

ASSEMBLY BILL NO. 185—ASSEMBLYWOMAN MOSCA

FEBRUARY 20, 2023

Referred to Committee on Education

SUMMARY—Revises provisions governing the education of pupils who are children of military personnel. (BDR 34-524)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§ 1) (NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; requiring school districts, charter schools and university schools for profoundly gifted pupils to take certain measures to accommodate a pupil who plans to transfer to the school district or school or leave the school district or school because of the documented pending military transfer of a parent or guardian; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 The Interstate Compact on Educational Opportunity for Military Children
2 requires member states, including Nevada, to take certain measures to facilitate the
3 enrollment and continued education of pupils who are children of military families
4 and who transfer into this State. (NRS 388F.010) Existing law also requires the
5 superintendent of a school district or his or her designee to make reasonable efforts
6 to accommodate a pupil who transfers to a public school in the district due to the
7 military transfer of the parent or legal guardian of the pupil. (NRS 388F.070) This
8 bill additionally requires the governing body of a charter school or university
9 school for profoundly gifted pupils to make such reasonable efforts. This bill
10 requires those reasonable efforts to include authorizing such a pupil to enroll in the
11 school and participate in any application or lottery process necessary to be eligible
12 for such enrollment: (1) at the same time as pupils who reside in the school district
13 or near the charter school or university school, as applicable; and (2) in the same
14 manner as pupils who reside in the school district or near the charter school or
15 university school, as applicable, or remotely using electronic means, regardless of
16 whether such means are generally authorized for other pupils. This bill also requires



17 the superintendent of a school district or the superintendent's designee or the
18 governing body of a charter school or university school for profoundly gifted pupils
19 to make reasonable efforts to accommodate a pupil who plans to leave the school
20 during the school year because of the documented pending military transfer of the
21 parent or legal guardian of the pupil. This bill requires those efforts to include: (1)
22 authorizing and assisting the pupil to complete the requirements for the current
23 school year through a program of distance education, if such a program is available;
24 and (2) cooperating with any school or school district to which the pupil plans to
25 transfer.

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

1 **Section 1.** NRS 388F.070 is hereby amended to read as
2 follows:

3 388F.070 1. The superintendent of a school district or the
4 superintendent's designee *or the governing body of a charter*
5 *school or a university school for profoundly gifted pupils* shall ~~be~~
6 ~~in~~:

7 *(a) Authorize a pupil who plans to transfer to a public school*
8 *in the school district or to a charter school or university school, as*
9 *applicable, from a school inside or outside this State because of*
10 *the documented pending military transfer of the parent or legal*
11 *guardian of the pupil to enroll in the public school, charter school*
12 *or university school and participate in any application or lottery*
13 *process necessary to be eligible for such enrollment:*

14 *(1) At the same time as pupils who reside in the school*
15 *district or near the charter school or university school, as*
16 *applicable; and*

17 *(2) In the same manner as pupils in the school district or*
18 *near the charter school or university school, as applicable, or*
19 *remotely using electronic means, regardless of whether such*
20 *means are generally authorized for other pupils.*

21 *(b) In* accordance with NRS 388F.010, make *other* reasonable
22 efforts to accommodate a pupil who transfers to a public school in
23 the school district *or to the charter school or university school, as*
24 *applicable*, from a school inside or outside this State because of the
25 military transfer of the parent or legal guardian of the pupil.

26 2. If the superintendent of a school district or the
27 superintendent's designee is not able to grant a standard high school
28 diploma to a pupil who transfers during grade 12 to a school in this
29 State from a school outside this State because of the military transfer
30 of the parent or legal guardian of the pupil, the superintendent or the
31 superintendent's designee shall work cooperatively with the local
32 education agency in the state in which the pupil was previously
33 enrolled to determine if the pupil is eligible to receive a diploma



1 from that local education agency and, if the pupil is eligible, to
2 facilitate receiving a high school diploma from that local education
3 agency.

4 **3.** *If a pupil at a public school in a school district, a charter*
5 *school or a university school for profoundly gifted pupils plans to*
6 *leave the school during the school year because of the documented*
7 *pending military transfer of the parent or legal guardian of the*
8 *pupil, the superintendent of the school district or the*
9 *superintendent's designee or the governing body of the charter*
10 *school or university school, as applicable, shall make reasonable*
11 *efforts to accommodate the pupil, including, without limitation,*
12 *by:*

13 (a) *Authorizing and assisting the pupil to complete the*
14 *requirements for the current school year through a program of*
15 *distance education, if such a program is available; and*

16 (b) *Cooperating with any school or school district to which the*
17 *pupil plans to transfer.*

18 **4.** *As used in this section, "program of distance education"*
19 *means a program comprised of one or more courses of study for*
20 *which instruction is delivered by means of video, computer,*
21 *television or the Internet or other electronic means of*
22 *communication, or any combination thereof, in such a manner*
23 *that the person supervising or providing the instruction and the*
24 *pupil receiving the instruction are separated geographically for a*
25 *majority of the time during which instruction is delivered.*

26 **Sec. 2.** The provisions of NRS 354.599 do not apply to any
27 additional expenses of a local government that are related to the
28 provisions of this act.

29 **Sec. 3.** 1. This section becomes effective upon passage and
30 approval.

31 2. Sections 1 and 2 of this act become effective:

32 (a) Upon passage and approval for the purpose of adopting any
33 regulations and performing any other preparatory administrative
34 tasks that are necessary to carry out the provisions of this act; and

35 (b) On January 1, 2024, for all other purposes.

