

ASSEMBLY BILL NO. 348—ASSEMBLYMEN MCCLAIN, BUCKLEY, CARPENTER, DE BRAGA, SEGERBLUM, BERMAN, DINI, MANENDO, WILLIAMS, LEE, THOMAS, PRICE, OHRENSCHALL, GIBBONS, VON TOBEL, COLLINS, PARKS, KOIVISTO, ARBERRY, GIUNCHIGLIANI, FREEMAN, CHOWNING, ANDERSON, GUSTAVSON, LESLIE, CLABORN, BEERS, NOLAN, BROWER, HETTRICK, HUMKE, PERKINS, EVANS, PARNELL, MORTENSON, BACHE, CEGAVSKE, NEIGHBORS, GOLDWATER, MARVEL, TIFFANY AND ANGLE

MARCH 1, 1999

JOINT SPONSORS: SENATORS PORTER, TITUS, O'CONNELL, WASHINGTON, WIENER, AMODEI, CARE, CARLTON, COFFIN, JACOBSEN, JAMES, MATHEWS, MCGINNESS, NEAL, O'DONNELL, RAGGIO, RAWSON, RHOADS, SCHNEIDER, SHAFFER AND TOWNSEND

Referred to Concurrent Committees on Education
and Ways and Means

SUMMARY—Authorizes certain charter schools to use public school buildings during regular school hours and makes appropriation. (BDR 34-1410)

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 ~~[omitted material]~~ is material to be omitted.

AN ACT relating to education; authorizing certain charter schools to use public school buildings during regular school hours upon approval of the board of trustees of the school district; making an appropriation to the department of education to provide the start-up costs for a charter school that will provide educational services and programs to pupils who have hearing impairments; and providing other matters properly relating thereto.

- 1 WHEREAS, The Individuals with Disabilities Education Act, 20 U.S.C.
- 2 §§ 1400 et seq., is the federal law which seeks to ensure that children with
- 3 disabilities have access to a free appropriate public education; and

1 WHEREAS, Providing a free appropriate public education to children
2 who have hearing impairments, including, without limitation, deafness, is
3 an essential element of fulfilling this state's important goal of ensuring
4 equality of opportunity, full participation, independent living and
5 economic self-sufficiency for persons who have hearing impairments; and

6 WHEREAS, It is essential that children who have hearing impairments
7 receive an education that is tailored to their unique needs in a learning
8 environment that allows the children to develop to their fullest academic
9 capacity; and

10 WHEREAS, For a child with a hearing impairment to succeed fully in
11 school, it is essential that the teachers and other personnel assisting the
12 child are able to communicate with the child in a mode of language that the
13 child understands, including, without limitation, American Sign Language,
14 sign systems and oral speech-based training; and

15 WHEREAS, A child with a hearing impairment can benefit if his school
16 peers can communicate with the child in a mode of language that the child
17 understands; and

18 WHEREAS, A charter school that provides educational services and
19 programs in accordance with the Individuals with Disabilities Education
20 Act exclusively to children who have hearing impairments will benefit the
21 educational and social achievement of the children of this state who have
22 hearing impairments; now, therefore,

23
24 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
25 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
26

27 **Section 1.** NRS 386.560 is hereby amended to read as follows:

28 386.560 1. A charter school may contract with the board of trustees
29 of the school district in which the charter school is located to perform any
30 service relating to the operation of the charter school, including, without
31 limitation, transportation and the provision of health services for the pupils
32 who are enrolled in the charter school.

33 2. A charter school may use any public facility located within the
34 school district in which the charter school is located. ~~[A]~~ *Except as*
35 *otherwise provided in this subsection, a* charter school may use school
36 buildings owned by the school district only upon approval of the board of
37 trustees of the school district and during times that are not regular school
38 hours. *If a charter school provides educational services and programs*
39 *exclusively to pupils who have hearing impairments, including, without*
40 *limitation, deafness, the charter school may use the school buildings*
41 *owned by the school district upon approval of the board of trustees of the*
42 *school district during any time, including, without limitation, during*
43 *regular school hours.*

1 **Sec. 2.** 1. There is hereby appropriated from the state general fund
2 to the department of education the sum of \$200,000 to provide the start-up
3 costs for a charter school that is established to provide educational services
4 and programs exclusively to pupils who have hearing impairments,
5 including, without limitation, deafness.

6 2. A committee to form a charter school whose application is approved
7 by the board of trustees of a school district pursuant to NRS 386.525 may
8 submit an application to the department of education for a grant of the
9 money appropriated by subsection 1 if the charter school will provide
10 educational services and programs exclusively to pupils who have hearing
11 impairments, including, without limitation, deafness. The application must:

12 (a) Be on a form provided by the department of education;

13 (b) Include a written description of the types of educational services and
14 programs that the charter school will provide to pupils who have hearing
15 impairments;

16 (c) Include a written description that demonstrates that the charter
17 school complies with the Individuals with Disabilities Education Act, 20
18 U.S.C. §§ 1400 et seq.; and

19 (d) Include the number of applications from children who have hearing
20 impairments that have been approved by the charter school for admission
21 in the first year of operation.

22 3. The department of education shall approve the first application that
23 is submitted which is complete. The department of education shall not
24 approve an application if the applicant has not satisfactorily demonstrated
25 to the department that the charter school complies with the Individuals
26 with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq. If the
27 department of education receives more than one complete application on
28 the same date, the department shall approve the application of the charter
29 school that has accepted the most applications from pupils who have
30 hearing impairments for enrollment in the first year of operation.

31 4. A charter school that receives the money appropriated by subsection
32 1 shall use the money only for the costs related to preparing the charter
33 school for its first year of operation.

34 5. The appropriation made by subsection 1 must not be committed for
35 expenditure after June 30, 2001, and reverts to the state general fund as
36 soon as all payments of money committed have been made.

37 **Sec. 3.** 1. This section and section 2 of this act become effective
38 upon passage and approval.

39 2. Section 1 of this act becomes effective on July 1, 1999.