

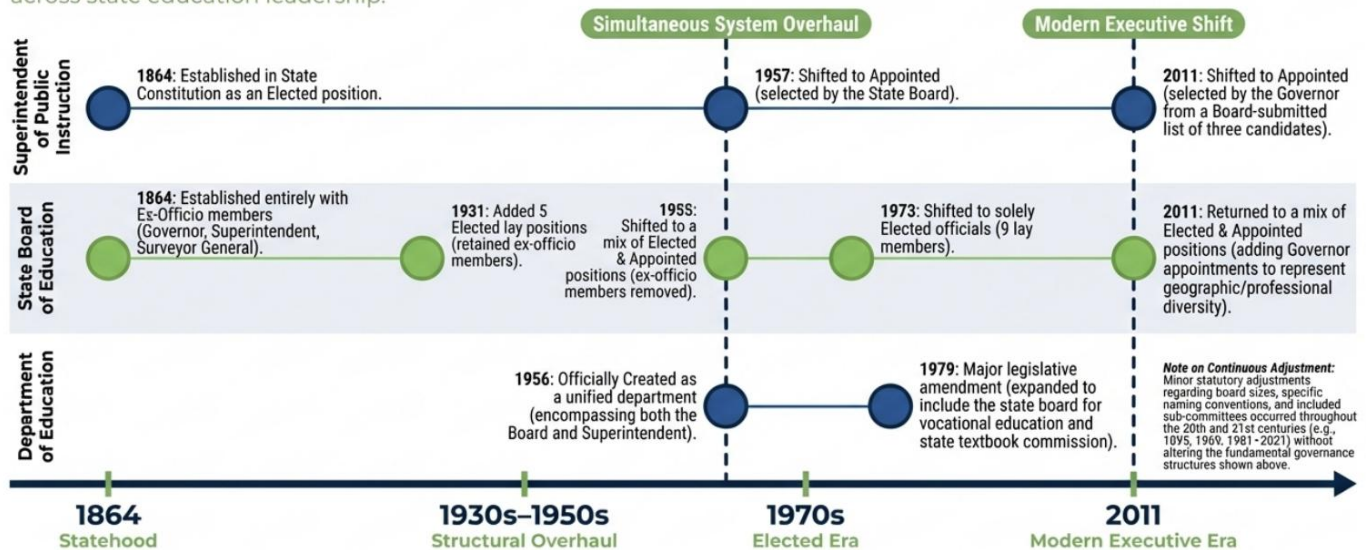
Overview

This document chronicles the legislative history and structural evolution of the Nevada Department of Education from 1864 to the present. The records detail how the State Board of Education transitioned between various configurations of elected, appointed, and ex officio members, eventually settling on its current hybrid voting structure. Furthermore, it tracks the changing role of the Superintendent of Public Instruction, who moved from being a constitutionally elected official to an appointee of the Governor. By providing specific statutory excerpts, the text illustrates how the department's composition and executive leadership have been refined over more than a century. This historical overview serves to define the current legal framework and administrative authority governing public instruction within the state.

The Evolution of Nevada's Education Governance (1864–Present)



Tracing the historical shifts in structure, elections, and appointments across state education leadership.



The Legislative Counsel Bureau also completed an Issue Paper in 2016 detailed the governance structure of Nevada's elementary and secondary education systems, [available here](#). The Education Commission of the States also published a 50-State Comparison of educational governance systems, [available here](#).

Department of Education	
History	<p>NRS 385.010 – Creation, composition, executive head</p> <ul style="list-style-type: none"> • First introduced in 1956 • Major amendment in 1979 • Adjustment to the names and entities included (i.e., textbook commission, career and technical education committee, etc.) alongside the Board and Superintendent in 1981, 1985, 1995, 2001, 2005, 2017 but no substantive changes.
Current	<p>NRS 385.010 Creation; composition; executive head.</p> <ol style="list-style-type: none"> 1. A Department of Education is hereby created. 2. The Department consists of the State Board of Education and the Superintendent of Public Instruction. 3. The Superintendent of Public Instruction is the executive head of the Department.
1979	<ol style="list-style-type: none"> 1. A department of education is hereby created. 2. The department consists of the state board of education, the state board for vocational education, the state textbook commission and the superintendent of public instruction. 3. The superintendent of public instruction is the executive head of the department.
1956	<p>State Department of Education: Creation; Composition; Functions; Duties of Superintendent of Public Instruction.</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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.

