
ASSEMBLY BILL NO. 13—COMMITTEE ON EDUCATION

PREFILED JANUARY 7, 1999

(ON BEHALF OF LEGISLATIVE COMMISSION’S STUDY OF
SPECIAL EDUCATION AND STUDENT DISCIPLINE)

Referred to Committee on Education

SUMMARY—Establishes state program for financial support of intersession school and summer school and requires establishment of local programs. (BDR 34-321)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Contains Appropriation not included in Executive Budget.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to education; establishing a state program for the financial support of local programs of intersession school and summer school; requiring the boards of trustees of school districts to establish similar local programs; authorizing schools to submit applications for participation in a local program; requiring the superintendent of public instruction to apportion money to school districts for the local programs; making an appropriation; and providing other matters properly relating thereto.

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 thereto
2 the provisions set forth as sections 2 to 10, inclusive, of this act.
3 **Sec. 2.** *As used in sections 2 to 10, inclusive, of this act, unless the*
4 *context otherwise requires, the words and terms defined in sections 3, 4*
5 *and 5 of this act have the meanings ascribed to them in those sections.*
6 **Sec. 3.** *“Intersession school” means instruction that is provided*
7 *between regularly scheduled sessions of school in a school that operates*
8 *on a year-round schedule or other alternative schedule.*
9 **Sec. 4.** *“Local program” means a local program of intersession*
10 *school or summer school established by the board of trustees of a school*
11 *district pursuant to section 7 of this act.*

1 **Sec. 5.** *“Summer school” means instruction that is provided during*
2 *the summer months in a school that operates on a regular school*
3 *schedule which is not a year-round schedule or other alternative*
4 *schedule.*

5 **Sec. 6.** 1. *The state program for the financial support of local*
6 *programs of intersession school and summer school is hereby established*
7 *to assist school districts in providing intersession school and summer*
8 *school.*

9 2. *On or before July 1 of each year, the superintendent of public*
10 *instruction shall, within the limits of money available for the state*
11 *program by legislative appropriation or otherwise, apportion the money*
12 *available for the state program for that year among the school districts.*
13 *The money available for the state program must be apportioned to each*
14 *school district in proportion to the total number of pupils enrolled in*
15 *public schools within the school district on the last day of the first month*
16 *of the school year preceding the school year for which the money is being*
17 *provided.*

18 3. *The board of trustees of a school district may expend not more*
19 *than 1 percent per year of the money appropriated pursuant to this*
20 *section to pay the costs incurred in administering the local program.*

21 **Sec. 7.** *The board of trustees of each school district shall:*

22 1. *Establish a local program of intersession school or summer school,*
23 *or both, within the school district. The local program established by the*
24 *board of trustees must include, without limitation:*

25 (a) *The criteria for the eligibility of schools within the school district to*
26 *participate in the local program;*

27 (b) *The criteria for a pupil to earn academic credit for purposes of*
28 *promotion to the next grade or graduation from junior high, middle*
29 *school or high school by completing course work in intersession school or*
30 *summer school; and*

31 (c) *The method by which the success of the local program will be*
32 *evaluated.*

33 2. *Adopt rules and policies to carry out the provisions of sections 2 to*
34 *10, inclusive, of this act, including, without limitation, the process for*
35 *submission of an application by a school to participate in the local*
36 *program, the deadline for submission of an application and the contents*
37 *of the application.*

38 3. *Submit a written description of the local program to the*
39 *department.*

40 **Sec. 8.** 1. *A school may submit an application to the board of*
41 *trustees of the school district to participate in the local program. The*
42 *application must be on a form provided by the board of trustees.*

1 2. Upon receipt of such an application, the board of trustees of a
2 school district, or a designee of the board of trustees, shall review the
3 application and, if the application meets the criteria for eligibility adopted
4 by the board of trustees, approve the application.

5 3. The board of trustees of a school district shall apportion the money
6 available for the local program among the schools whose applications
7 have been approved. A school whose application is designed to serve
8 pupils at risk or a school that is designated as demonstrating inadequate
9 achievement pursuant to NRS 385.367, may, if money is available, receive
10 additional money.

11 4. As used in this section, "pupil at risk" has the meaning ascribed to
12 it in NRS 386.500.

