

ASSEMBLY BILL NO. 280—ASSEMBLYWOMEN THOMAS;
GONZÁLEZ AND TAYLOR

MARCH 9, 2023

Referred to Committee on Ways and Means

SUMMARY—Revises provisions governing behavior schools in public school districts. (BDR 34-790)

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

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 a school district that operates a behavior school to dedicate a certain amount of money to the behavior school; authorizing a school district to deduct money that is dedicated to a behavior school from certain funding for public schools; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Legislature to appropriate money from the State
2 Education Fund, less the money in the Education Stabilization Account, to fund, in
3 an amount determined sufficient by the Legislature, the operation of each school
4 district for all pupils generally through adjusted base per pupil funding for each
5 pupil enrolled in the school district. (NRS 387.1214) Existing law requires each
6 school district to distribute the adjusted base per pupil funding it receives to the
7 public schools in the school district to support the educational needs of all pupils in
8 the school district and in a manner that ensures each pupil in the school district
9 receives a reasonably equal educational opportunity, except that a school district
10 may retain a portion of the adjusted base per pupil funding to cover the
11 administrative expenses of the school district. (NRS 387.12445) Existing law
12 establishes provisions related to the discipline of pupils, including, without
13 limitation, suspending, expelling or removing a pupil from school. (NRS
14 392.4601-392.472)

15 This bill requires a school district which operates a behavior school, which is
16 defined as a program operated by a school district to which a pupil who is enrolled
17 in a public school in the school district may be temporarily assigned as a
18 disciplinary action, to dedicate to the behavior school an amount of money that is
19 computed based on the adjusted base per pupil funding for the school district and



20 the average number of pupils anticipated to be assigned to the behavior school per
21 day during the year. This bill authorizes a school district to deduct from the
22 adjusted base per pupil funding received by the school district the money dedicated
23 to a behavior school.

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

1 **Section 1.** Chapter 387 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *A school district that operates a behavior school shall, each*
4 *year, dedicate to the behavior school an amount of money that is*
5 *equal to the adjusted base per pupil funding established for that*
6 *school district for that school year multiplied by the average*
7 *number of pupils anticipated to be assigned to the behavior school*
8 *per day during the year. The average number of pupils anticipated*
9 *to be assigned to the behavior school per day during the year is the*
10 *average number of pupils who were assigned to the behavior*
11 *school per day in the immediately preceding school year, except*
12 *that a school district may increase or decrease this amount by the*
13 *percentage change in projected enrollment in the school district*
14 *from the immediately preceding year.*

15 2. *The money that is dedicated to a behavior school pursuant*
16 *to subsection 1 is an administrative expense of the school district*
17 *which may be deducted from the adjusted base per pupil funding*
18 *received by the school district pursuant to NRS 387.12445 in*
19 *addition to the amount authorized by the Department by*
20 *regulation to be deducted pursuant to subsection 9 of*
21 *NRS 387.12445.*

22 3. *As used in this section, "behavior school":*

23 (a) *Means a program:*

24 (1) *That is operated by a school district; and*

25 (2) *To which a pupil who is enrolled in a public school in*
26 *the school district may be temporarily assigned as a disciplinary*
27 *action.*

28 (b) *Does not include a program that is operated or supervised*
29 *by the staff of a public school and serves only pupils enrolled in*
30 *the public school.*

31 **Sec. 2.** This act becomes effective on July 1, 2023.

