

**NetChoice** *Promoting Convenience, Choice, and Commerce on the Net*

Carl Szabo, Policy Counsel  
NetChoice  
1401 K St NW, Suite 502  
Washington, DC 20005  
202-420-7485  
[www.netchoice.org](http://www.netchoice.org)



April 2, 2015

Senator Becky Harris, Chair  
Education Committee  
Room 2135  
Carson City, NV 89701-4747

**RE: *Support Conditionally on Acceptance of Attached Amendments to SB 463, An Act Related to Student Data Privacy***

Dear Madame Chair and members of the committee:

We support conditionally on acceptance of the attached amendments the approach outlined in SB 463. However, without the necessary amendments below, SB 463 could actually inhibit educational technology innovation and discourage businesses from making these services available to Nevada students.

It is important to note that federal and state laws already prevent interest-based advertising in various educational contexts. And just three months ago 125 education technology companies signed a Student Privacy Pledge<sup>1</sup> that stops them from using information they collect as part of school services for delivery of interest-based advertisements to students.

The amendments we propose, attached to this testimony and outlined in part below, are designed to maintain the goal of preventing school service providers from using student information for targeted advertising, to clarify legislative language, and to prevent unintended consequences.

Currently, SB 463 lacks proper data portability allowances. Data portability allows parents access to their child's student information. Our proposed amendments enable parents to access information about their child and give this information to a tutor and take it with them when their child moves to a new school. This amendment mirrors parents' expectations that they can access information a school service has regarding their child.

SB 463 is not designed to encompass every online service – only those engaged in educational purposes (see the definition of "School Service" which attempts to avoid encompassing general audience websites). Unfortunately, the broad definition of "School Service Provider" would

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<sup>1</sup> <http://studentprivacypledge.org>

capture every component of a business, even if just a small offshoot engages in educational services. We suggest amending the term “School Service Provider” so it covers only educational services when actively engaged in providing these services to schools. We worry that without this amendment large companies might not risk providing educational services to Nevada schools if it subjects the entire company to the legal limitations in SB 463.

Another proposed amendment would allow the service provider to disclose information to protect students, teachers, schools, and/or the security of the system. This gives service providers the necessary flexibility to prevent harm to students and loss of student data.

We proposed language that would allow service providers to engage in creating new educational innovative tools. As written, SB 463 would only allow service providers to use information to improve existing services – it would not allow service providers to use what they learn to develop new educational services.

Other amendments are designed to clarify legislative language. For example, SB 463 imposes restrictions when dealing with “pupils” but does not define what is a “pupil.” Since it is unlikely that SB 463’s authors are trying to regulate adult education (SB 463 repeatedly refers to “parents or legal guardian of pupil”) we propose a definition of pupil to include every student who attends a primary or secondary school in Nevada. Likewise, SB 463 aims to prevent “targeted advertising” based on student information. We’ve included in our proposed amendments a definition of “targeted advertising” based on the general definition within industry<sup>2</sup> to better identify and clarify the practices being prohibited.

We look forward to working with the Committee and the bill’s sponsor on adoption of these amendments. Thank you for considering our views. Please let us know if we can provide further information.

Sincerely,



Carl Szabo  
Policy Counsel, NetChoice

**NetChoice** is a trade association of e-Commerce and online businesses. [www.netchoice.org](http://www.netchoice.org)

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<sup>2</sup> See, e.g. National Advertising Initiative Code of Conduct (2013).

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SENATE BILL NO. 463-COMMITTEE ON EDUCATION

MARCH 23, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to education.  
(BDR 34-411)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§ 8)  
(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.

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AN ACT relating to education; requiring certain providers of electronic applications used for educational purposes to provide written disclosures concerning personally identifiable information that is collected; requiring such a provider to allow certain persons to review and correct personally identifiable information about a pupil maintained by the provider; limiting the circumstances under which such a provider may collect, use, allow access to or transfer personally identifiable information concerning a pupil; requiring such a provider to establish and carry out a detailed plan for the security of data concerning pupils; requiring teachers and other licensed personnel employed by a school district or charter school to complete certain professional development; requiring certain disciplinary action against a teacher or administrator for breaches in security or confidentiality of certain examinations; providing a civil penalty for certain violations; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1       **Section 5** of this bill requires a school service provider to provide to the board  
2 of trustees of a school district or the governing body of a school, as applicable, and  
3 a teacher who uses a school service, a written disclosure of: (1) the types of  
4 personally identifiable information collected by the school service provider; (2) the

