy superintendent of public instruction.

SEC. 346. Teachers: Keeping of Registers, Making of Reports.

1. Each teacher in the public schools shall:

(a) Keep a true, full and correct record of all pupils attending such school in accordance with the registers prescribed by the superintendent of public instruction.

(b) Make other reports of such records at such times and to such school officers as the superintendent of public instruction shall designate.

2. All school registers shall be delivered to the board of trustees at the close of every school term.

SEC. 347. Final Reports of Teachers.

1. Two weeks before closing the school, each teacher shall make a final report in the manner and on the blank forms prescribed by the superintendent of public instruction. The final report shall include all required statistics and information for the entire school year, notwithstanding any previous report for a part of the year. The teacher shall make fair estimates of the statistics and information of the last 2 weeks in order to close the final report.

2. Upon receipt of the teacher's final report, the deputy superintendent of public instruction shall, if he approves the report as correct, notify the clerk of the board of trustees of the school district from which the report comes that the teacher's final report as required by law has been received. Only then shall the clerk of the board of trustees draw the board's order in payment for the teacher's last month's salary. Any order of a board of trustees drawn in violation of the provisions of this section shall be illegal.

SEC. 348. Teachers: Enforcement of Courses of Study, Textbooks. Every teacher in the public schools shall enforce the course of study as prescribed by law, the use of legally authorized textbooks, and the rules and regulations prescribed for teachers and schools.

SEC. 349. Teachers: Holding Pupils to Account for Conduct. Every teacher in the public schools shall hold pupils to a strict account of their conduct on and in close proximity to the schoolgrounds, on the playground, and during any intermission.

ARTICLE 36. EDUCATIONAL CONFERENCES

SEC. 350. Attendance of Teachers at Conferences. All teachers, without loss of salary for the time employed, shall be required to attend the teachers' conferences held in the educational supervision

district in which they may be teaching, unless they shall be excused for good cause by the superintendent of public instruction.

SEC. 351. Payment of Travel, Living Expenses of School Administrators and Teachers for Attending Educational Conferences.

1. Whenever an educational conference is called by the state department of education for a school district, for an educational supervision district, or for the state, the board of trustees of a school district whose school administrators and teachers are required to attend the educational conference shall, unless such school administrators or teachers are excused for cause by legally authorized authority from attendance:

(a) Pay the actual necessary transportation expenses of school administrators and teachers of the school district to and from the educational conference.

(b) Pay the actual necessary living expenses of school administrators and teachers of the school district while attending the educational conference.

2. Expenses shall be paid out of the school district fund and claims therefor shall not exceed the statutory rate fixed for state officers.

ARTICLE 37. DISMISSALS AND REMOVALS

SEC. 352. Causes for Dismissal, Removal. The willful neglect or failure on the part of any superintendent of schools, principal or teacher to observe and carry out the requirements of this act shall be sufficient cause for the dismissal or removal of such person from his position.

SEC. 353. Advocating Overthrow of Government Cause for Dismissal. It shall be sufficient cause for the dismissal of any teacher in the public schools when such teacher advocates, or is a member of an organization which advocates, overthrow of the Government of the United States or of the state by force, violence or other unlawful means.

ARTICLE 38. REVOCATION AND SUSPENSION OF CERTIFICATES AND DIPLOMAS

SEC. 354. Suspension, Revocation of Certificates, Diplomas by State Board of Education. The state board of education may suspend or revoke the certificate or diploma of any teacher for any cause specified by law.

SEC. 355. Causes for Revocation of Certificates, Diplomas. The state board of education shall have power to revoke any state diploma or any state certificate of any teacher, after notice and an opportunity for hearing before the state board of education, for:

1. Immoral or unprofessional conduct.
2. Evident unfitness for teaching.
3. Persistent defiance of or refusal to obey the laws of this state, the rules and regulations of the state board of education, or the rules and regulations of the superintendent of public instruction, defining and governing the duties of teachers.

SEC. 356. Revocation or Forfeiture for Falsely Reporting Pupils' Attendance. Any teacher, principal or superintendent who shall knowingly report, cause to be reported, or permit to be reported the presence of any pupil or pupils at schools when such pupil or pupils were absent, or when school is not in session, shall forfeit his certificate or by his action subject it to revocation, and the same shall not be restored or a new one granted within 1 year after such forfeiture or revocation.

SEC. 357. Suspension of Certificate for Breach of Contract by Teacher.

1. If any teacher employed by any board of trustees of a school district for a specified time shall fail to comply with the provisions of his contract without the written consent of the board of trustees, the teacher shall be deemed guilty of unprofessional conduct.

2. Upon receiving formal complaint from the board of trustees or the deputy superintendent of public instruction of the proper educational supervision district, substantiated by conclusive evidence of such failure, the state board of education may suspend the certificate of the teacher for a period of 1 year.

ARTICLE 39. RETIREMENT; OLD-AGE AND SURVIVORS INSURANCE

SEC. 358. Retirement Benefits for Teachers and Other School District Employees.

1. Public school teachers and other certificated employees of school districts shall receive the benefits provided under the contract of integration entered into between the state board of education and the public employees' retirement board on September 1, 1949, pursuant to the provisions of section 9(2) of "An act establishing a system of retirement and of benefits at retirement or death for certain officers and employees of the state and its political subdivisions; creating the public employees' retirement fund and board, and giving certain powers unto said board; providing and establishing the necessary funds and accounts; providing for the integration of other similar systems within this system; providing for the cost of the system; appropriating money therefor; providing for the superseding and repeal of acts or parts of acts in conflict herewith, and providing a savings clause, and matters properly connected therewith," approved March 27, 1947, and being chapter 181, Statutes of Nevada 1947, as heretofore amended.

2. From the effective date of this act until such time as a determination shall be made as to the participation or nonparticipation of a county school district in the public employees' retirement system in accordance with the provisions of chapter 181, Statutes of Nevada 1947, as heretofore amended, the board of trustees of a county school district shall deduct retirement contributions and administrative charges from the compensation of eligible noncertified employees of the county school districts who were employed by school districts and educational districts abolished by this act, participating in the public employees' retirement system on the effective date of this act.

If the county school district should elect to participate, the deductions withheld by the board of trustees shall be transmitted to the public employees' retirement board in the manner directed by the public employees' retirement board. The employees from whom such deductions have been withheld shall receive credit toward retirement for the service represented thereby and shall have credited to their individual accounts the sums deducted for retirement.

Noncertified employees previously employed by the school districts and educational districts abolished by this act who were not members of the public employees' retirement system on the effective date of this act, if otherwise eligible under the provisions of chapter 181, Statutes of Nevada 1947, as heretofore amended, shall become members of the public employees' retirement system as of the date of the start of contributions to the public employees' retirement fund following participation by the county school district in the public employees' retirement system.

If the county school district should elect not to participate in the public employees' retirement system, all amounts deducted from the compensation of noncertified employees as provided in this subsection shall be returned by the county school district to the individual employees.

SEC. 359. Termination of Agreements of Abolished School Districts Providing for Employee Participation in Federal Old-Age and Survivors' Insurance Coverage; Obligations of New School Districts.

1. All agreements and modifications thereof made by a board of trustees of a school district or educational district abolished by this act with the Federal Security Administrator or the Secretary of Health, Education, and Welfare pursuant to the provisions of:

(a) "An act authorizing a state authority appointed by the governor to enter into certain agreements with the federal security administration concerning social security coverage for certain state and political subdivision workers, creating a certain revolving fund, and other matters properly connected therewith," approved March 16, 1953, and being chapter 103, Statutes of Nevada 1953; and

(b) "An act providing for the participation of employees of the state and its political subdivisions in federal old-age and survivors insurance coverage under the provisions of Title II, Section 218, of the Social Security Act; defining certain words and terms; providing for the execution of federal-state agreements and modifications thereto; requiring the payments of contributions by state employees and providing for the approval of plans for the coverage of employees of political subdivisions; creating the social security revolving fund and the social security administration fund and providing for their administration; making an appropriation therefor; imposing certain duties upon the state agency designated to administer the provisions of this act; repealing certain acts and parts of acts; and other matters properly relating thereto," approved March 29, 1955, and being chapter 420, Statutes of Nevada 1955; and

(c) The rules and regulations of the employment security department of the State of Nevada,

providing for the participation of employees of school districts and educational districts in Federal Old-Age and Survivors Insurance coverage under the provisions of Title II, Section 218, of the Social Security Act shall terminate on the effective date of this act.

2. Any moneys due by any abolished school district or educational district on the effective date of this act pursuant to the terms and conditions of any agreement and modifications thereof made by the board of trustees of the abolished school district or educational district providing for the participation of employees of school districts and educational districts in Federal Old-Age and Survivors Insurance coverage under the provisions of Title II, Section 218, of the Social Security Act shall become the obligation of and shall be paid by the board of trustees of the new county school district whose area includes the area of the contracting school district or educational district abolished by this act.

CHAPTER VIII

PUPILS

ARTICLE 40. GENERAL PROVISIONS RELATING TO PUPILS

SEC. 360. Admission of Pupils From Adjoining State, District; Agreements; Tuition and Transportation Charges.

1. The board of trustees of any school district may, with the approval of the deputy superintendent of public instruction of the educational supervision district in which the school district is located:

(a) Admit to the school or schools of the school district any pupil or pupils living in an adjoining state or in an adjoining school district within this state; or

(b) Pay tuition for pupils residing in the school district but who attend school in an adjoining state or in an adjoining school district within this state.

2. An agreement shall be entered into between the board of trustees of the school district in which the pupil or pupils reside and the board of trustees of the school district in which the pupil or pupils attend school, providing for the payment of such tuition as may be agreed upon, but:

(a) The amount of tuition per pupil in average daily attendance shall not exceed the average current expenditure per pupil of the school district where such pupil or pupils reside; and

(b) If tuition is paid to a school district in an adjoining state, the school district in which the pupil or pupils reside shall not pay any costs of board, lodging and subsistence of the pupil or pupils as provided in section 394; and

(c) Transportation costs shall be paid by the board of trustees of the school district in which the pupil or pupils reside:

(1) If any are incurred in transporting a pupil or pupils to an adjoining school district within the state; and

(2) If any are incurred in transporting a pupil or pupils to an adjoining state; but no transportation costs in excess of costs incurred for transporting a pupil or pupils 30 miles one way or 60 miles round trip shall be allowed and paid.

