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SENATE BILL NO. 166—SENATORS SCHNEIDER, BEERS, HORSFORD,  
WIENER, TIFFANY, AMODEI, CARE AND WASHINGTON

MARCH 8, 2005

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JOINT SPONSORS: ASSEMBLYMEN ATKINSON,  
KOIVISTO AND MUNFORD

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Referred to Committee on Human Resources and Education

SUMMARY—Limits enrollment of pupils in new public schools  
constructed in certain larger school districts.  
(BDR 34-61)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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.

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AN ACT relating to public schools; limiting the enrollment of  
pupils in new public schools constructed in certain larger  
school districts; and providing other matters properly  
relating thereto.

**Legislative Counsel's Digest:**

- 1 Existing law provides for the establishment of a system of public instruction.  
2 (Chapter 388 of NRS)  
3 This bill limits the number of pupils that may be enrolled in a public school  
4 constructed on or after July 1, 2005, in a school district located in a county whose  
5 population is 100,000 or more (currently Clark and Washoe Counties) to a  
6 maximum of 300 pupils in an elementary school, 600 pupils in a middle or junior  
7 high school and 900 pupils in a high school.  
8 The limitations on enrollment do not apply to schools constructed before July 1,  
9 2005. In addition, if planning for the construction of a school has begun before  
10 July 1, 2005, the board of trustees of the school district may apply to the  
11 Department of Education for an exemption from the limitations on enrollment.

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1 WHEREAS, The education of the children of the State of Nevada  
2 is of fundamental importance; and



1 WHEREAS, Extraordinarily rapid population growth in certain  
2 counties has compelled some local school districts to build new  
3 schools to accommodate large numbers of pupils; and

4 WHEREAS, Studies suggest that pupils who attend schools with  
5 relatively smaller pupil populations tend to perform better on  
6 academic tests, suffer from fewer social and behavioral problems  
7 and enjoy greater opportunities for participation in extracurricular  
8 activities, and that the parents of such pupils are more likely to  
9 become actively involved in such schools; and

10 WHEREAS, It will benefit the system of public education of this  
11 State to require the new schools that are built in counties  
12 experiencing rapid population growth to limit the number of pupils  
13 at each school so that the relative merits of smaller schools might be  
14 experienced by the residents of those counties; now, therefore,

15  
16 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
17 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:  
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19 **Section 1.** Chapter 388 of NRS is hereby amended by adding  
20 thereto a new section to read as follows:

21 *The board of trustees of a school district in a county whose*  
22 *population is 100,000 or more shall limit the number of pupils*  
23 *who may enroll in a school constructed on or after July 1, 2005,*  
24 *within the district to:*

- 25 *1. Not more than 300 pupils at each elementary school;*
- 26 *2. Not more than 600 pupils at each middle school or junior*  
27 *high school; and*
- 28 *3. Not more than 900 pupils at each high school.*

29 **Sec. 2.** 1. The provisions of section 1 of this act do not apply  
30 to a public school constructed before July 1, 2005.

31 2. If planning for the construction of a school in a county  
32 whose population is 100,000 or more is in progress on or before  
33 July 1, 2005, the board of trustees of the school district in which the  
34 construction is planned may apply to the Department of Education  
35 for an exemption from the enrollment limitations of section 1 of this  
36 act for that school. A separate application must be submitted for  
37 each school.

38 3. The Department of Education shall grant an exemption  
39 pursuant to subsection 2 upon receipt of satisfactory proof that the  
40 planning for construction of a school has reached a stage at which  
41 complying with section 1 of this act would be detrimental to the  
42 financial stability of the school district or detrimental to the ability  
43 of the school district to ensure that all children residing within the  
44 school district are provided with the opportunity to attend school.



- 1       4. The Department of Education shall not grant an exemption
- 2       pursuant to this section after June 30, 2006.
- 3       **Sec. 3.** This act becomes effective on July 1, 2005.



