

MOCK-UP

PROPOSED AMENDMENT 7644 TO
SENATE BILL NO. 508

MAY 24, 2015

PREPARED BY THE LEGAL DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

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

- 1 **Section 1.** NRS 386.513 is hereby amended to read as follows:
2 386.513 1. The State Public Charter School Authority is hereby
3 deemed a local educational agency for the purpose of directing the
4 proportionate share of any money available from federal and state
5 categorical grant programs to charter schools which are sponsored by the
6 State Public Charter School Authority or a college or university within the
7 Nevada System of Higher Education that are eligible to receive such
8 money. A charter school that receives money pursuant to such a grant
9 program shall comply with any applicable reporting requirements to
10 receive the grant.
11 2. ~~If the charter school is eligible to receive special education~~
12 ~~program units, the Department shall pay the special education program~~
13 ~~units directly to the charter school.~~
14 ~~—3.4~~ As used in this section, “local educational agency” has the
15 meaning ascribed to it in 20 U.S.C. § 7801(26)(A).

1 **Sec. 2.** NRS 386.570 is hereby amended to read as follows:
2 386.570 1. Each pupil who is enrolled in a charter school, including,
3 without limitation, a pupil who is enrolled in a program of special
4 education in a charter school, must be included in the count of pupils in the
5 school district for the purposes of apportionments and allowances from the
6 State Distributive School Account pursuant to NRS 387.121 to 387.126,
7 inclusive, unless the pupil is exempt from compulsory attendance pursuant
8 to NRS 392.070. A charter school is entitled to receive its proportionate
9 share of any other money available from federal, state or local sources that
10 the school or the pupils who are enrolled in the school are eligible to
11 receive. If a charter school receives special education program units
12 directly from this State, the amount of money for special education that the
13 school district pays to the charter school may be reduced proportionately
14 by the amount of money the charter school received from this State for that
15 purpose. The State Board shall prescribe a process which ensures that all
16 charter schools, regardless of the sponsor, have information about all
17 sources of funding for the public schools provided through the
18 Department, including local funds pursuant to NRS 387.1235.
19 2. All money received by the charter school from this State or from
20 the board of trustees of a school district must be deposited in an account
21 with a bank, credit union or other financial institution in this State. The
22 governing body of a charter school may negotiate with the board of
23 trustees of the school district and the State Board for additional money to
24 pay for services which the governing body wishes to offer.
25 3. Upon completion of each school quarter, the Superintendent of
26 Public Instruction shall pay to the sponsor of a charter school one-quarter
27 of the yearly sponsorship fee for the administrative costs associated with
28 sponsorship for that school quarter, which must be deducted from the
29 quarterly apportionment to the charter school made pursuant to NRS
30 387.124. Except as otherwise provided in subsection 4, the yearly
31 sponsorship fee for the sponsor of a charter school must be in an amount of
32 money not to exceed 2 percent of the total amount of money apportioned
33 to the charter school during the school year pursuant to NRS 387.124.
34 4. If the governing body of a charter school satisfies the requirements
35 of this subsection, the governing body may submit a request to the sponsor
36 of the charter school for approval of a sponsorship fee in an amount that is
37 less than 2 percent but at least 1 percent of the total amount of money
38 apportioned to the charter school during the school year pursuant to NRS
39 387.124. The sponsor of the charter school shall approve such a request if
40 the sponsor of the charter school determines that the charter school
41 satisfies the requirements of this subsection. If the sponsor of the charter
42 school approves such a request, the sponsor shall provide notice of the
43 decision to the governing body of the charter school and the
44 Superintendent of Public Instruction. If the sponsor of
45 the charter school denies such a request, the governing body of the charter

1 school may appeal the decision of the sponsor to the Superintendent of
2 Public Instruction. Upon appeal, the sponsor of the charter school and the
3 governing body of the charter school are entitled to present evidence. The
4 decision of the Superintendent of Public Instruction on the appeal is final
5 and is not subject to judicial review. The governing body of a charter
6 school may submit a request for a reduction of the sponsorship fee
7 pursuant to this subsection if:

8 (a) The charter school satisfies the requirements of subsection 1 of
9 NRS 386.5515; and

10 (b) There has been a decrease in the duties of the sponsor of the charter
11 school that justifies a decrease in the sponsorship fee.

12 5. To determine the amount of money for distribution to a charter
13 school in its first year of operation, the count of pupils who are enrolled in
14 the charter school must initially be determined 30 days before the
15 beginning of the school year of the school district, based on the number of
16 pupils whose applications for enrollment have been approved by the
17 charter school. The count of pupils who are enrolled in the charter school
18 must be revised ~~{on the last day of the first school month of the school~~
19 ~~district in which the charter school is located for the school year,} *each*~~
20 *quarter* based on the ~~{actual number}~~ *average daily enrollment* of pupils
21 ~~{who are enrolled}~~ in the charter school ~~{}~~ *that is reported for that quarter*
22 *pursuant to NRS 387.1233*. Pursuant to subsection 5 of NRS 387.124, the
23 governing body of a charter school may request that the apportionments
24 made to the charter school in its first year of operation be paid to the
25 charter school 30 days before the apportionments are otherwise required to
26 be made.

27 6. If a charter school ceases to operate as a charter school during a
28 school year, the remaining apportionments that would have been made to
29 the charter school pursuant to NRS 387.124 for that year must be paid on a
30 proportionate basis to the school districts where the pupils who were
31 enrolled in the charter school reside.

32 7. The governing body of a charter school may solicit and accept
33 donations, money, grants, property, loans, personal services or other
34 assistance for purposes relating to education from members of the general
35 public, corporations or agencies. The governing body may comply with
36 applicable federal laws and regulations governing the provision of federal
37 grants for charter schools. The State Public Charter School Authority may
38 assist a charter school that operates exclusively for the enrollment of pupils
39 who receive special education in identifying sources of money that may be
40 available from the Federal Government or this State for the provision of
41 educational programs and services to such pupils.

42 **Sec. 3.** NRS 386.570 is hereby amended to read as follows:

43 386.570 1. Each pupil who is enrolled in a charter school, including,
44 without limitation, a pupil who is enrolled in a program of special
45 education in a charter school, must be included in the count of pupils in the

1 school district for the purposes of apportionments and allowances from the
2 State Distributive School Account pursuant to NRS 387.121 to 387.126,
3 inclusive, unless the pupil is exempt from compulsory attendance pursuant
4 to NRS 392.070. A charter school is entitled to receive its proportionate
5 share of any other money available from federal, state or local sources that
6 the school or the pupils who are enrolled in the school are eligible to
7 receive. ~~If a charter school receives special education program units
8 directly from this State, the amount of money for special education that the
9 school district pays to the charter school may be reduced proportionately
10 by the amount of money the charter school received from this State for that
11 purpose.~~ The State Board shall prescribe a process which ensures that all
12 charter schools, regardless of the sponsor, have information about all
13 sources of funding for the public schools provided through the
14 Department, including local funds pursuant to NRS 387.1235.

15 2. All money received by the charter school from this State or from
16 the board of trustees of a school district must be deposited in an account
17 with a bank, credit union or other financial institution in this State. The
18 governing body of a charter school may negotiate with the board of
19 trustees of the school district and the State Board for additional money to
20 pay for services which the governing body wishes to offer.

21 3. Upon completion of each school quarter, the Superintendent of
22 Public Instruction shall pay to the sponsor of a charter school one-quarter
23 of the yearly sponsorship fee for the administrative costs associated with
24 sponsorship for that school quarter, which must be deducted from the
25 quarterly apportionment to the charter school made pursuant to NRS
26 387.124. Except as otherwise provided in subsection 4, the yearly
27 sponsorship fee for the sponsor of a charter school must be in an amount of
28 money not to exceed 2 percent of the total amount of money apportioned
29 to the charter school during the school year pursuant to NRS 387.124.

30 4. If the governing body of a charter school satisfies the requirements
31 of this subsection, the governing body may submit a request to the sponsor
32 of the charter school for approval of a sponsorship fee in an amount that is
33 less than 2 percent but at least 1 percent of the total amount of money
34 apportioned to the charter school during the school year pursuant to NRS
35 387.124. The sponsor of the charter school shall approve such a request if
36 the sponsor of the charter school determines that the charter school
37 satisfies the requirements of this subsection. If the sponsor of the charter
38 school approves such a request, the sponsor shall provide notice of the
39 decision to the governing body of the charter school and the
40 Superintendent of Public Instruction. If the sponsor of
41 the charter school denies such a request, the governing body of the charter
42 school may appeal the decision of the sponsor to the Superintendent of
43 Public Instruction. Upon appeal, the sponsor of the charter school and the
44 governing body of the charter school are entitled to present evidence. The
45 decision of the Superintendent of Public Instruction on the appeal is final

1 and is not subject to judicial review. The governing body of a charter
2 school may submit a request for a reduction of the sponsorship fee
3 pursuant to this subsection if:

4 (a) The charter school satisfies the requirements of subsection 1 of
5 NRS 386.5515; and

6 (b) There has been a decrease in the duties of the sponsor of the charter
7 school that justifies a decrease in the sponsorship fee.

8 5. To determine the amount of money for distribution to a charter
9 school in its first year of operation, the count of pupils who are enrolled in
10 the charter school must initially be determined 30 days before the
11 beginning of the school year of the school district, based on the number of
12 pupils whose applications for enrollment have been approved by the
13 charter school. The count of pupils who are enrolled in the charter school
14 must be revised each quarter based on the average daily enrollment of
15 pupils in the charter school that is reported pursuant to NRS 387.1233.
16 Pursuant to subsection 5 of NRS 387.124, the governing body of a charter
17 school may request that the apportionments made to the charter school in
18 its first year of operation be paid to the charter school 30 days before the
19 apportionments are otherwise required to be made.

20 6. If a charter school ceases to operate as a charter school during a
21 school year, the remaining apportionments that would have been made to
22 the charter school pursuant to NRS 387.124 for that year must be paid on a
23 proportionate basis to the school districts where the pupils who were
24 enrolled in the charter school reside.

25 7. The governing body of a charter school may solicit and accept
26 donations, money, grants, property, loans, personal services or other
27 assistance for purposes relating to education from members of the general
28 public, corporations or agencies. The governing body may comply with
29 applicable federal laws and regulations governing the provision of federal
30 grants for charter schools. The State Public Charter School Authority may
31 assist a charter school that operates exclusively for the enrollment of pupils
32 who receive special education in identifying sources of money that may be
33 available from the Federal Government or this State for the provision of
34 educational programs and services to such pupils.

35 **Sec. 4.** NRS 387.121 is hereby amended to read as follows:

36 387.121 **1.** The Legislature declares that the proper objective of
37 state financial aid to public education is to ensure each Nevada child a
38 reasonably equal educational opportunity. Recognizing wide local
39 variations in wealth and costs per pupil, this State should supplement local
40 financial ability to whatever extent necessary in each school district to
41 provide programs of instruction in both compulsory and elective subjects
42 that offer full opportunity for every Nevada child to receive the benefit of
43 the purposes for which public schools are maintained. Therefore, the
44 quintessence of the State's financial obligation for such programs can be
45 expressed in a formula partially on a per pupil basis and partially on a per

1 program basis as: State financial aid to school districts equals the
2 difference between school district basic support guarantee and local
3 available funds produced by mandatory taxes minus all the local funds
4 attributable to pupils who reside in the county but attend a charter school
5 or a university school for profoundly gifted pupils. This formula is
6 designated the Nevada Plan.

7 **2. It is the intent of the Legislature ~~to modernize the Nevada Plan,~~**
8 **~~commencing with Fiscal Year 2016-2017, ~~by providing~~ to provide~~**
9 **~~additional resources to the Nevada Plan expressed as a multiplier of the~~**
10 **~~basic support guarantee to meet the unique needs of certain categories of~~**
11 **~~pupils, including, without limitation, pupils with disabilities, pupils who~~**
12 **~~are limited English proficient, pupils who are at risk and gifted and~~**
13 **~~talented pupils. As used in this subsection, “pupils who are at risk”~~**
14 **~~means pupils who are eligible for free or reduced-price lunch pursuant~~**
15 **~~to 42 U.S.C. §§ 1751 et seq., or an alternative measure prescribed by the~~**
16 **~~State Board of Education.~~**

17 **Sec. 5.** NRS 387.1211 is hereby amended to read as follows:

18 387.1211 As used in NRS 387.121 to 387.126, inclusive:

19 1. “Average daily attendance” means the total number of pupils
20 attending a particular school each day during a period of reporting divided
21 by the number of days school is in session during that period.