SEC. 361. Exclusion of Under-Age Children. Boards of trustees of school districts in this state shall have the power to exclude from school all children under 6 years of age when the interests of the school require it.

SEC. 362. Suspension or Expulsion of Pupils.

1. Subject to the provisions of subsection 2, the board of trustees of a school district shall have the power to suspend or expel from any public school within the school district, with the advice of the teachers and deputy superintendent of public instruction of the proper educational supervision district, any pupil who will not submit to reasonable and ordinary rules of order and discipline therein.

2. No school teacher, principal or board of trustees shall expel or suspend any pupil under the age of 14 years for any cause without first securing the consent of the deputy superintendent of public instruction of the proper educational supervision district.

ARTICLE 41. COMPULSORY EDUCATION

SEC. 363. Child Between 7 and 18 Years of Age: Attendance in Public School.

1. Except as otherwise provided by law, each parent, guardian, or other person in the State of Nevada having control or charge of any child between the ages of 7 and 18 years shall be required to send such child to a public school during all the time such public school is in session in the school district in which such child resides.

2. If such child will arrive at the age of 6 years by December 31, the child shall be admitted to the first grade of the school at the beginning of the school year, and his attendance shall be counted for apportionment purposes as if he were already 6 years of age. If a child will not arrive at the age of 6 years by December 31 he shall not be admitted until the beginning of the immediately following school term.

SEC. 364. Children With Physical or Mental Condition Preventing Attendance or Application To Study Exempted From Attendance.

1. A child shall be excused from attendance required by the provisions of section 363 when satisfactory written evidence is presented to the board of trustees of the school district in which the child resides that the child's physical or mental condition or attitude is such as to prevent or render inadvisable his attendance at school or his application to study.

2. A certificate in writing from any reputable physician, filed with the board of trustees immediately after its receipt, stating that the child is not able to attend school or that his attendance is inadvisable shall be taken as satisfactory evidence by the board of trustees.

SEC. 365. Exemption From Attendance Upon Completion of Elementary, High School Course. Attendance required by the provisions of section 363 shall be excused when satisfactory written evidence is presented to the board of trustees of the school district in which the child resides that he has already completed the 12 grades of the elementary and high school courses.

SEC. 366. Children Receiving Equivalent, Approved Instruction

Compulsory education
between 7 & 18

Exempted From Attendance. Attendance required by the provisions of section 363 shall be excused when satisfactory written evidence is presented to the board of trustees of the school district in which the child resides that the child is receiving at home or in some other school equivalent instruction of the kind and amount approved by the state board of education.

Attendance excused when child receiving at home or some other school equivalent instruction

SEC. 367. Distant Residence From Nearest School Exempts Child From Attendance; Approval and Notice. Attendance required by the provisions of section 363 shall be excused when the deputy superintendent of public instruction of the proper educational supervision district has determined that the child's residence is located at such distance from the nearest public school as to render attendance unsafe or impractical, and the child's parent or guardian has notified the board of trustees to that effect in writing.

SEC. 368. Juvenile Court May Permit Child Who Has Completed Eighth Grade To Leave School. After review of the case, the juvenile division of the district court may issue a permit authorizing any child who has completed the eighth grade to leave school.

SEC. 369. Exemption From School Attendance When Child 14 Years of Age or Over Must Work for His Own or Parent's Support. Attendance required by the provisions of section 363 shall be excused when satisfactory written evidence is presented to the board of trustees of the school district in which the child resides that the child, 14 years of age or over, must work for his own or his parent's support.

SEC. 370. Students Between 14 and 18 Years of Age Completing Eighth Grade Excused From Full-Time School Attendance for Employment, Apprenticeship.

Students 14 - 18 may be excused for employment

1. Any student between the ages of 14 and 18 years who has completed the work of the first eight grades may be excused from full-time school attendance and may be permitted to enter proper employment or apprenticeship, by the written authority of the board of trustees excusing the student from such attendance. The board's written authority shall state the reason or reasons for such excuse.

2. In all such cases no employer or other person shall employ or contract for the services or time of such student until the student presents a written permit therefor from the attendance officer or board of trustees. The permit shall be kept on file by the employer, and upon the termination of employment shall be returned by the employer to the board of trustees or other authority issuing it.

SEC. 371. Penalty for False Statements Concerning Age, School Attendance of Children.

1. Any parent, guardian or other person who makes a false statement concerning the age or school attendance of a child under 18 years of age who is under his control or charge, the false statement being made with intent to deceive under this article or under article 42, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$50 or by imprisonment in the county jail for not more than 25 days, or by both fine and imprisonment.

2. Any teacher, principal or superintendent of any public school is authorized to require the parent or guardian of any pupil enrolled in his school to furnish a birth certificate or other satisfactory evidence of the age of the pupil.

ARTICLE 42. TRUANTS

SEC. 372. Truant: Definition; Report of Child as Truant.

1. Within the meaning of this act, any school child shall be deemed a truant who shall have been absent from school without a valid excuse acceptable to his teacher or the principal of the school.

2. Absence for any part of a day shall be considered as absence for the entire day within the meaning of this section.

3. The teacher, attendance officer or other school official shall deliver or cause to be delivered a written notice of such truancy to the parent, guardian or other person having control or charge of the child. After notice has been delivered or furnished to the parent, guardian or other person, any child who is absent from school thereafter within the school year without a valid excuse shall again be deemed a truant.

SEC. 373. Habitual Truant: Definition; Declaration in Succeeding Year.

1. Any child shall be declared an habitual truant who shall have been deemed a truant three or more times within the school year.

2. Any child who has once been declared an habitual truant and who in an immediately succeeding year is absent from school without a valid excuse may again be declared an habitual truant.

SEC. 374. Attendance Officer: Appointment; Duties. The board of trustees of a school district may:

1. Appoint and remove at pleasure an attendance officer.

2. Fix his compensation.

3. Prescribe his duties.

4. Make rules and regulations not inconsistent with law for the performance of his duties.

SEC. 375. Arrest of Child Between 7 and 18 Years of Age as Truant; Delivery of Child to Teacher, Parent or Guardian.

1. Any peace officer, the attendance officer, or any other school officer shall, during school hours, arrest without warrant any child between the ages of 7 and 18 years who has been reported to him by the teacher, superintendent of schools or other school officer as an absentee from instruction upon which he is lawfully required to attend.

2. During school hours, the arresting officer shall forthwith deliver the child arrested to the teacher. After school hours, he shall deliver the child to the parent, guardian or other person having control or charge of the child.

SEC. 376. Investigation of Charges Against Parent, Guardian or Custodian of Child. Upon the written complaint of any person, the board of trustees of a school district shall:

1. Make a full and impartial investigation of all charges against parents, guardians or other persons having control or charge of any

Truants and truancy officers

child, for violation of any of the provisions of this article or article 41.

2. Make and file a written report of the investigation and the findings thereof in the records of the board.

SEC. 377. Criminal Complaint by Clerk of Board of Trustees. If it appears upon investigation that any parent, guardian or other person having control or charge of any child has violated any of the provisions of this article or article 41, the clerk of the board of trustees, except as provided in section 378, shall make and file in the proper court a criminal complaint against the parent, guardian or other person, charging the violation, and shall see that the charge is prosecuted by the proper authority.

SEC. 378. Complaint by Attendance Officer. In a school district having an attendance officer, the attendance officer shall, if directed by the board of trustees, make and file the complaint provided for by section 377, and shall see that the charge is prosecuted by the proper authorities.

SEC. 379. Complaint by Taxpayer, School Officer. Any taxpayer, school officer or deputy school officer in the State of Nevada may make and file in the proper court a criminal complaint against a parent, guardian or other person who has control or charge of any child and who violates any of the provisions of law requiring the attendance of children in the public schools of this state.

SEC. 380. Failure of Parent, Guardian To Comply With Provisions; Misdemeanor; Penalty. Any parent, guardian or other person who has control or charge of any child and to whom notice has been given of the child's truancy as provided in sections 372 and 373, and who fails to prevent the child's subsequent truancy within that school year, is guilty of a misdemeanor, and upon conviction thereof shall be punished, for the first offense, by a fine of not more than \$10 or by imprisonment in the county jail for not more than 5 days, or by both fine and imprisonment. Upon conviction of each subsequent offense, he shall be punished by a fine of not less than \$10 nor more than \$50, or by imprisonment in the county jail for not less than 5 days nor more than 25 days, or by both fine and imprisonment.

SEC. 381. Penalty for Abetting Truancy, Unlawful Employment.

1. Any person who induces or attempts to induce any child to be absent from school unlawfully, or who knowingly employs or harbors, while school is in session, any child absent unlawfully from school, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$50 or by imprisonment in the county jail for not more than 25 days, or by both fine and imprisonment.

2. The attendance officer or any other school officer is empowered to visit any place or establishment where minor children are employed to ascertain whether the provisions of this act are complied with fully, and may demand from all employers of such children a list of children employed, with their names and ages.

ARTICLE 43. COMPULSORY EDUCATION IN UNITED STATES
SCHOOLS

SEC. 382. Compulsory Attendance of Pupils in United States Schools.

1. Except as otherwise provided in subsection 2, whenever within the State of Nevada the Government of the United States erects, or causes to be erected and maintained, a school for general educational purposes, and the expense of the tuition, lodging, food and clothing of the pupils therein is borne by the United States, it shall be compulsory for every parent, guardian or other person in the State of Nevada having control of a child between the ages of 8 and 20 years, eligible to attend the school, to send the child to the school for a period of 10 months in each year or during the entire annual term.

