

ASSEMBLY BILL NO. 122—COMMITTEE ON WAYS AND MEANS

FEBRUARY 13, 2003

Referred to Committee on Ways and Means

SUMMARY—Revises provisions governing calculation of basic support for school districts with declining enrollment. (BDR 34-963)

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 the calculation of basic support for school districts with declining enrollment; removing charter schools from the provisions governing the calculation of basic support for declining enrollment; and providing other matters properly relating thereto.

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

- 1     **Section 1.** NRS 387.1233 is hereby amended to read as  
2 follows:  
3     387.1233 1. Except as otherwise provided in subsection 2,  
4 basic support of each school district must be computed by:  
5     (a) Multiplying the basic support guarantee per pupil established  
6 for that school district for that school year by the sum of:  
7         (1) Six-tenths the count of pupils enrolled in the kindergarten  
8 department on the last day of the first school month of the school  
9 district for the school year, including, without limitation, the count  
10 of pupils who reside in the county and are enrolled in any charter  
11 school on the last day of the first school month of the school district  
12 for the school year.  
13         (2) The count of pupils enrolled in grades 1 to 12, inclusive,  
14 on the last day of the first school month of the school district for the  
15 school year, including, without limitation, the count of pupils who



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1 reside in the county and are enrolled in any charter school on the last  
2 day of the first school month of the school district for the school  
3 year.

4 (3) The count of pupils not included under subparagraph (1)  
5 or (2) who are enrolled full time in a program of distance education  
6 provided by that school district or a charter school located within  
7 that school district on the last day of the first school month of the  
8 school district for the school year.

9 (4) The count of pupils who reside in the county and are  
10 enrolled:

11 (I) In a public school of the school district and are  
12 concurrently enrolled part time in a program of distance education  
13 provided by another school district or a charter school on the last  
14 day of the first school month of the school district for the school  
15 year, expressed as a percentage of the total time services are  
16 provided to those pupils per school day in proportion to the total  
17 time services are provided during a school day to pupils who are  
18 counted pursuant to subparagraph (2).

19 (II) In a charter school and are concurrently enrolled part  
20 time in a program of distance education provided by a school district  
21 or another charter school on the last day of the first school month of  
22 the school district for the school year, expressed as a percentage of  
23 the total time services are provided to those pupils per school day in  
24 proportion to the total time services are provided during a school  
25 day to pupils who are counted pursuant to subparagraph (2).

26 (5) The count of pupils not included under subparagraph (1),  
27 (2), (3) or (4), who are receiving special education pursuant to the  
28 provisions of NRS 388.440 to 388.520, inclusive, on the last day of  
29 the first school month of the school district for the school year,  
30 excluding the count of pupils who have not attained the age of 5  
31 years and who are receiving special education pursuant to  
32 subsection 1 of NRS 388.490 on that day.

33 (6) Six-tenths the count of pupils who have not attained the  
34 age of 5 years and who are receiving special education pursuant to  
35 subsection 1 of NRS 388.490 on the last day of the first school  
36 month of the school district for the school year.

37 (7) The count of children detained in detention homes,  
38 alternative programs and juvenile forestry camps receiving  
39 instruction pursuant to the provisions of NRS 388.550, 388.560 and  
40 388.570 on the last day of the first school month of the school  
41 district for the school year.

42 (8) The count of pupils who are enrolled in classes for at  
43 least one semester pursuant to subsection 4 of NRS 386.560,  
44 subsection 4 of NRS 386.580 or subsection 3 of NRS 392.070,  
45 expressed as a percentage of the total time services are provided to



1 those pupils per school day in proportion to the total time services  
2 are provided during a school day to pupils who are counted pursuant  
3 to subparagraph (2).

4 (b) Multiplying the number of special education program units  
5 maintained and operated by the amount per program established for  
6 that school year.

7 (c) Adding the amounts computed in paragraphs (a) and (b).

8 2. If the enrollment of pupils in a school district ~~for a charter~~  
9 ~~school that is located within the school district~~ on the last day of the  
10 first school month of the school district for the school year is less  
11 than the enrollment of pupils in the same school district ~~for charter~~  
12 ~~school~~ on the last day of the first school month of the school  
13 district for ~~either or both of~~ the immediately preceding ~~2 school~~  
14 ~~years, the largest~~ school year and the decline in enrollment is:

15 (a) *Five percent or less, the enrollment number from the*  
16 *immediately preceding school year must be used for purposes of*  
17 *apportioning money from the State Distributive School Account to*  
18 *that school district pursuant to NRS 387.124.*

19 (b) *More than 5 percent, the larger enrollment* number must be  
20 used from ~~among the 3~~ *the immediately preceding 2 school* years  
21 for purposes of apportioning money from the State Distributive  
22 School Account to that school district ~~for charter school~~ pursuant to  
23 NRS 387.124.

24 3. Pupils who are excused from attendance at examinations or  
25 have completed their work in accordance with the rules of the board  
26 of trustees must be credited with attendance during that period.

27 4. Pupils who are incarcerated in a facility or institution  
28 operated by the Department of Corrections must not be counted for  
29 the purpose of computing basic support pursuant to this section. The  
30 average daily attendance for such pupils must be reported to the  
31 Department.

32 5. Pupils who are enrolled in courses which are approved by  
33 the Department as meeting the requirements for an adult to earn a  
34 high school diploma must not be counted for the purpose of  
35 computing basic support pursuant to this section.

36 **Sec. 2.** This act becomes effective on July 1, 2004.

