

ASSEMBLY BILL NO. 211—COMMITTEE ON EDUCATION
(ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT)

FEBRUARY 28, 2007

Referred to Committee on Education

SUMMARY—Authorizes the board of trustees of certain school districts to adopt a program of school choice. (BDR 34-440)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 the board of trustees of certain school districts to adopt a program of school choice; providing for the reimbursement of certain transportation costs incurred by a school district that provides such a program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the board of trustees of a school district that includes more
2 than one school which offers instruction in the same grade or grades is authorized
3 to establish zones within the school district and determine which pupils, with
4 certain exceptions, attend each school. (NRS 388.040) This bill authorizes such a
5 board of trustees to prescribe a program which allows a parent or legal guardian of
6 a pupil to enroll the pupil in a different public school within the school district than
7 the school in which the pupil is otherwise zoned to attend. If a school district adopts
8 such a program which includes the provision of transportation to participating
9 pupils, the school district may apply to the Department of Education for
10 reimbursement of any additional costs incurred by the school district for providing
11 such transportation. The Department is required to pay the additional costs to the
12 extent that money is available.



* A B 2 1 1 *

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

Section 1. NRS 388.040 is hereby amended to read as follows:
388.040 1. Except as otherwise provided in subsection 2, the board of trustees of a school district that includes more than one school which offers instruction in the same grade or grades may zone the school district and determine which pupils must attend each school.

2. The establishment of zones pursuant to subsection 1 does not preclude a pupil from attending a:

(a) Charter school;

(b) University school for profoundly gifted pupils; ~~for~~

(c) Public school outside the zone of attendance that the pupil is otherwise required to attend if the pupil has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive, or the parent or legal guardian with whom the pupil resides has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive ~~for~~; or

(d) Public school outside the zone of attendance that the pupil is otherwise required to attend if the pupil participates in a program of school choice adopted pursuant to section 2 of this act.

Sec. 2. Chapter 392 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The board of trustees of a school district may adopt a program of school choice for the pupils enrolled in public schools within the school district. A program of school choice must:

(a) Prescribe the procedure for a parent or legal guardian of a pupil to enroll the pupil in a public school in the school district that is outside the zone of attendance that the pupil is otherwise required to attend; and

(b) Include a provision indicating whether the school district will provide transportation to and from school for pupils who participate in the program of school choice.

2. A school district that provides transportation to pupils who participate in the program of school choice of the school district may apply to the Department, in a format prescribed by the Department, for reimbursement of the amount by which the cost to provide transportation for such a pupil to the school in which he is enrolled under the program exceeds the cost to provide transportation for such a pupil to the school in the zone of attendance that he would otherwise be required to attend. Upon verification of the amount of the reimbursement requested by a school district in an application submitted pursuant to this subsection and to the extent that money is available, the



1 *Department shall pay the verified amount of the reimbursement to*
2 *the school district from the State Distributive School Account in*
3 *the State General Fund.*

4 *3. A program of school choice adopted pursuant to this*
5 *section does not apply:*

6 *(a) For enrollment in a charter school.*

7 *(b) To a pupil who is enrolled in a public school for which the*
8 *board of trustees of the school district is required to provide school*
9 *choice pursuant to the No Child Left Behind Act of 2001, 20*
10 *U.S.C. §§ 6301 et seq.*

11 *(c) For enrollment in a program of distance education*
12 *pursuant to NRS 388.820 to 388.874, inclusive.*

13 *(d) For enrollment in a public school pursuant to*
14 *NRS 392.015.*

15 *(e) To a pupil who is ineligible to attend a public school*
16 *pursuant to NRS 392.264 or 392.4675.*

17 *4. The State Board may adopt regulations to carry out the*
18 *provisions of subsection 2.*

19 **Sec. 3.** NRS 392.010 is hereby amended to read as follows:

20 392.010 Except as to the attendance of a pupil pursuant to NRS
21 388.820 to 388.874, inclusive, or 392.015, ~~for~~ a pupil who is
22 ineligible for attendance pursuant to NRS 392.4675 *or a pupil who*
23 *participates in a program of school choice adopted pursuant to*
24 *section 2 of this act* and except as otherwise provided in NRS
25 392.264 and 392.268:

26 1. The board of trustees of any school district may, with the
27 approval of the Superintendent of Public Instruction:

28 (a) Admit to the school or schools of the school district any
29 pupil or pupils living in an adjoining school district within this State
30 or in an adjoining state when the school district of residence in the
31 adjoining state adjoins the receiving Nevada school district; or

32 (b) Pay tuition for pupils residing in the school district but who
33 attend school in an adjoining school district within this State or in an
34 adjoining state when the receiving district in the adjoining state
35 adjoins the school district of Nevada residence.

36 2. With the approval of the Superintendent of Public
37 Instruction, the board of trustees of the school district in which the
38 pupil or pupils reside and the board of trustees of the school district
39 in which the pupil or pupils attend school shall enter into an
40 agreement providing for the payment of such tuition as may be
41 agreed upon, but transportation costs must be paid by the board of
42 trustees of the school district in which the pupil or pupils reside:

43 (a) If any are incurred in transporting a pupil or pupils to an
44 adjoining school district within the State; and



(b) If any are incurred in transporting a pupil or pupils to an adjoining state, as provided by the agreement.

3. In addition to the provisions for the payment of tuition and transportation costs for pupils admitted to an adjoining school district as provided in subsection 2, the agreement may contain provisions for the payment of reasonable amounts of money to defray the cost of operation, maintenance and depreciation of capital improvements which can be allocated to such pupils.

Sec. 4. This act becomes effective on July 1, 2007.