2. If the Government of the United States does not make provision for free transportation of the child from his home to the school, and the parent, guardian or other person having control of the child resides more than 10 miles from the school, then the parent, guardian or other person having control of the child shall not be responsible for the transportation of the child under the provisions of this article.

SEC. 383. Principal, Superintendent to Serve Written Demand for Attendance of Child; Duty of Parent, Guardian.

1. When a child is eligible to attend the school, the principal or superintendent thereof, before attempting to enforce the provisions of this article, shall serve a written demand for the attendance of the child, or cause it to be served, upon the parent, guardian or other person having charge of the child. The written demand shall:

- (a) Name or otherwise identify the child.
- (b) Designate the school where his attendance is required.

2. After service of the written demand upon him, the parent, guardian or other person having charge of the child shall have 2 days either:

- (a) To deliver the child at the school or to the accredited representative of the school, if the school is located more than 10 miles from the residence of the child; or
- (b) To furnish satisfactory proof that the physical or mental condition of the child is such as to prevent his attendance or cause him to be ineligible for enrollment.

SEC. 384. Action by Principal, Superintendent to Compel Compliance. If, at the expiration of 2 days after service of the written demand upon him, the parent, guardian or other person having charge of the child shall have failed or refused to comply with the written demand, the principal or superintendent shall take action to compel compliance with this article.

SEC. 385. Penalty for Failure to Comply.

1. Any parent, guardian or other person who has control or charge of any child and who fails to comply with the provisions of this article shall be guilty of a misdemeanor, and upon conviction thereof shall be punished, for the first offense, by a fine of not less than \$10 nor more than \$50, or by imprisonment in the county jail for not less than 5 days nor more than 25 days. For each subsequent offense, the parent,

guardian or other person, upon conviction, shall be punished by a fine of not less than \$25 nor more than \$50, or by imprisonment in the county jail for not less than 12 days nor more than 25 days.

2. Another proceeding may be begun at the expiration of 3 days after each refusal of a parent, guardian or other person to comply with the written demand of the principal or superintendent.

SEC. 386. Penalty for Persuading, Advising Noncompliance.

1. Except as provided in subsection 2, any person who shall, directly or indirectly, intimidate, or persuade or advise in any manner the parent or guardian of any child coming within the provisions of this article from complying with the written demand of a principal or superintendent of a school who is endeavoring to carry out the provisions of this article shall be guilty of the same offense and shall be subject to the same punishment as the parent or guardian.

2. This section shall not apply to the attorney of any parent or guardian who, in his legal capacity, advises the parent or guardian.

SEC. 387. Truants May Be Committed to Nevada School of Industry. Any pupil of a school maintained by the United States who runs away therefrom shall be deemed a truant, and may be committed to the Nevada school of industry upon application to the district court for the county within which the school maintained by the United States is located.

SEC. 388. Duties of Peace Officers. All sheriffs, constables, policemen and town and city marshalls shall assist principals and superintendents of schools in carrying out the provisions of this article.

ARTICLE 44. TRANSPORTATION

SEC. 389. Transportation for Pupils May Be Furnished by Trustees; Regulations.

1. As provided in this act, the board of trustees of any school district may, in its complete discretion, furnish transportation for all resident children of school age in the school district attending public school:

(a) Who are not excused from school attendance by the provisions of this act; and

(b) Who reside within the school district at such a distance from the school as to make transportation necessary and desirable.

2. The board of trustees may:

(a) Establish bus routes.

(b) Make regulations governing the conduct of pupils while being transported.

(c) For the safety of pupils being transported, govern the conduct of drivers by making and enforcing regulations not inconsistent with regulations made by the state board of education or with law.

SEC. 390. Budgeting of Funds for Pupil Transportation. In order to obtain funds for transportation of pupils, each year the board of trustees of a school district shall make an estimate of the amount of money necessary to maintain such transportation for that year and

the next-ensuing year, and shall make proper provision therefor in the school district budget.

SEC. 391. "Vehicles" Defined; Use of Funds for Procuring Vehicles, Drivers and Insurance.

1. As used in this section, "vehicles" means school buses, station wagons, automobiles and other motor or mechanically propelled vehicles or either or any of them, required by the school district for the transportation of pupils.

2. The board of trustees of a school district shall use transportation funds of the school district for:

(a) The purchase, rent, hire and use of vehicles, and for necessary equipment, supplies and articles therefor.

(b) Necessary repairs of vehicles to keep them in safe and workable condition.

(c) The employment and compensation of capable and reliable drivers of vehicles and other employees necessary for the transportation of pupils and other authorized persons.

(d) Insuring vehicles owned, rented, hired, used or operated by or under the direction or supervision of the board of trustees. Such insurance shall:

(1) Be of such an amount as the board of trustees may be able to obtain and which the state board of education may deem sufficient to protect the board of trustees, the pupils being transported, and their parents, guardians or legal representatives from loss or damage resulting from acts covered by the insurance.

(2) Especially insure against loss and damage resulting from or on account of injury or death of any pupil being transported, caused by collision or any accident during the operation of any such vehicle.

SEC. 392. Transportation by Common and Private Carrier; Contracts and Insurance.

1. In addition to the purposes authorized by section 391, a board of trustees may use transportation funds of the school district for arranging and paying for transportation by motor vehicle or otherwise, by contract or such other arrangement as the board shall find most economical, expedient and feasible and for the best interests of the school district.

2. Such transportation may be arranged and contracted for by a board of trustees with:

(a) Any railroad company, bus company, or other licensed common carrier holding a certificate of public convenience and necessity issued by the public service commission of Nevada.

(b) The owners and operators of private automobiles or other private motor vehicles, including parents of pupils who attend school and are entitled to transportation. When required by the board of trustees, every such private automobile or other private motor vehicle regularly transporting pupils shall be insured in the amount required by the state board of education against the loss and damage described in subsection 2 of section 391.

SEC. 393. No Admission of Tort Liability. Nothing in sections 391 and 392 shall be construed to admit or assume any tort liability to any pupil or the parent or guardian thereof for injury or death resulting from transportation furnished such pupil under the provisions of this article unless such liability is specifically assumed by law.

SEC. 394. Payment of Cost of Food and Lodging of Pupil at Place Convenient to Schools.

1. When the daily transportation of a pupil is not practical or economical, the board of trustees, in lieu of furnishing transportation, may pay to the parents or guardian of the pupil an amount of money not to exceed \$3 per school attendance day to assist the parents or guardian in defraying the cost of board, lodging and subsistence of the pupil in a city or town in the State of Nevada having a public school. If such public school is in an adjoining county, costs for tuition and transportation or for tuition and subsistence shall not exceed the per pupil costs for tuition and transportation or tuition and subsistence to the nearest public school in Nevada.

2. Payment of money in lieu of furnishing transportation may be made only if:

(a) The guardian or parents have been residents in the area for a period of time set by the board of trustees; and

(b) The deputy superintendent of public instruction of the proper educational supervision district approves.

SEC. 395. Use of School Vehicles To Transport Public School Pupils To and From School Activities.

1. A board of trustees of a school district shall have the power to permit school buses or vehicles belonging to the school district to be used for the transportation of public school pupils to and from:

(a) Interscholastic contests; or

(b) School festivals; or

(c) Other activities properly part of a school program.

2. The use of school buses or vehicles belonging to the school district for the purposes enumerated in subsection 1 shall be governed by rules and regulations made by the board of trustees, which rules and regulations shall not conflict with regulations of the state board of education. Proper supervision for each vehicle so used shall be furnished by school authorities, and each vehicle shall be operated by a driver qualified under the provisions of this article.

SEC. 396. Use of School Vehicles To Transport School Personnel To and From Educational Conferences. A board of trustees of a school district shall have the power to authorize the use of school buses to transport teachers, school administrators and other school employees to educational conferences authorized by the state board of education.

SEC. 397. Drivers: Qualifications; Employment of Pupils.

1. No person may be employed by a board of trustees of a school district as a driver of a school bus, station wagon, automobile or other motor vehicle, or mechanically or self-propelled vehicle of any kind which transports pupils to and from school or any other place in connection with school activities unless:

(a) He is of good, reputable and sober character.

(b) He is competent and qualified by experience and disposition to operate the particular type of vehicle in a safe and dependable manner.

(c) He is licensed under the laws of this state to operate the particular type of vehicle.

2. A board of trustees may employ a pupil attending a school under the supervision of the board as a driver when he possesses the qualifications stated in subsection 1 and his guardian or parents first consent to his employment. The board of trustees may arrange or contract, in writing, with the parents or guardian of the pupil for his services as a driver upon such terms, conditions and provisions and for such compensation as the board deems most economical and for the best interests of the school district, pupils and other persons.

SEC. 398. (This section deleted by amendment.)

SEC. 399. Unlawful Employment of Unlicensed Drivers. The employment of any unlicensed person to drive a vehicle when it is transporting pupils shall be unlawful. Any person violating the provisions of this section shall be guilty of a misdemeanor.

SEC. 400. Condition, Equipment and Specifications of Vehicles Used for Pupil Transportation; Penalties.

1. All vehicles used in the transportation of pupils shall be:

(a) In good condition and state of repair.

(b) Well equipped, and shall contain sufficient room and seats so that the driver and each pupil being transported shall have a seat inside the vehicle. Each pupil shall remain seated when the vehicle is in motion.

(c) Subject to safety inspections at all times by agents and employees of the drivers' license division of the public service commission of Nevada.

2. On and after July 1, 1956, all vehicles used for transporting pupils shall meet the specifications determined by the state board of education.

3. Any person violating any of the requirements of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment in the county jail for not less than 15 days nor more than 6 months, or by both fine and imprisonment.

SEC. 401. Equipment and Identification of School Buses; Penalties.

1. When operated for the transportation of pupils, every school bus shall be equipped with:

(a) A first aid kit, an ax, and a fire extinguisher containing an extinguishing substance other than tetrachloride.