5 manner in which such information is used; (3) the plan for security of data  
6 concerning pupils which has been established by the school service provider; and  
7 (4) any material change to such a plan. **Section 3** of this bill defines the term  
8 “school service” to mean an Internet website, online service or mobile application  
9 that: (1) is used primarily for educational purposes; (2) was designed and marketed  
10 for use in public schools; and (3) is used at the direction of teachers and other  
11 educational personnel. **Section 5** requires a school service provider to: (1) allow  
12 certain pupils or the parent or guardian of a pupil to review personally identifiable  
13 information about the pupil maintained by the school service provider; and (2)  
14 establish a process for making any corrections to such information.

15 **Section 6** of this bill limits the circumstances under which a school service  
16 provider may collect, use, allow access to or transfer personally identifiable  
17 information concerning a pupil. **Section 6** requires a school service provider to  
18 delete personally identifiable information concerning a pupil at the request of: (1)  
19 the board of trustees of the school district or the governing body of the school, as  
20 applicable; (2) a teacher of the pupil; (3) a pupil who is at least 16 years of age; or  
21 (4) the parent or legal guardian of the pupil. **Section 6** requires any agreement  
22 entered into by a school service provider that provides for the disclosure of  
23 personally identifiable information to limit the circumstances under which the  
24 person or governmental entity to whom the information is disclosed may collect,  
25 use or transfer such information to circumstances authorized by law. **Section 6** also  
26 subjects any school service provider that violates these requirements to a civil  
27 penalty.

28 **Section 7** of this bill requires a school service provider to establish and carry  
29 out a detailed plan for the security of any data concerning pupils that is collected,  
30 maintained or transferred by the school service provider. **Section 8** of this bill  
31 requires each school district and the governing body of a charter school or  
32 university school for profoundly gifted pupils, as applicable, to annually provide  
33 professional development regarding the use of school service providers and the  
34 security of data concerning pupils. **Section 8** also requires teachers and other  
35 licensed personnel employed by a school district or charter school to annually  
36 complete professional development regarding school service providers and the  
37 security of data concerning pupils.

38 Existing law authorizes a teacher to be suspended, dismissed or not reemployed  
39 and an administrator to be demoted, suspended, dismissed or not reemployed for  
40 breaches in security or confidentiality of the questions and answers of certain  
41 examinations. (NRS 391.3127) **Section 9** of this bill instead requires a teacher to  
42 be suspended, dismissed or not reemployed and an administrator to be demoted,  
43 suspended, dismissed or not reemployed for such breaches.

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

1 **Section 1.** Chapter 388 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this  
3 act.

4 **Sec. 2.** *“Personally identifiable information” has the*  
5 *meaning ascribed to it in 34 C.F.R. § 99.3.*

6 **Sec. 3.** *“School service” means an Internet website, online*  
7 *service or mobile application that (i) collects, maintains, or uses*  
8 *personally identifiable information concerning a pupil, (ii) ~~that is~~*

1 | used primarily for educational purposes and (iii) is designed and  
2 | marketed for use in public schools and is used at the direction of  
3 | teachers and other educational personnel. The term does not  
4 | include an Internet website, online service or mobile application  
5 | that is designed or marketed for use by a general audience, even if  
6 | the school service is also marketed to public schools.

7 | **Sec. 4.** “Pupil” means a student who attends a primary or  
8 | secondary school in this State.

9 | **Sec. 5.** “School service provider” means a person that  
10 | operates a school service, to the extent it is operating in that  
11 | capacity.

12 | **Sec. 6.** “Targeted advertising” means presenting  
13 | advertisements to a pupil where the advertisement is selected based  
14 | on information obtained or inferred from that pupil’s online  
15 | behavior, usage of applications, or personally identifiable  
16 | information. It does not include advertising to a pupil at an online  
17 | location based upon that pupil’s current visit to that location or  
18 | single search query without the collection and retention of a  
19 | pupil’s online activities over time.