State Board of Education	
History	<p>NRS 385.021 – Composition, election and appointment of members; qualifications of members; terms of members; vacancies</p> <ul style="list-style-type: none"> • Established with ex officio members in 1864 • Added elected positions in 1931 while retaining ex officio members • Moved to a mix of elected and appointed positions in 1955, removed ex officio members • Shifted to solely elected officials in 1973 • Moved back to a mix of elected and appointed positions in 2011 • Various changes in 1895, 1969, 1971, 1979, 1981, 1991, 2001, 2015, and 2021 fluctuated membership, but did not represent substantive changes.

Current	<ol style="list-style-type: none"> 1. The State Board of Education is hereby created. The State Board consists of the following voting members: <ol style="list-style-type: none"> a. One member elected by the registered voters of each congressional district described in the shapefile adopted by NRS 304.095; b. One member appointed by the Governor; c. One member appointed by the Governor, nominated by the Majority Leader of the Senate; and d. One member appointed by the Governor, nominated by the Speaker of the Assembly. 2. In addition to the voting members described in subsection 1, the State Board consists of the following four nonvoting members: <ol style="list-style-type: none"> a. One member appointed by the Governor who is a member of a board of trustees of a school district, nominated by the Nevada Association of School Boards; b. One member appointed by the Governor who is the superintendent of schools of a school district, nominated by the Nevada Association of School Superintendents; c. One member appointed by the Governor who represents the Nevada System of Higher Education, nominated by the Board of Regents of the University of Nevada; and d. One member appointed by the Governor who is a pupil enrolled in a public school in this State, nominated by the Nevada Association of Student Councils or its successor organization and in consultation with the Nevada Youth Legislature. After the initial term, the term of the member appointed pursuant to this paragraph commences on June 1 and expires on May 31 of the following year. 3. Each member of the State Board elected pursuant to paragraph (a) of subsection 1 must be a qualified elector of the district from which that member is elected. 4. Each member appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 and each member appointed pursuant to subsection 2 must be a resident of this State. 5. Except as otherwise provided in paragraphs (a) and (c) of subsection 2, a person who is elected to serve as an officer of this State or any political subdivision thereof or a person appointed to serve for the unexpired term of such an office may not serve or continue to serve on the State Board. 6. The Governor shall ensure that the members appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 represent the geographic diversity of this State and that: <ol style="list-style-type: none"> a. One member is a teacher at a public school selected from a list of three candidates provided by the Nevada State Education Association. b. One member is the parent or legal guardian of a pupil enrolled in a public school. c. One member is a person active in a private business or industry of this State. 7. After the initial terms, each member: <ol style="list-style-type: none"> a. Elected pursuant to paragraph (a) of subsection 1 serves a term of 4 years. A member may be elected to serve not more than three terms but may be appointed to serve pursuant to paragraph (b), (c) or (d) of subsection 1 or subsection 2 after service as an elected member, notwithstanding the number of terms the member served as an elected member. b. Appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 serves a term of 2 years, except that each member continues to serve until a successor is appointed. A member may be reappointed for additional terms of 2 years in the same manner as the original appointment. c. Appointed pursuant to subsection 2 serves a term of 1 year. A member may be reappointed for additional terms of 1 year in the same manner as the original appointment. 8. If a vacancy occurs during the term of: <ol style="list-style-type: none"> a. A member who was elected pursuant to paragraph (a) of subsection 1, the Governor shall appoint a member to fill the vacancy until the next general election, at which election a member must be chosen for the balance of the unexpired term. The appointee must be a qualified elector of the district where the vacancy occurs. b. A voting member appointed pursuant to paragraph (b), (c) or (d) of subsection 1 or a nonvoting member appointed pursuant to subsection 2, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.
2011	<p>NRS 385.021 is hereby amended to read as follows:</p> <ol style="list-style-type: none"> 1. The State Board is hereby created. The State Board consists of the following voting members: <ol style="list-style-type: none"> a. One member elected by the registered voters of each congressional district described in NRS 304.060 to 304.120, inclusive b. One member appointed by the Governor;