(b) A mechanical appliance, either automatic or hand operated, on the driver's side, to be extended outward when stopping as a warning to drivers of other vehicles that the school bus is about to stop.

(c) A flashing red-light system of a type approved by the drivers' license division of the public service commission of Nevada, and installed at the expense of the school district or operator. The driver shall operate this signal only:

(1) When pupils are unloading from the bus to cross a street, highway or road.

(2) When the bus is stopped for the purpose of loading pupils who must cross a highway, street or road to board the bus.

(3) In times of emergency or accident.

2. When operated for transportation of pupils, every school bus shall bear upon the front and rear thereof a plainly visible sign containing the words "school bus" in letters not less than 8 inches in height. Upon every such sign the letters shall be of proportionate width. It shall be unlawful for any person to display such a sign upon any vehicle other than a school bus.

3. Each new school bus shall be equipped with a rear escape door of a type approved by the drivers' license division of the public service commission of Nevada.

4. Any person who violates any of the provisions or requirements of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment in the county jail for not less than 15 days nor more than 6 months, or by both fine and imprisonment.

ARTICLE 45. HEALTH AND SAFETY OF PUPILS

SEC. 402. Physical Examination of Pupils; Duties of Teachers; Exemptions.

1. During the first school month of the school year all teachers regularly employed in the public schools shall:

(a) Observe and examine every child regularly enrolled in school and under their jurisdiction, separately and carefully, for symptoms of visual, auditory or physical defects.

(b) Where defects are believed to exist, notify the parents or guardian of the child regarding the probability of the existence of the defects, recommending that proper medical or dental attention be secured for the child.

2. All children enrolled in school after the first school month of the school year shall be examined immediately upon their enrollment, and, if necessary, their parents or guardians shall be notified by the teacher as provided in subsection 1.

3. In any school district in which state, county or district public health services are available or conveniently obtainable, such services shall be utilized to meet the responsibilities assigned to teachers under the provisions of subsections 1 and 2. When for any reason such services are not available, the board of trustees of the school district may employ qualified personnel to perform them.

4. The state board of health shall:

(a) Prescribe rules for making examinations.

(b) Furnish to the superintendent of public instruction, for distribution to the boards of trustees of school districts, copies of the rules, instructions, test cards, blanks and other useful appliances for carrying out the provisions of subsections 1 and 2.

5. Any child shall be exempt from the examination if his parents or guardian files, with the teacher, a written statement objecting to the examination.

SEC. 403. Regulations of Trustees Governing Sanitation, Diseases. The board of trustees of a school district shall have power:

1. To make and enforce necessary regulations for sanitation in the public schools and to prevent the spread of contagious and infectious diseases therein.

2. To expend school district funds to enforce the regulations among indigent children.

SEC. 404. Accident Insurance for Pupils Participating in Athletic Activities.

1. As used in this section, "injury" shall include injury resulting in death within 1 year.

2. The purpose of this section is to provide, if practicable, protection to student members of athletic teams of public schools from loss arising out of injuries received by them in the course of athletic competition or practice under the immediate charge of school coaches or authorities and injuries received by them in travel for such purposes.

3. Whenever any insurance company authorized to do business in this state submits a plan for group insurance of students in the public schools against loss in circumstances referred to in subsection 2, for a blanket annual premium charge not greater than one-half of any amount which may be appropriated for 2 years by the legislature for this purpose, the commissioner of insurance and the superintendent of public instruction shall study the plan and ask the opinion of the attorney general concerning the legality of the plan. If the commissioner of insurance and the superintendent of public instruction certify that the proposed rates and the policy of insurance as executed meet the requirements of this section, a claim for the annual premium shall be presented to the state board of examiners for audit and allowance as provided by law. If more than one qualified insurance company submit identical or substantially identical plans and rates, the insurance may be divided equitably among them.

4. The superintendent of public instruction and school authorities throughout the state shall cooperate in reporting the total number of students to be included in the group insured, and in certifying the membership of an individual student on athletic teams should he be injured.

5. Nothing in this section shall be deemed to admit any liability on the part of the state or the school districts therein for any injury.

SEC. 405. Fire Drills.

1. The board of trustees of a school district shall provide fire drills for the pupils in the schools in the school district at least twice in each month during the school year.

2. In all cities or towns which have regularly organized, paid fire departments or voluntary fire departments, fire drills shall be conducted under the supervision of the chief of the fire department of the city or town.

3. Copies of this section shall be kept posted in every classroom of every public school by the principal or teacher in charge thereof.

4. The principal, teacher or other person in charge of each school building shall see that the provisions of this section are enforced.

5. Any violation of the provisions of this section is a misdemeanor.

SEC. 406. Protection and Discipline of Children.

1. Members of every board of trustees of a school district, superintendents of schools, principals and teachers have concurrent power with peace officers for the protection of children in school and on the way to and from school, and for the enforcement of order and discipline among such children.

2. Subsection 1 shall not be construed so as to make it the duty of superintendents of schools, principals and teachers to supervise the conduct of children while not on the school property.

SEC. 407. Interference With Pupils Attending School; Penalty.

1. It is unlawful for any person, against the will of a pupil attending any public school, to beat, whip, detain or otherwise interfere with him while he is on his way to and from school.

2. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not more than \$300 or by imprisonment in the county jail for not to exceed 6 months, or by both fine and imprisonment.

SEC. 408. Disturbance of School; Penalties.

1. It is unlawful for any person to disturb the peace of any public school by using vile or indecent language, or by threatening or assaulting any pupil or teacher within the building or grounds of the school. For the purposes of this subsection, the grounds of every public school shall extend to a distance of 50 yards in all directions from the school building. Any person who violates any of the provisions of this subsection shall be guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than \$300 or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

2. It is unlawful for any person maliciously and purposely in any manner to interfere with or disturb any persons peaceably assembled within a public schoolhouse. Any person who violates any of the provisions of this subsection shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$200 or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

CHAPTER IX

SCHOOL PROPERTY

ARTICLE 46. CARE, MANAGEMENT AND CONTROL OF SCHOOL PROPERTY

SEC. 409. Management and Control of School Property. The board of trustees of a school district shall:

1. Manage and control the school property within its district.
2. Have the custody and safekeeping of the district schoolhouses, their sites and appurtenances.

SEC. 410. Insurance; Use of Proceeds.

1. The board of trustees of a school district shall have the power to insure for a reasonable amount the schoolhouses, furniture and school apparatus with some company authorized by law to transact business in the State of Nevada, and to comply with the conditions of the insurance policies.

2. Any money received by a school district from insurance as payment for property loss shall be deposited with the county treasurer in a special fund to the credit of the school district, and shall be expended in the manner provided by law for the repair, rebuilding or replacement of the property damaged or destroyed, without special budget provisions for such expenditure.

SEC. 411. Property Held by Board of Trustees as a Corporation. All property which is now vested in or which shall hereafter be transferred to the board of trustees of a school district for the use of schools in the school district shall be held by the board of trustees as a corporation.

SEC. 412. Property of School Districts Exempt From Taxation, Execution. All lots, buildings or other school property owned by any school district and devoted to public school purposes shall be exempted from taxation and from sale on any execution or other writ or order in the nature of an execution.

SEC. 413. Installation of Toilets; Duties of Deputy Superintendent of Public Instruction.

1. A board of trustees of a school district shall cause to be constructed at least two suitable, convenient toilets for each of the schools under its charge, which shall be approved by the state board of health.

2. If the board of trustees fails or neglects to provide toilets in accordance with the provisions of subsection 1, the deputy superintendent of public instruction for the proper educational supervision district shall cause such toilets to be built, and shall pay for them by drawing his order on the county auditor on the funds of the school district. The county auditor shall draw his warrant upon the county treasurer in payment of the order.

SEC. 414. Property of Abolished School Districts Becomes Property of New Districts. On the effective date of this act, the property of the school districts and educational districts abolished by this act shall become the property of the new county school districts whose areas include the areas of the school districts and educational districts abolished by this act.

SEC. 415. Damage to School Property; Loitering; Disturbances; Penalty.

1. It is unlawful for any person:

(a) Willfully and maliciously to injure, mark or deface any public schoolhouse, its fixtures, books or appurtenances; or

(b) To commit any nuisance in any public schoolhouse; or

(c) To loiter on or near the school grounds; or

(d) Purposely and maliciously to commit any trespass upon the grounds attached to a public schoolhouse, or any fixtures placed thereon, or any enclosure or sidewalk about the same.

2. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be

punished by a fine of not more than \$200, or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

ARTICLE 47. SCHOOL BUILDINGS

SEC. 416. Construction, Purchase, Rental of School Buildings. The board of trustees of a school district shall have power:

1. To build, purchase or rent schoolhouses and other school buildings, including but not limited to teacherages, gymnasiums and stadiums, and dormitories and dining halls as provided in section 417.
2. To change the location of schools.

SEC. 417. Dormitories, Dining Halls for High School Students. The board of trustees of a school district shall have the power to provide for the rental, purchase or erection of suitable dormitories and dining halls for high school students, and to provide for the support, maintenance and management of the same. The board of trustees shall not furnish board, lodging, support and maintenance of pupils at any other place when dormitories and dining halls are regularly established. Dormitories and dining halls shall be considered part of the regular school equipment and organization where so provided.

SEC. 418. Repair of School Buildings; Duties of Deputy Superintendent of Public Instruction.

1. The board of trustees of a school district shall keep the public school buildings, teacherages, dormitories, dining halls, gymnasiums, stadiums and all other buildings in its charge in such repair as is necessary for the comfort and health of pupils and teachers.

2. If the board of trustees neglects to make necessary repairs, the deputy superintendent of public instruction for the proper educational supervision district shall cause necessary repairs, not to exceed \$500, to be made, and shall pay for the same by drawing his order upon the county auditor on the funds of the school district. The county auditor shall draw his warrant upon the county treasurer in payment of the order.

SEC. 419. Approval of Plans for School Buildings.