22 2. **“Average daily enrollment” means the total number of pupils**
23 **enrolled in and scheduled to attend a public school in a specific school**
24 **district during a period of reporting divided by the number of days school**
25 **is in session during that period.**

26 3. “Enrollment” means the count of pupils enrolled in and scheduled
27 to attend programs of instruction of a school district, charter school or
28 university school for profoundly gifted pupils at a specified time during the
29 school year.

30 ~~3-1~~ 4. “Special education program unit” means an organized unit of
31 special education and related services which includes full-time services of
32 persons licensed by the Superintendent of Public Instruction or other
33 appropriate licensing body, providing a program of instruction in
34 accordance with minimum standards prescribed by the State Board.

35 **Sec. 6.** NRS 387.1211 is hereby amended to read as follows:

36 387.1211 As used in NRS 387.121 to 387.126, inclusive:

37 1. “Average daily attendance” means the total number of pupils
38 attending a particular school each day during a period of reporting divided
39 by the number of days school is in session during that period.

40 2. “Average daily enrollment” means the total number of pupils
41 enrolled in and scheduled to attend a public school in a specific school
42 district during a period of reporting divided by the number of days school
43 is in session during that period.

44 3. “Enrollment” means the count of pupils enrolled in and scheduled
45 to attend programs of instruction of a school district, charter school or

1 university school for profoundly gifted pupils at a specified time during the
2 school year.

3 ~~{4. "Special education program unit" means an organized unit of~~
4 ~~special education and related services which includes full-time services of~~
5 ~~persons licensed by the Superintendent of Public Instruction or other~~
6 ~~appropriate licensing body, providing a program of instruction in~~
7 ~~accordance with minimum standards prescribed by the State Board.}~~

8 **Sec. 7.** NRS 387.122 is hereby amended to read as follows:

9 387.122 **1.** For making the apportionments of the State Distributive
10 School Account in the State General Fund required by the provisions of
11 this title, the basic support guarantee per pupil for each school district ~~+~~
12 ~~including, without limitation, a multiplier for pupils with disabilities,~~
13 and the basic support guarantee for each special education program unit
14 maintained and operated during at least 9 months of a school year are
15 established by law for each school year. *The formula for calculating the*
16 *basic support guarantee may be expressed as an estimated weighted*
17 *average*

18 *per pupil, based on the total expenditures for public education in the*
19 *immediately preceding even-numbered fiscal year, plus any legislative*
20 *appropriations for the immediately succeeding biennium,*
21 *minus those local funds not guaranteed by the State pursuant to NRS*
22 *387.1235.*

23 **2.** *The estimated weighted average per pupil for the State must be*
24 *calculated as a basic support guarantee for each school district through*
25 *an equity allocation model that incorporates:*

- 26 (a) *Factors relating to wealth in the school district;*
- 27 (b) *Salary costs;*
- 28 (c) *Transportation; and*
- 29 (d) *Any other factor determined by the Superintendent of Public*
30 *Instruction after consultation with the school districts and the State*
31 *Public Charter School Authority.*

32 **3.** *The basic support guarantee per pupil must include a multiplier*
33 *for pupils with disabilities. Except as otherwise provided in this*
34 *subsection, the funding provided to each school district ~~+~~ and*
35 *charter school through the multiplier for pupils with disabilities ~~+~~ is*
36 *limited to the actual number of pupils with disabilities enrolled in the*
37 *school district or charter school, not to exceed 13 percent of total pupil*
38 *enrollment for the school district ~~+~~ or charter school. If a school district*
39 *or charter school has reported an enrollment of pupils with disabilities*
40 *equal to more than 13 percent of total pupil enrollment ~~+~~ for the average*
41 *of the last 3 fiscal years, the school district must receive money equal to*
42 *the average of the enrollment of pupils with disabilities for those 3 fiscal*
43 *years ~~or~~, the school district or charter school must receive an amount of*
44 *money necessary to satisfy requirements for maintenance of effort under*
45 *federal law ~~+~~, whichever is higher.*

1 4. Not later than July 1 of each even-numbered year, the
2 Superintendent of Public Instruction shall review and, if necessary,
3 revise the factors used for the equity allocation model adopted for the
4 previous biennium and present the ~~revised formula~~ review and any
5 revisions at a meeting of the Legislative Committee on Education for
6 consideration and recommendations by the Committee. After the
7 meeting, the Superintendent of Public Instruction shall consider any
8 recommendations of the Legislative Committee on Education, determine
9 whether to include those recommendations in the equity allocation model
10 and adopt the ~~formula and~~ equity allocation model. The
11 Superintendent of Public Instruction shall submit ~~##~~ the equity
12 allocation model to the :

- 13 (a) Governor for inclusion in the proposed executive budget.
14 (b) Director of the Legislative Counsel Bureau for transmittal to the
15 next regular session of the Legislature.

16 5. The Department shall make available updated information
17 regarding the ~~formula~~ equity allocation model on the Internet website
18 maintained by the Department.

19 **Sec. 8.** NRS 387.122 is hereby amended to read as follows:

20 387.122 1. For making the apportionments of the State Distributive
21 School Account in the State General Fund required by the provisions of
22 this title, the basic support guarantee per pupil for each school district ~~;~~
23 ~~including, without limitation, a multiplier for pupils with disabilities, and~~
24 ~~the basic support guarantee for each special education program unit~~
25 ~~maintained and operated during at least 9 months of a school year are~~ is
26 established by law for each school year. The formula for calculating the
27 basic support guarantee may be expressed as an estimated weighted
28 average per pupil, based on the total expenditures for public education in
29 the immediately preceding even-numbered fiscal year, plus any legislative
30 appropriations for the immediately succeeding biennium, minus those local
31 funds not guaranteed by the State pursuant to NRS 387.1235.

32 2. The estimated weighted average per pupil for the State must be
33 calculated as a basic support guarantee for each school district through an
34 equity allocation model that incorporates:

- 35 (a) Factors relating to wealth in the school district;
36 (b) Salary costs;
37 (c) Transportation; and
38 (d) Any other factor determined by the Superintendent of Public
39 Instruction after consultation with the school districts and the State Public
40 Charter School Authority.

41 3. The basic support guarantee per pupil must include a multiplier
42 for pupils with disabilities. Except as otherwise provided in this
43 subsection, the funding provided to each school district ~~[pursuant to]~~ and
44 charter school through the multiplier for pupils with disabilities ~~[must]~~ is
45 limited to the actual number of pupils with disabilities enrolled in the

1 school district or charter school, not to exceed 13 percent of total pupil
 2 enrollment for the school district ~~[]~~ or charter school. If a school district
 3 or charter school has reported an enrollment of pupils with disabilities
 4 equal to more than 13 percent of total pupil enrollment ~~[for the average of~~
 5 ~~the last 3 fiscal years, the school district must receive money equal to the~~
 6 ~~average of the enrollment of pupils with disabilities for those 3 fiscal years~~
 7 ~~or]~~, the school district or charter school must receive an amount of
 8 money necessary to satisfy requirements for maintenance of effort under
 9 federal law ~~[, whichever is higher.]~~

10 4. Not later than July 1 of each even-numbered year, the
 11 Superintendent of Public Instruction shall review and, if necessary, revise
 12 the factors used for the equity allocation model adopted for the previous
 13 biennium and present the ~~[revised formula]~~ review and any revisions at a
 14 meeting of the Legislative Committee on Education for consideration and
 15 recommendations by the Committee. After the meeting, the Superintendent
 16 of Public Instruction shall consider the recommendations of the
 17 Legislative Committee on Education, determine whether to include those
 18 recommendations in the equity allocation model and adopt the ~~[formula~~
 19 ~~and]~~ equity allocation model. The Superintendent of Public Instruction
 20 shall submit ~~[it]~~ the equity allocation model to the :

- 21 (a) Governor for inclusion in the proposed executive budget.
- 22 (b) Director of the Legislative Counsel Bureau for transmittal to the
 23 next regular session of the Legislature.

24 5. The Department shall make available updated information
 25 regarding the ~~[formula]~~ equity allocation model on the Internet website
 26 maintained by the Department.

27 **Sec. 9.** NRS 387.1233 is hereby amended to read as follows:

28 387.1233 1. *On or before October 1, January 1, April 1 and July*
 29 *1, each school district shall report to the Department, in the form*
 30 *prescribed by the Department, the average daily enrollment of pupils*
 31 *pursuant to this section for the immediately preceding quarter of the*
 32 *school year.*

33 2. Except as otherwise provided in subsection ~~[2.]~~ 3, basic support of
 34 each school district must be computed by:

35 (a) Multiplying the basic support guarantee per pupil established for
 36 that school district for that school year by the sum of:

37 (1) Six-tenths the count of pupils enrolled in the kindergarten
 38 department ~~[on the last day of the first school month of the school district~~
 39 ~~for the school year.]~~, *based on the average daily enrollment of those*
 40 *pupils during the quarter*, including, without limitation, the count of
 41 pupils who reside in the county and are enrolled in any charter school. ~~[on~~
 42 ~~the last day of the first school month of the school district for the school~~
 43 ~~year.]~~

44 (2) The count of pupils enrolled in grades 1 to 12, inclusive, ~~[on the~~
 45 ~~last day of the first school month of the school district for the school year.]~~

1 , based on the average daily enrollment of those pupils during the
2 quarter, including, without limitation, the count of pupils who reside in the
3 county and are enrolled in any charter school ~~on the last day of the first~~
4 ~~school month of the school district for the school year~~ and the count of
5 pupils who are enrolled in a university school for profoundly gifted pupils
6 located in the county.

7 (3) The count of pupils not included under subparagraph (1) or (2)
8 who are enrolled full-time in a program of distance education provided by
9 that school district or a charter school located within that school district
10 ~~on the last day of the first school month of the school district for the~~
11 ~~school year~~ , based on the average daily enrollment of those pupils
12 during the quarter.

13 (4) The count of pupils who reside in the county and are enrolled:

14 (I) In a public school of the school district and are concurrently
15 enrolled part-time in a program of distance education provided by another
16 school district or a charter school ~~on the last day of the first school month~~
17 ~~of the school district for the school year~~ , based on the average daily
18 enrollment of those pupils during the quarter and expressed as a
19 percentage of the total time services are provided to those pupils per school
20 day in proportion to the total time services are provided during a school
21 day to pupils who are counted pursuant to subparagraph (2).

22 (II) In a charter school and are concurrently enrolled part-time in
23 a program of distance education provided by a school district or another
24 charter school ~~on the last day of the first school month of the school~~
25 ~~district for the school year~~ , based on the average daily enrollment of
26 those pupils during the quarter and expressed as a percentage of the total
27 time services are provided to those pupils per school day in proportion to
28 the total time services are provided during a school day to pupils who are
29 counted pursuant to subparagraph (2).

30 (5) The count of pupils not included under subparagraph (1), (2),
31 (3) or (4), who are receiving special education pursuant to the provisions
32 of NRS 388.440 to 388.520, inclusive, ~~on the last day of the first school~~
33 ~~month of the school district for the school year~~ based on the average
34 daily enrollment of those pupils during the quarter and excluding the
35 count of pupils who have not attained the age of 5 years and who are
36 receiving special education pursuant to subsection 1 of NRS 388.475 . ~~on~~
37 ~~that day~~

38 (6) Six-tenths the count of pupils who have not attained the age of 5
39 years and who are receiving special education pursuant to subsection 1 of
40 NRS 388.475 ~~on the last day of the first school month of the school~~
41 ~~district for the school year~~ , based on the average daily enrollment of
42 those pupils during the quarter.

43 (7) The count of children detained in facilities for the detention of
44 children, alternative programs and juvenile forestry camps receiving
45 instruction pursuant to the provisions of NRS 388.550, 388.560 and

1 388.570 ~~on the last day of the first school month of the school district for~~
2 ~~the school year.~~, *based on the average daily enrollment of those pupils*
3 *during the quarter.*

4 (8) The count of pupils who are enrolled in classes for at least one
5 semester pursuant to subsection 5 of NRS 386.560, subsection 5 of NRS
6 386.580 or subsection 3 of NRS 392.070, *based on the average daily*
7 *enrollment of pupils during the quarter and* expressed as a percentage of
8 the total time services are provided to those pupils per school day in
9 proportion to the total time services are provided during a school day to
10 pupils who are counted pursuant to subparagraph (2).

11 (b) Multiplying the number of special education program units
12 maintained and operated by the amount per program established for that
13 school year.

14 (c) Adding the amounts computed in paragraphs (a) and (b).

15 ~~2.~~ **3.** Except as otherwise provided in subsection 4, if the enrollment
16 of pupils in a school district or a charter school that is located within the
17 school district on the last day of the first school month of the school
18 district for the school year is less than or equal to 95 percent of the
19 enrollment of pupils in the same school district or charter school on the last
20 day of the first school month of the school district for the immediately
21 preceding school year, the ~~largest number from among the~~ immediately
22 preceding ~~2~~ school ~~years~~ *year* must be used for purposes of
23 apportioning money from the State Distributive School Account to that
24 school district or charter school pursuant to NRS 387.124.

