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ASSEMBLY JOINT RESOLUTION NO. 8–  
COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE GOVERNOR)

MARCH 28, 2011

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Referred to Committee on Education

SUMMARY—Proposes to amend the Nevada Constitution to provide for school vouchers. (BDR C-952)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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ASSEMBLY JOINT RESOLUTION—Proposing to amend the Nevada Constitution to require the legislature to establish a tuition assistance program which is partially based on financial need.

**Legislative Counsel’s Digest:**

1 The Nevada Constitution currently requires the legislature to provide for a  
2 uniform system of common schools and authorizes the legislature to pass such laws  
3 as will tend to secure a general attendance of the children in each school district  
4 upon said public schools. (Nev. Const. Art. 11, § 2) This resolution proposes to  
5 amend the Nevada Constitution to require the legislature to establish a tuition  
6 assistance program to assist the parent or legal guardian of a child in any grade  
7 from kindergarten through grade 12, who would otherwise attend a public school,  
8 to pay tuition for the child to attend a private school chosen by the parent or legal  
9 guardian. The program must provide for the payment of at least half of the funding  
10 that the public school would have received if the pupil had attended the public  
11 school. The remaining half of that funding would be made available based upon  
12 financial need.

13 The Nevada Constitution currently prohibits the use of any public money for a  
14 sectarian purpose. (Nev. Const. Art. 11, § 10) This resolution proposes to amend  
15 the Nevada Constitution to provide that the payment of public money, in  
16 accordance with the program established by the legislature pursuant to this  
17 resolution, to assist the parent or legal guardian of a child who would otherwise  
18 attend a public school to pay the tuition for the child to attend a private school  
19 chosen by the parent or legal guardian may not be considered to be used for a  
20 sectarian purpose even though the recipient of the money is entitled to choose to  
21 use the money to pay tuition at a school that is affiliated with a sectarian institution.



1 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF  
2 NEVADA, JOINTLY, That Section 2 of Article 11 of the Nevada  
3 Constitution be amended to read as follows:

4 Section 2. *1.* The legislature shall provide for a  
5 uniform system of common schools, by which a school shall  
6 be established and maintained in each school district at least  
7 six months in every year, and any school district which shall  
8 allow instruction of a sectarian character therein may be  
9 deprived of its proportion of the interest of the public school  
10 fund during such neglect or infraction, and the legislature  
11 may pass such laws as will tend to secure a general  
12 attendance of the children in each school district upon said  
13 public schools.

14 *2. The legislature shall provide by law for a tuition*  
15 *assistance program to assist the parent or legal guardian of*  
16 *a child in any grade from kindergarten through grade 12,*  
17 *who would otherwise attend a public school, to pay tuition*  
18 *for the child to attend a private school chosen by the parent*  
19 *or legal guardian. The amount of such assistance must be*  
20 *based upon the amount of funding that the school district*  
21 *would otherwise receive for the pupil from state and local*  
22 *sources. Each parent or legal guardian is entitled to receive*  
23 *at least one-half of that amount as tuition assistance and is*  
24 *eligible to receive all or a portion of the remaining one-half*  
25 *of the tuition assistance based solely on financial need.*

26 And be it further

27 RESOLVED, That Section 10 of Article 11 of the Nevada  
28 Constitution be amended to read as follows:

29 ~~[Section Ten]~~ *Sec. 10. 1.* No public funds of any kind  
30 or character whatever, State, County or Municipal, shall be  
31 used for sectarian purposes.

32 *2. The payment of public funds, in accordance with the*  
33 *program established by the legislature pursuant to Section 2*  
34 *of Article 11 of this Constitution, shall not be deemed to be*  
35 *used for a sectarian purpose, notwithstanding that the*  
36 *parent or legal guardian may choose a school affiliated with*  
37 *a sectarian institution.*