1. Before letting any contract or contracts for the erection of any new school building, the board of trustees of a school district shall submit plans therefor to and obtain the written approval of the plans by the state planning board. The state planning board is authorized to charge and collect, and the board of trustees is authorized to pay, a reasonable fee for the payment of any costs incurred by the state planning board in securing the approval of qualified architects or engineers of the plans submitted by the board of trustees in compliance with the provisions of this subsection.

2. Before letting any contract or contracts totaling more than \$5,000 for any addition to or alteration of an existing school building, the board of trustees of a school district shall submit plans therefor to and obtain the written approval of the plans by the state planning board. The state planning board is authorized to charge and collect, and the board of trustees is authorized to pay, a reasonable fee for the payment of any costs incurred by the state planning board in securing the approval of qualified architects or engineers of the plans

submitted by the board of trustees in compliance with the provisions of this subsection.

3. No contract for any of the purposes specified in subsections 1 and 2 made by a board of trustees of a school district contrary to the provisions of this section is valid, nor shall any public money be paid for erecting, adding to or altering any school building in contravention of this section.

SEC. 420. Notice Calling for Bids for Contract to Construct, Repair School Buildings. Whenever the board of trustees of a school district decides to erect a new school building which is to cost more than \$1,000, or to repair, alter or add to any existing school building, which repair, alteration or addition is to cost more than \$1,000, and approval of the plans, if required, has been obtained as provided in section 419, the board of trustees shall, for the purpose of securing bids, publish at least once a week for 2 weeks in some newspaper of general circulation published in the school district, or, if there is no such newspaper, then in some newspaper of general circulation circulated in the school district, a notice calling for bids, stating the work to be done, or materials or supplies to be furnished, and the time when and the place where bids will be opened.

SEC. 421. Award of Contract for Construction, Repair of School Buildings; Cost-Plus Contracts.

1. In all cases where more than \$1,000 is to be expended upon the erection of any school building, or upon the repair, alteration or addition to any school building, the board of trustees shall award the contract for such work to the person making the lowest and most satisfactory firm offer for the work.

2. After the procedure for notice calling for bids, as provided in section 420, has twice been followed, if no satisfactory bid is received, the board of trustees may receive proposals and enter into a contract on the basis of such proposals for the construction or repair of, alteration of or addition to the school building on a cost-plus-a-fee basis, without further notice calling for bids.

ARTICLE 48. SCHOOL SITES

SEC. 422. Purchase, Acquisition of School Sites and Other Real Property. The board of trustees of a school district shall have the power to purchase or otherwise acquire any school site or other real property for necessary school purposes, including but not limited to playgrounds, athletic fields and sites for stadiums.

SEC. 423. Change of Location of School Sites. The board of trustees of a school district shall have the power to change the location of schoolhouse sites.

ARTICLE 49. EQUIPMENT, SUPPLIES AND PRINTING

SEC. 424. Supplies and Equipment: Powers of Trustees. The board of trustees of a school district shall have the power:

1. To purchase, rent or otherwise acquire supplies and equipment necessary for the operation of the public schools and other school facilities of the school district.

2. To furnish writing and drawing paper, pens, ink, blackboards, erasers, crayons, lead pencils and other necessary supplies for the use of the schools.

3. To repair any equipment.

SEC. 425. Free Textbooks and School Supplies.

1. The board of trustees of a school district shall purchase all new textbooks and supplementary schoolbooks which are necessary and have been approved by the state textbook commission, and school supplies necessary to carry out the mandates of the school curriculum to be used by the pupils of the school district. The cost of the same shall be a legal charge against the school district fund.

2. All books purchased by the board of trustees shall be held as property of the school district, and shall be loaned to the pupils of the school in the school district while pursuing a course of study therein.

3. The parents and guardians of pupils shall be responsible for all books and any and all other material or equipment loaned to the children in their charge, and shall pay to the clerk of the board of trustees, or to any other person authorized by the board to receive the same, the full purchase price of all such books, material or equipment destroyed, lost or so damaged as to make them unfit for use by other pupils succeeding to their classes. The board of trustees shall establish reasonable rules and regulations governing the care and custody of such school property, and for the payment of fines for damage thereto.

4. Equipment and materials for use in manual training, industrial training and teaching domestic science may be supplied to the pupils in the same manner, out of the same fund, and on the same terms and conditions as books. No private ownership can be acquired in such equipment or material, unless sold in the manner prescribed by law when such equipment or material shall be no longer used or required for the schools of the school district.

5. Authorized supplementary books and desk books for the use of teachers shall be purchased under this article, and shall remain the property of the school district for which they were purchased, unless sold in accordance with the provisions of this chapter.

6. The clerk of the board of trustees shall turn over to the county treasurer, within 30 days after receiving the same, all moneys collected under the provisions of this section, and the same shall be credited to the school district fund.

7. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$20, or by imprisonment in the county jail for not more than 10 days, or by both fine and imprisonment.

SEC. 426. Notice Calling for Bids To Furnish Equipment, Supplies; Award of Contract.

1. Whenever the board of trustees of a school district decides to purchase supplies or equipment which will cost more than \$1,000, the board of trustees shall, for the purpose of securing bids, publish at

least once a week for 2 weeks in some newspaper of general circulation published in the school district, or, if there is no such newspaper, then in some newspaper of general circulation circulated in the school district, a notice calling for bids, stating the equipment or supplies to be furnished and the time when and the place where bids will be opened.

2. In all cases where more than \$1,000 is to be expended for the purchase of supplies or equipment, the board of trustees shall award the contract for such supplies or equipment to the person making the lowest and most satisfactory firm offer for the contract.

SEC. 427. Library Books: Annual Expenditures.

1. Annually, until July 1, 1956, the board of trustees of a school district shall expend for library books at least \$5 for each teacher to which the school district is entitled.

2. Annually, after July 1, 1956, the board of trustees of a school district shall expend for library books at least \$1 for each child each year, with a minimum of \$10 for any school.

3. Library books shall be purchased and paid for in the same manner as other school supplies.

SEC. 428. United States Flags: Provision by Trustees.

1. The board of trustees of a school district shall provide a suitable flag of the United States for each schoolhouse in the school district. The flag shall be hoisted on the schoolhouse or flagpole on all days when school is in session.

2. The board of trustees is authorized and directed to cause the flags to be paid for out of any school money in the school district fund.

3. If the board of trustees of a school district shall fail or neglect to provide a flag, the deputy superintendent of public instruction shall provide the school with a flag and shall cause the same to be installed upon the schoolhouse or flagpole provided therefor, and shall pay the expenses therefor by drawing his order upon the county auditor. The county auditor shall draw his warrant upon the county treasurer in payment of the order.

SEC. 429. School District Printing To Be Done Within District by Newspaper or Commercial Establishment.

1. All public printing required by the various school districts of this state shall be placed with some bona fide newspaper or bona fide commercial printing establishment within the school district requiring the same; but if there is no bona fide newspaper or bona fide commercial printing establishment within the school district adequately equipped to do such printing, then the printing so required shall be placed through the local bona fide newspaper or bona fide commercial printing establishment.

2. Nothing in this section shall be construed as requiring school districts to pay to the local bona fide newspaper or bona fide commercial printing establishment any commission on such printing, but the commission must be paid by the printing establishment doing the printing.

3. Printing required by school districts shall be done within the state.

4. The provisions of this section are contingent upon satisfactory services being rendered by all such printing establishments and reasonable charges therefor. Reasonable charges shall mean a charge not in excess of the amount necessary to be paid for similar work in other printing establishments.

ARTICLE 50. SALE OR LEASE OF REAL PROPERTY BELONGING TO
A SCHOOL DISTRICT

SEC. 430. Trustees' Power To Sell, Lease Real Property.

1. When the board of trustees of a school district determines that the sale or lease of real property belonging to the school district is necessary or for the best interests of the school district, the board shall have the power to sell or lease such real property, whether acquired by purchase, dedication or otherwise.

2. The provisions of subsection 1 shall not be construed to permit the sale or lease of any real property in contravention of any condition in a gift or devise of real property to the school district.

SEC. 431. Manner of Making Sale or Lease. Every sale or lease shall be made in the manner provided in this article.

SEC. 432. Appraisers: Appointment, Report and Compensation.

1. When the board of trustees proposes to sell or lease any real property, the board shall appoint two appraisers. A third appraiser shall be appointed by the deputy superintendent of public instruction of the educational supervision district in which the real property to be sold or leased is situated.

2. The appraisers shall make a report to the board of trustees of their findings and determination of the cash market value of the property proposed to be sold, or the rental value of the property proposed to be leased.

3. No sale or lease of real property shall be made for less than the value fixed by the appraisers.

4. The compensation of the appraisers shall be fixed by the board of trustees, and shall be a legal charge against the school district fund.

SEC. 433. Resolution Declaring Intention To Sell or Lease Property: Adoption and Contents.

1. After receiving the report of the appraisers and before ordering the sale or lease of any property, the board of trustees shall, in open meeting by a majority vote of the members, adopt a resolution declaring its intention to sell the property, or a resolution declaring its intention to lease it, as the case may be.

2. The resolution shall:

(a) Describe the property proposed to be sold or leased in such manner as to identify it.

(b) Specify the minimum price or rental, and the terms upon which it will be sold or leased. All sales shall be made for cash.

(c) Fix a time, not less than 3 weeks thereafter, for a public meeting of the board of trustees to be held at its regular place of meeting, at which sealed proposals to purchase or lease will be received and considered.

SEC. 434. Notice of Adoption of Resolution and of Meeting: Posting and Publication. Notice of the adoption of the resolution and of the time and place of holding the meeting shall be given by:

1. Posting copies of the resolution in three public places in the school district not less than 15 days before the date of the meeting; and

2. Publishing the resolution not less than once a week for 2 successive weeks before the meeting in a newspaper of general circulation published in the school district, if any such newspaper is published therein.

