

ASSEMBLY BILL NO. 466—ASSEMBLYWOMAN TIFFANY

MARCH 10, 1999

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Referred to Concurrent Committees on Education and  
Elections, Procedures, and Ethics

SUMMARY—Provides for reconfiguration of school districts in certain counties. (BDR 17-1563)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

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

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AN ACT relating to education; providing in skeleton form for the legislative commission to create a subcommittee under certain circumstances to prepare a plan to reconfigure or otherwise address the growth of a large school district; requiring the creation of an advisory committee and technical advisory group to assist the subcommittee; requiring submission of the plan to the legislature for consideration; requiring consideration of such a plan by the legislature; and providing other matters properly relating thereto.

- 1 WHEREAS, Public education plays a crucial role in producing well-
- 2 informed, educated and productive members of society; and
- 3 WHEREAS, The system of public education in Nevada is organized by
- 4 county school districts, the boundaries of which are coterminous with the
- 5 boundaries of the counties of this state; and
- 6 WHEREAS, In recent statistics by the U.S. Department of Education, the
- 7 Clark County School District was ranked as the ninth largest school district
- 8 in the nation; and
- 9 WHEREAS, The Clark County School District, with a pupil enrollment
- 10 of over 200,000 pupils, accounts for 65 percent of the pupils who are
- 11 enrolled in the public schools in this state and the Washoe County School
- 12 District, with a pupil enrollment of over 52,000 pupils, accounts for 17
- 13 percent of the pupils who are enrolled in the public schools in this state;
- 14 and
- 15 WHEREAS, The unique geography of this state has resulted in the
- 16 concentration of some schools and pupils at locations that are considerably
- 17 distant from the administrative offices of the various school districts; and

1 WHEREAS, Reconfiguring the structure of large school districts or  
2 otherwise addressing the growth of large school districts will allow the  
3 system of public education in this state to be more responsive to the  
4 concerns of the residents of the large school districts regarding education;  
5 now, therefore,

6  
7 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
8 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:  
9

10 **Section 1.** Chapter 218 of NRS is hereby amended by adding thereto  
11 the provisions set forth as sections 2 to 5, inclusive, of this act.

12 **Sec. 2. 1.** *If the count of pupils in a school district, as calculated*  
13 *pursuant to NRS 387.1233, exceeds 300,000, the superintendent of public*  
14 *instruction shall notify the director of the legislative counsel bureau. The*  
15 *director of the legislative counsel bureau shall transmit that notice to the*  
16 *legislative commission. Upon receipt of such notice, the legislative*  
17 *commission shall appoint a subcommittee consisting of four members of*  
18 *the senate and four members of the assembly to conduct an interim*  
19 *study. The director of the legislative counsel bureau or his designee shall*  
20 *act as the nonvoting recording secretary of the subcommittee.*

21 **2.** *The subcommittee shall study:*

22 *(a) Methods for reconfiguring the school district, including, without*  
23 *limitation, the division of the existing school district into two or more*  
24 *school districts; and*

25 *(b) Other methods to address the growth of the school district.*

26 **Sec. 3. 1.** *Upon the creation of a subcommittee pursuant to section*  
27 *2 of this act, an advisory committee must be created consisting of:*

28 *(a) The mayor of each incorporated city located within the county in*  
29 *which the affected school district is located;*

30 *(b) The superintendent of schools of the affected school district;*

31 *(c) A representative of the employee organization that represents the*  
32 *largest number of employees of the affected school district, appointed by*  
33 *that organization;*

34 *(d) One member of the board of county commissioners of the county*  
35 *whose district is comprised of at least 50 percent of the unincorporated*  
36 *area of the county in which the affected school district is located,*  
37 *appointed by a majority vote of the board of county commissioners;*

38 *(e) One member appointed by the Nevada Taxpayers Association, or*  
39 *its successor;*

40 *(f) One member appointed by the Retail Association of Nevada, or its*  
41 *successor; and*

1 (g) Two members, appointed by the governor, who are parents or legal  
2 guardians of pupils who attend public schools within the affected school  
3 district. The parents or legal guardians must not otherwise be affiliated  
4 with the public school system in this state.

5 2. Members of the advisory committee serve without compensation,  
6 except that for each day or portion of a day during which a member  
7 attends a meeting of the committee or is otherwise engaged in the  
8 business of the committee, he is entitled to receive the per diem allowance  
9 and travel expenses provided for state officers and employees generally.  
10 A member of the advisory committee who is an officer or employee of a  
11 local government must be paid by the local government that employs  
12 him. All other members must be paid from the legislative fund.

13 3. In addition to the advisory committee, the chairman of the  
14 subcommittee shall appoint a technical advisory group consisting of:

15 (a) A person who is regularly employed as bond counsel for the  
16 county in which the affected school district is located;

17 (b) A financial officer of the affected school district;

18 (c) A financial officer of a city that is located within the county of the  
19 affected school district; and

20 (d) One member of the private sector who has extensive knowledge  
21 and experience in local governmental finance.

22 4. Members of the technical advisory group serve without  
23 compensation, except that for each day or portion of a day during which  
24 a member attends a meeting of the technical advisory group or is  
25 otherwise engaged in the business of the technical advisory group, he is  
26 entitled to receive the per diem allowance and travel expenses provided  
27 for state officers and employees generally. The per diem allowance and  
28 travel expenses of a member of the technical advisory group who is an  
29 officer or employee of a local government must be paid by the local  
30 government that employs him. The per diem allowances and travel  
31 expenses of all other members must be paid from the legislative fund.