20 | **Sec. 7~~5~~.** **1.** Before the persons or governmental entities  
21 | described in subsection 3 begin using a school service, a school  
22 | service provider must provide a written disclosure to such persons  
23 | or governmental entities in language that is easy to understand  
24 | with the following information, ~~which includes, without limitation:~~

25 |  
26 | (a) The types of personally identifiable information  
27 | collected by the school service provider and the manner in which  
28 | such information is used; and  
29 | ~~, including, without limitation, the persons or governmental~~  
30 | ~~entities that have access to the information and the manner in~~  
31 | ~~which such information is transferred; and~~

32 | (b) A description of its plan for the security of personally  
33 | identifiable information ~~data~~ concerning pupils which has been  
34 | established by the school service provider pursuant to section ~~7-9~~ of  
35 | this act.

36 | **2.** Before a school service provider makes a material  
37 | change to the plan for the security of personally identifiable  
38 | information ~~data~~ concerning pupils established pursuant to section  
39 | ~~7-9~~ of this act, the school service provider must provide notice to  
40 | the persons or governmental entities set forth in subsection 3.

41 | **3.** The disclosure or notice provided pursuant to  
42 | subsection 1 or 2, as applicable, must be provided to:

43 | (a) The board of trustees of a school district, the governing  
44 | body of a charter school or the governing body of a university

1 school for profoundly gifted pupils, as applicable, that uses the  
2 school service of the school service provider; and

3 (b) Any teacher who uses the school service.

4 4. A school service provider shall:

5 (a) Allow a pupil ~~who is at least 16 years of age~~ or the  
6 parent or legal guardian of a pupil to review personally identifiable  
7 information concerning the pupil that is maintained by the school  
8 service provider; and

9 (b) Establish a process for the correction of such  
10 information, as needed, by:

11 (1) A pupil ~~who is at least 16 years of age~~ or the parent or  
12 legal guardian of a pupil; or

13 (2) At the request of a pupil ~~who is at least 16~~  
14 ~~years of age~~ or the parent or legal guardian of a pupil,  
15 the teacher of the pupil or the board of trustees of the  
16 school district in which the school that the pupil  
17 attends is located, the governing body of the charter  
18 school that the pupil attends or the governing body of the  
19 university school for profoundly gifted pupils that the pupil  
20 attends, as applicable.

21 Sec. 68. 1. Notwithstanding anything to the contrary herein,  
22 A school service provider may collect, use, allow access to or  
23 transfer personally identifiable information concerning a pupil  
24 only:

25 (a) For the purposes authorized that customarily take place  
26 at the direction of ~~aby the~~ teacher of the pupil or the board of  
27 trustees of the school district in which the school that the pupil  
28 attends is located, the governing body of the charter school that the  
29 pupil attends or the governing body of the university school for  
30 profoundly gifted pupils that the pupil attends, as applicable, so  
31 long as it is authorized by federal and state law;

32 (b) If required by federal or state law or to take precautions  
33 against liability; ~~or~~

34 (c) To respond to or participate in judicial process;

35 (d) With the consent of the pupil, if the pupil is at least 16  
36 years of age, or the parent or legal guardian of the pupil;

37 (e) To protect the security or integrity of the school service;

38 (f) To protect the safety of users or others on the school  
39 service;

40 (g) To investigate a matter related to public safety; or

41 (h) To transfer personally identifiable information  
42 concerning a pupil to a third party service provider, provided the  
43 school service provider: (i) contractually prohibits the third party  
44 service provider from using any personally identifiable information  
45 concerning a pupil for any purpose other than providing the

1 contracted service to, or on behalf of, the school service provider;  
2 (ii) prohibits the third party service provider from disclosing any  
3 personally identifiable information concerning a pupil provided by  
4 the school service provider to subsequent third parties unless the  
5 disclosure is expressly permitted by a section in this Act; and (iii)  
6 requires the third party service provider to comply with the  
7 requirements of this Act.

8 2. A school service provider shall delete within a  
9 reasonable timeframe any personally identifiable information  
10 concerning a pupil that is collected or maintained by the school  
11 service provider ~~upon the request of:~~ if

12 ~~(a) The board of trustees of the school district in which the~~  
13 ~~school that the pupil attends is located, the governing body of the~~  
14 ~~charter school that the pupil attends or the governing body of the~~  
15 ~~university school for profoundly gifted pupils that the pupil~~  
16 ~~attends, as applicable, requests deletion of such information and~~  
17 ~~such information is under its control, unless a pupil or parent or~~  
18 ~~legal guardian of a pupil consents to the maintenance of the~~  
19 ~~personally identifiable information concerning a pupil.~~

20 ~~(b) A teacher of the pupil;~~

21 ~~(c) A pupil who is at least 16-18 years of age; or~~

22 ~~(d) The parent or legal guardian of a pupil.~~

23 3. Any agreement entered into by a school service provider  
24 that provides for the disclosure of personally identifiable  
25 information must require that the person or governmental entity to  
26 whom the information will be disclosed abide by the requirements  
27 imposed pursuant to this section.