SEC. 435. Opening of Proposals: Acceptance of Highest Proposal. At the time and place fixed in the resolution for the meeting of the board of trustees, all sealed proposals which have been received shall, in public session, be opened, examined and declared by the board. Of the proposals submitted which conform to all terms and conditions specified in the resolution of intention to sell or to lease and which are made by responsible bidders, the proposal which is the highest shall be finally accepted, unless a higher oral bid is accepted or the board rejects all bids.

SEC. 436. Call for Oral Bids: Acceptance of Highest Oral Bid. Before accepting any written proposal, the board of trustees shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to purchase the property or to lease the property, as the case may be, upon the terms and conditions specified in the resolution, for a price or rental exceeding by at least 5 percent the highest written proposal, then the highest oral bid which is made by a responsible person shall be finally accepted.

SEC. 437. Final Acceptance. The final acceptance by the board of trustees may be made either at the same session or at any adjourned session of the same meeting held within the 10 days next following.

SEC. 438. Rejection of Bids and Withdrawal of Property From Sale or Lease. The board of trustees may at the session, if it deems such action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from sale or lease.

SEC. 439. Authorization to Execute and Deliver Deed or Lease. Any resolution of acceptance of any bid made by the board of trustees shall authorize and direct the president of the board of trustees to execute a deed or lease and to deliver it upon performance and compliance by the purchaser or lessee with all the terms or conditions of his contract which are to be performed concurrently therewith.

SEC. 440. Deposits of Money Received for Sales, Leases. All moneys received from rentals or sale of real property shall be deposited forthwith with the county treasurer to be credited to the school district fund.

ARTICLE 51. SALE OF PERSONAL PROPERTY BELONGING TO A SCHOOL DISTRICT

SEC. 441. Sale to Highest Bidder for Cash: Publication or Posting of Notice. The board of trustees of a school district may sell to the

highest bidder for cash any personal property belonging to the school district not required for school purposes, or which should be disposed of for the purpose of replacement, or because unsatisfactory or not suitable for school use, after notice given by publication in a newspaper of general circulation, published in the school district once a week for 2 successive weeks, or by posting notice in at least three public places in the school district for not less than 2 weeks.

SEC. 442. Private Sale Without Advertising. If in the unanimous judgment of the board of trustees the property does not exceed in value the sum of \$200, it may be sold at private sale, without advertising, by any member or employee of the board empowered for that purpose by the majority vote of the board.

SEC. 443. Disposition of Money Received. Within 30 days after receiving all money collected under the provisions of this article, the clerk of the board of trustees shall deliver the money to the county treasurer to be credited to the school district fund.

ARTICLE 52. DIVISION OF PROPERTY UPON DISSOLUTION,
WITHDRAWAL, ABOLISHMENT OF A SCHOOL DISTRICT

SEC. 444. Joint School Districts: Exclusion and Dissolution; Division of Property.

1. After the effective date of withdrawal and exclusion of the territory of a county from a joint school district, and upon the payment of all current outstanding indebtedness of the joint school district, except any bonded indebtedness, all funds and property of the joint school district, other than real property and the joint school district bond sinking fund, shall be divided between the reestablished county school district and the joint school district in the same proportion as the ratio of the assessed valuation of the territory included in the reestablished county school district to the total assessed valuation of the territory included in the joint school district prior to the order of exclusion.

2. After dissolution of a joint school district and upon the payment of all current outstanding indebtedness of the joint school district, except bonded indebtedness, all funds and property of the joint school district, other than real property and the joint school district bond sinking fund, shall be divided among the reestablished county school districts in the same proportion as the ratio of the assessed valuation of the territory included in each reestablished county school district to the total assessed valuation of the territory included in the joint school district.

3. Division of property shall be made by the boards of trustees of the reestablished county school districts and the board of trustees of the joint school district, if the joint school district survives. If a controversy arises concerning the division of property, the state board of education shall make the division of property, which division by the state board of education shall be final.

4. All real property owned by the joint school district situated in the territory of any reestablished county school district shall become the property of the reestablished county school district.

5. The board of trustees of the joint school district shall execute all documents of conveyance necessary to effect transfers of personal property and real property.

SEC. 445. Abolishment of County: Division of Property of School District.

1. When a county is abolished as provided in section 36 of article IV of the constitution of the State of Nevada, and chapter 109, Statutes of Nevada 1953, and all the territory thereof is included within an existing county, the property of the abolished school district shall become the property of the county school district to which the territory is annexed.

2. When a county is abolished as provided in section 36 of article IV of the constitution of the State of Nevada, and chapter 109, Statutes of Nevada 1953, and all the territory thereof is included within the territory of two or more existing counties, the personal property of the abolished school district shall be divided among the county school districts to which the territory is attached in the same proportion as the ratio of the assessed valuation of the territory added to each county to the total assessed valuation of the abolished county. All real property of the school district situated in the territory added to a county shall become the property of the school district of which it becomes a part.

SEC. 446. Change of County Boundaries: Division of School District Property. When a portion of a county is detached and annexed to another county, the personal property of the school district whose boundaries are conterminous with the boundaries of the county from which territory is annexed shall be divided between the school districts in the same proportion as the ratio of the assessed valuation of the territory detached to the total assessed valuation of the territory of the county before the portion was detached and annexed. All real property of the school district situated in the portion of the county detached and annexed shall become the property of the school district of which it becomes a part.

CHAPTER X

PRIVATE SCHOOLS, COLLEGES AND UNIVERSITIES

ARTICLE 53. STANDARDS AND LICENSING OF PRIVATE SCHOOLS, COLLEGES AND UNIVERSITIES

SEC. 447. Definitions. As used in this article:

1. "Person" includes a company, partnership, association or corporation, as well as a natural person.

2. "School" means any educational institution or class maintained or conducted for the purpose of offering instruction to five or more students at one and the same time or to 25 or more students during any calendar year, the purpose of which is to educate an individual generally or specially, or to prepare an individual for more advanced study or for an occupation, and includes all schools, colleges, universities and other institutions engaged in such education, except:

Private Schools

(a) Schools maintained by the state or any of its political subdivisions and supported by public funds.

(b) Schools or school systems for elementary, secondary and higher education operated or conducted by religious organizations.

(c) Schools, colleges and universities specifically exempted by section 448.

Sec. 448. Exemptions.

1. In addition to those schools exempt by definition, under section 447, the following types of schools are exempted from the provisions of this article:

(a) Schools maintained or classes conducted by employers for their own employees where no fee or tuition is charged.

(b) Courses of instruction on religious subjects given under the auspices of a religious organization.

(c) Courses of instruction given by any fraternal society or benevolent order to its members or their immediate relatives, which courses are not operated for profit.

(d) Schools which are under state or federal supervision.

(e) Business colleges qualified and accredited by the National Association and Council of Business Schools.

(f) Schools of cosmetology licensed and registered by the state board of cosmetology.

(g) Flying schools qualified under the Civil Aeronautics Administration.

(h) Any school qualified and certified or able to qualify under the Veterans' Readjustment Assistance Act of 1952, being 38 U.S.C.A. § 901 et seq.

(i) Schools which do not purport to be colleges or universities, and which by nature are specialized and acknowledge completion merely by certificate of completion and not by granting of a degree.

(j) Schools maintained or classes conducted for apprentices by recognized labor unions.

2. Any exempt school may choose to apply for a license under this article, and upon approval and issuance thereof shall be subject to the provisions of this article.

Sec. 449. Licenses Required.

1. No school subject to the provisions of this article shall be operated in this state unless there is first secured from the state board of education a license issued in accordance with the provisions of this article and the regulations thereunder promulgated by the state board of education under authority of sections 451 and 453.

2. Application for a license shall be filed in the manner prescribed by the state board of education.

Sec. 450. License Fees.

1. Application for an initial license under this article shall be accompanied by payment of a fee of \$25.

2. Application for renewal of a license issued under this article shall be accompanied by payment of a fee of \$10.

3. All moneys collected under this article shall be deposited in the general fund.

4. No fee paid by any applicant or licensee shall ever be refunded in whole or in part.

SEC. 451. Qualifications for Licenses. No license shall be issued unless the state board of education finds, upon investigation, that the school applying therefor has met the standards set forth by the state board of education. Such standards shall include, but need not be restricted to:

1. Course offerings.
2. Adequate facilities.
3. Financial stability.
4. Competent personnel.
5. Legitimate operating practices.

SEC. 452. Duration and Renewal of Licenses. A license shall be valid for 3 years unless suspended or revoked as provided in section 455, and may be renewed upon application for renewal.

SEC. 453. Duties of State Board of Education. The state board of education shall:

1. Formulate standards for licensure in accordance with section 451.
2. Provide for adequate investigations of all schools applying for licenses and issue licenses to those applicants meeting standards fixed by the board.
3. Maintain a list of schools licensed under the provisions of this article, which list shall be available for the information of the public.
4. Provide for periodic inspection of all schools licensed under the provisions of this article.
5. Employ such personnel as is necessary to carry out the provisions of this article.

SEC. 454. Grounds for Revocation of Licenses. The state board of education shall have power to revoke the license of any school subject to the provisions of this article in accordance with the provisions of section 455, in case it finds:

1. That the licensee has violated any of the provisions of this article or any of the rules and regulations promulgated thereunder; or
2. That the licensee has knowingly presented to the state board of education false or misleading information relating to licensure; or
3. That the licensee has failed or refused to permit authorized representatives of the state board of education to inspect the school, or has refused to make available to them at any time upon request full information pertaining to matters within the purview of the state board of education under the provisions of this article; or
4. That the licensee has perpetrated or committed fraud or deceit in advertising the school or in presenting to prospective students written or oral information relating to the school, to employment opportunities, or to opportunities for enrollment in other institutions upon completion of the instruction offered in the school.

SEC. 455. Procedure for Suspension, Revocation of Licenses.