25 ~~3. Except as otherwise provided in subsection 4, if the enrollment of~~
26 ~~pupils in a school district or a charter school that is located within the~~
27 ~~school district on the last day of the first school month of the school~~
28 ~~district for the school year is more than 95 percent of the enrollment of~~
29 ~~pupils in the same school district or charter school on the last day of the~~
30 ~~first school month of the school district for the immediately preceding~~
31 ~~school year, the larger enrollment number from the current year or the~~
32 ~~immediately preceding school year must be used for purposes of~~
33 ~~apportioning money from the State Distributive School Account to that~~
34 ~~school district or charter school pursuant to NRS 387.124.~~

35 4. If the Department determines that a school district or charter school
36 deliberately causes a decline in the enrollment of pupils in the school
37 district or charter school to receive a higher apportionment pursuant to
38 subsection 2, ~~for 3,~~ including, without limitation, by eliminating grades
39 or moving into smaller facilities, the enrollment number from the current
40 school year must be used for purposes of apportioning money from the
41 State Distributive School Account to that school district or charter school
42 pursuant to NRS 387.124.

43 5. *The Department shall prescribe a process for reconciling the*
44 *quarterly reports submitted pursuant to subsection 1 to account for*

1 *pupils who leave the school district or a public school during the school*
2 *year.*

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

6 ~~6.7~~ 7. Pupils who are incarcerated in a facility or institution operated
7 by the Department of Corrections must not be counted for the purpose of
8 computing basic support pursuant to this section. The average daily
9 attendance for such pupils must be reported to the Department of
10 Education.

11 ~~7.8~~ 8. Pupils who are enrolled in courses which are approved by the
12 Department as meeting the requirements for an adult to earn a high school
13 diploma must not be counted for the purpose of computing basic support
14 pursuant to this section.

15 **Sec. 10.** NRS 387.1233 is hereby amended to read as follows:

16 387.1233 1. On or before October 1, January 1, April 1 and July 1,
17 each school district shall report to the Department, in the form prescribed
18 by the Department, the average daily enrollment of pupils pursuant to this
19 section for the immediately preceding quarter of the school year.

20 2. Except as otherwise provided in subsection 3, basic support of each
21 school district must be computed by:

22 (a) Multiplying the basic support guarantee per pupil established for
23 that school district for that school year by the sum of:

24 (1) Six-tenths the count of pupils enrolled in the kindergarten
25 department, based on the average daily enrollment of those pupils during
26 the quarter, including, without limitation, the count of pupils who reside in
27 the county and are enrolled in any charter school.

28 (2) The count of pupils enrolled in grades 1 to 12, inclusive, based
29 on the average daily enrollment of those pupils during the quarter,
30 including, without limitation, the count of pupils who reside in the county
31 and are enrolled in any charter school and the count of pupils who are
32 enrolled in a university school for profoundly gifted pupils located in the
33 county.

34 (3) The count of pupils not included under subparagraph (1) or (2)
35 who are enrolled full-time in a program of distance education provided by
36 that school district or a charter school located within that school district,
37 based on the average daily enrollment of those pupils during the quarter.

38 (4) The count of pupils who reside in the county and are enrolled:

39 (I) In a public school of the school district and are concurrently
40 enrolled part-time in a program of distance education provided by another
41 school district or a charter school, based on the average daily enrollment of
42 those pupils during the quarter and expressed as a percentage of the total
43 time services are provided to those pupils per school day in proportion to
44 the total time services are provided during a school day to pupils who are
45 counted pursuant to subparagraph (2).

1 (II) In a charter school and are concurrently enrolled part-time in
2 a program of distance education provided by a school district or another
3 charter school, based on the average daily enrollment of those pupils
4 during the quarter and expressed as a percentage of the total time services
5 are provided to those pupils per school day in proportion to the total time
6 services are provided during a school day to pupils who are counted
7 pursuant to subparagraph (2).

8 (5) The count of pupils not included under subparagraph (1), (2),
9 (3) or (4), who are receiving special education pursuant to the provisions
10 of NRS 388.440 to 388.520, inclusive, based on the average daily
11 enrollment of those pupils during the quarter and excluding the count of
12 pupils who have not attained the age of 5 years and who are receiving
13 special education pursuant to subsection 1 of NRS 388.475.

14 (6) Six-tenths the count of pupils who have not attained the age of 5
15 years and who are receiving special education pursuant to subsection 1 of
16 NRS 388.475, based on the average daily enrollment of those pupils during
17 the quarter.

18 (7) The count of children detained in facilities for the detention of
19 children, alternative programs and juvenile forestry camps receiving
20 instruction pursuant to the provisions of NRS 388.550, 388.560 and
21 388.570, based on the average daily enrollment of those pupils during the
22 quarter.

23 (8) The count of pupils who are enrolled in classes for at least one
24 semester pursuant to subsection 5 of NRS 386.560, subsection 5 of NRS
25 386.580 or subsection 3 of NRS 392.070, based on the average daily
26 enrollment of pupils during the quarter and expressed as a percentage of
27 the total time services are provided to those pupils per school day in
28 proportion to the total time services are provided during a school day to
29 pupils who are counted pursuant to subparagraph (2).

30 (b) ~~Multiplied the number of special education program units~~
31 ~~maintained and operated by the amount per program established for that~~
32 ~~school year.~~

33 ~~(c)~~ Adding the amounts computed in ~~paragraphs~~ *paragraph* (a) .
34 ~~and (b).~~

35 3. Except as otherwise provided in subsection 4, if the enrollment of
36 pupils in a school district or a charter school that is located within the
37 school district ~~on the last day of the first school month of the school~~
38 ~~district for~~ *based on the average daily enrollment of pupils during the*
39 *quarter of* the school year is less than or equal to 95 percent of the
40 enrollment of pupils in the same school district or charter school ~~on~~
41 *based on the average daily enrollment of pupils during* the ~~last day of~~
42 ~~the first school month of the school district for~~ *same quarter of* the
43 immediately preceding school year, the ~~largest number from among the~~
44 *enrollment of pupils during the same quarter of the* immediately
45 preceding school year must be used for purposes of ~~apportioning money~~

1 *making the quarterly apportionments* from the State Distributive School
2 Account to that school district or charter school pursuant to NRS 387.124.

3 4. If the Department determines that a school district or charter school
4 deliberately causes a decline in the enrollment of pupils in the school
5 district or charter school to receive a higher apportionment pursuant to
6 subsection 2, including, without limitation, by eliminating grades or
7 moving into smaller facilities, the enrollment number from the current
8 school year must be used for purposes of apportioning money from the
9 State Distributive School Account to that school district or charter school
10 pursuant to NRS 387.124.

11 5. The Department shall prescribe a process for reconciling the
12 quarterly reports submitted pursuant to subsection 1 to account for pupils
13 who leave the school district or a public school during the school year.

14 6. Pupils who are excused from attendance at examinations or have
15 completed their work in accordance with the rules of the board of trustees
16 must be credited with attendance during that period.

17 7. Pupils who are incarcerated in a facility or institution operated by
18 the Department of Corrections must not be counted for the purpose of
19 computing basic support pursuant to this section. The average daily
20 attendance for such pupils must be reported to the Department of
21 Education.

22 8. Pupils who are enrolled in courses which are approved by the
23 Department as meeting the requirements for an adult to earn a high school
24 diploma must not be counted for the purpose of computing basic support
25 pursuant to this section.

26 **Sec. 11.** NRS 387.1233 is hereby amended to read as follows:

27 387.1233 1. On or before October 1, January 1, April 1 and July 1,
28 each school district shall report to the Department, in the form prescribed
29 by the Department, the average daily enrollment of pupils pursuant to this
30 section for the immediately preceding quarter of the school year.

31 2. Except as otherwise provided in subsection 3, basic support of each
32 school district must be computed by:

33 (a) Multiplying the basic support guarantee per pupil established for
34 that school district for that school year by the sum of:

35 (1) ~~Six-tenths the count of pupils enrolled in the kindergarten~~
36 ~~department, based on the average daily enrollment of those pupils during~~
37 ~~the quarter, including, without limitation, the count of pupils who reside in~~
38 ~~the county and are enrolled in any charter school.~~

39 ~~(2)~~ The count of pupils enrolled in *kindergarten and* grades 1 to
40 12, inclusive, based on the average daily enrollment of those pupils during
41 the quarter, including, without limitation, the count of pupils who reside in
42 the county and are enrolled in any charter school and the count of pupils
43 who are enrolled in a university school for profoundly gifted pupils located
44 in the county.

1 ~~†(3)†~~ (2) The count of pupils not included under subparagraph (1)
2 ~~†or (2)†~~ who are enrolled full-time in a program of distance education
3 provided by that school district or a charter school located within that
4 school district, based on the average daily enrollment of those pupils
5 during the quarter.

6 ~~†(4)†~~ (3) The count of pupils who reside in the county and are
7 enrolled:

8 (I) In a public school of the school district and are concurrently
9 enrolled part-time in a program of distance education provided by another
10 school district or a charter school, based on the average daily enrollment of
11 those pupils during the quarter and expressed as a percentage of the total
12 time services are provided to those pupils per school day in proportion to
13 the total time services are provided during a school day to pupils who are
14 counted pursuant to subparagraph ~~†(2)†~~ (1).

15 (II) In a charter school and are concurrently enrolled part-time in
16 a program of distance education provided by a school district or another
17 charter school, based on the average daily enrollment of those pupils
18 during the quarter and expressed as a percentage of the total time services
19 are provided to those pupils per school day in proportion to the total time
20 services are provided during a school day to pupils who are counted
21 pursuant to subparagraph ~~†(2)†~~

22 ~~—(5)†~~ (1).

23 (4) The count of pupils not included under subparagraph (1), (2) ~~†~~
24 or (3) , ~~†or (4)†~~ who are receiving special education pursuant to the
25 provisions of NRS 388.440 to 388.520, inclusive, based on the average
26 daily enrollment of those pupils during the quarter and excluding the count
27 of pupils who have not attained the age of 5 years and who are receiving
28 special education pursuant to subsection 1 of NRS 388.475.

29 ~~†(6)†~~ (5) Six-tenths the count of pupils who have not attained the
30 age of 5 years and who are receiving special education pursuant to
31 subsection 1 of NRS 388.475, based on the average daily enrollment of
32 those pupils during the quarter.

33 ~~†(7)†~~ (6) The count of children detained in facilities for the
34 detention of children, alternative programs and juvenile forestry camps
35 receiving instruction pursuant to the provisions of NRS 388.550, 388.560
36 and 388.570, based on the average daily enrollment of those pupils during
37 the quarter.

38 ~~†(8)†~~ (7) The count of pupils who are enrolled in classes for at least
39 one semester pursuant to subsection 5 of NRS 386.560, subsection 5 of
40 NRS 386.580 or subsection 3 of NRS 392.070, based on the average daily
41 enrollment of pupils during the quarter and expressed as a percentage of
42 the total time services are provided to those pupils per school day in
43 proportion to the total time services are provided during a school day to
44 pupils who are counted pursuant to subparagraph ~~†(2)†~~ (1).

45 (b) Adding the amounts computed in paragraph (a).

1 3. Except as otherwise provided in subsection 4, if the enrollment of
2 pupils in a school district or a charter school that is located within the
3 school district based on the average daily enrollment of pupils during the
4 quarter of the school year is less than or equal to 95 percent of the
5 enrollment of pupils in the same school district or charter school based on
6 the average daily enrollment of pupils during the same quarter of the
7 immediately preceding school year, the enrollment of pupils during the
8 same quarter of the immediately preceding school year must be used for
9 purposes of making the quarterly apportionments from the State
10 Distributive School Account to that school district or charter school
11 pursuant to NRS 387.124.

12 4. If the Department determines that a school district or charter school
13 deliberately causes a decline in the enrollment of pupils in the school
14 district or charter school to receive a higher apportionment pursuant to
15 subsection 2, including, without limitation, by eliminating grades or
16 moving into smaller facilities, the enrollment number from the current
17 school year must be used for purposes of apportioning money from the
18 State Distributive School Account to that school district or charter school
19 pursuant to NRS 387.124.

20 5. The Department shall prescribe a process for reconciling the
21 quarterly reports submitted pursuant to subsection 1 to account for pupils
22 who leave the school district or a public school during the school year.

23 6. Pupils who are excused from attendance at examinations or have
24 completed their work in accordance with the rules of the board of trustees
25 must be credited with attendance during that period.