13 **Sec. 9. 1.** If a school participates in a local program, the school
14 shall provide intersession school or summer school, as applicable, for
15 pupils:

16 (a) Who are referred to intersession school or summer school as a
17 result of disciplinary problems. A teacher of a pupil who causes
18 disciplinary problems within the classroom may refer a pupil to
19 participate in intersession school or summer school.

20 (b) Who lack sufficient course work or academic credit to graduate
21 from junior high, middle school or high school.

22 (c) Who desire to obtain additional academic credit or complete
23 additional course work.

24 (d) Who are referred by a teacher or counselor for additional
25 assistance with certain classes.

26 2. If a school participates in a local program, the school may, if
27 money is available after the money is allotted for the instruction required
28 by subsection 1, offer participation in intersession school or summer
29 school, as applicable, to all other pupils who are enrolled in the school.

30 3. Except as otherwise provided in subsection 4, a school shall not
31 charge a fee or tuition to a pupil who is enrolled in intersession school or
32 summer school.

33 4. Except as otherwise provided in subsection 5, if a pupil who is
34 referred for participation in intersession school or summer school
35 pursuant to paragraph (a) of subsection 1 enrolls in intersession school or
36 summer school, the school shall require the pupil or the parent or legal
37 guardian of the pupil to pay a fee of \$15 for each class of intersession
38 school or summer school that the pupil enrolls in if:

39 (a) The pupil, as a result of his behavior, did not obtain a sufficient
40 number of academic credits or satisfactorily complete course work for the
41 school year; or

42 (b) The teacher who referred the pupil submits a statement that the
43 pupil failed to pass a course as a result of lack of effort by the pupil.

1 **5. If a pupil or his parent or legal guardian is financially unable to**
2 **pay the fee required by subsection 4, the pupil shall perform service for**
3 **the school, as prescribed by the principal of the school, for at least 5**
4 **hours.**

5 **6. A school that receives money pursuant to subsection 4 shall use the**
6 **money to pay for field trips or to offer additional courses of intersession**
7 **school or summer school.**

8 **Sec. 10. On or before July 1 of each year, the board of trustees of a**
9 **school district shall submit a report to the superintendent of public**
10 **instruction on a form provided by the superintendent of public**
11 **instruction. The report must contain the following information regarding**
12 **the operation of the local program in the immediately preceding 12**
13 **months:**

14 **1. A list of which schools within the school district operated**
15 **intersession school or summer school, or both;**

16 **2. A list of the courses of instruction that were offered at each school**
17 **that participated in the local program;**

18 **3. A statement of the total enrollment of pupils in intersession school**
19 **or summer school, as applicable, for the year, including, without**
20 **limitation, the number of pupils described in paragraphs (a) to (d),**
21 **inclusive, of subsection 1 of section 9 of this act who enrolled in**
22 **intersession school or summer school;**

23 **4. The evaluation of the local program in accordance with the**
24 **method for evaluation established by the board of trustees pursuant to**
25 **section 7 of this act;**

26 **5. A statement of the costs incurred by the schools that participated in**
27 **the local program to operate intersession school or summer school;**

28 **6. A statement of the financial resources necessary for the schools**
29 **that participated in the local program to continue to operate intersession**
30 **school or summer school; and**

31 **7. Such other information as the department requires.**

32 **Sec. 11. 1.** There is hereby appropriated from the state general fund
33 to the department of education for the state program established pursuant to
34 section 6 of this act for the financial support of local programs of
35 intersession school and summer school:

36 For the fiscal year 1999-2000.....\$2,000,000

37 For the fiscal year 2000-2001.....\$2,000,000

38 **2.** Any remaining balance of the appropriation made by subsection 1
39 **for:**

40 **(a)** The fiscal year 1999-2000 must be transferred and added to the
41 **money appropriated for the fiscal year 2000-2001.**

42 **(b)** The fiscal year 2000-2001, including any money added thereto
43 **pursuant to paragraph (a), must not be committed for expenditure after June**

1 30, 2001, and reverts to the state general fund as soon as all payments of
2 money committed have been made.

3 **Sec. 12.** On or before August 1, 1999, the boards of trustees of each
4 school district shall establish a program for intersession school or summer
5 school, or both, in accordance with sections 2 to 10, inclusive, of this act.

6 **Sec. 13.** This act becomes effective upon passage and approval.

~