

## DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or [library@lcb.state.nv.us](mailto:library@lcb.state.nv.us).

**WORK SESSION DOCUMENT**

**ASSEMBLY COMMITTEE ON EDUCATION  
SENATE BILL**

SENATE BILL 34.....TAB A  
SENATE BILL 150.....TAB B  
SENATE BILL 234.....TAB C  
SENATE BILL 253.....TAB D

~~1~~  
C 1/3

ASSEMBLY EDUCATION  
DATE: 9/12/03 ROOM: 3143 EXHIBIT C  
SUBMITTED BY: CAROL STONEFIELD

**TAB**

**A**

Sponsor: Legislative Committee on Education

The measure contains two provisions relating to a child's progress in school: early admittance of a child to kindergarten and retention of a pupil in 8<sup>th</sup> grade

Nevada's compulsory school attendance law, contained in NRS 392.040, establishes the cutoff for admittance to kindergarten as September 30. A child must be 5 years of age on or before that date to be admitted to kindergarten and counted for apportionment. SB 34 would make the following changes:

- parents or guardians may request the admittance of a child who is not age 5 by September 30
- the school district may allow the child to enroll if the school district determines that (1) the child is gifted, as defined by the State Board of Education (NAC 388.043) and (2) it would be in the best interest of the child to be enrolled in kindergarten.

The parents or guardians must pay any costs associated with determining if the child is gifted.

Section 2 of the bill relates to retention of a pupil in 8<sup>th</sup> grade. It proposes to resolve an apparent conflict between NRS 392.125, which provides that no pupil may be retained more than one time in the same grade. (1981), and NRS 392.033, which prohibits a board of trustees from promoting a pupil to high school if the pupil has not completed the credits required for promotion. (1997). Attorney General Opinion No. 1999-29 noted the conflict but resolved the issue by authorizing a school board to prohibit the promotion of a pupil to high school even if that decision requires the retention of that pupil in the 8<sup>th</sup> grade more than one time.

Proponents: The changes authorizing district discretion with regard to enrolling gifted children in kindergarten and allocating the cost of assessment to the parents of the child improve the bill over the version introduced.

Opponents: An equity issue is created because children from upper income families will assess at a higher level of readiness and can afford to pay for the assessment. The two largest school districts find useful a definite cut date. The screening provision will create a demand, which, if the districts choose to meet it, will increase need for staffing, space and programs for younger children. Clark County School District and Carson City School District testified that they do not maintain a program for gifted children in first or second grade.

Fiscal Note: Presumably none for the first reprint.

Proposed Amendments: None