26 7. Pupils who are incarcerated in a facility or institution operated by
27 the Department of Corrections must not be counted for the purpose of
28 computing basic support pursuant to this section. The average daily
29 attendance for such pupils must be reported to the Department of
30 Education.

31 8. Pupils who are enrolled in courses which are approved by the
32 Department as meeting the requirements for an adult to earn a high school
33 diploma must not be counted for the purpose of computing basic support
34 pursuant to this section.

35 **Sec. 12.** NRS 387.124 is hereby amended to read as follows:

36 387.124 Except as otherwise provided in this section and
37 NRS 387.528:

38 1. On or before August 1, November 1, February 1 and May 1 of each
39 year, the Superintendent of Public Instruction shall apportion the State
40 Distributive School Account in the State General Fund among the several
41 county school districts, charter schools and university schools for
42 profoundly gifted pupils in amounts approximating one-fourth of their
43 respective yearly apportionments less any amount set aside as a reserve.
44 Except as otherwise provided in NRS 387.1244, the apportionment to a
45 school district, computed on a yearly basis, equals the difference between

1 the basic support and the local funds available pursuant to NRS 387.1235,
2 minus all the funds attributable to pupils who reside in the county but
3 attend a charter school, all the funds attributable to pupils who reside in the
4 county and are enrolled full-time or part-time in a program of distance
5 education provided by another school district or a charter school and all the
6 funds attributable to pupils who are enrolled in a university school for
7 profoundly gifted pupils located in the county. No apportionment may be
8 made to a school district if the amount of the local funds exceeds the
9 amount of basic support.

10 2. Except as otherwise provided in subsection 3 and NRS 387.1244,
11 the apportionment to a charter school, computed on a yearly basis, is equal
12 to the sum of the basic support per pupil in the county in which the pupil
13 resides plus the amount of local funds available per pupil pursuant to NRS
14 387.1235 and all other funds available for public schools in the county in
15 which the pupil resides minus the sponsorship fee prescribed by NRS
16 386.570 and minus all the funds attributable to pupils who are enrolled in
17 the charter school but are concurrently enrolled part-time in a program of
18 distance education provided by a school district or another charter school.
19 If the apportionment per pupil to a charter school is more than the amount
20 to be apportioned to the school district in which a pupil who is enrolled in
21 the charter school resides, the school district in which the pupil resides
22 shall pay the difference directly to the charter school.

23 3. Except as otherwise provided in NRS 387.1244, the apportionment
24 to a charter school that is sponsored by the State Public Charter School
25 Authority or by a college or university within the Nevada System of
26 Higher Education, computed on a yearly basis, is equal to the sum of the
27 basic support per pupil in the county in which the pupil resides plus the
28 amount of local funds available per pupil pursuant to NRS 387.1235 and
29 all other funds available for public schools in the county in which the pupil
30 resides, minus the sponsorship fee prescribed by NRS 386.570 and minus
31 all funds attributable to pupils who are enrolled in the charter school but
32 are concurrently enrolled part-time in a program of distance education
33 provided by a school district or another charter school.

34 4. Except as otherwise provided in NRS 387.1244, in addition to the
35 apportionments made pursuant to this section, an apportionment must be
36 made to a school district or charter school that provides a program of
37 distance education for each pupil who is enrolled part-time in the program.
38 The amount of the apportionment must be equal to the percentage of the
39 total time services are provided to the pupil through the program of
40 distance education per school day in proportion to the total time services
41 are provided during a school day to pupils who are counted pursuant to
42 subparagraph (2) of paragraph (a) of subsection ~~HH~~ 2 of NRS 387.1233 for
43 the school district in which the pupil resides.

44 5. The governing body of a charter school may submit a written
45 request to the Superintendent of Public Instruction to receive, in the first

1 year of operation of the charter school, an apportionment 30 days before
2 the apportionment is required to be made pursuant to subsection 1. Upon
3 receipt of such a request, the Superintendent of Public Instruction may
4 make the apportionment 30 days before the apportionment is required to be
5 made. A charter school may receive all four apportionments in advance in
6 its first year of operation.

7 6. Except as otherwise provided in NRS 387.1244, the apportionment
8 to a university school for profoundly gifted pupils, computed on a yearly
9 basis, is equal to the sum of the basic support per pupil in the county in
10 which the university school is located plus the amount of local funds
11 available per pupil pursuant to NRS 387.1235 and all other funds available
12 for public schools in the county in which the university school is located. If
13 the apportionment per pupil to a university school for profoundly gifted
14 pupils is more than the amount to be apportioned to the school district in
15 which the university school is located, the school district shall pay the
16 difference directly to the university school. The governing body of a
17 university school for profoundly gifted pupils may submit a written request
18 to the Superintendent of Public Instruction to receive, in the first year of
19 operation of the university school, an apportionment 30 days before the
20 apportionment is required to be made pursuant to subsection 1. Upon
21 receipt of such a request, the Superintendent of Public Instruction may
22 make the apportionment 30 days before the apportionment is required to be
23 made. A university school for profoundly gifted pupils may receive all four
24 apportionments in advance in its first year of operation.

25 7. The Superintendent of Public Instruction shall apportion, on or
26 before August 1 of each year, the money designated as the "Nutrition State
27 Match" pursuant to NRS 387.105 to those school districts that participate
28 in the National School Lunch Program, 42 U.S.C. §§ 1751 et seq. The
29 apportionment to a school district must be directly related to the district's
30 reimbursements for the Program as compared with the total amount of
31 reimbursements for all school districts in this State that participate in the
32 Program.

33 8. If the State Controller finds that such an action is needed to
34 maintain the balance in the State General Fund at a level sufficient to pay
35 the other appropriations from it, the State Controller may pay out the
36 apportionments monthly, each approximately one-twelfth of the yearly
37 apportionment less any amount set aside as a reserve. If such action is
38 needed, the State Controller shall submit a report to the Department of
39 Administration and the Fiscal Analysis Division of the Legislative Counsel
40 Bureau documenting reasons for the action.

41 **Sec. 13.** NRS 387.124 is hereby amended to read as follows:

42 387.124 Except as otherwise provided in this section and
43 NRS 387.528:

44 1. On or before August 1, November 1, February 1 and May 1 of each
45 year, the Superintendent of Public Instruction shall apportion the State

1 Distributive School Account in the State General Fund among the several
2 county school districts, charter schools and university schools for
3 profoundly gifted pupils in amounts approximating one-fourth of their
4 respective yearly apportionments less any amount set aside as a reserve.
5 Except as otherwise provided in NRS 387.1244, the apportionment to a
6 school district, computed on a yearly basis, equals the difference between
7 the basic support and the local funds available pursuant to NRS 387.1235,
8 minus all the funds attributable to pupils who reside in the county but
9 attend a charter school, all the funds attributable to pupils who reside in the
10 county and are enrolled full-time or part-time in a program of distance
11 education provided by another school district or a charter school and all the
12 funds attributable to pupils who are enrolled in a university school for
13 profoundly gifted pupils located in the county. No apportionment may be
14 made to a school district if the amount of the local funds exceeds the
15 amount of basic support.

16 2. Except as otherwise provided in subsection 3 and NRS 387.1244,
17 the apportionment to a charter school, computed on a yearly basis, is equal
18 to the sum of the basic support per pupil in the county in which the pupil
19 resides plus the amount of local funds available per pupil pursuant to NRS
20 387.1235 and all other funds available for public schools in the county in
21 which the pupil resides minus the sponsorship fee prescribed by NRS
22 386.570 and minus all the funds attributable to pupils who are enrolled in
23 the charter school but are concurrently enrolled part-time in a program of
24 distance education provided by a school district or another charter school.
25 If the apportionment per pupil to a charter school is more than the amount
26 to be apportioned to the school district in which a pupil who is enrolled in
27 the charter school resides, the school district in which the pupil resides
28 shall pay the difference directly to the charter school.

29 3. Except as otherwise provided in NRS 387.1244, the apportionment
30 to a charter school that is sponsored by the State Public Charter School
31 Authority or by a college or university within the Nevada System of
32 Higher Education, computed on a yearly basis, is equal to the sum of the
33 basic support per pupil in the county in which the pupil resides plus the
34 amount of local funds available per pupil pursuant to NRS 387.1235 and
35 all other funds available for public schools in the county in which the pupil
36 resides, minus the sponsorship fee prescribed by NRS 386.570 and minus
37 all funds attributable to pupils who are enrolled in the charter school but
38 are concurrently enrolled part-time in a program of distance education
39 provided by a school district or another charter school.

40 4. Except as otherwise provided in NRS 387.1244, in addition to the
41 apportionments made pursuant to this section, an apportionment must be
42 made to a school district or charter school that provides a program of
43 distance education for each pupil who is enrolled part-time in the program.
44 The amount of the apportionment must be equal to the percentage of the
45 total time services are provided to the pupil through the program of

1 distance education per school day in proportion to the total time services
2 are provided during a school day to pupils who are counted pursuant to
3 subparagraph ~~(2)~~ (1) of paragraph (a) of subsection 2 of NRS 387.1233
4 for the school district in which the pupil resides.

5 5. The governing body of a charter school may submit a written
6 request to the Superintendent of Public Instruction to receive, in the first
7 year of operation of the charter school, an apportionment 30 days before
8 the apportionment is required to be made pursuant to subsection 1. Upon
9 receipt of such a request, the Superintendent of Public Instruction may
10 make the apportionment 30 days before the apportionment is required to be
11 made. A charter school may receive all four apportionments in advance in
12 its first year of operation.

13 6. Except as otherwise provided in NRS 387.1244, the apportionment
14 to a university school for profoundly gifted pupils, computed on a yearly
15 basis, is equal to the sum of the basic support per pupil in the county in
16 which the university school is located plus the amount of local funds
17 available per pupil pursuant to NRS 387.1235 and all other funds available
18 for public schools in the county in which the university school is located. If
19 the apportionment per pupil to a university school for profoundly gifted
20 pupils is more than the amount to be apportioned to the school district in
21 which the university school is located, the school district shall pay the
22 difference directly to the university school. The governing body of a
23 university school for profoundly gifted pupils may submit a written request
24 to the Superintendent of Public Instruction to receive, in the first year of
25 operation of the university school, an apportionment 30 days before the
26 apportionment is required to be made pursuant to subsection 1. Upon
27 receipt of such a request, the Superintendent of Public Instruction may
28 make the apportionment 30 days before the apportionment is required to be
29 made. A university school for profoundly gifted pupils may receive all four
30 apportionments in advance in its first year of operation.

31 7. The Superintendent of Public Instruction shall apportion, on or
32 before August 1 of each year, the money designated as the "Nutrition State
33 Match" pursuant to NRS 387.105 to those school districts that participate
34 in the National School Lunch Program, 42 U.S.C. §§ 1751 et seq. The
35 apportionment to a school district must be directly related to the district's
36 reimbursements for the Program as compared with the total amount of
37 reimbursements for all school districts in this State that participate in the
38 Program.

39 8. If the State Controller finds that such an action is needed to
40 maintain the balance in the State General Fund at a level sufficient to pay
41 the other appropriations from it, the State Controller may pay out the
42 apportionments monthly, each approximately one-twelfth of the yearly
43 apportionment less any amount set aside as a reserve. If such action is
44 needed, the State Controller shall submit a report to the Department of

1 Administration and the Fiscal Analysis Division of the Legislative Counsel
2 Bureau documenting reasons for the action.

3 **Sec. 14.** NRS 387.1243 is hereby amended to read as follows:

4 387.1243 1. The first apportionment based on an estimated number
5 of pupils and special education program units and succeeding
6 apportionments are subject to adjustment from time to time as the need
7 therefor may appear, including, without limitation, an adjustment made for
8 a pupil who is not properly enrolled in or attending a public school, as
9 determined through an independent audit or other examination conducted
10 pursuant to NRS 387.126 or through an annual audit of the count of pupils
11 conducted pursuant to subsection 1 of NRS 387.304.

12 2. The apportionments to a school district may be adjusted during a
13 fiscal year by the Department of Education, upon approval by the State
14 Board of Examiners and the Interim Finance Committee, if the Department
15 of Taxation and the county assessor in the county in which the school
16 district is located certify to the Department of Education that the school
17 district will not receive the tax levied pursuant to subsection 1 of NRS
18 387.195 on property of the Federal Government located within the county
19 if:

20 (a) The leasehold interest, possessory interest, beneficial interest or
21 beneficial use of the property is subject to taxation pursuant to NRS
22 361.157 and 361.159 and one or more lessees or users of the property are
23 delinquent in paying the tax; and

24 (b) The total amount of tax owed but not paid for the fiscal year by any
25 such lessees and users is at least 5 percent of the proceeds that the school
26 district would have received from the tax levied pursuant to subsection 1 of
27 NRS 387.195.

