
ASSEMBLY BILL NO. 133—ASSEMBLYMEN HARDY, ALLEN,
GANSERT, GOICOECHEA, MARVEL, SEALE, SHERER AND SIBLEY

FEBRUARY 24, 2005

JOINT SPONSORS: SENATORS NOLAN AND CEGAVSKE

Referred to Committee on Ways and Means

SUMMARY—Revises provisions regarding expenditures of school districts. (BDR 34-882)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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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 to expend a minimum amount of money each year for certain extracurricular activities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires school districts to expend a minimum amount of money
2 each year for textbooks, instructional supplies and instructional hardware, as
3 determined in a formula prescribed by the Department of Education. (NRS
4 387.206) Existing law also requires each school district to expend a minimum
5 amount of money for library books, computer software, instructional equipment
6 and maintenance and repair based upon the district's 3-year average of expenditures
7 for those items. (NRS 387.207)

8 This bill requires each school district to expend a minimum amount of money
9 each year for extracurricular activities. The amount each school district is required
10 to expend is based upon its 3-year average of expenditures for extracurricular
11 activities. This bill prescribes the extracurricular activities to which the minimum
12 expenditure requirements apply and authorizes the Department to prescribe
13 additional activities and programs by regulation.

14 This bill also provides that if a school district fails to expend the minimum
15 amount of money for extracurricular activities, the Department must reduce the
16 basic support allocation to the school district in an amount that is equal to the
17 difference between the actual expenditure and the required minimum expenditure.
18 A school district may appeal a determination to reduce basic support if the district
19 incurred unexpected expenditures for the year.



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

Section 1. Chapter 387 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in this section, during each school year a school district shall expend for extracurricular activities an amount of money, expressed as an amount per pupil, that is at least equal to the average of the total amount of money that was expended per year by the school district for extracurricular activities during the immediately preceding 3 years.

2. On or before January 1 of each year, the Department shall determine whether each school district has expended, during the immediately preceding fiscal year, the required minimum amount of money as determined pursuant to subsection 1.

3. Except as otherwise provided in subsections 4 and 5, if the Department determines pursuant to subsection 2 that a school district has not expended the required minimum amount of money, a reduction must be made from the basic support allocation otherwise payable to that school district in an amount that is equal to the difference between the actual expenditure for extracurricular activities and the minimum required expenditure as determined pursuant to subsection 1. A reduction in the amount of the basic support allocation pursuant to this subsection:

(a) Does not reduce the amount that the school district is required to expend on extracurricular activities during the current fiscal year; and

(b) Must not exceed the amount of basic support that was provided to the school district for the fiscal year during which the minimum expenditure amount was not satisfied.

4. A school district is not required to satisfy the expenditures required by this section for a school year during which:

(a) The total number of pupils who are enrolled in public schools within the school district has declined from the immediately preceding school year; or

(b) The total revenue available in the general fund of the school district has declined from the immediately preceding school year.

5. A school district may appeal a determination of the Department to reduce the basic support allocation of the school district if the school district incurred unexpected expenditures for the fiscal year during which the minimum expenditure amount



1 was not satisfied. Such an appeal must be made to the
2 Superintendent of Public Instruction.

3 6. The Department:

4 (a) Shall adopt regulations prescribing the process for appeals
5 to the Superintendent of Public Instruction pursuant to
6 subsection 5;

7 (b) May adopt regulations identifying extracurricular activities
8 in addition to those prescribed pursuant to subsection 7 for which
9 the minimum expenditure required by this section applies; and

10 (c) May adopt regulations as necessary to carry out the
11 provisions of this section.

12 7. For the purposes of this section, "extracurricular
13 activities" means a Junior Reserve Officer Training Corps
14 program, interscholastic athletic activities and events, physical
15 education, the arts, including music, drama, speech and the visual
16 arts, and programs designed for gifted and talented pupils. The
17 term is limited to the activities and programs set forth in this
18 subsection unless the Department adopts regulations prescribing
19 additional programs and activities pursuant to subsection 6.

20 Sec. 2. NRS 387.205 is hereby amended to read as follows:

21 387.205 1. Subject to the limitations set forth in NRS
22 387.206 and 387.207, *and section 1 of this act*, money on deposit in
23 the county school district fund or in a separate account, if the board
24 of trustees of a school district has elected to establish such an
25 account pursuant to the provisions of NRS 354.603, must be used for:
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27 (a) Maintenance and operation of the public schools controlled
28 by the county school district.

29 (b) Payment of premiums for Nevada industrial insurance.

30 (c) Rent of schoolhouses.

31 (d) Construction, furnishing or rental of teacherages, when
32 approved by the Superintendent of Public Instruction.

33 (e) Transportation of pupils, including the purchase of new
34 buses.

35 (f) Programs of nutrition, if such expenditures do not curtail the
36 established school program or make it necessary to shorten the
37 school term, and each pupil furnished lunch whose parent or
38 guardian is financially able so to do pays at least the actual cost of
39 the lunch.

40 (g) Membership fees, dues and contributions to an
41 interscholastic activities association.

42 (h) Repayment of a loan made from the State Permanent School
43 Fund pursuant to NRS 387.526.



2. Subject to the limitations set forth in NRS 387.206 and 387.207, *and section 1 of this act*, money on deposit in the county school district fund, or in a separate account, if the board of trustees of a school district has elected to establish such an account pursuant to the provisions of NRS 354.603, when available, may be used for:

- (a) Purchase of sites for school facilities.
- (b) Purchase of buildings for school use.
- (c) Repair and construction of buildings for school use.

Sec. 3. This act becomes effective:

1. Upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On July 1, 2005, for all other purposes.

