

SENATE BILL NO. 200—SENATORS HAMMOND AND DENIS

MARCH 2, 2015

JOINT SPONSORS: ASSEMBLYMEN ARMSTRONG AND WOODBURY

Referred to Committee on Education

SUMMARY—Revises provisions relating to enrollment of pupils in charter schools. (BDR 34-183)

FISCAL NOTE: Effect on Local Government: No.
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; revising provisions relating to the enrollment of pupils in charter schools; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the formation and operation of charter schools. (NRS
2 386.490-386.610) Before enrolling children who are otherwise eligible for
3 enrollment, existing law authorizes a charter school to enroll a child if he or she is
4 the child of: (1) an employee of the charter school; (2) a member of the committee
5 to form the charter school; or (3) a member of the governing body of the charter
6 school. (NRS 386.580) This bill authorizes a charter school to give the same
7 preference in enrollment provided to such children to a child of a person who
8 resides on or is employed on a federal military installation if the charter school is
9 located on such property. This bill also authorizes certain persons who sell or lease
10 land to a charter school or governmental entity to be used for a charter school to
11 designate an area in which any child who resides in that area may be enrolled in the
12 charter school which operates on the land before other children, including children
13 otherwise given preference in enrollment, may be enrolled.

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

1 **Section 1.** NRS 386.580 is hereby amended to read as follows:
2 386.580 1. An application for enrollment in a charter school
3 may be submitted to the governing body of the charter school by the



parent or legal guardian of any child who resides in this State. Except as otherwise provided in this subsection and ~~subsection~~ *subsections 2 ~~1~~ and 3*, a charter school shall enroll pupils who are eligible for enrollment in the order in which the applications are received. If the board of trustees of the school district in which the charter school is located has established zones of attendance pursuant to NRS 388.040, the charter school shall, if practicable, ensure that the racial composition of pupils enrolled in the charter school does not differ by more than 10 percent from the racial composition of pupils who attend public schools in the zone in which the charter school is located. If a charter school is sponsored by the board of trustees of a school district located in a county whose population is 100,000 or more, except for a program of distance education provided by the charter school, the charter school shall enroll pupils who are eligible for enrollment who reside in the school district in which the charter school is located before enrolling pupils who reside outside the school district. Except as otherwise provided in ~~subsection~~ *subsections 2 ~~1~~ and 3*, if more pupils who are eligible for enrollment apply for enrollment in the charter school than the number of spaces which are available, the charter school shall determine which applicants to enroll pursuant to this subsection on the basis of a lottery system.

2. ~~Before~~ *Except as otherwise provided in subsection 3, before* a charter school enrolls pupils who are eligible for enrollment, a charter school may enroll a child who:

(a) Is a sibling of a pupil who is currently enrolled in the charter school;

(b) Was enrolled, free of charge and on the basis of a lottery system, in a prekindergarten program at the charter school or any other early childhood educational program affiliated with the charter school;

(c) Is a child of a person : ~~who is~~

(1) ~~Employed~~ *Who is employed* by the charter school;

(2) ~~A~~ *Who is a* member of the committee to form the charter school; ~~or~~

(3) ~~A~~ *Who is a* member of the governing body of the charter school; *or*

(4) Who resides on or is employed on the federal military installation, if the charter school is located on a federal military installation;

(d) Is in a particular category of at-risk pupils and the child meets the eligibility for enrollment prescribed by the charter school for that particular category; or

(e) Resides within the school district and within 2 miles of the charter school if the charter school is located in an area that the



1 sponsor of the charter school determines includes a high percentage
2 of children who are at risk. If space is available after the charter
3 school enrolls pupils pursuant to this paragraph, the charter school
4 may enroll children who reside outside the school district but within
5 2 miles of the charter school if the charter school is located within
6 an area that the sponsor determines includes a high percentage of
7 children who are at risk.

8 ➔ If more pupils described in this subsection who are eligible apply
9 for enrollment than the number of spaces available, the charter
10 school shall determine which applicants to enroll pursuant to this
11 subsection on the basis of a lottery system.

12 3. *If a person sells or leases land to a charter school or*
13 *governmental entity to be used for a charter school at a cost which*
14 *is not more than 25 percent of the appraised value for the land, the*
15 *person may designate an area in which any child who resides in*
16 *that area may be enrolled in the charter school which operates on*
17 *the land before other children may be enrolled.*

18 4. Except as otherwise provided in subsection ~~18.1~~ 9, a charter
19 school shall not accept applications for enrollment in the charter
20 school or otherwise discriminate based on the:

- 21 (a) Race;
- 22 (b) Gender;
- 23 (c) Religion;
- 24 (d) Ethnicity; or
- 25 (e) Disability,

26 ➔ of a pupil.

27 ~~14.1~~ 5. If the governing body of a charter school determines
28 that the charter school is unable to provide an appropriate special
29 education program and related services for a particular disability of
30 a pupil who is enrolled in the charter school, the governing body
31 may request that the board of trustees of the school district of the
32 county in which the pupil resides transfer that pupil to an
33 appropriate school.

34 ~~15.1~~ 6. Except as otherwise provided in this subsection, upon
35 the request of a parent or legal guardian of a child who is enrolled in
36 a public school of a school district or a private school, or a parent or
37 legal guardian of a homeschooled child, the governing body of the
38 charter school shall authorize the child to participate in a class that
39 is not otherwise available to the child at his or her school or
40 homeschool or participate in an extracurricular activity at the charter
41 school if:

- 42 (a) Space for the child in the class or extracurricular activity is
- 43 available;



(b) The parent or legal guardian demonstrates to the satisfaction of the governing body that the child is qualified to participate in the class or extracurricular activity; and

(c) The child is a homeschooled child and a notice of intent of a homeschooled child to participate in programs and activities is filed for the child with the school district in which the child resides for the current school year pursuant to NRS 392.705.

➤ If the governing body of a charter school authorizes a child to participate in a class or extracurricular activity pursuant to this subsection, the governing body is not required to provide transportation for the child to attend the class or activity. A charter school shall not authorize such a child to participate in a class or activity through a program of distance education provided by the charter school pursuant to NRS 388.820 to 388.874, inclusive.

~~16-1~~ 7. The governing body of a charter school may revoke its approval for a child to participate in a class or extracurricular activity at a charter school pursuant to subsection ~~15-1~~ 6 if the governing body determines that the child has failed to comply with applicable statutes, or applicable rules and regulations. If the governing body so revokes its approval, neither the governing body nor the charter school is liable for any damages relating to the denial of services to the child.

~~17-1~~ 8. The governing body of a charter school may, before authorizing a homeschooled child to participate in a class or extracurricular activity pursuant to subsection ~~15-1~~ 6, require proof of the identity of the child, including, without limitation, the birth certificate of the child or other documentation sufficient to establish the identity of the child.

~~18-1~~ 9. This section does not preclude the formation of a charter school that is dedicated to provide educational services exclusively to pupils:

(a) With disabilities;

(b) Who pose such severe disciplinary problems that they warrant a specific educational program, including, without limitation, a charter school specifically designed to serve a single gender that emphasizes personal responsibility and rehabilitation; or

(c) Who are at risk.

➤ If more eligible pupils apply for enrollment in such a charter school than the number of spaces which are available, the charter school shall determine which applicants to enroll pursuant to this subsection on the basis of a lottery system.

Sec. 2. This act becomes effective on July 1, 2015.