28 4. A school service provider shall not:

29 (a) Use personally identifiable information concerning a  
30 pupil for any commercial purpose, including, without limitation,  
31 selling the information or using the information to market  
32 products or services to pupils targeted advertising;

33 (b) Sell personally identifiable information concerning a  
34 pupil, except that this prohibition does not apply to the purchase,  
35 merger, or other type of acquisition of a private contractor or  
36 vendor, or any assets of the private contractor or vendor by another  
37 entity, provided that the successor entity continues to be subject  
38 to the provisions of this section with respect to previously acquired  
39 personally identifiable information of a pupil to the extent that the  
40 private contractor or vendor was regulated by this Act with regard  
41 to its acquisition of such information;

42 (c) Use personally identifiable information concerning a  
43 pupil to create a profile of the pupil without the consent of:

44 (1) The pupil, if he or she is at least 16 years of age;

45 (2) The parent or legal guardian of the pupil;

1 (3) *The teacher of the pupil; or*

2 (4) *The board of trustees of the school district in which the*  
3 *school that the pupil attends is located, the governing*  
4 *body of the charter school that the pupil attends or the*  
5 *governing body of the university school for profoundly gifted*  
6 *pupils that the pupil attends, as applicable; except that*

7 *(5) Creating a profile shall not include collection and*  
8 *retention of account registration records or information that*  
9 *remains under the control of the pupil, the parent or legal*  
10 *guardian of the pupil, or the persons or governmental entities*  
11 *described in Section 7.3.*

12 *(de) Use personally identifiable information*  
13 *concerning a pupil in a manner that is inconsistent with any*  
14 *privacy policy established by the school service provider for the*  
15 *school service in effect at the time the information is collected; or*

16 *(e#) Knowingly retain, without the consent of a pupil*  
17 *who is at least 16 years of age or the parent or legal guardian of a*  
18 *pupil, personally identifiable information concerning the pupil*  
19 *beyond the period authorized by the teacher of the pupil or the*  
20 *board of trustees of the school district in which the school that the*  
21 *pupil attends is located, the governing body of the*  
22 *charter school that the pupil attends or the governing body of*  
23 *the university school for profoundly gifted pupils that the pupil*  
24 *attends, as applicable.*

25 5. *This section does not prohibit the use or disclosure of*  
26 *the personally identifiable information of a pupil that is collected*  
27 *or maintained by a school service provider for the purposes of:*

28 *(a) Adaptive learning, personalized or customized education;*  
29 *Adapting the presentation of educational material according to the needs of the pupil*  
30 *in a classroom of a public school in which the teacher uses a school service; or*

31 *(b) Maintaining or improving the school service;*

32 *(c) Providing or using recommendation engines to*  
33 *recommend additional content or services within a school service*  
34 *without the response being determined in whole or in part by*  
35 *payment or other consideration from a third party;*

36 *(d) Responding to a pupil's request for information or for*  
37 *feedback without the information or response being determined in*  
38 *whole or in part by payment or other consideration from a third*  
39 *party; or*

40 *(e) Permitting a pupil or parent or legal guardian to*  
41 *download, transfer, or otherwise save or maintain pupil data or*  
42 *documents.*

43 6. *A school service provider that knowingly and willfully*  
44 *violates the provisions of subsection 1 or 4 is subject to a civil*  
45 *penalty in an amount not to exceed \$5,000 per violation. The*

1 *Attorney General may recover the penalty in a civil action*  
2 *brought in the name of the State of Nevada in any court of*  
3 *competent jurisdiction.*

4 | **Sec. 79. 1. A school service provider shall**  
5 **establish and** carry out a detailed plan for the security of any  
6 **data concerning pupils that is collected, or maintained ~~or~~**  
7 **~~transferred~~ by the school service provider. The plan must include,**  
8 **without limitation:**

