

SENATE BILL NO. 212—SENATOR BEERS

MARCH 21, 2005

Referred to Committee on Human Resources and Education

SUMMARY—Limits time for commencement of 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 classes in high school must not begin before 7:35 a.m.; providing exceptions for certain schools and classes; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law prescribes the minimum number of school days. (NRS 388.090)
- 2 This bill prohibits high school classes from beginning before 7:35 a.m.
- 3 This bill also provides an exception for certain schools and classes from the
- 4 requirement that no high school class begin before 7:35 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. Except as otherwise provided in subsection 2, a class in*
- 4 *high school must not begin before 7:35 a.m. each school day.*
- 5 *2. The provisions of subsection 1 do not apply to:*
- 6 *(a) A magnet school, an alternative education school, a career*
- 7 *and technical education school or other specialty high school that*
- 8 *a pupil elects to attend in lieu of attending the high school that the*
- 9 *pupil is otherwise scheduled to attend;*
- 10 *(b) A class offered during an optional class period before the*
- 11 *start of the regular school day;*



1 (c) *A school that voluntarily extends instructional time for*
2 *pupils;*

3 (d) *A school that must operate double sessions to alleviate*
4 *overcrowding; or*

5 (e) *A school that must extend the school day for additional*
6 *class periods to alleviate overcrowding.*

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

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

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

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



1 4. The Superintendent of Public Instruction may, upon
2 application by a board of trustees, authorize the addition of minutes
3 of instruction to any scheduled day of free school if days of free
4 school are lost because of any interscholastic activity. Not more than
5 5 days of free school so lost may be rescheduled in this manner. The
6 provisions of this subsection do not apply to an alternative schedule
7 approved pursuant to subsection 2.

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

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

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

29 8. The State Board shall adopt regulations:

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

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

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



