

Amendment No. 149

Assembly Amendment to Assembly Bill No. 185 <span style="float: right;">(BDR 34-524)</span> <b>Proposed by:</b> Assembly Committee on Education <b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes
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Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 185 (§ 1).
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ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>	Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>	Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>
Receded <input type="checkbox"/>	Not <input type="checkbox"/>	Receded <input type="checkbox"/>	Not <input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

JDK/AAK



Date: 4/12/2023

A.B. No. 185—Revises provisions governing the education of pupils who are children of military personnel. (BDR 34-524)





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 requires  
2 member states, including Nevada, to take certain measures to facilitate the enrollment and  
3 continued education of pupils who are children of military families and who transfer into this  
4 State. (NRS 388F.010) Existing law also requires the superintendent of a school district or his  
5 or her designee to make reasonable efforts to accommodate a pupil who transfers to a public  
6 school in the district due to the military transfer of the parent or legal guardian of the pupil.  
7 (NRS 388F.070) This bill additionally requires the governing body of a charter school or  
8 university school for profoundly gifted pupils to make such reasonable efforts. This bill  
9 requires those reasonable efforts to include authorizing such a pupil to enroll in the school and  
10 participate in any application or lottery process necessary to be eligible for such enrollment:  
11 (1) at the same time as pupils who reside in the school district or near the charter school or  
12 university school, as applicable; and (2) in the same manner as pupils who reside in the school  
13 district or near the charter school or university school, as applicable, or remotely using  
14 electronic means, regardless of whether such means are generally authorized for other pupils.  
15 This bill authorizes such a pupil to: (1) use the address of a military installation to which  
16 a parent or legal guardian of the pupil has a documented pending military transfer as  
17 the address of the pupil for all purposes relating to enrollment until the pupil notifies the  
18 public school of the actual address at which the pupil will reside in the appropriate  
19 attendance area; and (2) specify an additional address solely for the purpose of receiving  
20 correspondence. This bill also requires the superintendent of a school district or the  
21 superintendent’s designee or the governing body of a charter school or university school for  
22 profoundly gifted pupils to make reasonable efforts to accommodate a pupil who plans to  
23 leave the school during the school year because of the documented pending military transfer  
24 of the parent or legal guardian of the pupil. This bill requires those efforts to include: (1)

25 authorizing and assisting the pupil to complete the requirements for the current school year  
 26 through a program of distance education, if such a program is available; and (2) cooperating  
 27 with any school or school district to which the pupil plans to transfer. This bill requires a  
 28 pupil who enrolls in a public school, charter school or university school for profoundly  
 29 gifted pupils for all or part of a school year pursuant to the provisions of this bill to  
 30 provide proof of residency before the beginning of the next school year if the pupil plans  
 31 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 follows:

2 388F.070 1. The superintendent of a school district or the superintendent's  
 3 designee *or the governing body of a charter school or a university school for*  
 4 *profoundly gifted pupils* shall ~~[-in-]~~:

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

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

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

17 (b) Deem the address of a military installation to which a parent or legal  
 18 guardian of the pupil has a documented pending military transfer to be the  
 19 address of the pupil for all purposes relating to enrollment for which an address  
 20 is required until the pupil notifies the public school of the actual address at which  
 21 the pupil will reside in the appropriate attendance area.

22 (c) Authorize the pupil and the parent or legal guardian of the pupil to  
 23 specify an additional, current address solely for the purpose of receiving  
 24 correspondence.

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

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

39 3. *If a pupil at a public school in a school district, a charter school or a*  
 40 *university school for profoundly gifted pupils plans to leave the school during the*  
 41 *school year because of the documented pending military transfer of the parent or*

1 *legal guardian of the pupil, the superintendent of the school district or the*  
2 *superintendent's designee or the governing body of the charter school or*  
3 *university school, as applicable, shall make reasonable efforts to accommodate*  
4 *the pupil, including, without limitation, by:*

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

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

10 4. *A pupil who enrolls in a public school, charter school or university*  
11 *school for profoundly gifted pupils pursuant to subsection 1 for all or part of a*  
12 *school year and plans to enroll in the school for the next school year shall, before*  
13 *the beginning of the next school year, provide proof of residency in this State*  
14 *and, as applicable, in:*

15 *(a) The school district;*

16 *(b) The zone of attendance of the school established pursuant to NRS*  
17 *388.040; or*

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

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

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

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

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

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

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