9 (a) *Procedures for protecting the security, privacy,*  
10 *confidentiality and integrity of personally identifiable information*  
11 *concerning a pupil; and*

12 (b) *Appropriate administrative, technological and physical*  
13 *safeguards to ensure the security of personally identifiable*  
14 *information concerning a pupil.*

15 2. *A school service provider shall ensure that any successor*  
16 *entity ~~will~~ commits to abide by all privacy and security*  
17 *commitments related to personally identifiable information*  
18 *concerning a pupil collected and maintained by the*  
19 *school service provider before allowing a successor entity to access*  
20 *such personally identifiable information.*

21 | **Sec. 810. 1. Each school district and the governing body of a**  
22 **charter school or a university school for profoundly gifted pupils,**  
23 **as applicable, shall annually provide professional development**  
24 **regarding the use of school service providers and the security of**  
25 **data concerning pupils.**

26 2. *Teachers and other licensed personnel employed by a*  
27 *school district or charter school shall complete the professional*  
28 *development provided pursuant to subsection 1.*

29 **Sec. 11. Notwithstanding anything to the contrary herein,**  
30 **nothing in this Act is intended to prohibit a school service provider**  
31 **from using or disclosing aggregated or de-identified personally**  
32 **identifiable information concerning a pupil as follows:**

33 1. *Within the school service provider's school service; or*

34 2. *To demonstrate the effectiveness of the school service*  
35 *provider's products or services, including in its marketing.*

36  
37 **Sec. 912.** NRS 391.31297 is hereby amended to read as  
38 follows: 391.31297 1. A teacher may be suspended, dismissed or not  
39 reemployed and an administrator may be demoted, suspended,  
40 dismissed or not reemployed for the following reasons:

- 41 (a) Inefficiency;  
42 (b) Immorality;  
43 (c) Unprofessional conduct;  
44 (d) Insubordination;  
45 (e) Neglect of duty;

- 1 (f) Physical or mental incapacity;
- 2 (g) A justifiable decrease in the number of positions due to
- 3 decreased enrollment or district reorganization;
- 4 (h) Conviction of a felony or of a crime involving moral
- 5 turpitude;
- 6 (i) Inadequate performance;
- 7 (j) Evident unfitness for service;
- 8 (k) Failure to comply with such reasonable requirements as a
- 9 board may prescribe;
- 10 (l) Failure to show normal improvement and evidence of
- 11 professional training and growth;
- 12 (m) Advocating overthrow of the Government of the United
- 13 States or of the State of Nevada by force, violence or other unlawful
- 14 means, or the advocating or teaching of communism with the intent
- 15 to indoctrinate pupils to subscribe to communistic philosophy;
- 16 (n) Any cause which constitutes grounds for the revocation of a
- 17 teacher's license;
- 18 (o) Willful neglect or failure to observe and carry out the
- 19 requirements of this title;
- 20 (p) Dishonesty;
- 21 (q)  ~~Breaches in the security or confidentiality of the~~
- 22  ~~questions and answers of the examinations that are~~
- 23  ~~administered pursuant to NRS 389.550 or 389.805 and the~~
- 24  ~~college and career readiness assessment administered pursuant~~
- 25  ~~to NRS 389.807.~~
- 26  ~~(r)~~ Intentional failure to observe and carry out the requirements
- 27 of a plan to ensure the security of examinations and assessments
- 28 adopted pursuant to NRS 389.616 or 389.620;
- 29  ~~(s)~~ (r) An intentional violation of NRS 388.5265 or 388.527;
- 30  ~~(t)~~ (s) Gross misconduct; or
- 31  ~~(u)~~ (t) An intentional failure to report a violation of NRS
- 32 388.135 if the teacher or administrator witnessed the violation.
- 33 2. *If a teacher or administrator breaches the security or*
- 34 *confidentiality of the questions and answers of the examinations*
- 35 *that are administered pursuant to NRS 389.550 or 389.805 or the*
- 36 *college and career readiness assessment administered pursuant to*
- 37 *NRS 389.807, the board of trustees of a school district, governing*
- 38 *body of a charter school or governing body of a university school*
- 39 *for profoundly gifted pupils, as applicable, shall:*
- 40 (a) *Suspend, dismiss or fail to reemploy the teacher; or*
- 41 (b) *Demote, suspend, dismiss or fail to reemploy the*
- 42 *administrator.*
- 43 3. In determining whether the professional performance of a
- 44 licensed employee is inadequate, consideration must be given to the
- 45 regular and special evaluation reports prepared in accordance with

1 the policy of the employing school district and to any written  
2 standards of performance which may have been adopted by the  
3 board.