28 ↪ If a lessee or user pays the tax owed after the school district's
29 apportionment has been increased in accordance with the provisions of this
30 subsection to compensate for the tax owed, the school district shall repay
31 to the State Distributive School Account in the State General Fund an
32 amount equal to the tax received from the lessee or user for the year in
33 which the school district received an increased apportionment, not to
34 exceed the increase in apportionments made to the school district pursuant
35 to this subsection.

36 3. On or before August 1 of each year, the board of trustees of a
37 school district shall provide to the Department, in a format prescribed by
38 the Department, the count of pupils calculated pursuant to subparagraph
39 (8) of paragraph (a) of subsection ~~4~~ 2 of NRS 387.1233 who completed
40 at least one semester during the immediately preceding school year. ~~The~~
41 ~~count of pupils submitted to the Department must be included in the final~~
42 ~~adjustment computed pursuant to subsection 4.~~

43 ~~4. A final adjustment for each school district, charter school and~~
44 ~~university school for profoundly gifted pupils must be computed as soon as~~
45 ~~practicable following the close of the school year, but not later than August~~

1 ~~25. The final computation must be based upon the actual counts of pupils~~
2 ~~required to be made for the computation of basic support and the limits~~
3 ~~upon the support of special education programs, except that for any year~~
4 ~~when the total enrollment of pupils and children in a school district, a~~
5 ~~charter school located within the school district or a university school for~~
6 ~~profoundly gifted pupils located within the school district described in~~
7 ~~paragraphs (a), (b), (c) and (e) of subsection 1 of NRS 387.123 is greater~~
8 ~~on the last day of any school month of the school district after the second~~
9 ~~school month of the school district and the increase in enrollment shows at~~
10 ~~least:~~

11 ~~— (a) A 3 percent gain, basic support as computed from first month~~
12 ~~enrollment for the school district, charter school or university school for~~
13 ~~profoundly gifted pupils must be increased by 2 percent.~~

14 ~~— (b) A 6 percent gain, basic support as computed from first month~~
15 ~~enrollment for the school district, charter school or university school for~~
16 ~~profoundly gifted pupils must be increased by an additional 2 percent.~~

17 ~~5.]~~ 4. If the final computation of apportionment for any school
18 district, charter school or university school for profoundly gifted pupils
19 exceeds the actual amount paid to the school district, charter school or
20 university school for profoundly gifted pupils during the school year, the
21 additional amount due must be paid before September 1. If the final
22 computation of apportionment for any school district, charter school or
23 university school for profoundly gifted pupils is less than the actual
24 amount paid to the school district, charter school or university school for
25 profoundly gifted pupils during the school year, the difference must be
26 repaid to the State Distributive School Account in the State General Fund
27 by the school district, charter school or university school for profoundly
28 gifted pupils before September 25.

29 **Sec. 15.** NRS 387.1243 is hereby amended to read as follows:

30 387.1243 1. The first apportionment based on an estimated number
31 of pupils ~~{and special education program units}~~ and succeeding
32 apportionments are subject to adjustment from time to time as the need
33 therefor may appear, including, without limitation, an adjustment made for
34 a pupil who is not properly enrolled in or attending a public school, as
35 determined through an independent audit or other examination conducted
36 pursuant to NRS 387.126 or through an annual audit of the count of pupils
37 conducted pursuant to subsection 1 of NRS 387.304.

38 2. The apportionments to a school district may be adjusted during a
39 fiscal year by the Department of Education, upon approval by the State
40 Board of Examiners and the Interim Finance Committee, if the Department
41 of Taxation and the county assessor in the county in which the school
42 district is located certify to the Department of Education that the school
43 district will not receive the tax levied pursuant to subsection 1 of NRS
44 387.195 on property of the Federal Government located within the county
45 if:

1 (a) The leasehold interest, possessory interest, beneficial interest or
2 beneficial use of the property is subject to taxation pursuant to NRS
3 361.157 and 361.159 and one or more lessees or users of the property are
4 delinquent in paying the tax; and

5 (b) The total amount of tax owed but not paid for the fiscal year by any
6 such lessees and users is at least 5 percent of the proceeds that the school
7 district would have received from the tax levied pursuant to subsection 1 of
8 NRS 387.195.

9 ↪ If a lessee or user pays the tax owed after the school district's
10 apportionment has been increased in accordance with the provisions of this
11 subsection to compensate for the tax owed, the school district shall repay
12 to the State Distributive School Account in the State General Fund an
13 amount equal to the tax received from the lessee or user for the year in
14 which the school district received an increased apportionment, not to
15 exceed the increase in apportionments made to the school district pursuant
16 to this subsection.

17 3. On or before August 1 of each year, the board of trustees of a
18 school district shall provide to the Department, in a format prescribed by
19 the Department, the count of pupils calculated pursuant to subparagraph
20 (8) of paragraph (a) of subsection 2 of NRS 387.1233 who completed at
21 least one semester during the immediately preceding school year. ~~The~~
22 ~~count of pupils submitted to the Department must be included in the final~~
23 ~~adjustment computed pursuant to subsection 4.]~~

24 4. ~~[A final adjustment for each school district, charter school and~~
25 ~~university school for profoundly gifted pupils must be computed as soon as~~
26 ~~practicable following the close of the school year, but not later than August~~
27 ~~25. The final computation must be based upon the actual counts of pupils~~
28 ~~required to be made for the computation of basic support and the limits~~
29 ~~upon the support of special education programs, except that for any year~~
30 ~~when the total enrollment of pupils and children in a school district, a~~
31 ~~charter school located within the school district or a university school for~~
32 ~~profoundly gifted pupils located within the school district described in~~
33 ~~paragraphs (a), (b), (c) and (e) of subsection 1 of NRS 387.123 is greater~~
34 ~~on the last day of any school month of the school district after the second~~
35 ~~school month of the school district and the increase in enrollment shows at~~
36 ~~least:~~

37 ~~—(a) A 3 percent gain, basic support as computed from first month~~
38 ~~enrollment for the school district, charter school or university school for~~
39 ~~profoundly gifted pupils must be increased by 2 percent.~~

40 ~~—(b) A 6 percent gain, basic support as computed from first month~~
41 ~~enrollment for the school district, charter school or university school for~~
42 ~~profoundly gifted pupils must be increased by an additional 2 percent.~~

43 ~~—5.]~~ If the final computation of apportionment for any school district,
44 charter school or university school for profoundly gifted pupils exceeds the
45 actual amount paid to the school district, charter school or university

1 school for profoundly gifted pupils during the school year, the additional
2 amount due must be paid before September 1. If the final computation of
3 apportionment for any school district, charter school or university school
4 for profoundly gifted pupils is less than the actual amount paid to the
5 school district, charter school or university school for profoundly gifted
6 pupils during the school year, the difference must be repaid to the State
7 Distributive School Account in the State General Fund by the school
8 district, charter school or university school for profoundly gifted pupils
9 before September 25.

10 **Sec. 16.** NRS 387.1243 is hereby amended to read as follows:

11 387.1243 1. The first apportionment based on an estimated number
12 of pupils and succeeding apportionments are subject to adjustment from
13 time to time as the need therefor may appear, including, without limitation,
14 an adjustment made for a pupil who is not properly enrolled in or attending
15 a public school, as determined through an independent audit or other
16 examination conducted pursuant to NRS 387.126 or through an annual
17 audit of the count of pupils conducted pursuant to subsection 1 of NRS
18 387.304.

19 2. The apportionments to a school district may be adjusted during a
20 fiscal year by the Department of Education, upon approval by the State
21 Board of Examiners and the Interim Finance Committee, if the Department
22 of Taxation and the county assessor in the county in which the school
23 district is located certify to the Department of Education that the school
24 district will not receive the tax levied pursuant to subsection 1 of NRS
25 387.195 on property of the Federal Government located within the county
26 if:

27 (a) The leasehold interest, possessory interest, beneficial interest or
28 beneficial use of the property is subject to taxation pursuant to NRS
29 361.157 and 361.159 and one or more lessees or users of the property are
30 delinquent in paying the tax; and

31 (b) The total amount of tax owed but not paid for the fiscal year by any
32 such lessees and users is at least 5 percent of the proceeds that the school
33 district would have received from the tax levied pursuant to subsection 1 of
34 NRS 387.195.

35 ↪ If a lessee or user pays the tax owed after the school district's
36 apportionment has been increased in accordance with the provisions of this
37 subsection to compensate for the tax owed, the school district shall repay
38 to the State Distributive School Account in the State General Fund an
39 amount equal to the tax received from the lessee or user for the year in
40 which the school district received an increased apportionment, not to
41 exceed the increase in apportionments made to the school district pursuant
42 to this subsection.

43 3. On or before August 1 of each year, the board of trustees of a
44 school district shall provide to the Department, in a format prescribed by
45 the Department, the count of pupils calculated pursuant to subparagraph

1 ~~[(8)] (7)~~ of paragraph (a) of subsection 2 of NRS 387.1233 who completed
2 at least one semester during the immediately preceding school year. ~~[(The~~
3 ~~count of pupils submitted to the Department must be included in the final~~
4 ~~adjustment computed pursuant to subsection 4.)]~~

5 4. ~~[A final adjustment for each school district, charter school and~~
6 ~~university school for profoundly gifted pupils must be computed as soon as~~
7 ~~practicable following the close of the school year, but not later than August~~
8 ~~25. The final computation must be based upon the actual counts of pupils~~
9 ~~required to be made for the computation of basic support and the limits~~
10 ~~upon the support of special education programs, except that for any year~~
11 ~~when the total enrollment of pupils and children in a school district, a~~
12 ~~charter school located within the school district or a university school for~~
13 ~~profoundly gifted pupils located within the school district described in~~
14 ~~paragraphs (a), (b), (c) and (e) of subsection 1 of NRS 387.123 is greater~~
15 ~~on the last day of any school month of the school district after the second~~
16 ~~school month of the school district and the increase in enrollment shows at~~
17 ~~least:~~

18 ~~—(a) A 3 percent gain, basic support as computed from first month~~
19 ~~enrollment for the school district, charter school or university school for~~
20 ~~profoundly gifted pupils must be increased by 2 percent.~~

21 ~~—(b) A 6 percent gain, basic support as computed from first month~~
22 ~~enrollment for the school district, charter school or university school for~~
23 ~~profoundly gifted pupils must be increased by an additional 2 percent.~~

24 ~~—5.]~~ If the final computation of apportionment for any school district,
25 charter school or university school for profoundly gifted pupils exceeds the
26 actual amount paid to the school district, charter school or university
27 school for profoundly gifted pupils during the school year, the additional
28 amount due must be paid before September 1. If the final computation of
29 apportionment for any school district, charter school or university school
30 for profoundly gifted pupils is less than the actual amount paid to the
31 school district, charter school or university school for profoundly gifted
32 pupils during the school year, the difference must be repaid to the State
33 Distributive School Account in the State General Fund by the school
34 district, charter school or university school for profoundly gifted pupils
35 before September 25.

36 **Sec. 16.5. NRS 387.1244 is hereby amended to read as follows:**

37 387.1244 1. The Superintendent of Public Instruction may deduct
38 from an apportionment otherwise payable to a school district, charter
39 school or university school for profoundly gifted pupils pursuant to NRS
40 387.124 if the school district, charter school or university school:

41 (a) Fails to repay an amount due pursuant to subsection ~~[(5)] 4~~ of NRS
42 387.1243. The amount of the deduction from the quarterly apportionment
43 must correspond to the amount due.

44 (b) Fails to repay an amount due the Department as a result of a
45 determination that an expenditure was made which violates the terms of a

1 grant administered by the Department. The amount of the deduction from
2 the quarterly apportionment must correspond to the amount due.

3 (c) Pays a claim determined to be unearned, illegal or unreasonably
4 excessive as a result of an investigation conducted pursuant to NRS
5 387.3037. The amount of the deduction from the quarterly apportionment
6 must correspond to the amount of the claim which is determined to be
7 unearned, illegal or unreasonably excessive.

8 ➔ More than one deduction from a quarterly apportionment otherwise
9 payable to a school district, charter school or university school for
10 profoundly gifted pupils may be made pursuant to this subsection if
11 grounds exist for each such deduction.

