

SENATE BILL NO. 212—SENATOR BEERS

MARCH 21, 2005

Referred to Committee on Human Resources and Education

SUMMARY—Limits time for commencement of certain morning classes in high school. (BDR 34-729)

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.

AN ACT relating to education; providing that certain classes in high school must not begin before 8 a.m.; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law prescribes the required and elective high school classes and the
- 2 minimum number of school days. (NRS 388.090, Chapter 389 of NRS)
- 3 This bill prohibits certain high school classes from being held before 8 a.m. The
- 4 prohibition applies to classes that are required for high school graduation or for
- 5 promotion to the next grade.
- 6 Existing law requires a high school program to consist of 180 school days. A
- 7 school district may apply to the Superintendent of Public Instruction to provide a
- 8 program based on an alternative schedule. The alternative schedule must provide at
- 9 least the same number of minutes of instruction as the 180-day program.
- 10 (NRS 388.090)
- 11 This bill requires that a program of instruction based on an alternative schedule
- 12 comply with the prohibition against certain classes being held before 8 a.m.

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

- 1 **Section 1.** Chapter 388 of NRS is hereby amended by adding
- 2 thereto a new section to read as follows:
- 3 *1. A class required for graduation from high school or*
- 4 *promotion to the next grade in high school must not begin before*
- 5 *8 a.m. each school day.*



1 **2. An elective class or extracurricular activity, or other class**
2 **or activity not required for graduation from high school or**
3 **promotion to the next grade in high school may begin before**
4 **8 a.m.**

5 **Sec. 2.** NRS 388.090 is hereby amended to read as follows:

6 388.090 1. Except as otherwise provided in this section,
7 boards of trustees of school districts shall schedule and provide a
8 minimum of 180 days of free school in the districts under their
9 charge.

10 2. Except for an alternative schedule described in subsection 3,
11 the Superintendent of Public Instruction may, upon application by
12 the board of trustees of a school district, authorize the school district
13 to provide a program of instruction based on an alternative schedule
14 if the number of minutes of instruction to be provided is equal to or
15 greater than the number of minutes of instruction that would be
16 provided in a program of instruction consisting of 180 school days.
17 The Superintendent of Public Instruction shall notify the board of
18 trustees of the school district of the approval or denial of the
19 application not later than 30 days after the Superintendent of Public
20 Instruction receives the application. An alternative schedule
21 proposed pursuant to this subsection must be developed in
22 accordance with chapter 288 of NRS ~~§~~ **and must comply with**
23 **section 1 of this act.** If a school district is located in a county whose
24 population is 100,000 or more, the school district may not submit an
25 application pursuant to this subsection unless the proposed
26 alternative schedule of the school district will apply only to a rural
27 portion or a remote portion of the county in which the school district
28 is located, as defined by the State Board pursuant to subsection 8.

29 3. The Superintendent of Public Instruction may, upon
30 application by the board of trustees of a school district, authorize a
31 reduction of not more than 15 school days in that particular district
32 to establish or maintain an alternative schedule consisting of a
33 12-month school program if the board of trustees demonstrates that
34 the proposed alternative schedule for the program provides for a
35 number of minutes of instruction that is equal to or greater than that
36 which would be provided under a program consisting of 180 school
37 days. Before authorizing a reduction in the number of required
38 school days pursuant to this subsection, the Superintendent of Public
39 Instruction must find that the proposed alternative schedule
40 **complies with section 1 of this act and** will be used to alleviate
41 problems associated with a growth in enrollment or overcrowding.

42 4. The Superintendent of Public Instruction may, upon
43 application by a board of trustees, authorize the addition of minutes
44 of instruction to any scheduled day of free school if days of free



1 school are lost because of any interscholastic activity. Not more than
2 5 days of free school so lost may be rescheduled in this manner. The
3 provisions of this subsection do not apply to an alternative schedule
4 approved pursuant to subsection 2.

5 5. The number of minutes of instruction required for a
6 particular group of pupils in a program of instruction based on an
7 alternative schedule approved pursuant to this section must be
8 determined by multiplying the appropriate minimum daily period of
9 instruction established by the State Board by regulation for that
10 particular group of pupils by 180.

11 6. Each school district shall schedule at least 3 contingent days
12 of school, or its equivalent if the school district operates under an
13 alternative schedule authorized pursuant to this section, in addition
14 to the number of days required by this section, which must be used
15 if a natural disaster, inclement weather or an accident necessitates
16 the closing of a majority of the facilities within the district.

17 7. If more than 3 days of free school, or its equivalent if the
18 school district operates under an alternative schedule authorized
19 pursuant to this section, are lost because a natural disaster,
20 inclement weather or an accident necessitates the closing of a
21 majority of the facilities within a school district, the Superintendent
22 of Public Instruction, upon application by the school district, may
23 permit the additional days lost to be counted as school days in
24 session. The application must be submitted in the manner prescribed
25 by the Superintendent of Public Instruction.

26 8. The State Board shall adopt regulations:

27 (a) Providing procedures for changing schedules of instruction
28 to be used if a natural disaster, inclement weather or an accident
29 necessitates the closing of a particular school within a school
30 district.

31 (b) Defining a rural portion of a county and a remote portion of
32 a county for the purposes of subsection 2.

33 **Sec. 3.** This act becomes effective on July 1, 2005.