	<ul style="list-style-type: none"> c. One member appointed by the Governor, nominated by the Majority Leader of the Senate; and d. One member appointed by the Governor, nominated by the Speaker of the Assembly. <p>2. In addition to the voting members described in subsection 1, the State Board consists of the following four nonvoting members:</p> <ul style="list-style-type: none"> a. One member appointed by the Governor who is a member of a board of trustees of a school district, nominated by the Nevada Association of School Boards; b. One member appointed by the Governor who is the superintendent of schools of a school district, nominated by the Nevada Association of School Superintendents; c. One member appointed by the Governor who represents the Nevada System of Higher Education, nominated by the Board of Regents of the University of Nevada; and d. One member appointed by the Governor who is a pupil enrolled in a public school in this State, nominated by the Nevada Association of Student Councils or its successor organization and in consultation with the Nevada Youth Legislature. After the initial term, the term of the member appointed pursuant to this paragraph commences on June 1 and expires on May 31 of the following year. <p>3. Each member of the State Board elected pursuant to paragraph (a) of subsection 1 must be a qualified elector of the district from which that member is elected .</p> <p>4. Each member appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 and each member appointed pursuant to subsection 2 must be a resident of this State.</p> <p>5. The Governor shall ensure that the members appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 represent the geographic diversity of this State and that:</p> <ul style="list-style-type: none"> a. One member is a teacher at a public school selected from a list of three candidates provided by the Nevada State Education Association. b. One member is the parent or legal guardian of a pupil enrolled in a public school. c. One member is a person active in a private business or industry of this State. <p>6. After the initial terms, each member:</p> <ul style="list-style-type: none"> a. Elected pursuant to paragraph (a) of subsection 1 serves a term of 4 years. A member may be elected to serve not more than three terms but may be appointed to serve pursuant to paragraph (b), (c) or (d) of subsection 1 or subsection 2 after service as an elected member, notwithstanding the number of terms the member served as an elected member. b. Appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 serves a term of 2 years. A member may be reappointed for additional terms of 2 years in the same manner as the original appointments. c. Appointed pursuant to subsection 2 serves a term of 1 year. A member may be reappointed for additional terms of 1 year in the same manner as the original appointments. <p>7. If a vacancy occurs during the term of:</p> <ul style="list-style-type: none"> a. A member who was elected pursuant to paragraph (a) of subsection 1, the Governor shall appoint a member to fill the vacancy until the next general election, at which election a member must be chosen for the balance of the unexpired term. The appointee must be a qualified elector of the district where the vacancy occurs. b. A voting member appointed pursuant to paragraph (b), (c) or (d) of subsection 1 or a nonvoting member appointed pursuant to subsection 2, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.
<p>1973</p>	<ul style="list-style-type: none"> 1. On July 1, 1971, the state board of education shall be composed of the seven members elected at the general election in 1970 and the two members, representative of labor and agriculture, appointed by the elected members of the board pursuant to law. The terms of the appointive members shall expire on January 1, 1973. If a vacancy occurs in the office of an appointive member between July 1, 1971, and January 1, 1973, the elected members shall fill the vacancy by the appointment of a new member without regard to representation of labor or agriculture for the remainder of the unexpired term but not beyond January 1, 1973. 2. On and after the 1st Monday in January 1973, the state board of education shall consist of nine lay members to be elected by the registered voters within the following districts: <ul style="list-style-type: none"> a. Washoe County shall be known as district No. 1. b. Clark County shall be known as district No. 2. c. The remainder of the state shall be known as district No. 3. 3. The board in existence on January 1, 1972, shall determine, by lot or otherwise, two members of such

