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SENATE BILL NO. 49—COMMITTEE ON FINANCE

(ON BEHALF OF THE WASHOE COUNTY SCHOOL DISTRICT)

PREFILED NOVEMBER 16, 2016

Referred to Committee on Finance

SUMMARY—Revises provisions relating to funding for pupils with disabilities in public schools. (BDR 34-405)

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

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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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AN ACT relating to education; removing the limitation on the number of pupils with disabilities for which additional money is provided to public schools through the basic support guarantee per pupil; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law provides for a basic support guarantee to be provided for each  
2 pupil who attends public school in this State. The money is paid from the State  
3 Distributive School Account in the State General Fund. The amount of the basic  
4 support guarantee is established for each school district for each school year  
5 according to a formula. Existing law further provides for a multiplier to be applied  
6 for pupils with disabilities so that additional funding is provided for such pupils  
7 from the State Distributive School Account. However, that additional funding is  
8 limited to not more than 13 percent of the total pupil enrollment in the school  
9 district or charter school, except in limited circumstances. (NRS 387.122) This bill  
10 removes the limitation on the number of pupils to whom the multiplier may apply.  
11 In addition, this bill authorizes the Department of Education to conduct such audits  
12 as it deems necessary to ensure that the school districts and the State Public Charter  
13 School Authority accurately identify pupils to whom the multiplier applies.



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

- 1       **Section 1.** NRS 387.122 is hereby amended to read as follows:  
2       387.122 1. For making the apportionments of the State  
3       Distributive School Account in the State General Fund required by  
4       the provisions of this title, the basic support guarantee per pupil for  
5       each school district is established by law for each school year. The  
6       formula for calculating the basic support guarantee may be  
7       expressed as an estimated weighted average per pupil, based on the  
8       total expenditures for public education in the immediately preceding  
9       even-numbered fiscal year, plus any legislative appropriations for  
10      the immediately succeeding biennium, minus those local funds not  
11      guaranteed by the State pursuant to NRS 387.163.  
12      2. The estimated weighted average per pupil for the State must  
13      be calculated as a basic support guarantee for each school district  
14      through an equity allocation model that incorporates:  
15      (a) Factors relating to wealth in the school district;  
16      (b) Salary costs;  
17      (c) Transportation; and  
18      (d) Any other factor determined by the Superintendent of Public  
19      Instruction after consultation with the school districts and the State  
20      Public Charter School Authority.  
21      3. The basic support guarantee per pupil must include a  
22      multiplier for pupils with disabilities. ~~Except as otherwise provided~~  
23      ~~in this subsection, the~~ *The* funding provided to each school district  
24      and charter school through the multiplier for pupils with disabilities  
25      is limited to the actual number of pupils with disabilities enrolled in  
26      the school district or charter school . ~~It not to exceed 13 percent of~~  
27      ~~total pupil enrollment for the school district or charter school. If a~~  
28      ~~school district or charter school has reported an enrollment of pupils~~  
29      ~~with disabilities equal to more than 13 percent of total pupil~~  
30      ~~enrollment, the school district or charter school must receive an~~  
31      ~~amount of money necessary to satisfy the requirements for~~  
32      ~~maintenance of effort under federal law.~~  
33      4. Not later than July 1 of each even-numbered year, the  
34      Superintendent of Public Instruction shall review and, if necessary,  
35      revise the factors used for the equity allocation model adopted for  
36      the previous biennium and present the review and any revisions at a  
37      meeting of the Legislative Committee on Education for  
38      consideration and recommendations by the Committee. After the  
39      meeting, the Superintendent of Public Instruction shall consider any  
40      recommendations of the Legislative Committee on Education,  
41      determine whether to include those recommendations in the equity



- 1 allocation model and adopt the model. The Superintendent of Public  
2 Instruction shall submit the equity allocation model to the:
- 3 (a) Governor for inclusion in the proposed executive budget.
  - 4 (b) Director of the Legislative Counsel Bureau for transmittal to  
5 the next regular session of the Legislature.
- 6 5. The Department shall make available updated information  
7 regarding the equity allocation model on the Internet website  
8 maintained by the Department.
- 9 *6. The Department shall conduct such audits as the*  
10 *Department deems necessary to ensure that each school district*  
11 *and the State Public Charter School Authority has a process in*  
12 *place that accurately determines whether a pupil has a disability*  
13 *for which the multiplier described in subsection 3 applies.*
- 14 **Sec. 2.** This act becomes effective on July 1, 2017.

