

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

**LCB File No. R070-10**

May 24, 2010

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

AUTHORITY: §1, NRS 385.080 and 387.123.

A REGULATION relating to education; revising provisions governing the calculation of basic support for school districts and charter schools; and providing other matters properly relating thereto.

**Section 1.** NAC 387.345 is hereby amended to read as follows:

387.345 1. Except as otherwise provided in subsections 4 and 5, the count of pupils for calculating the basic support for each school district for any school year is the weighted count of enrollment of pupils in the school district on the last day of the first school month of the school year, including, without limitation, the count of pupils who reside in the county and are enrolled in any charter school on the last day of the first school month of the school district for the school year. The last day of the first school month for that district is the last day of the first school month of the school calendar in which the greatest number of pupils attend.

2. If a school district operates any of its schools under a school calendar which does not provide for enrollment and attendance of pupils on the last day of the first school month as prescribed in subsection 1, the school district may, upon the written approval of the Superintendent of Public Instruction, include in the count of enrollment as prescribed in subsection 1, the count of pupils attending under such a calendar on the school day of that

calendar which is within 5 school days of the school day closest to the count day prescribed in subsection 1.

3. On a form prescribed by the Superintendent of Public Instruction, the superintendent of schools of each school district shall certify to the Department by November 1 of each school year the weighted count of enrollment as of the day prescribed in subsection 1. If a charter school submits a form pursuant to this subsection, the charter school shall, upon the request of the sponsor of the charter school or a school district in which a pupil enrolled in the charter school resides, provide a copy of the form to the requester.

4. A school district shall not count a pupil who enrolls in the ninth grade ~~[during or after the 2000-2001 school year]~~ as a full-time pupil for the purpose of calculating the basic support for the school district for a school year unless the pupil is in a minimum of:

- (a) Six courses or the equivalent of six periods per day if he is in grade 9, 10 or 11; or
- (b) Four courses or the equivalent of four periods per day if he is in grade 12.

5. A school district shall not count a pupil who is 21 years of age or older on or before September 30 of a school year for the purpose of calculating the basic support for the school district for that school year unless:

(a) The pupil is a pupil with a disability who is eligible to receive the benefits provided by chapter 395 of NRS pursuant to NRS 395.020; or

(b) The Superintendent of Public Instruction has given express permission for the pupil to be counted.

↪ The grade level of a pupil is determined by the number of credits held by the pupil.

6. *If a pupil is counted pursuant to this section and the pupil subsequently enrolls in a public school in another school district before the count day for that school district:*

*(a) The pupil must be included in the count for the school district to which the pupil transferred; and*

*(b) The Department shall make appropriate adjustments to the apportionments made to the school district in which the pupil was initially counted to account for the transfer out of that school district.*

7. Notwithstanding the provisions of NRS 387.1243 to the contrary, if the basic support for a school district or charter school is computed pursuant to NRS 387.1233 using an enrollment number that is larger than the actual enrollment of pupils for the current school year, that larger enrollment number shall be deemed the first-month enrollment number rather than the actual count of pupils on count day when determining whether there is an increase in the enrollment of pupils after the second school month pursuant to subsection 4 of NRS 387.1243.

*8. For the purposes of subsections 2 and 3 of NRS 387.1233, the enrollment of pupils in a charter school includes the pupils enrolled in the charter school who reside in the school district in which the charter school is located and the pupils enrolled in the charter school who reside outside that school district.*