

Assembly Concurrent Resolution No. 10–
Assemblyman Perkins

FILE NUMBER.....

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

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

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

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

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

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

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

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

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

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Legislative Commission is hereby directed to appoint a committee composed of three members of the Assembly and three members of the Senate, one of whom must be appointed as Chairman of the committee, to conduct an interim

study of the adequacy of the system of school finance in Nevada; and be it further

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

RESOLVED, That the study must include, without limitation:

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

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

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

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

(c) The costs of providing comparable educational opportunities to pupils who are enrolled in public schools in rural or remote portions of this State with those pupils who are enrolled in public schools in larger, urban school districts, taking into consideration the differences in operating costs and transportation costs;

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

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

(f) The costs of inflation; and

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

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

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

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

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

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

2. Any applicable accreditation standards; and be it further

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

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

