ASSEMBLY BILL NO. 261–ASSEMBLYWOMEN ANDERSON, BRITTNEY MILLER AND CONSIDINE

MARCH 15, 2021

Referred to Committee on Education

SUMMARY—Revises provisions governing education to provide diversity and inclusivity in the academic standards and curriculum. (BDR 34-672)

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

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to education; requiring the board of trustees of a school district or the governing body of a charter school to ensure that instruction is provided to certain pupils on the history and contributions of certain groups of persons; revising provisions relating to the selection of instructional materials by the State Board of Education; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Council to Establish Academic Standards for Public Schools to establish standards of content and performance for certain courses of study. (NRS 389.520) **Section 1** of this bill requires the board of trustees of a school district or the governing body of a charter school to ensure that instruction is provided to pupils enrolled in kindergarten through grade 12 on the history and contributions to science, the arts and humanities of certain groups of persons. **Section 1** requires such instruction to be: (1) included in the standards of content and performance established by the Council; (2) age-appropriate; and (3) included in one or more courses of study for which the Council has established relevant standards of content and performance.

Under existing law, the State Board of Education is required to make the final decision on the use of all textbooks in the public schools in this State. (NRS 389.850) **Section 2** of this bill prohibits the State Board from selecting instructional materials, including, without limitation, a textbook, for use in the public schools unless the instructional materials accurately portray the history and

contributions to science, the arts and humanities of the groups of persons described in **section 1**.

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

Section 1. Chapter 389 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The board of trustees of each school district and the governing body of each charter school shall ensure that instruction is provided to pupils enrolled in kindergarten through grade 12 in each public school within the school district or in the charter school, as applicable, on the history and contributions to science, the arts and humanities of:

(a) Native Americans and Native American tribes;

(b) Persons of marginalized sexual orientation or gender identity;

(c) Persons with disabilities;

(d) Persons from various racial and ethnic backgrounds, including, without limitation, persons who are African-American, Basque, Hispanic or Asian or Pacific Islander;

(e) Persons from various socioeconomic statuses;

(f) Immigrants or refugees;

(g) Persons from various religious backgrounds; and

(h) Any other group of persons the board of trustees of a school district or the governing body of a charter school deems appropriate.

2. The standards of content and performance for the instruction required by subsection 1 must be included in the standards of content and performance established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520. The instruction required by subsection 1 must be:

(a) Age-appropriate; and

(b) Included within one or more courses of study for which the Council has established the relevant standards of content and performance.

Sec. 2. NRS 389.850 is hereby amended to read as follows:

389.850 1. The State Board shall make the final selection of all textbooks to be used in the public schools in this State, except for charter schools. If a textbook proposed for selection is in a subject area for which standards of content have been established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520, the State Board shall not select the

textbook unless the State Board determines that the textbook adequately supports the standards for that subject area.

2. A textbook must not be selected by the State Board pursuant to subsection 1 for use in the public schools in classes in literature, history or social sciences unless it accurately portrays the cultural and racial diversity of our society, including lessons on the contributions made to our society by men and women from various racial and ethnic backgrounds.

3. Instructional materials, including, without limitation, a textbook, must not be selected by the State Board pursuant to subsection 1 for use in the public schools unless the State Board determines that the instructional materials accurately portray the history and contributions to science, the arts and humanities of the groups of persons described in section 1 of this act.

Sec. 3. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 4. 1. This section becomes effective upon passage and approval.

2. Sections 1, 2 and 3 of this act become effective:

(a) Upon passage and approval for the purpose of performing any preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2022, for all other purposes.

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