1. When the state board of education deems that it has sufficient evidence to warrant the suspension or revocation of any license, written notice shall be served personally or be sent by registered mail

to the licensee at his last-known address. Such notice shall contain the substance of the reason or reasons why it is proposed to suspend or revoke the license. A licensee receiving such notice may file with the state board of education a statement that the situation complained of in the notice has been corrected or a declaration of intention to remedy such situation within a designated time, or may request a hearing to challenge the truth of the reason or reasons for which it is proposed to suspend or revoke the license.

2. If a hearing is requested by the licensee it shall be held by the state board of education within 90 days after request therefor.

3. At the hearing the state board of education may summon and compel the attendance of witnesses and take testimony. The licensee shall be entitled to present witnesses and other evidence in defense of the charges.

SEC. 456. Duties of Attorney General.

1. If the state board of education notifies the attorney general that a school subject to the provisions of this article is operating without a valid license, the attorney general shall institute appropriate action against the owners and operators of such school to restrain its operation until such license is obtained.

2. If a licensee who has been notified that it is proposed to suspend or revoke its license fails to fulfill a declared intention to remedy the situation complained of within the time designated in such declaration, or is found guilty of charges in the hearing provided in section 455, the attorney general shall, upon the request of the state board of education, institute restraining proceedings, by injunction or other appropriate means, against such licensee.

SEC. 457. Effect Upon Contracts. Any contract entered into after the effective date of this act by or on behalf of any person owning or operating any school subject to this article which does not have a valid license issued hereunder in force at the time such contract is entered into shall be unenforceable in any suit or action brought thereon, except that any student of a school subject to this article, or any other person who is defrauded by a misrepresentation made by an officer, employee or agent of such school or by any advertising or circular issued by or on behalf of such school may recover judgment against such school or person for three times the amount of actual damages which may be assessed by the court or jury.

SEC. 458. Appropriation of Funds. Funds to carry out the provisions of this article shall be provided by legislative appropriation from the general fund, and shall be paid out on claims as other claims against the state are paid.

ARTICLE 54. INSTRUCTION IN PRIVATE SCHOOLS

SEC. 459. Required Instruction; Reports; Religious Instruction.

1. In order to secure uniform and standard work for pupils in private schools in this state, instruction in the subjects required by law for pupils in the public schools shall be required of pupils receiving instruction in such private schools, either under the regular state courses of study prescribed by the state board of education or under

courses of study prepared by such private schools and approved by the state board of education.

2. Such private schools shall be required to furnish from time to time such reports as the superintendent of public instruction may find necessary as to enrollment, attendance and general progress within such schools.

3. Nothing in this section shall be so construed as:

(a) To interfere with the right of the proper authorities having charge of private schools to give religious instruction to the pupils enrolled therein.

(b) To give such private schools any right to share in the public school funds apportioned for the support of the public schools of this state.

SEC. 460. Subjects, Except Foreign Languages, To Be Taught in English.

1. It shall be unlawful for any teacher or other person teaching in a private school in this state to cause to be taught or teach any subject or subjects, other than foreign languages, in a private school in this state in any language except the English language.

2. Any teacher or other person who violates any provision of subsection 1 shall be guilty of a misdemeanor, and:

(a) Upon conviction of the first offense shall be punished by a fine of not less than \$100 nor more than \$250.

(b) Upon conviction of each subsequent offense shall be punished by a fine of not less than \$260 nor more than \$500, or by imprisonment in the county jail for not less than 30 days nor more than 6 months, or by both fine and imprisonment.

3. Each separate day or any portion thereof during which any violation of this section occurs or continues shall constitute a separate offense.

SEC. 461. Instruction in United States and Nevada Constitutions; Passage of Examination.

1. In all private schools, colleges and universities located within this state, instruction shall be given in the essentials of the Constitution of the United States and the constitution of the State of Nevada, including the origin and history of the constitutions and the study of and devotion to American institutions and ideals.

2. The instruction required in subsection 1 shall be given during at least 1 year each of the elementary, high school and college grades.

3. No student in such schools shall receive a certificate or diploma of graduation without previously having passed a satisfactory examination upon the constitutions.

SEC. 462. Teachers Required To Show Knowledge of United States Constitution, Nevada Constitution.

1. Any person who is charged with the duty, in a private school, college or university in this state, of giving instruction in the Constitution of the United States and the constitution of the State of Nevada shall be required to show, by examination or credentials showing college, university or normal school study, satisfactory evidence of adequate knowledge of the origin, history, provisions and principles of

the Constitution of the United States and the constitution of the State of Nevada.

2. The state board of education may grant a reasonable time for compliance with the terms of this section.

ARTICLE 55. MISCELLANEOUS PROVISIONS

SEC. 463. Fire Drills.

1. The authorities in charge of every private school within this state shall provide fire drills for the pupils in the schools at least twice in each month during the school year.

2. In all cities or towns which have regularly organized, paid fire departments or voluntary fire departments, fire drills shall be conducted under the supervision of the chief of the fire department of the city or town.

3. Copies of this section shall be kept posted in every classroom of every private school by the principal or teacher in charge thereof.

4. The principal, teacher or other person in charge of each school building shall see that the provisions of this section are enforced.

5. Any violation of the provisions of this section is a misdemeanor.

SEC. 464. Disturbance of Schools; Property Damage; Penalties.

1. It is unlawful for any person:

(a) Willfully and maliciously to injure, mark or deface any private schoolhouse, its fixtures, books or appurtenances; or

(b) To commit any nuisance in any private schoolhouse; or

(c) To loiter on or near the schoolgrounds; or

(d) Purposely and maliciously to commit any trespass upon the grounds attached to a private schoolhouse, or any fixtures placed thereon, or any enclosure or sidewalk about the same; or

(e) In any manner maliciously and purposely to interfere with or disturb any persons peaceably assembled within a private schoolhouse.

2. Any person violating any of the provisions of subsection 1 shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$200 or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

CHAPTER XI

EDUCATION OF THE DEAF, DUMB AND BLIND

ARTICLE 56. GENERAL PROVISIONS

SEC. 465. Education of Deaf, Dumb or Blind in Out-of-State Institutions; Contracts for Education. The superintendent of public instruction shall have the power:

1. To make arrangements with the governing body of any institution for the deaf, dumb or blind in any state having any such institution, for the admission, education and care of the deaf, dumb or blind of this state; and

2. To make all necessary contracts and agreements to carry out the provisions of this article.

SEC. 466. Qualifications of Persons Entitled to Benefits. A deaf,

dumb or blind person shall be entitled to the benefits provided by this article if:

1. He is not mentally or physically incapacitated to receive education or instruction; and
2. He is free from offensive or contagious diseases; and
3. He is unable to pay for his support, education and instruction in an institution for the deaf, dumb or blind; and
4. His parent, relative, guardian or nearest friend is unable to pay for his support, education and instruction in an institution for the deaf, dumb or blind; and
5. He is a resident of the State of Nevada. No deaf, dumb or blind person over the age of 21 years shall be entitled to the benefits provided by this article unless he has been an actual, bona fide resident of the State of Nevada for a period of 5 years preceding the date of application for benefits.

Sec. 467. Application for Benefits; Duties of County Commissioners.

1. A parent, relative, guardian or nearest friend of a deaf, dumb or blind person qualified to receive the benefits provided by this article may file an application for benefits under oath with the board of county commissioners of the county wherein the deaf, dumb or blind person is a resident. The application shall set forth:

(a) That by reason of deafness, dumbness or blindness, the deaf, dumb or blind person is disqualified from being taught by the ordinary process of instruction or education; and

(b) That such parent, relative, guardian or nearest friend is unable to pay for such support, education and instruction in an institution for the deaf, dumb or blind.

2. If the board of county commissioners is satisfied that the statements contained in the application are true, the board shall approve and transmit the application to the superintendent of public instruction, recommending that the deaf, dumb or blind person receive the benefits provided by this article.

Sec. 468. Duties of Superintendent of Public Instruction Upon Receipt of Application. Upon receipt and review of an application for benefits, the superintendent of public instruction shall make the necessary arrangements, with the governing body of an institution for the deaf, dumb or blind, for the admission, education and care of the deaf, dumb or blind person pursuant to the provisions of section 465.

Sec. 469. Transportation to Institution; Payment of Transportation and Maintenance Expenses.

1. When arrangements for the admission, education and care of the deaf, dumb or blind person in an institution have been completed by the superintendent of public instruction, he shall advise the board of county commissioners to make provision, at the expense of the county, for transporting the deaf, dumb or blind person to a place designated by the superintendent of public instruction. The superintendent of public instruction shall make necessary arrangements for transporting the deaf, dumb or blind person from such designated place to the institution at the expense of the state.

2. The cost and expenses of maintenance of the deaf, dumb or blind person at the institution shall be paid by the state.

SEC. 470. Appropriation of Funds. Funds to carry out the provisions of this article shall be provided by direct legislative appropriation from the general fund.

CHAPTER XII

SAVING CLAUSE, SEVERABILITY, REPEALS AND EFFECTIVE DATE

ARTICLE 57. SAVING CLAUSE AND SEVERABILITY

SEC. 471. Saving Clause. This act shall not impair or affect any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time this act takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if this act had not been passed.

SEC. 472. Severability. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

ARTICLE 58. REPEALS AND EFFECTIVE DATE

SEC. 473. Repeals.

1. The following acts and parts of acts are hereby expressly repealed:

(a) Section 13 of chapter 108, Statutes of Nevada 1866, at page 234, being section 4777, N.C.L. 1929, entitled "An Act relating to Officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office, and the mode of supplying the same, misconduct in office, and to enforce official duty," approved March 9, 1866.

(b) Chapter 56, Statutes of Nevada 1869, at page 103, also designated as sections 2310 to 2312, inclusive, N.C.L. 1929, entitled "An Act to provide for the education of the Deaf and Dumb and the Blind of the State of Nevada," approved March 2, 1869.

(c) Chapter 70, Statutes of Nevada 1897, at page 86, entitled "An Act fixing the salary of the Superintendent of Public Instruction," approved March 15, 1897.

