



ESC Foundational Documents

Federal Regulations, NV Statutes, Regulation, Executive Order

Code of Federal Regulations

§ 300.12 Educational service agency.

Educational service agency means—

- (a) A regional public multiservice agency—
 - (1) Authorized by State law to develop, manage, and provide services or programs to LEAs;
 - (2) Recognized as an administrative agency for purposes of the provision of special education and related services provided within public elementary schools and secondary schools of the State;
- (b) Includes any other public institution or agency having administrative control and direction over a public elementary school or secondary school; and
- (c) Includes entities that meet the definition of intermediate educational unit in section 602(23) of the Act as in effect prior to June 4, 1997.

(Authority: [20 U.S.C. 1401\(5\)](#))

Excerpts from Senate Bill 460 ([Enrolled](#))

Sec. 56.5.

1. The Education Service Center is hereby created as an educational service agency for the purpose of acting as an educational service agency under 34 C.F.R. § 300.12 to develop, manage and provide services and programs to local educational agencies and, as necessary, to other local governments.
2. The governing body of the Education Service Center is the Board of the Education Service Center, which must consist of the following members: (a) Two members appointed by the Governor; (b) One member, who must not be a Legislator, appointed by the Majority Leader of the Senate; (c) One member, who must not be a Legislator, appointed by the Minority Leader of the Senate; (d) One member, who must not be a Legislator, appointed by the Speaker of the Assembly; (e) One member, who must not be a Legislator, appointed by the Minority Leader of the Assembly; and (f) One member appointed by the State Board.
3. The Superintendent of Public Instruction shall call the first meeting of the Board of the Education Service Center. At its first meeting and annually thereafter, the members of the

Board shall elect a Chair and Vice Chair from among the members of the Board. After its first meeting, the Board shall meet as needed at the call of the Chair.

4. Each member of the Board of the Education Service Center: (a) Serves without compensation; and (b) While engaged in the business of the Education Service Center, is entitled to receive the travel expenses provided for state officers and employees generally.

5. Each member of the Board of the Education Service Center serves a term of 2 years and may be reappointed for additional terms of 2 years in the same manner as the original appointment. Any vacancy occurring in the membership of the Board must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

6. Within the limits of available money: (a) The Board of the Education Service Center may appoint an Executive Director. The Executive Director shall not pursue any other business or occupation or hold any other office of profit without the approval of the Board. (b) The Executive Director may employ such staff as is necessary to the performance of the functions of the Education Service Center. The Executive Director and any staff of the Education Service Center are eligible to participate in the Public Employees' Benefits Program and the Public Employees' Retirement System.

7. The Education Service Center: (a) May not impose or levy any tax or borrow money or incur indebtedness. (b) May apply for any available grants and accept any available gifts, grants, appropriations or donations, and use any such gifts, grants, appropriations or donations to carry out its purposes. (c) May enter into agreements with any agency or political subdivision of this State, including, without limitation, counties, cities and school districts, for the purpose of carrying out the purposes set forth in this section.

8. The Education Service Center: (a) May carry out activities set forth in this title, on behalf of the Department, and provide services to local educational agencies throughout this State, including, without limitation, services that require specialized personnel. (b) Shall provide support for the initiatives and efforts of this State to improve the performance of schools and school districts in this State, including, without limitation, evidence-based and research-based support for the improvement of schools and school districts identified for rigorous interventions pursuant to the provisions of sections 14.25 to 14.6, inclusive, of this act. (c) Shall implement or support the implementation of state or federally funded initiatives assigned to the Education Service Center by the Superintendent of Public Instruction. (d) Shall avoid duplication of programs and services to ensure a streamlined and efficient delivery of educational services.

9. The Superintendent of Public Instruction may adopt regulations to prescribe operational aspects of the Education Service Center, including, without limitation, accountability,

finance and budgeting, qualifications for the Board and employees of the Education Service Center and procedures for contracting. 10. The Education Service Center is hereby deemed a local educational agency, as defined in 20 U.S.C. § 7801(30)(A), for all purposes.

Sec. 1.3

3. The superintendent of schools of a school district and the sponsor of a charter school shall, for each public elementary school within the school district or sponsored by the sponsor, as applicable, that does not meet the goals set forth pursuant to paragraph (b) of subsection 1 in 3 consecutive school years: (a) Provide additional support for the administration of the school, including, without limitation: (1) Increased assistance and monitoring of school progress; (2) Instructional or academic support; and (3) Requesting guidance from the Education Service Center created by section 56.5 of this act, which shall provide recommendations on strategies and interventions for school improvement.

5. If the performance of the principal is assessed pursuant to paragraph (b) of subsection 3 as minimally effective or ineffective, the superintendent of schools of the school district or the executive director of the sponsor of the charter school, as applicable, shall prepare and submit a report to the Department containing a plan for annual growth that describes any additional supports provided by the school district or sponsor of the charter school and any recommendations from the Education Service Center created by section 56.5 of this act. The report must be submitted each school year in which the principal remains in his or her position unless the school to which the principal is assigned meets the goals in the plan prepared pursuant to subsection 1. The Department shall examine the plan submitted pursuant to this subparagraph and determine whether any adjustments are necessary for the school to meet the goals set forth in the plan prepared pursuant to subsection 1

Regulations

Section 1. NAC 391A is hereby amended by adding thereto the provisions set forth in sections 2 through 11 of this emergency regulation.

