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ASSEMBLY BILL NO. 13—COMMITTEE ON EDUCATION

PREFILED JANUARY 7, 1999

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

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Referred to Committee on Education

SUMMARY—Establishes program for financial support of intersession school and summer school.  
(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.

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

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AN ACT relating to education; establishing a program for the financial support of intersession school and summer school; authorizing school districts to submit applications for participation in the program; 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 9, inclusive, of this act.  
3    **Sec. 2.** *As used in sections 2 to 9, 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.** *“Program” means the program for the financial support of*  
10   *intersession school and summer school.*  
11   **Sec. 5.** *“Summer school” means instruction that is provided during*  
12   *the summer months in a school that operates on a regular school*  
13   *schedule which is not a year-round schedule or other alternative*  
14   *schedule.*

1    **Sec. 6. 1.**   *The program for the financial support of intersession*  
2    *school and summer school is hereby established to assist school districts*  
3    *in providing intersession school and summer school.*

4    **2.**    *The department shall:*

5    *(a) Prescribe the form for the application for submission by school*  
6    *districts to participate in the program;*

7    *(b) Establish criteria for the eligibility of school districts to participate*  
8    *in the program;*

9    *(c) Prescribe the annual deadline for submission of an application to*  
10   *the department by a school district that desires to participate in the*  
11   *program; and*

12   *(d) Provide for the reversion of any unused portion of an annual*  
13   *allocation.*

14   **Sec. 7.**   *Annually, the board of trustees of a school district may*  
15   *submit to the department an application, on a form provided by the*  
16   *department, to participate in the program. The application must contain*  
17   *the following information regarding the proposed operation of*  
18   *intersession school or summer school by the board of trustees:*

19    **1.**    *Whether the board of trustees proposes to operate intersession*  
20    *school or summer school, or both;*

21    **2.**    *The courses of instruction that will be offered;*

22    **3.**    *The projected enrollment of pupils in intersession school or*  
23    *summer school, as applicable, for the year, including the categories of*  
24    *pupils who are expected to participate;*

25    **4.**    *The method by which the success of intersession school or*  
26    *summer school, as applicable, will be evaluated;*

27    **5.**    *The financial requirements of the school district to operate*  
28    *intersession school or summer school, as applicable; and*

29    **6.**    *Such other information as the department requires.*

30   **Sec. 8. 1.**   *If an application is submitted by the deadline prescribed*  
31   *by the department, the department shall review the application. If the*  
32   *application meets the criteria for eligibility adopted by the department,*  
33   *the department shall approve the application.*

34    **2.**    *The superintendent of public instruction shall, within the limits of*  
35    *money available for the program by legislative appropriation or*  
36    *otherwise, establish annually a basic allocation of \$3,000 to each school*  
37    *district whose application to participate in the program is approved.*

38    **3.**    *Except as otherwise provided in subsection 4, the superintendent*  
39    *of public instruction shall distribute any money remaining after the basic*  
40    *allocations are made to school districts whose applications are approved.*  
41    *The superintendent shall distribute to each school district a percentage of*  
42    *the available money which is equal to the number obtained by dividing*  
43    *the total count of pupils enrolled in summer school or intersession school*

1 *in the school district by the total count of pupils enrolled in summer*  
2 *school or intersession school in every school district in this state which is*  
3 *participating in the program.*

4 *4. The department may expend not more than 2 percent per year of*  
5 *the money appropriated for the program to pay the costs incurred in*  
6 *administering the program.*

7 **Sec. 9. 1.** *If a school district participates in the program, it must*  
8 *provide intersession school or summer school, as applicable, for pupils:*

9 *(a) Who attend schools that have been designated as demonstrating*  
10 *inadequate achievement pursuant to NRS 385.367;*

11 *(b) Who attend schools that receive pupils who were previously*  
12 *enrolled in schools that have been designated as demonstrating*  
13 *inadequate achievement pursuant to NRS 387.367;*

14 *(c) Whose primary language is not English and whose proficiency in*  
15 *the English language is below the average proficiency of pupils at the*  
16 *same grade level;*

17 *(d) Who lack sufficient course work or academic credit to advance to*  
18 *the next grade or to graduate from school;*

19 *(e) Who are from families of low income, as determined by the school*  
20 *district using the same criteria for eligibility that the school district uses*  
21 *to determine eligibility for assistance to pupils from families of low*  
22 *income pursuant to Title I of the Elementary and Secondary Education*  
23 *Act of 1965, 20 U.S.C. § 6301 et seq.;*

24 *(f) Who fail to demonstrate at least adequate achievement on the*  
25 *examinations administered pursuant to NRS 389.015; and*

26 *(g) Who desire to obtain additional academic credit or complete*  
27 *additional course work.*

28 *2. A school district that participates in the program is not required to*  
29 *furnish transportation for pupils who attend intersession school or*  
30 *summer school.*

31 **Sec. 10. 1.** There is hereby appropriated from the state general fund  
32 to the department of education for the program established pursuant to  
33 section 6 of this act for the financial support of intersession school and  
34 summer school:

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

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

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

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

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

- 1 June 30, 2001, and reverts to the state general fund as soon as all payments
- 2 of money committed have been made.
- 3 **Sec. 11.** This act becomes effective upon passage and approval.

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