12 2. The Superintendent of Public Instruction may authorize the
13 withholding of the entire amount of an apportionment otherwise payable to
14 a school district, charter school or university school for profoundly gifted
15 pupils pursuant to NRS 387.124, or a portion thereof, if the school district,
16 charter school or university school for profoundly gifted pupils fails to
17 submit a report or other information that is required to be submitted to the
18 Superintendent, State Board or Department pursuant to a statute. If a
19 charter school fails to submit a report or other information that is required
20 to be submitted to the Superintendent, State Board or Department through
21 the sponsor of the charter school pursuant to a statute, the Superintendent
22 may only authorize the withholding of the apportionment otherwise
23 payable to the charter school and may not authorize the withholding of the
24 apportionment otherwise payable to the sponsor of the charter school.
25 Before authorizing a withholding pursuant to this subsection, the
26 Superintendent of Public Instruction shall provide notice to the school
27 district, charter school or university school for profoundly gifted pupils of
28 the report or other information that is due and provide the school district,
29 charter school or university school with an opportunity to comply with the
30 statute. Any amount withheld pursuant to this subsection must be
31 accounted for separately in the State Distributive School Account, does not
32 revert to the State General Fund at the end of a fiscal year and must be
33 carried forward to the next fiscal year.

34 3. If, after an amount is withheld pursuant to subsection 2, the school
35 district, charter school or university school for profoundly gifted pupils
36 subsequently submits the report or other information required by a statute
37 for which the withholding was made, the Superintendent of Public
38 Instruction shall immediately authorize the payment of the amount
39 withheld to the school district, charter school or university school for
40 profoundly gifted pupils.

41 4. A school district, charter school or university school for profoundly
42 gifted pupils may appeal to the State Board a decision of the
43 Superintendent of Public Instruction to deduct or withhold from a quarterly
44 apportionment pursuant to this section. The Secretary of the State Board

1 shall place the subject of the appeal on the agenda of the next meeting for
2 consideration by the State Board.

3 **Sec. 17.** NRS 387.191 is hereby amended to read as follows:

4 387.191 1. Except as otherwise provided in this subsection, the
5 proceeds of the tax imposed pursuant to NRS 244.33561 and any
6 applicable penalty or interest must be paid by the county treasurer to the
7 State Treasurer for credit to the State Supplemental School Support
8 Account, which is hereby created in the State General Fund. The county
9 treasurer may retain from the proceeds an amount sufficient to reimburse
10 the county for the actual cost of collecting and administering the tax, to the
11 extent that the county incurs any cost it would not have incurred but for the
12 enactment of this section or NRS 244.33561, but in no case exceeding the
13 amount authorized by statute for this purpose. Any interest or other income
14 earned on the money in the State Supplemental School Support Account
15 must be credited to the Account.

16 2. On and after July 1, 2015, the money in the State Supplemental
17 School Support Account is hereby appropriated for the operation of the
18 school districts and charter schools of the state, as provided in this section.
19 The money so appropriated is intended to supplement and not replace any
20 other money appropriated, approved or authorized for expenditure to fund
21 the operation of the public schools for kindergarten through grade 12. Any
22 money that remains in the State Supplemental School Support Account at
23 the end of the fiscal year does not revert to the State General Fund, and the
24 balance in the State Supplemental School Support Account must be carried
25 forward to the next fiscal year.

26 3. On or before February 1, May 1, August 1 and November 1 of
27 2016, and on those dates each year thereafter, the Superintendent of Public
28 Instruction shall transfer from the State Supplemental School Support
29 Account all the proceeds of the tax imposed pursuant to NRS 244.33561,
30 including any interest or other income earned thereon, and distribute the
31 proceeds proportionally among the school districts and charter schools of
32 the state. The proportionate amount of money distributed to each school
33 district or charter school must be determined by dividing the number of
34 students enrolled in the school district or charter school by the number of
35 students enrolled in all the school districts and charter schools of the state.
36 For the purposes of this subsection, the enrollment in each school district
37 and the number of students who reside in the district and are enrolled in a
38 charter school must be determined as of ~~the last day of the first school~~
39 ~~month~~ *each quarter* of the ~~school district for the~~ school year. This
40 determination governs the distribution of money pursuant to this
41 subsection until the next ~~annual~~ *quarterly* determination of enrollment is
42 made. The Superintendent may retain from the proceeds of the tax an
43 amount sufficient to reimburse the Superintendent for the actual cost of
44 administering the provisions of this section, to the extent that the
45 Superintendent incurs any cost the Superintendent would not have incurred

1 but for the enactment of this section, but in no case exceeding the amount
2 authorized by statute for this purpose.

3 4. The money received by a school district or charter school from the
4 State Supplemental School Support Account pursuant to this section must
5 be used to improve the achievement of students and for the payment of
6 salaries to attract and retain qualified teachers and other employees, except
7 administrative employees, of the school district or charter school. Nothing
8 contained in this section shall be deemed to impair or restrict the right of
9 employees of the school district or charter school to engage in collective
10 bargaining as provided by chapter 288 of NRS.

11 5. On or before November 10 of 2016, and on that date each year
12 thereafter, the board of trustees of each school district and the governing
13 body of each charter school shall prepare a report to
14 the Superintendent of Public Instruction, in the form prescribed by the
15 Superintendent. The report must provide an accounting of the expenditures
16 by the school district or charter school of the money it received from the
17 State Supplemental School Support Account during the preceding fiscal
18 year.

19 6. As used in this section, "administrative employee" means any
20 person who holds a license as an administrator, issued by the
21 Superintendent of Public Instruction, and is employed in that capacity by a
22 school district or charter school.

23 **Sec. 18.** NRS 387.303 is hereby amended to read as follows:

24 387.303 1. Not later than November 1 of each year, the board of
25 trustees of each school district shall submit to the Superintendent of Public
26 Instruction and the Department of Taxation a report which includes the
27 following information:

28 (a) For each fund within the school district, including, without
29 limitation, the school district's general fund and any special revenue fund
30 which receives state money, the total number and salaries of licensed and
31 nonlicensed persons whose salaries are paid from the fund and who are
32 employed by the school district in full-time positions or in part-time
33 positions added together to represent full-time positions. Information must
34 be provided for the current school year based upon the school district's
35 final budget, including any amendments and augmentations thereto, and
36 for the preceding school year. An employee must be categorized as filling
37 an instructional, administrative, instructional support or other position.

38 (b) The school district's actual expenditures in the fiscal year
39 immediately preceding the report.

40 (c) The school district's proposed expenditures for the current fiscal
41 year.

42 (d) The schedule of salaries for licensed employees in the current
43 school year and a statement of whether the negotiations regarding salaries
44 for the current school year have been completed. If the negotiations have
45 not been completed at the time the schedule of salaries is submitted, the

1 board of trustees shall submit a supplemental report to the Superintendent
2 of Public Instruction upon completion of negotiations or the determination
3 of an arbitrator concerning the negotiations that includes the schedule of
4 salaries agreed to or required by the arbitrator.

5 (e) The number of employees who received an increase in
6 salary pursuant to subsection 2, 3 or 4 of NRS 391.160 for the current and
7 preceding fiscal years. If the board of trustees is required to pay an
8 increase in salary retroactively pursuant to subsection 2 of NRS 391.160,
9 the board of trustees shall submit a supplemental report to the
10 Superintendent of Public Instruction not later than February 15 of the year
11 in which the retroactive payment was made that includes the number of
12 teachers to whom an increase in salary was paid retroactively.

13 (f) The number of employees eligible for health insurance within the
14 school district for the current and preceding fiscal years and the amount
15 paid for health insurance for each such employee during those years.

16 (g) The rates for fringe benefits, excluding health insurance, paid by
17 the school district for its licensed employees in the preceding and current
18 fiscal years.

19 (h) The amount paid for extra duties, supervision of extracurricular
20 activities and supplemental pay and the number of employees receiving
21 that pay in the preceding and current fiscal years.

22 (i) The expenditures from the account created pursuant to subsection 4
23 of NRS 179.1187. The report must indicate the total amount received by
24 the district in the preceding fiscal year and the specific amount spent on
25 books and computer hardware and software for each grade level in the
26 district.

27 2. On or before November 25 of each year, the Superintendent of
28 Public Instruction shall submit to the Department of Administration and
29 the Fiscal Analysis Division of the Legislative Counsel Bureau, in a format
30 approved by the Director of the Department of Administration, a
31 compilation of the reports made by each school district pursuant to
32 subsection 1.

33 3. In preparing the agency biennial budget request for the State
34 Distributive School Account for submission to the Department of
35 Administration, the Superintendent of Public Instruction:

36 (a) Shall compile the information from the most recent compilation of
37 reports submitted pursuant to subsection 2;

38 (b) May increase the line items of expenditures or revenues based on
39 merit salary increases and cost of living adjustments or inflation, as
40 deemed credible and reliable based upon published indexes and research
41 relevant to the specific line item of expenditure or revenue;

42 (c) May adjust expenditures and revenues pursuant to paragraph (b) for
43 any year remaining before the biennium for which the budget is being
44 prepared and for the 2 years of the biennium covered by the biennial

1 budget request to project the cost of expenditures or the receipt of revenues
2 for the specific line items; *and*

3 (d) May consider the cost of enhancements to existing programs or the
4 projected cost of proposed new educational programs, regardless of
5 whether those enhancements or new programs are included in the per pupil
6 basic support guarantee for inclusion in the biennial budget request to the
7 Department of Administration. ~~}; and~~

8 ~~—(e) Shall obtain approval from the State Board for any inflationary
9 increase, enhancement to an existing program or addition of a new
10 program included in the agency biennial budget request.}~~

11 4. The Superintendent of Public Instruction shall, in the compilation
12 required by subsection 2, reconcile the revenues of the school districts with
13 the apportionment received by those districts from the State Distributive
14 School Account for the preceding year.

15 5. The request prepared pursuant to subsection 3 must:

16 (a) Be presented by the Superintendent of Public Instruction to such
17 standing committees of the Legislature as requested by the standing
18 committees for the purposes of developing educational programs and
19 providing appropriations for those programs; and

20 (b) Provide for a direct comparison of appropriations to the proposed
21 budget of the Governor submitted pursuant to subsection 4 of NRS
22 353.230.

23 **Sec. 19.** NRS 387.304 is hereby amended to read as follows:

24 387.304 The Department shall:

25 1. Conduct an annual audit of the count of pupils for apportionment
26 purposes reported *each quarter* by each school district pursuant to NRS
27 387.123 and the data reported by each school district pursuant to NRS
28 388.710 that is used to measure the effectiveness of the implementation of
29 a plan developed by each school district to reduce the pupil-teacher ratio as
30 required by
31 NRS 388.720.

32 2. Review each school district's report of the annual audit conducted
33 by a public accountant as required by NRS 354.624, and the annual report
34 prepared by each district as required by NRS 387.303, and report the
35 findings of the review to the State Board and the Legislative Committee on
36 Education, with any recommendations for legislation, revisions to
37 regulations or training needed by school district employees. The report by
38 the Department must identify school districts which failed to comply with
39 any statutes or administrative regulations of this State or which had any:

40 (a) Long-term obligations in excess of the general obligation debt
41 limit;

42 (b) Deficit fund balances or retained earnings in any fund;

43 (c) Deficit cash balances in any fund;

44 (d) Variances of more than 10 percent between total general fund
45 revenues and budgeted general fund revenues; or

1 (e) Variances of more than 10 percent between total actual general
2 fund expenditures and budgeted total general fund expenditures.

3 3. In preparing its biennial budgetary request for the State
4 Distributive School Account, consult with the superintendent of schools of
5 each school district or a person designated by the superintendent.

6 4. Provide, in consultation with the Budget Division of the
7 Department of Administration and the Fiscal Analysis Division of the
8 Legislative Counsel Bureau, training to the financial officers of school
9 districts in matters relating to financial accountability.

10 **Sec. 20.** NRS 388.450 is hereby amended to read as follows:

11 388.450 1. The Legislature declares that the ~~basic support~~
12 ~~guarantee for each special education program unit established by law~~
13 *funding provided pursuant to NRS 387.122* for each school year
14 establishes financial resources sufficient to ensure a reasonably equal
15 educational opportunity to pupils with disabilities and gifted and talented
16 pupils residing in Nevada.

17 2. Subject to the provisions of NRS 388.440 to 388.520, inclusive, the
18 board of trustees of each school district shall make such special provisions
19 as may be necessary for the education of pupils with disabilities and gifted
20 and talented pupils.

21 3. The board of trustees of a school district in a county whose
22 population is less than 700,000 may provide early intervening services.
23 Such services must be provided in accordance with the Individuals with
24 Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and the regulations
25 adopted pursuant thereto.

26 4. The board of trustees of a school district shall establish uniform
27 criteria governing eligibility for instruction under the special education
28 programs provided for by NRS 388.440 to 388.520, inclusive. The criteria
29 must prohibit the placement of a pupil in a program for pupils with
30 disabilities solely because the pupil is a disciplinary problem in school.
31 The criteria are subject to such standards as may be prescribed by the State
32 Board.