(d) Chapter 110, Statutes of Nevada 1905, at page 211, also designated as sections 7517 and 7518, N.C.L. 1929, entitled "An Act to authorize the Superintendent of Public Instruction of Nevada to employ a stenographic clerk and fixing of compensation," approved March 7, 1905.

(e) Chapter 59, Statutes of Nevada 1907, at page 106, entitled "An Act to enable the several school districts of the State to issue negotiable coupon bonds for the purpose of erecting and furnishing school buildings, or purchasing ground, or for refunding floating funded debts, and providing for the payment of the principal indebtedness thus authorized and the interest thereon," approved March 12, 1907.

(f) Chapter 97, Statutes of Nevada 1909, at page 100, entitled "An Act to require School Trustees to procure and hoist on public school houses the United States flag," approved March 13, 1909.

(g) Chapter 178, Statutes of Nevada 1909, at page 226, entitled "An Act to authorize Boards of County Commissioners to establish District High Schools, and matters properly connected therewith," approved March 24, 1909.

(h) Sections 334 and 335, being sections 10282 and 10283, N.C.L. 1929, of "An Act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911.

(i) Chapter 244, Statutes of Nevada 1913, at page 368, entitled "An Act to provide for bonding counties for building and equipping county high schools and dormitories or for either one of these purposes, and other matters properly connected therewith," approved March 25, 1913.

(j) Chapter 260, Statutes of Nevada 1913, at page 403, entitled "An Act compelling attendance of children at schools where tuition, lodging, food and clothing are furnished at the expense of the United States," approved March 26, 1913.

(k) Chapter 78, Statutes of Nevada 1915, at page 97, entitled "An act to authorize county commissioners, in counties not having county high schools, to aid district high schools under certain conditions and matters properly connected therewith," approved March 9, 1915.

(l) Chapter 152, Statutes of Nevada 1915, at page 180, also designated as section 5872, N.C.L. 1929, entitled "An Act to amend section 3 of an act entitled 'An act to require school trustees to procure and hoist on public schoolhouses the United States flag,' approved March 13, 1909," approved March 16, 1915.

(m) Chapter 209, Statutes of Nevada 1917, at page 397, entitled "An Act to accept the benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled, to provide for the promotion of vocational education, approved February 23, 1917," approved March 24, 1917.

(n) Chapter 47, Statutes of Nevada 1919, at page 61, also designated as section 6073, N.C.L. 1929, entitled "An Act to provide for a Frances Willard memorial day," approved March 10, 1919.

(o) Chapter 91, Statutes of Nevada 1919, at page 160, also designated as sections 6850 to 6856, inclusive, N.C.L. 1929, entitled "An Act creating schools of mines in Virginia City, Tonopah, Goldfield, and in the Ely mining district, Nevada; providing for the control of said schools and making appropriations therefor," approved March 25, 1919.

(p) Chapter 186, Statutes of Nevada 1919, at page 334, also designated as sections 6056 to 6062, inclusive, N.C.L. 1929, entitled "An Act compelling attendance of children at schools where tuition, lodging, food and clothing are furnished at the expense of the United States, and repealing all acts and parts of acts in conflict herewith," approved March 28, 1919.

(q) Chapter 184, Statutes of Nevada 1923, at page 325, also designated as sections 5185 to 5187, inclusive, N.C.L. 1929, entitled "An Act to provide uniform and standard work for private schools in this

Private school law being repealed.

state, and matters properly relating thereto," approved March 21, 1923.

(r) Chapter 187, Statutes of Nevada 1923, at page 334, entitled "An Act authorizing and directing county boards of education and boards of county commissioners to provide certain funds to aid district high schools and to include in the tax levy for high schools provision for the necessary funds, and other matters properly connected therewith," approved March 21, 1923.

(s) Chapter 61, Statutes of Nevada 1945, at page 97, entitled "An Act relating to public education; to safeguard the educational interest and welfare of the state by prescribing conditions under which funds, services, commodities, or equipment provided by agencies of the federal government may be accepted for use by public tax-supported schools and school systems of the State of Nevada," approved March 9, 1945.

(t) Chapter 222, Statutes of Nevada 1945, at page 397, entitled "An Act to provide for payment at state expense of premiums on insurance policies protecting students in the schools of the State of Nevada supported in whole or in part with state or county funds from loss arising out of injuries received by them in the course of athletic practice or competition as members of school athletic teams," approved March 26, 1945.

(u) Chapter 63, Statutes of Nevada 1947, at page 91, entitled "An Act concerning public schools of the State of Nevada, establishing and defining certain crimes and providing punishment therefor, and repealing certain acts and parts of acts relating thereto," approved March 15, 1947, is repealed, except for sections 360, 419, 420 and 421, which sections are not repealed.

(v) Chapter 180, Statutes of Nevada 1947, at page 621, entitled "An Act to provide for the establishment, maintenance, operation and expansion of nonprofit school lunch programs in public schools of the State of Nevada and making an appropriation therefor," approved March 27, 1947.

(w) Chapter 264, Statutes of Nevada 1947, at page 831, entitled "An Act requiring boards of trustees or boards of education of school districts, county boards of education, and governing boards of district high schools, to publish expenditures," approved April 1, 1947.

(x) Chapter 62, Statutes of Nevada 1951, at page 66, entitled "An Act providing for the creation of reserve building funds by school districts or county high schools," approved March 8, 1951.

(y) Chapter 66, Statutes of Nevada 1951, at page 69, entitled "An Act providing for the depositing in the state distributive school fund all moneys received by the state from secretary of the treasury of the United States pursuant to the federal coal, oil and gas lands leasing act of 1920," approved March 8, 1951.

(z) Chapter 262, Statutes of Nevada 1953, at page 370, entitled "An Act relating to the bonds of school districts issued under the authority of section 206 of that certain act of the legislature entitled, 'An act concerning public schools of the State of Nevada, establishing and defining certain crimes and providing punishment therefor, and repealing certain acts and parts of acts relating thereto,' approved March

15, 1947; validating all such bonds now outstanding, and other matters properly relating thereto," approved March 27, 1953.

(aa) Section 9 of chapter 295, Statutes of Nevada 1953, at page 466, entitled "An Act providing for salaries of elective state officers; providing for salaries, compensation and employment of other officers and employees in the various state offices, departments, boards, commissions and agencies of the State of Nevada; repealing certain acts and parts of acts in conflict herewith, and other matters relating thereto," approved March 27, 1953.

(bb) Chapter 10, Statutes of Nevada 1954, at page 25, entitled "An Act supplementary to that certain act entitled, 'An Act concerning public schools of the State of Nevada, establishing and defining certain crimes and providing punishment therefor, and repealing certain acts and parts of acts relating thereto,' approved March 15, 1947; providing for the quarterly payments of apportionments from state school funds to the public schools of the State of Nevada upon the basis of the current school year's average daily attendance; providing for adjustments of quarterly apportionments; defining certain words and terms; appropriating a sum of money to carry out the purposes of this act; and other matters properly relating thereto," approved January 11, 1954.

(cc) Chapter 175, Statutes of Nevada 1955, at page 255, entitled "An Act authorizing the state board of vocational education to enter into an agreement with the United States Government for vocational rehabilitation disability determinations; designating the state treasurer as custodian of funds received from the Federal Government; providing for the disbursement and expenditure of funds, and other matters properly relating thereto," approved March 22, 1955.

(dd) Chapter 223, Statutes of Nevada 1955, at page 354, entitled "An Act establishing minimum standards for certain private schools and requiring a license for the operation thereof; defining certain terms; providing for the issuance and renewal of licenses and license fees; establishing qualifications for licenses; providing for suspension or revocation of licenses; providing for enforcement and treble damages; and other matters relating thereto," approved March 24, 1955.

(ee) Chapter 249, Statutes of Nevada 1955, at page 406, entitled "An Act providing for the acceptance of benefits of emergency federal assistance to the states and territories in the construction of public elementary and secondary school facilities; designating the state board of education as the state agency charged with the responsibilities of administering this act and complying with the requirements of the Federal Government; authorizing the state treasurer to receive and be custodian of any funds received hereunder; and other matters properly relating thereto," approved March 26, 1955.

(ff) Section 7 of Chapter 320, Statutes of Nevada 1955, at page 530, entitled "An Act fixing the salaries of certain state officers; providing ex officio duties of certain state officers and compensation for the performance of the same; repealing certain acts and parts of acts in conflict herewith; and other matters properly relating thereto," approved March 28, 1955.

Private school law
being repealed.

(gg) Chapter 426, Statutes of Nevada 1955, at page 877, entitled "An Act authorizing financial assistance for the maintenance and operation of certain school districts wherein 10 percent of the average daily attendance includes students whose parent or parents are state employees, or students who attend schools in the school district as wards of the State of Nevada; defining certain terms and declaring the public policy of the state; stating qualifications for state financial aid and providing for the payment thereof; and other matters properly relating thereto," approved March 29, 1955.

2. All acts amendatory of and supplementary to the acts and parts of acts specified in subsection 1 are hereby expressly repealed.

3. All other acts and parts of acts in conflict with this act are hereby repealed.

SEC. 474. Effective Date. Except as otherwise provided in this act, this act shall become effective upon passage and approval.

Senate Bill No. 41—Senators SeEVERS, Settelmeyer, Brown, Orr and Johnson

CHAPTER 33

AN ACT providing an additional and supplemental appropriation to the distributive school fund for the biennium ending June 30, 1957.

[Approved March 2, 1956]

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

SECTION 1. For the biennium ending June 30, 1957, there is hereby appropriated, from any moneys in the state treasury not otherwise appropriated, the sum of \$375,000 to the distributive school fund as an additional and supplemental appropriation to that allowed by section 52 of chapter 324, Statutes of Nevada 1955. The state controller is hereby authorized and directed to transfer forthwith such sum from the general fund to the distributive school fund.

SEC. 2. This act shall become effective upon passage and approval.