Sec. 2. *1. As used in this emergency regulation, the terms defined in this section have the meanings ascribed to them in this section.*

2. “Board” means the governing body created by section 56.5, Statutes of Nevada 2025, chapter 506.

3. “Center” means the Education Service Center, the agency created by section 56.5, Statutes of Nevada 2025, chapter 506.

4. “Department” means the Nevada Department of Education.

5. “Executive Director” means the person appointed to serve as the administrative officer of the Education Service Center.

6. *“State Board” means the State Board of Education created by NRS 385.021.*

7. *“Superintendent” means the state superintendent of public instruction appointed pursuant to NRS 385.150.*

Sec. 3. 1. *The following qualifications for members of the Board are hereby established:*

- a. *The governor shall make preferences in appointing one person representing higher education and one person with a background in public administration and finance.*
- b. *The majority leader of the Senate, minority leader of the Senate, speaker of the Assembly, and minority leader of the Assembly shall make preferences in their appointments to establish a Board composed of members with the following categories of individuals:*
 1. *One person with administrative experience in a school district in this state, including but not limited to a local school trustee, district superintendent, or other person with senior administrative responsibilities at the system level;*
 2. *One person who is or has served as a principal of a district or charter school which attained a star rating of the highest or second highest level in the Nevada School Performance Framework, while the individual was serving as principal;*
 3. *One person who is a member of a governing board of a regional training program established by NRS 391A.120; and*
 4. *One classroom teacher who is currently working in a district or charter school which attained a star rating of the highest or second highest level on the Nevada School Performance Framework, while the individual was a teacher at the school.*

2. *The Superintendent shall prepare a list of qualified persons that would meet the qualifications contained in section 3, subsection 1 of this regulation and submit to the governor and legislative leadership whenever a member of the Board must be appointed. When preparing the list of potential appointees, the Superintendent shall include at least two nominees for each category. All four categories of qualification should be represented in the final appointments made by the legislative leaders.*

3. *In all appointments, attention shall be given to the representation of large and small school districts, as well as the geographic distribution of school districts in this state. Attention shall also be given to representation of charter schools in this state.*

4. *The member appointed by the State Board shall be one of the four elected members of the State Board.*

5. *No person may be appointed to serve for more than six consecutive years.*

6. *A vacancy in any appointment shall be filled for the remaining unexpired term of the original appointment.*

Sec. 4. 1. *To be eligible to the position of Executive Director, a person shall:*

- a. *Have attained the age of 21 years at the time of his or her appointment;*
- b. *Possess the knowledge and ability to oversee the activities of the Center set forth in subsection 8, section 56.5, Statutes of Nevada, Chapter 506;*
- c. *Have demonstrated experience administering large public agencies, programs, or systems; and*
- d. *Have demonstrated experience with establishing or administering programs to improve the performance of schools.*

Sec. 5. *Within the limits of available funds, the Executive Director may employ such employees and independent contractors as deemed necessary to carry out the duties of the Education Service Center,*

with a preference for experience in system governance, public administration, or finance; experience identifying and evaluating evidence-based education practices; and experience as an administrator, principal, or teacher in an elementary or secondary school.

Sec. 6. *The Board may establish its own process and procedure for hiring the Executive Director. In the event the Governor makes an interim appointment before the Board holds its first meeting, or during any subsequent period when a vacancy occurs, the Board shall subsequently ratify that interim appointment or conduct a new hiring process.*

Sec. 7. 1. *The Executive Director may enter into contracts with a business licensed in this state or with individuals to conduct research, evaluations, and provide services in the discharge of Center activities.*

a. *Except as otherwise provided in this section, the Center will comply with all provisions of NRS 333 and NAC 333 for the purchasing of goods and services and the issuing of contracts. The Executive Director will collaborate with the Administrator of the Division of Purchasing to ensure that professionals hired as independent contractors by the Center can be contracted expeditiously and without competitive selection pursuant to NAC 333.150 (2).*

b. *Any contracts singly or cumulatively in excess of \$50,000 during a single fiscal year must be approved by the Board before being executed by the Executive Director. A list of all contracts with a value of less than \$50,000 must be provided to the Board at least annually.*

Sec. 8. *The Executive Director may enter into interlocal agreements for the operation and support of the Center with the Department, the Nevada System of Higher Education, and any governmental agency, including but not limited to school districts, charter school authorizers, and the regional training programs established by NRS 391A.*

Sec. 9. *The Center shall maintain a public website that includes, without limitation, all requests received from schools districts for its services, an annual summary of services provided disaggregated by school district and charter school sponsor, the resumes and qualifications of persons employed or contracted, and the sources of all its funding.*

Sec. 10. *The Executive Director shall annually, no later than June 30 of each year, provide a written report of Center activities to the Governor, State Superintendent, and Director of the Legislative Counsel Bureau for transmittal to legislative leadership.*

Executive Order 2025-003 ([link](#))