	<p>board whose terms will expire on January 1, 1973, making such determination in a manner best designed to effectuate the geographical districts established by NRS 385.022 and the staggered terms established by this section. The board shall also determine the particular subdistrict to be represented by each member.</p> <ol style="list-style-type: none"> 4. For the general election in 1974 and thereafter each board member must be a resident of the subdistrict from which that member is elected as prescribed in NRS 385.022. 5. At the general election in 1972, and every 4 years thereafter: <ol style="list-style-type: none"> a. From district No. 1, one member of the board shall be elected for a term of 4 years. b. From district No. 2, two members of the board shall be elected for a term of 4 years. c. From district No. 3, one member of the board shall be elected for a term of 4 years. 6. At the general election in 1974, and every 4 years thereafter: <ol style="list-style-type: none"> a. From district No. 1, one member of the board shall be elected for a term of 4 years. b. From district No. 2, three members of the board shall be elected for a term of 4 years. c. From district No. 3, one member of the board shall be elected for a term of 4 years. 7. If a vacancy occurs on the state board of education from among the elected members, the governor shall appoint a member to fill the vacancy until the next general election, at which election a member shall be chosen for the balance of the unexpired term. The appointee must be a resident of the subdistrict where the vacancy occurs. 8. No member of the state board of education may be elected to such office more than three times.
<p>1955</p>	<ol style="list-style-type: none"> 1. The state board of education shall consist of 8 lay members, six to be elected one from each of the educational supervision districts of the state, and two to be appointed by the elected members of the board. The elective lay members shall be elected as follows: <ol style="list-style-type: none"> a. At the general election in the fall of 1956, and every four (4) years thereafter, three (3) members shall be elected, one from each of the odd-numbered educational supervision districts. b. At the general election in the fall of 1958, and every four (4) years thereafter three (3) members shall be elected, one from each of the even-numbered educational supervision districts. 2. Each of the lay members so elected shall hold office for a term of four (4) years, and in the event that a vacancy shall occur in the board from among the elected members, the governor shall appoint a member to fill the vacancy for the remainder of the unexpired term. 3. The elected members shall appoint two members to serve for terms of four (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. 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. 4. The members of the state board of education, as the same is constituted at the time of the passage and approval of this act, shall continue to hold office for the terms for which they were elected.
<p>1931</p>	<ol style="list-style-type: none"> 1. The state board of education shall consist of the governor, the state superintendent of public instruction and five lay members, elected one from each of the educational supervision districts of the state. On July, 1931, the governor shall appoint the five lay members as follows: <ol style="list-style-type: none"> a. In the odd-numbered educational supervision districts the state board members shall be appointed and hold office until the first Monday in January, 1933, and in the even-numbered educational supervision districts the state board members shall be appointed and hold office until the first Monday in January, 1935. b. At the general election in the fall of 1932, and every four years thereafter, the secretary of state shall provide for the election of the three state board members in the odd-numbered educational supervision districts, and at the general election in the fall of 1934, and every four years thereafter, he shall provide for the election of the state board members in the even-numbered educational supervision districts. 2. The elected lay members of the state board of education shall be elected as are other nonpartisan officers and hold office for a period of four years. In case a vacancy occurs in the board the governor shall appoint a member to fill the vacancy for the remainder of the unexpired term.
<p>1864</p>	<ol style="list-style-type: none"> 1. The Governor, the Superintendent of Public Instruction, and the Surveyor General of this State, shall

	constitute a State Board of Education, of which the Governor shall be the President, and the Superintendent shall be the Secretary.
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Superintendent of Public Instruction	
History	NRS 385.150 – Appointment; unclassified service; position within Executive Department <ul style="list-style-type: none"> • Established in the Constitution in 1864 as an elected position • Revised in 1957 to be appointed by the State Board • Revised in 2011 to be appointed by the Governor
Current	The Superintendent of Public Instruction: <ol style="list-style-type: none"> 1. Is appointed by the Governor from a list of three candidates submitted by the State Board and serves at the pleasure of the Governor. 2. Is in the unclassified service of the State. 3. Is in the Executive Department of State Government.
2011	The Superintendent of Public Instruction <ol style="list-style-type: none"> 1. Is appointed by the Governor from a list of three candidates submitted by the State Board and serves at the pleasure of the Governor. 2. Is in the unclassified service of the State. 3. Is in the Executive Department of State Government.
1957	<ol style="list-style-type: none"> 1. The superintendent of public instruction shall be appointed by the state board of education; but any person elected to the office of superintendent of public instruction prior to the effective date of this section shall continue to hold such office until the expiration of the term for which he may have been elected. 2. The superintendent of public instruction shall: <ol style="list-style-type: none"> a. Hold office subject to being removed at the pleasure of the state board of education. b. Be in the unclassified service as provided by the provisions of chapter 284 of NRS.
1864	<ol style="list-style-type: none"> 1. The Superintendent of Public Instruction shall be elected by the qualified voters of the State, at the general election for State and county officers, to be held in the year eighteen hundred and sixty-six, and every four years thereafter at such general elections, and shall enter upon the duties of his office on the first Monday in January next after his election. He shall be paid a salary of two thousand dollars per annum.