

ASSEMBLY CONCURRENT RESOLUTION NO. 10–  
ASSEMBLYMAN PERKINS

MARCH 24, 2005

Referred to Concurrent Committees on Education  
and Ways and Means

SUMMARY—Directs Legislative Commission to conduct interim  
study on adequacy of school finance in Nevada.  
(BDR R-1199)

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

ASSEMBLY CONCURRENT RESOLUTION—Directing the  
Legislative Commission to conduct an interim study on  
the adequacy of the system of school finance in Nevada.

1 WHEREAS, Section 2 of Article 11 of the Constitution of the  
2 State of Nevada requires the Legislature to provide for a uniform  
3 system of common schools; and

4 WHEREAS, Section 6 of Article 11 of the Constitution of the  
5 State of Nevada requires the Legislature to provide for the support  
6 and maintenance of the common schools by direct legislative  
7 appropriation from the General Fund; and

8 WHEREAS, In *Guinn v. Legislature*, 119 Nev. 277 (2003), the  
9 Nevada Supreme Court opined that access to public education is a  
10 basic constitutional right in Nevada; and

11 WHEREAS, Currently, the State of Nevada contributes to the  
12 financial support of the operation of public schools in this State in  
13 accordance with the Nevada Plan for School Finance; and

14 WHEREAS, According to “Quality Counts 2004,” an annual  
15 report published by *Education Week*, the State of Nevada is among  
16 the best at equalizing the distribution of state and local revenue in  
17 support of public elementary and secondary schools; and

18 WHEREAS, The authors of the report also determined that the  
19 adequacy of education in this State ranks among the very lowest  
20 states, with only 1.9 percent of students attending school in a district  
21 that spends at or above the national average spending level per  
22 student; and



1 WHEREAS, Based on data from the 2003-2004 school year for  
2 568 public elementary and secondary schools in Nevada, 103  
3 schools failed to make adequate yearly progress and were placed on  
4 the watch list, and 122 schools were designated as demonstrating  
5 need for improvement pursuant to the No Child Left Behind Act of  
6 2001, 20 U.S.C. §§ 6301 et seq.; and

7 WHEREAS, In an era where schools and pupils are being held to  
8 a high standard of accountability, it is essential for this State to  
9 ensure that it provides all children who reside in this State with the  
10 tools to be successful, including the opportunity for a meaningful  
11 public education with adequate educational opportunities; now,  
12 therefore, be it

13 RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE  
14 SENATE CONCURRING, That the Legislative Commission is hereby  
15 directed to appoint a committee composed of three members of the  
16 Assembly and three members of the Senate, one of whom must be  
17 appointed as Chairman of the committee, to conduct an interim  
18 study of the adequacy of the system of school finance in Nevada;  
19 and be it further

20 RESOLVED, That the committee shall enter into a contract with a  
21 qualified, independent, nationally recognized consultant to assist the  
22 committee in its study; and be it further

23 RESOLVED, That the study must include, without limitation:

24 1. An analysis of the Nevada Plan for School Finance to  
25 determine whether that Plan provides an opportunity for a  
26 meaningful public education with adequate educational  
27 opportunities, including, without limitation, an identification of any  
28 inadequacies or inequities in public education that are caused by the  
29 Nevada Plan;

30 2. A comprehensive analysis of the costs of providing adequate  
31 educational opportunities to all pupils enrolled in public schools in  
32 this State, giving primary consideration to the following factors:

33 (a) The resources and services required to provide a meaningful  
34 public education to pupils who are limited English proficient, pupils  
35 who are at risk based upon eligibility for free or reduced-price  
36 lunches pursuant to 42 U.S.C. §§ 1751 et seq., and pupils who are  
37 enrolled in programs of special education;

38 (b) The implications of the size and location of the public  
39 schools in this State, including, without limitation, any differences  
40 in expenses for personnel, materials, supplies, equipment and other  
41 costs that vary based upon the geography of this State;

42 (c) The costs of providing comparable educational opportunities  
43 to pupils who are enrolled in public schools in rural or remote  
44 portions of this State with those pupils who are enrolled in public



1 schools in larger, urban school districts, taking into consideration  
2 the differences in operating costs and transportation costs;

3 (d) The costs of providing specific educational programs,  
4 including, without limitation, career and technical education and  
5 vocational education programs;

6 (e) The costs for the construction, operation and maintenance of  
7 school buildings and other capital facilities of a school district;

8 (f) The costs of inflation; and

9 (g) Any other factors deemed necessary for review and analysis  
10 by the interim committee or the consultant;

11 3. A determination of whether Nevada's system of financing  
12 public schools is calibrated to the needs and educational goals of  
13 pupils in this State;

14 4. An analysis of methods of school finance that ensure an  
15 effective public school system, including, without limitation, an  
16 analysis of best practices carried out in other states in an effort to  
17 achieve adequacy in school finance and the costs to carry out those  
18 practices in Nevada; and

19 5. Based upon the study, recommendations for legislation that  
20 will ensure the State of Nevada provides the children who reside in  
21 this State with an opportunity for a meaningful public education  
22 with adequate educational opportunities, including, without  
23 limitation, recommendations for methods to correct any identified  
24 inadequacies or inequities in the Nevada Plan for School Finance;  
25 and be it further

26 RESOLVED, That as used in this act, the term "adequate  
27 educational opportunities" means the provision of educational  
28 opportunities under a system of public education that includes  
29 operational and educational programs, services and facilities and  
30 that is in full compliance with:

31 1. The applicable statutes and regulations of this State and the  
32 Federal Government; and

33 2. Any applicable accreditation standards; and be it further

34 RESOLVED, That any recommended legislation proposed by the  
35 committee must be approved by a majority of the members of the  
36 Assembly and a majority of the members of the Senate appointed to  
37 the committee; and be it further

38 RESOLVED, That the Legislative Commission shall submit a  
39 report of the results of the study and any recommendations for  
40 legislation to the 74th Session of the Nevada Legislature.



