

**PROPOSED REGULATION OF THE
STATE BOARD OF EDUCATION**

LCB File No. R075-14

NAC 387.740 Limitation on expenditure of money in excess of amount appropriated; exceptions. (NRS 386.540, 392A.060)

1. No charter school or university school for profoundly gifted pupils governing body or member thereof may, during any fiscal year, expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money, in excess of the amounts appropriated for that function, other than medium-term obligation repayments and any other long-term contract expressly authorized by law.

2. Without limiting the generality of the exceptions contained in subsection 1, the provisions of this section specifically do not apply to:

(a) Contracts between a charter school or university school for profoundly gifted pupils and any person for the construction or completion of ~~[public works]~~ **capital projects**, money for which has been or will be provided by the proceeds of medium-term obligations or an installment-purchase agreement and that are entered into by the charter school or university school for profoundly gifted pupils after:

(1) Any approvals by any other governmental entity required to be obtained before the medium-term obligations or installment-purchase agreement can be issued have been obtained; and

(2) The ordinance or resolution that specifies each of the terms of the medium-term obligations or installment-purchase agreement has been adopted.

(b) Contracts which are entered into by a charter school or university school for profoundly gifted pupils and delivered to any person solely for the purpose of acquiring supplies, services and equipment necessarily ordered in the current fiscal year for use in an ensuing fiscal year and which, under the method of accounting adopted by the charter school or university school for profoundly gifted pupils, will be charged against an appropriation of a subsequent fiscal year. Purchase orders evidencing such contracts are public records available for inspection by any person on demand.

(c) The receipt and proper expenditure of money received pursuant to a grant awarded by an agency of the Federal Government.

(d) The incurrence of obligations beyond the current fiscal year under a lease or contract for installment purchase which contains a provision that the obligation incurred thereby is extinguished by the failure of the governing body to appropriate money for the ensuing fiscal year for the payment of the amounts then due.

(e) The receipt by a charter school or university school for profoundly gifted pupils of increased revenue that:

(1) Was not anticipated in the preparation of the final budget of the charter school or university school for profoundly gifted pupils; and

(2) Is required by statute to be remitted to another governmental entity.

3. The fund balance of a governmental fund may not be used unless appropriated in a manner provided by law.

(Added to NAC by Bd. of Education by R026-09, eff. 10-27-2009)

NAC 387.770 Establishment of property and equipment records; inventory controls.
(NRS 386.540, 392A.060) The governing body of each charter school and the governing body of each university school for profoundly gifted pupils shall:

1. Cause to be established and maintained adequate property and equipment records and, where appropriate, adequate inventory controls. Each charter school and each university school for profoundly gifted pupils shall establish such records and controls within 1 year after its creation unless the Department grants an extension of time.

2. Require that all such property, equipment and inventory records clearly indicate specific ownership. *The property and equipment records must identify the source of money used to purchase each item or the name of the entity that donated the item, as applicable.*

3. Designate, by entry in the minutes of the governing body, the officer, employee or officers or employees responsible for the maintenance of property and equipment records and, where appropriate, inventory records, and notify the Department of such designation.

(Added to NAC by Bd. of Education by R026-09, eff. 10-27-2009)