
ASSEMBLY BILL NO. 256—ASSEMBLYMEN TITUS, EDWARDS,
HAMBRICK; ELLIOT ANDERSON, BILBRAY-AXELROD,
KRAMER, OSCARSON, PICKARD, WHEELER AND
WOODBURY

MARCH 7, 2017

JOINT SPONSORS: SENATORS HAMMOND AND SETTELMAYER

Referred to Committee on Education

SUMMARY—Revises provisions relating to the enrollment of
pupils in charter schools. (BDR 34-923)

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.

AN ACT relating to education; revising provisions governing a
lottery held to determine which applicants may enroll in a
charter school; and providing other matters properly
relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the formation and operation of charter schools. (NRS
2 388A.010-388A.547) Existing law authorizes a charter school to enroll certain
3 children before enrolling children who are otherwise eligible for enrollment and
4 requires a charter school to determine which applicants to enroll on the basis of a
5 lottery system in the event that more pupils who are eligible for enrollment apply
6 for enrollment in the charter school than the number of spaces which are available.
7 (NRS 388A.456) This bill authorizes a charter school to reserve certain spaces for
8 enrollment for a child whose parent is on active duty in the uniformed service. Any
9 unfilled spaces reserved for such a child must be included in the remaining spaces
10 available for enrollment.



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

1 **Section 1.** NRS 388A.456 is hereby amended to read as
2 follows:

3 388A.456 1. Before a charter school enrolls pupils who are
4 eligible for enrollment pursuant to NRS 388A.453, a charter school
5 may enroll a child who:

6 (a) Is a sibling of a pupil who is currently enrolled in the charter
7 school.

8 (b) Was enrolled, free of charge and on the basis of a lottery
9 system, in a prekindergarten program at the charter school or any
10 other early childhood educational program affiliated with the charter
11 school.

12 (c) Is a child of a person:

13 (1) Who is employed by the charter school;

14 (2) Who is a member of the committee to form the charter
15 school;

16 (3) Who is a member of the governing body of the charter
17 school; or

18 (4) Who resides on or is employed on the federal military
19 installation, if the charter school is located on a federal military
20 installation;

21 (d) Is in a particular category of at-risk pupils and the child
22 meets the eligibility for enrollment prescribed by the charter school
23 for that particular category.

24 (e) At the time his or her application is submitted, is enrolled in
25 a public school of a school district with an enrollment that is more
26 than 25 percent over the public school's intended capacity, as
27 reported on the list maintained by the school district pursuant to
28 subsection ~~4~~ 5. If a charter school enrolls pupils who are enrolled
29 in such a public school before enrolling other pupils who are eligible
30 for enrollment, the charter school must enroll such pupils who reside
31 within 2 miles of the charter school before enrolling other such
32 pupils.

33 (f) At the time his or her application is submitted, is enrolled in
34 a public school that received an annual rating established as one of
35 the two lowest ratings possible indicating underperformance of a
36 public school, as determined by the Department pursuant to the
37 statewide system of accountability for public schools for the
38 immediately preceding school year. If a charter school enrolls pupils
39 who are enrolled in such a public school before enrolling other
40 pupils who are eligible for enrollment, the charter school must enroll
41 such pupils who reside within 2 miles of the charter school before
42 enrolling other such pupils.



1 (g) Resides within the school district and within 2 miles of the
2 charter school if the charter school is located in an area that the
3 sponsor of the charter school determines includes a high percentage
4 of children who are at risk. If space is available after the charter
5 school enrolls pupils pursuant to this paragraph, the charter school
6 may enroll children who reside outside the school district but within
7 2 miles of the charter school if the charter school is located within
8 an area that the sponsor determines includes a high percentage of
9 children who are at risk.

10 2. If more pupils described in this section who are eligible
11 apply for enrollment than the number of spaces available, the charter
12 school shall determine which applicants to enroll pursuant to this
13 section on the basis of a lottery system.

14 3. A lottery held pursuant to subsection 2 must be held not
15 sooner than 45 days after the date on which a charter school begins
16 accepting applications for enrollment unless the sponsor of the
17 charter school determines there is good cause to hold it sooner.

18 4. *A charter school that holds a lottery pursuant to subsection*
19 *2 may reserve not more than 25 percent of the number of spaces*
20 *available for enrollment for a child of a person who is on active*
21 *duty in the uniformed service. Any unfilled spaces pursuant to this*
22 *subsection must be allocated to the remaining number of spaces*
23 *available for enrollment.*

24 5. Each school district shall create and maintain a list which
25 specifies for each public school of the school district, the maximum
26 enrollment capacity for each school, the actual number of pupils
27 enrolled at each school and the percentage by which enrollment at
28 each school exceeds the intended enrollment capacity, if applicable.
29 Each school district shall post the list on the Internet website
30 maintained by the school district as soon as practicable after the
31 count of pupils is completed pursuant to NRS 387.1223 but not later
32 than November 1 of each year.

33 6. *As used in this section, "uniformed service" means:*

34 (a) *Active and reserve components of the Army, Navy, Air*
35 *Force, Marine Corps or Coast Guard of the United States;*

36 (b) *The Merchant Marine, the Commissioned Corps of the*
37 *Public Health Service or the Commissioned Corps of the National*
38 *Oceanic and Atmospheric Administration of the United States; or*

39 (c) *The National Guard.*

40 **Sec. 2.** This act becomes effective on July 1, 2017.

