

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)

~

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 authorizes



* A B 1 8 5 R 1 *

17 such a pupil to: (1) use the address of a military installation to which a parent or
18 legal guardian of the pupil has a documented pending military transfer as the
19 address of the pupil for all purposes relating to enrollment until the pupil notifies
20 the public school of the actual address at which the pupil will reside in the
21 appropriate attendance area; and (2) specify an additional address solely for the
22 purpose of receiving correspondence. This bill also requires the superintendent of a
23 school district or the superintendent's designee or the governing body of a charter
24 school or university school for profoundly gifted pupils to make reasonable efforts
25 to accommodate a pupil who plans to leave the school during the school year
26 because of the documented pending military transfer of the parent or legal guardian
27 of the pupil. This bill requires those efforts to include: (1) authorizing and assisting
28 the pupil to complete the requirements for the current school year through a
29 program of distance education, if such a program is available; and (2) cooperating
30 with any school or school district to which the pupil plans to transfer. This bill
31 requires a pupil who enrolls in a public school, charter school or university school
32 for profoundly gifted pupils for all or part of a school year pursuant to the
33 provisions of this bill to provide proof of residency before the beginning of the next
34 school year if the pupil plans to enroll in the school for the next school year.

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) Deem the address of a military installation to which a*
22 *parent or legal guardian of the pupil has a documented pending*
23 *military transfer to be the address of the pupil for all purposes*
24 *relating to enrollment for which an address is required until the*



1 *pupil notifies the public school of the actual address at which the*
2 *pupil will reside in the appropriate attendance area.*

3 *(c) Authorize the pupil and the parent or legal guardian of the*
4 *pupil to specify an additional, current address solely for the*
5 *purpose of receiving correspondence.*

6 *(d) In accordance with NRS 388F.010, make other reasonable*
7 *efforts to accommodate a pupil who transfers to a public school in*
8 *the school district or to the charter school or university school, as*
9 *applicable, from a school inside or outside this State because of the*
10 *military transfer of the parent or legal guardian of the pupil.*

11 2. If the superintendent of a school district or the
12 superintendent's designee is not able to grant a standard high school
13 diploma to a pupil who transfers during grade 12 to a school in this
14 State from a school outside this State because of the military transfer
15 of the parent or legal guardian of the pupil, the superintendent or the
16 superintendent's designee shall work cooperatively with the local
17 education agency in the state in which the pupil was previously
18 enrolled to determine if the pupil is eligible to receive a diploma
19 from that local education agency and, if the pupil is eligible, to
20 facilitate receiving a high school diploma from that local education
21 agency.

22 3. *If a pupil at a public school in a school district, a charter*
23 *school or a university school for profoundly gifted pupils plans to*
24 *leave the school during the school year because of the documented*
25 *pending military transfer of the parent or legal guardian of the*
26 *pupil, the superintendent of the school district or the*
27 *superintendent's designee or the governing body of the charter*
28 *school or university school, as applicable, shall make reasonable*
29 *efforts to accommodate the pupil, including, without limitation,*
30 *by:*

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

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

36 4. *A pupil who enrolls in a public school, charter school or*
37 *university school for profoundly gifted pupils pursuant to*
38 *subsection 1 for all or part of a school year and plans to enroll in*
39 *the school for the next school year shall, before the beginning of*
40 *the next school year, provide proof of residency in this State and,*
41 *as applicable, in:*

42 *(a) The school district;*

43 *(b) The zone of attendance of the school established pursuant*
44 *to NRS 388.040; or*



1 (c) *The geographic area served by the charter school or*
2 *university school.*

3 5. *As used in this section, "program of distance education"*
4 *means a program comprised of one or more courses of study for*
5 *which instruction is delivered by means of video, computer,*
6 *television or the Internet or other electronic means of*
7 *communication, or any combination thereof, in such a manner*
8 *that the person supervising or providing the instruction and the*
9 *pupil receiving the instruction are separated geographically for a*
10 *majority of the time during which instruction is delivered.*

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

14 **Sec. 3.** 1. This section becomes effective upon passage and
15 approval.

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

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

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