4 ~~3.~~ 4. As used in this section, “gross misconduct” includes any  
5 act or omission that is in wanton, willful, reckless or deliberate  
6 disregard of the interests of a school or school district or a pupil  
7 thereof.

8 | **Sec. 130.** NRS 391.313 is hereby amended to read as follows:

9 391.313 1. Whenever an administrator charged with  
10 supervision of a licensed employee believes it is necessary to  
11 admonish the employee for a reason that the administrator believes  
12 may lead to demotion or dismissal or may cause the employee not to  
13 be reemployed under the provisions of NRS 391.31297, the  
14 administrator shall:

15 (a) Except as otherwise provided in subsection 3, bring the  
16 matter to the attention of the employee involved, in writing, stating  
17 the reasons for the admonition and that it may lead to the  
18 employee’s demotion, dismissal or a refusal to reemploy him or her,  
19 and make a reasonable effort to assist the employee to correct  
20 whatever appears to be the cause for the employee’s potential  
21 demotion, dismissal or a potential recommendation not to reemploy  
22 him or her; and

23 (b) Except as otherwise provided in NRS 391.314, allow  
24 reasonable time for improvement, which must not exceed 3 months  
25 for the first admonition.

26 ↪ The admonition must include a description of the deficiencies of  
27 the teacher and the action that is necessary to correct those  
28 deficiencies.

29 2. An admonition issued to a licensed employee who, within  
30 the time granted for improvement, has met the standards set for the  
31 employee by the administrator who issued the admonition must be  
32 removed from the records of the employee together with all  
33 notations and indications of its having been issued. The admonition  
34 must be removed from the records of the employee not later than 3  
35 years after it is issued.

36 3. An administrator need not admonish an employee pursuant  
37 to paragraph (a) of subsection 1 if his or her employment will be  
38 terminated pursuant to NRS 391.3197.

39 4. A licensed employee is subject to immediate dismissal or a  
40 refusal to reemploy according to the procedures provided in NRS  
41 391.311 to 391.3197, inclusive, without the admonition required by  
42 this section, on grounds contained in paragraphs (b), (f), (g), (h), (p)  
43 and ~~(s)~~ (s) of subsection 1 of NRS 391.31297.

44 | **Sec. 141.** NRS 391.3161 is hereby amended to read as  
45 follows:

1           391.3161 1. Each request for the appointment of a person to  
2 serve as a hearing officer must be submitted to the Superintendent of  
3 Public Instruction.

4           2. Within 10 days after receipt of such a request, the  
5 Superintendent of Public Instruction shall request that the Hearings  
6 Division of the Department of Administration appoint a hearing  
7 officer.

8           3. The State Board shall prescribe the procedures for exercising  
9 challenges to a hearing officer, including, without limitation, the  
10 number of challenges that may be exercised and the time limits in  
11 which the challenges must be exercised.

12           4. A hearing officer shall conduct hearings in cases of  
13 demotion, dismissal or a refusal to reemploy based on the grounds  
14 contained in ~~subsection~~ *subsections 1 and 2* of NRS 391.31297.

15           5. This section does not preclude the employee and the  
16 superintendent from mutually selecting an attorney who is a resident  
17 of this State, an arbitrator provided by the American Arbitration  
18 Association or a representative of an agency or organization that  
19 provides alternative dispute resolution services to serve as a hearing  
20 officer to conduct a particular hearing.

21 |           **Sec. 152.** The provisions of section 6 of this act:

22           1. Apply to any agreement entered into, extended or renewed  
23 on or after July 1, 2015, and any provision of the agreement that is  
24 in conflict with that section is void.

25           2. Apply on July 1, 2018, to any agreement entered into before  
26 July 1, 2015.

27 |           **Sec. 163.** The provisions of NRS 354.599 do not apply to any  
28 additional expenses of a local government that are related to the  
29 provisions of this act.

30 |           **Sec. 174.** This act becomes effective on July 1, 2015.