33 **Sec. 21.** NRS 388.700 is hereby amended to read as follows:

34 388.700 1. Except as otherwise provided in this section, for each
35 school quarter of a school year, the ratio in each school district of pupils
36 per licensed teacher designated to teach, on a full-time basis, in classes
37 where core curriculum is taught:

38 (a) In kindergarten and grades 1 and 2, must not exceed 16 to 1, and in
39 grade 3, must not exceed 18 to 1; or

40 (b) If a plan is approved pursuant to subsection 3 of NRS 388.720,
41 must not exceed the ratio set forth in that plan for the grade levels specified
42 in the plan.

43 ↪ In determining this ratio, all licensed educational personnel who teach a
44 grade level specified in paragraph (a) or a grade level specified in a plan
45 that is approved pursuant to subsection 3 of NRS 388.720, as applicable

1 for the school district, must be counted except teachers of art, music,
2 physical education or special education, teachers who teach one or two
3 specific subject areas to more than one classroom of pupils, and
4 counselors, librarians, administrators, deans and specialists.

5 2. A school district may, within the limits of any plan adopted
6 pursuant to NRS 388.720, assign a pupil whose enrollment in a grade
7 occurs after the ~~last day of the first month~~ *end of a quarter during* the
8 school year to any existing class regardless of the number of pupils in the
9 class if the school district requests
10 and is approved for a variance from the State Board pursuant to subsection
11 4.

12 3. Each school district that includes one or more elementary schools
13 which exceed the ratio of pupils per class during any
14 quarter of a school year, as reported to the Department pursuant to NRS
15 388.725:

16 (a) Set forth in subsection 1;

17 (b) Prescribed in conjunction with a legislative appropriation for the
18 support of the class-size reduction program; or

19 (c) Defined by a legislatively approved alternative class-size reduction
20 plan, if applicable to that school district,

21 ↪ must request a variance for each such school for the next quarter of the
22 current school year if a quarter remains in that school year or for the next
23 quarter of the succeeding school year, as applicable, from the State Board
24 by providing a written statement that includes the reasons for the request
25 and the justification for exceeding the applicable prescribed ratio of pupils
26 per class.

27 4. The State Board may grant to a school district a variance from the
28 limitation on the number of pupils per class set forth in paragraph (a), (b)
29 or (c) of subsection 3 for good cause, including the lack of available
30 financial support specifically set aside for the reduction of pupil-teacher
31 ratios.

32 5. The State Board shall, on a quarterly basis, submit a report to the
33 Interim Finance Committee on each variance requested by a school district
34 pursuant to subsection 4 during the preceding quarter and, if a variance
35 was granted, an identification of each elementary school for which a
36 variance was granted and the specific justification for the variance.

37 6. The State Board shall, on or before February 1 of each odd-
38 numbered year, submit a report to the Legislature on:

39 (a) Each variance requested by a school district pursuant to subsection
40 4 during the preceding biennium and, if a variance was granted, an
41 identification of each elementary school for which variance was granted
42 and the specific justification for the variance.

43 (b) The data reported to it by the various school districts pursuant to
44 subsection 2 of NRS 388.710, including an explanation of that data, and
45 the current pupil-teacher ratios per class in the grade levels specified in

1 paragraph (a) of subsection 1 or the grade levels specified in a plan that is
2 approved pursuant to subsection 3 of NRS 388.720, as applicable for the
3 school district.

4 7. The Department shall, on or before November 15 of each year,
5 report to the Chief of the Budget Division of the Department of
6 Administration and the Fiscal Analysis Division of the Legislative Counsel
7 Bureau:

8 (a) The number of teachers employed;
9 (b) The number of teachers employed in order to attain the ratio
10 required by subsection 1;

11 (c) The number of pupils enrolled; and

12 (d) The number of teachers assigned to teach in the same classroom
13 with another teacher or in any other arrangement other than one teacher
14 assigned to one classroom of pupils,

15 ↪ during the current school year in the grade levels specified in paragraph
16 (a) of subsection 1 or the grade levels specified in a plan that is approved
17 pursuant to subsection 3 of NRS 388.720, as applicable, for each school
18 district.

19 8. The provisions of this section do not apply to a charter school or to
20 a program of distance education provided pursuant to NRS 388.820 to
21 388.874, inclusive.

22 **Sec. 22.** NRS 392A.083 is hereby amended to read as follows:

23 392A.083 1. Each pupil who is enrolled in a university school for
24 profoundly gifted pupils, including, without limitation, a pupil who is
25 enrolled in a program of special education in a university school for
26 profoundly gifted pupils, must be included in the count of pupils in the
27 school district in which the school is located for the purposes of
28 apportionments and allowances from the State Distributive School
29 Account pursuant to NRS 387.121 to 387.126, inclusive, unless the pupil is
30 exempt from compulsory school attendance pursuant to NRS 392.070.

31 2. A university school for profoundly gifted pupils is entitled to
32 receive its proportionate share of any other money available from federal,
33 state or local sources that the school or the pupils who are enrolled in the
34 school are eligible to receive.

35 3. If a university school for profoundly gifted pupils receives money
36 for special education program units directly from this State, the amount of
37 money for special education that the school district pays to the university
38 school for profoundly gifted pupils may be reduced proportionately by the
39 amount of money the university school received from this State for that
40 purpose.

41 4. All money received by a university school for profoundly gifted
42 pupils from this State or from the board of trustees of a school district must
43 be deposited in an account with a bank, credit union or other financial
44 institution in this State.

1 5. The governing body of a university school for profoundly gifted
2 pupils may negotiate with the board of trustees of the school district in
3 which the school is located or the State Board for additional money to pay
4 for services that the governing body wishes to offer.

5 6. To determine the amount of money for distribution to a university
6 school for profoundly gifted pupils in its first year of operation in which
7 state funding is provided, the count of pupils who are enrolled in the
8 university school must initially be determined 30 days before the
9 beginning of the school year of the school district in which the university
10 school is located, based upon the number of pupils whose applications for
11 enrollment have been approved by the university school. The count of
12 pupils who are enrolled in a university school for profoundly gifted pupils
13 must be revised ~~on the last day of the first school month of the school~~
14 ~~district in which the university school is located for the school year,~~ *each*
15 *quarter* based upon the ~~actual number~~ *average daily enrollment* of pupils
16 ~~who are enrolled~~ in the university school ~~and~~ *reported for the preceding*
17 *quarter pursuant to subsection 1 of NRS 387.1233.*

18 7. Pursuant to subsection 6 of NRS 387.124, the governing body of a
19 university school for profoundly gifted pupils may request that the
20 apportionments made to the university school in its first year of operation
21 be paid to the university school 30 days before the apportionments are
22 otherwise required to be made.

23 8. If a university school for profoundly gifted pupils ceases to operate
24 pursuant to this chapter during a school year, the remaining
25 apportionments that would have been made to the university school
26 pursuant to NRS 387.124 for that school year must be paid on a
27 proportionate basis to the school districts where the pupils who were
28 enrolled in the university school reside.

29 9. If the governing body of a university school for profoundly gifted
30 pupils uses money received from this State to purchase real property,
31 buildings, equipment or facilities, the governing body of the university
32 school shall assign a security interest in the property, buildings, equipment
33 and facilities to the State of Nevada.

34 **Sec. 23.** NRS 392A.083 is hereby amended to read as follows:

35 392A.083 1. Each pupil who is enrolled in a university school for
36 profoundly gifted pupils, including, without limitation, a pupil who is
37 enrolled in a program of special education in a university school for
38 profoundly gifted pupils, must be included in the count of pupils in the
39 school district in which the school is located for the purposes of
40 apportionments and allowances from the State Distributive School
41 Account pursuant to NRS 387.121 to 387.126, inclusive, unless the pupil is
42 exempt from compulsory school attendance pursuant to NRS 392.070.

43 2. A university school for profoundly gifted pupils is entitled to
44 receive its proportionate share of any other money available from federal,

1 state or local sources that the school or the pupils who are enrolled in the
2 school are eligible to receive.

3 ~~3. If a university school for profoundly gifted pupils receives money
4 for special education program units directly from this State, the amount of
5 money for special education that the school district pays to the university
6 school for profoundly gifted pupils may be reduced proportionately by the
7 amount of money the university school received from this State for that
8 purpose.~~

9 ~~4.~~ All money received by a university school for profoundly gifted
10 pupils from this State or from the board of trustees of a school district must
11 be deposited in an account with a bank, credit union or other financial
12 institution in this State.

13 ~~5.~~ 4. The governing body of a university school for profoundly
14 gifted pupils may negotiate with the board of trustees of the school district
15 in which the school is located or the State Board for additional money to
16 pay for services that the governing body wishes to offer.

17 ~~6.~~ 5. To determine the amount of money for distribution to a
18 university school for profoundly gifted pupils in its first year of operation
19 in which state funding is provided, the count of pupils who are enrolled in
20 the university school must initially be determined 30 days before the
21 beginning of the school year of the school district in which the university
22 school is located, based upon the number of pupils whose applications for
23 enrollment have been approved by the university school. The count of
24 pupils who are enrolled in a university school for profoundly gifted pupils
25 must be revised each quarter based upon the average daily enrollment of
26 pupils in the university school reported for the preceding quarter pursuant
27 to subsection 1 of NRS 387.1233.

28 ~~7.~~ 6. Pursuant to subsection 6 of NRS 387.124, the governing body
29 of a university school for profoundly gifted pupils may request that the
30 apportionments made to the university school in its first year of operation
31 be paid to the university school 30 days before the apportionments are
32 otherwise required to be made.

33 ~~8.~~ 7. If a university school for profoundly gifted pupils ceases to
34 operate pursuant to this chapter during a school year, the remaining
35 apportionments that would have been made to the university school
36 pursuant to NRS 387.124 for that school year must be paid on a
37 proportionate basis to the school districts where the pupils who were
38 enrolled in the university school reside.

39 ~~9.~~ 8. If the governing body of a university school for profoundly
40 gifted pupils uses money received from this State to purchase real
41 property, buildings, equipment or facilities, the governing body of the
42 university school shall assign a security interest in the property, buildings,
43 equipment and facilities to the State of Nevada.

1 **Sec. 24.** Chapter 395 of NRS is hereby amended by adding thereto a
2 new section to read as follows:

3 1. *The Contingency Account for Special Education Services is*
4 *hereby created in the State General Fund to be administered by the*
5 *Superintendent of Public Instruction. The Superintendent of Public*
6 *Instruction may accept gifts and grants of money from any source for*
7 *deposit in the Account. Any money from gifts and grants may be*
8 *expended in accordance with the terms and conditions of the gift or*
9 *grant, or in accordance with this section.*

10 2. *The interest and income earned on the sum of:*

11 (a) *The money in the Account; and*

12 (b) *Unexpended appropriations made to the Account from the State*
13 *General Fund,*

14 *↪ must be credited to the Account. Any money remaining in the Account*
15 *at the end of a fiscal year does not revert to the State General Fund, and*
16 *the balance in the Account must be carried forward to the next fiscal*
17 *year.*

18 3. *The money in the Account may only be used for public schools*
19 *and public education, as authorized by the Legislature.*

20 4. *The State Board shall adopt regulations for the application,*
21 *approval and disbursement of money ~~from the Account~~ commencing*
22 *with the 2016-2017 school year to reimburse school districts and charter*
23 *schools for extraordinary program expenses and related services which:*

24 (a) *Are not ordinarily present in the typical special education service*
25 *and delivery system at a public school;*

26 (b) *Are associated with the implementation of the individualized*
27 *education program of a pupil with significant disabilities, as defined by*
28 *the State Board, to provide an appropriate education in the least*
29 *restrictive environment; and*

30 (c) *The costs of which exceed the total funding available to the*
31 *school district or charter school for the pupil.*

32 **Sec. 25.** NRS 395.070 is hereby amended to read as follows:

33 395.070 1. The Interagency Panel is hereby created. The Panel is
34 responsible for making recommendations concerning the placement of
35 persons with disabilities who are eligible to receive benefits pursuant to
36 this chapter. The Panel consists of:

37 (a) The Administrator of the Division of Child and Family Services of
38 the Department of Health and Human Services;

39 (b) The Administrator of the Division of Public and Behavioral Health
40 of the Department of Health and Human Services;

41 (c) The Director of the Department of Health and Human Services; and

42 (d) The Superintendent of Public Instruction.

43 2. A member of the Panel may designate a person to represent him or
44 her at any meeting of the Panel. The person designated may exercise all the
45 duties, rights and privileges of the member he or she represents.