32 5. The legislative counsel bureau shall provide administrative  
33 support, equipment and office space as is necessary for the  
34 subcommittee, advisory committee and technical advisory group to carry  
35 out their duties.

36 6. The advisory committee and technical advisory group may request  
37 assistance from any agency of this state or a political subdivision of this  
38 state if such assistance is necessary for the advisory committee or  
39 technical advisory group to carry out its duties.

40 **Sec. 4. 1.** Except as otherwise provided in this subsection, not later  
41 than 2 months after a subcommittee is created pursuant to section 2 of  
42 this act, the subcommittee shall hold its first meeting. If such a  
43 subcommittee is created within 2 months before the convening of or

1 *during a regular session of the legislature, the subcommittee shall hold*  
2 *its first meeting not later than 2 months after the end of that session. The*  
3 *subcommittee shall hold at least five meetings.*

4 *2. The subcommittee shall study methods for the reconfiguration of*  
5 *the existing school district, including, without limitation, the division of*  
6 *the existing school district into two or more school districts and other*  
7 *methods to address the growth of the school district. The subcommittee*  
8 *shall prepare a plan to reconfigure the school district or prepare a plan*  
9 *that otherwise provides a solution to the growth of the school district. The*  
10 *subcommittee shall hire a person to serve as a facilitator to the*  
11 *subcommittee in the consideration of methods for reconfiguration and*  
12 *other methods to address the growth the school district and the*  
13 *preparation of the plan. The subcommittee shall consider any*  
14 *recommendations submitted by the advisory committee or the technical*  
15 *advisory group.*

16 *3. In considering a proposal to reconfigure the school district or*  
17 *other proposal to address the growth of the school district the advisory*  
18 *committee shall consider:*

19 *(a) Whether the proposal will increase the educational effectiveness of*  
20 *the public schools within the county;*

21 *(b) The effect of the proposal on the racial and ethnic composition of*  
22 *the public schools within the county;*

23 *(c) If the proposal includes the division of the existing school district,*  
24 *the organizational structure of the proposed new school districts that will*  
25 *be created as a result of the division;*

26 *(d) The effect of the proposal on the organizational structure of the*  
27 *existing school district;*

28 *(e) The effect on the community, including, without limitation,*  
29 *whether increased participation by parents, legal guardians or other*  
30 *members of the community is likely;*

31 *(f) The effect on the financial equity of the public schools within the*  
32 *county; and*

33 *(g) If the proposal includes the division of the existing school district,*  
34 *the ability of the proposed new school districts to generate money for the*  
35 *costs of the maintenance, repair and construction of school buildings*  
36 *and facilities.*

37 *4. A plan prepared by the subcommittee must:*

38 *(a) Ensure that a uniform system of education will continue to be*  
39 *offered throughout this state in accordance with section 2 of article 11 of*  
40 *the constitution of the State of Nevada;*

41 *(b) Comply with all applicable judicial precedents, constitutional*  
42 *requirements and statutory requirements, including, without limitation,*  
43 *requirements relating to racial and ethnic composition;*

1 (c) If the plan includes the division of the existing school district,  
2 ensure that the proposed new school districts will be eligible for  
3 apportionments and allowances from the state distributive school account  
4 pursuant to NRS 387.121 to 387.126, inclusive;

5 (d) If the plan includes the division of the existing school district,  
6 ensure that the proposed new school districts will remain fully liable for  
7 their proportional share of the outstanding bonded indebtedness; and

8 (e) Set forth a timeline to carry out the plan, which must provide for  
9 full implementation not later than 5 years after the adoption of the plan.

10 5. The subcommittee shall submit the plan to the director of the  
11 legislative counsel bureau for transmittal to the next regular session of  
12 the legislature that convenes at least 12 months after the first meeting of  
13 the subcommittee. If the plan is submitted to the director later than  
14 February 15, the director shall not transmit the plan until the convening  
15 of the next following regular session.

16 **Sec. 5. 1.** Upon receipt of a plan transmitted pursuant to  
17 subsection 5 of section 4 of this act, the legislature shall review the plan.  
18 If the legislature reviews such a plan and determines that the plan does  
19 not meet the criteria set forth in subsection 4 of section 4 of this act, the  
20 legislature may take no further action on the plan or the legislature may  
21 revise the plan to ensure that the plan meets the criteria set forth in  
22 subsection 4 of section 4 of this act. If the legislature reviews such a plan  
23 and determines that the plan does meet the criteria set forth in subsection  
24 4 of section 4 of this act, the legislature shall approve the plan.

25 2. If the legislature approves such a plan, the legislature shall  
26 provide by law for the procedures necessary to carry out the plan. If the  
27 plan provides for the division of the existing school district, the  
28 legislature shall provide by law for the procedures necessary to facilitate  
29 the creation and operation of the proposed new school districts and any  
30 other necessary reconfiguration of the boundaries of the school districts.

31 3. Action may not be taken on such a plan unless the plan is enacted  
32 by the legislature.

33 **Sec. 6.** This act expires by limitation on July 1, 2009.