1 3. The Panel shall ~~+~~
2 ~~—(a) Every time a person with a disability is to be placed pursuant to~~
3 ~~subsection 2 of NRS 395.010 in a foster home or residential facility, meet~~
4 ~~to determine the needs of the person and the availability of homes or~~
5 ~~facilities under the authority of the Department of Health and Human~~
6 ~~Services after a joint evaluation of that person is completed by the~~
7 ~~Department of Education and the Department of Health and Human~~
8 ~~Services;~~
9 ~~—(b) Determine the appropriate placement of the person, giving priority~~
10 ~~to homes or facilities under the authority of the Department of Health and~~
11 ~~Human Services over any home or facility located outside of this State;~~
12 ~~and~~
13 ~~—(c) Make a recommendation concerning the placement of the person.]~~
14 *perform such duties as prescribed by the State Board.*

15 **Sec. 26.** NRS 354.598005 is hereby amended to read as follows:
16 354.598005 1. If anticipated resources actually available during a
17 budget period exceed those estimated, a local government may augment a
18 budget in the following manner:

19 (a) If it is desired to augment the appropriations of a fund to which ad
20 valorem taxes are allocated as a source of revenue, the governing body
21 shall, by majority vote of all members of the governing body, adopt a
22 resolution reciting the appropriations to be augmented, and the nature of
23 the unanticipated resources intended to be used for the augmentation.
24 Before the adoption of the resolution, the governing body shall publish
25 notice of its intention to act thereon in a newspaper of general circulation
26 in the county for at least one publication. No vote may be taken upon the
27 resolution until 3 days after the publication of the notice.

28 (b) If it is desired to augment the budget of any fund other than a fund
29 described in paragraph (a) or an enterprise or internal service fund, the
30 governing body shall adopt, by majority vote of all members of the
31 governing body, a resolution providing therefor at a regular meeting of the
32 body.

33 2. A budget augmentation becomes effective upon delivery to the
34 Department of Taxation of an executed copy of the resolution providing
35 therefor.

36 3. Nothing in NRS 354.470 to 354.626, inclusive, precludes the
37 amendment of a budget by increasing the total appropriation for any fiscal
38 year to include a grant-in-aid, gift or bequest to a local unit of government
39 which is required to be used for a specific purpose as a condition of the
40 grant. Acceptance of such a grant and agreement to the terms imposed by
41 the granting agency or person constitutes an appropriation to the purpose
42 specified.

43 4. A local government need not file an augmented budget for an
44 enterprise or internal service fund with the Department of Taxation but
45 shall include the budget augmentation in the next quarterly report.

1 5. Budget appropriations may be transferred between functions, funds
2 or contingency accounts in the following manner, if such a transfer does
3 not increase the total appropriation for any fiscal year and is not in conflict
4 with other statutory provisions:

5 (a) The person designated to administer the budget for a local
6 government may transfer appropriations within any function.

7 (b) The person designated to administer the budget may transfer
8 appropriations between functions or programs within a fund, if:

9 (1) The governing body is advised of the action at the next regular
10 meeting; and

11 (2) The action is recorded in the official minutes of the meeting.

12 (c) Upon recommendation of the person designated to administer the
13 budget, the governing body may authorize the transfer of appropriations
14 between funds or from the contingency account, if:

15 (1) The governing body announces the transfer of appropriations at
16 a regularly scheduled meeting and sets forth the exact amounts to be
17 transferred and the accounts, functions, programs and funds affected;

18 (2) The governing body sets forth its reasons for the transfer; and

19 (3) The action is recorded in the official minutes of the meeting.

20 6. In any year in which the Legislature by law increases or decreases
21 the revenues of a local government, and that increase or decrease was not
22 included or anticipated in the local government's final budget as adopted
23 pursuant to NRS 354.598, the governing body of any such local
24 government may, within 30 days of adjournment of the legislative session,
25 file an amended budget with the Department of Taxation increasing or
26 decreasing its anticipated revenues and expenditures from that contained in
27 its final budget to the extent of the actual increase or decrease of revenues
28 resulting from the legislative action.

29 7. In any year in which the Legislature enacts a law requiring an
30 increase or decrease in expenditures of a local government, which was not
31 anticipated or included in its final budget as adopted pursuant to NRS
32 354.598, the governing body of any such local government may, within 30
33 days of adjournment of the legislative session, file an amended budget with
34 the Department of Taxation providing for an increase or decrease in
35 expenditures from that contained in its final budget to the extent of the
36 actual amount made necessary by the legislative action.

37 8. An amended budget, as approved by the Department of Taxation, is
38 the budget of the local government for the current fiscal year.

39 9. On or before January 1 of each school year, each school district
40 shall adopt an amendment to its final budget after the ~~count~~ *average daily*
41 *enrollment* of pupils is ~~completed~~ *reported for the preceding quarter*
42 pursuant to subsection 1 of NRS 387.1233. The amendment must reflect
43 any adjustments necessary as a result of the ~~completed count of pupils~~
44 *report*.

1 **Sec. 27.** NRS 701B.350 is hereby amended to read as follows:
2 701B.350 1. The Renewable Energy School Pilot Program is hereby
3 created. The goal of the Program is to encourage the development of and
4 determine the feasibility for the integration of renewable energy systems
5 on school properties.
6 2. The Commission shall adopt regulations for the Program. Such
7 regulations shall include, but not be limited to:
8 (a) A time frame for implementation of the Program;
9 (b) The allowed renewable energy systems and combinations of such
10 renewable energy systems on school property;
11 (c) The amount of capacity that may be installed at each school
12 property that participates in the Program;
13 (d) A process by which a school district may apply for participation in
14 the Program;
15 (e) Requirements for participation by a school district;
16 (f) The type of transactions allowed between a renewable energy
17 system generator, a school district and a utility;
18 (g) Incentives which may be provided to a school district or school
19 property to encourage participation; and
20 (h) Such other parameters as determined by the Commission and are
21 consistent with the development of renewable energy systems at school
22 properties.
23 3. The Program shall be limited to 10 school properties. Not more
24 than 6 school properties from any one school district may participate in the
25 Program.
26 4. The Commission shall adopt the regulations necessary to
27 implement the Program not later than March 1, 2008.
28 5. The Commission shall prepare a report detailing the results of the
29 Program and shall submit the report to the Legislature by December 1,
30 2008.
31 6. As used in this section:
32 (a) "Commission" means the Public Utilities Commission of Nevada.
33 (b) "Owned, leased or occupied" includes, without limitation, any real
34 property, building or facilities which are owned, leased or occupied under
35 a deed, lease, contract, license, permit, grant, patent or any other type of
36 legal authorization.
37 (c) "Renewable energy system" has the meaning ascribed to it in NRS
38 704.7815.
39 (d) "School district" ~~has the meaning ascribed to it in NRS 395.0075.~~
40 *means a county school district created pursuant to chapter 386 of NRS.*
41 (e) "School property" means any real property, building or facilities
42 which are owned, leased or occupied by a public school as defined in NRS
43 385.007.
44 (f) "Utility" has the meaning ascribed to it in NRS 701B.180.

1 Sec. 28. 1. As soon as practicable, the Department of Education
2 shall develop a plan to provide additional resources to the Nevada
3 Plan expressed as a multiplier of the basic support guarantee to meet
4 the unique needs of pupils who are limited English proficient, pupils
5 who are at risk, pupils with disabilities and gifted and talented pupils.
6 In developing the plan, the Department of Education shall review and
7 consider the recommendations made by the Task Force on K-12
8 Public Education Funding created by S.B. 500 of the 77th Session of
9 the Legislature, chapter 500, Statutes of Nevada 2013, p. 3181. The
10 plan must include, without limitation:

11 (a) The amount of the multiplier to be used for each such category
12 of pupils; and

13 (b) The date by which the plan should be implemented or phased
14 in, with full implementation occurring not later than Fiscal Year 2021-
15 2022.

16 2. The Department of Education shall submit the plan developed
17 pursuant to subsection 1 to the Legislative Committee on Education
18 for its review and consideration during the 2015-2016 interim. The
19 Legislative Committee on Education shall:

20 (a) Review and consider the recommendations made by the Task
21 Force on K-12 Public Education Funding created by S.B. 500 of the
22 77th Session of the Legislature, chapter 500, Statutes of Nevada 2013,
23 p. 3181.

24 (b) Consider the appropriateness and likely effectiveness of the
25 plan developed pursuant to subsection 1 in meeting the unique needs
26 of pupils who are limited English proficient, pupils who are at risk,
27 pupils with disabilities and gifted and talented pupils; and

28 (c) On or before October 1, 2016, submit a report to the Governor
29 and the Director of the Legislative Counsel Bureau for transmittal to
30 the 79th Session of the Legislature that includes, without limitation:

31 (1) Any provision of the plan developed pursuant to subsection
32 1 that should be implemented or phased in, with full implementation
33 occurring not later than Fiscal Year 2021-2022;

34 (2) The amount of the multiplier to be used for each category of
35 pupils addressed by the plan; and

36 (3) Any recommendations for legislation.

37 3. On or before October 1, 2016, the Superintendent of Public
38 Instruction shall ~~prepare and~~ submit to the Governor and the Director of
39 the Legislative Counsel Bureau for transmittal to the 79th Session of the
40 Nevada Legislature ~~to~~ :

41 (a) A report of the per pupil expenditures associated with legislative
42 appropriations for pupils with disabilities, pupils who are limited English
43 proficient, pupils who are at risk and gifted and talented pupils.

1 (b) Any recommendations for legislation to address the unique
2 needs of pupils who are limited English proficient, pupils who are at
3 risk, pupils with disabilities and gifted and talented pupils.

4 ~~2.~~ 4. During the 2017-2019 biennium and the 2019-2021
5 biennium, the Department of Education shall review and, if necessary,
6 revise the plan developed pursuant to subsection 1 based upon data
7 available on the costs and expenditures associated with meeting the
8 unique needs of pupils who are limited English proficient, pupils who
9 are at risk, pupils with disabilities and gifted and talented pupils. The
10 Department shall submit any revisions to the plan after its review to
11 the Governor and the Director of the Legislative Counsel Bureau for
12 transmittal to the next regular session of the Legislature.

13 5. As used in this section, “pupils who are at risk” means a pupil who
14 is eligible for free or reduced-price lunch pursuant to 42 U.S.C. §§ 1751 et
15 seq., or an alternative measure prescribed by the State Board of Education.

16 **Sec. 29.** 1. Notwithstanding the provisions of NRS 387.122, as
17 amended by section 7 of this act, the Department shall calculate an amount
18 of funding for each pupil with a disability for Fiscal Year 2016-2017 by
19 dividing the total count of such pupils by the money appropriated by the
20 Legislature for such pupils in Fiscal Year 2016-2017. The Department
21 shall report this multiplier to the basic support guarantee to the State Board
22 of Education, the Interim Finance Committee and the Governor.

23 2. Except as otherwise provided in subsections 3 and 4, the funding
24 provided to each school district and charter school pursuant to subsection
25 1 must not exceed 13 percent of total pupil enrollment for the school
26 district ~~or~~ or charter school.

27 3. If a school district or charter school has reported an enrollment of
28 pupils with disabilities equal to more than 13 percent of total pupil
29 enrollment, ~~for the average of the last 3 fiscal years,~~ the school district
30 or charter school is entitled to receive money equal to the ~~average of the~~
31 ~~enrollment of pupils with disabilities for those last 3 fiscal years or an~~
32 amount necessary to satisfy requirements for maintenance of effort under
33 federal law ~~or, whichever is higher,~~

34 4. A school district or charter school may not receive less funding
35 pursuant to subsection 1 for Fiscal Year 2016-2017 than the amount per
36 pupil with a disability that the school district or charter school received
37 from the State in Fiscal Year 2015-2016.

38 **Sec. 30.** NRS 387.1221, 395.001, 395.0065, 395.0075, 395.008,
39 395.010, 395.030, 395.040, 395.050 and 395.060 are hereby repealed.

40 **Sec. 31.** 1. This section and sections 2, 4, 5, 7, 9, 12, 14, 17, 18, 19,
41 21, 22, 24 and 26 to 29, inclusive, of this act become effective upon
42 passage and approval.

43 2. Sections 1, 3, 6, 8, 10, 15, 20, 23, 25 and 30 of this act become
44 effective on July 1, 2016.

1 3. Sections 11, 13 and 16 of this act become effective on
2 July 1, 2017.

4 **LEADLINES OF REPEALED SECTIONS**

5 **387.1221 Basic support guarantee for special education program**
6 **units; reallocation of unused allocation; authorization to contract to**
7 **provide special education program unit; authorization to provide**
early intervening services.

395.001 Definitions.

395.0065 "Related services" defined.

395.0075 "School district" defined.

395.008 "Special education program" defined.

395.010 Special education program and related services to be
provided to person with disability.

395.030 Application for benefits; action by board of trustees.

395.040 Duties of Superintendent of Public Instruction upon
receipt of application.

395.050 Transportation of person with disability; State to pay for
provision of special education program and related services.

395.060 Money to carry out provisions of chapter.

H