

SENATE BILL NO. 200—SENATORS HAMMOND AND DENIS

MARCH 2, 2015

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JOINT SPONSORS: ASSEMBLYMEN ARMSTRONG AND WOODBURY

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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.

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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.

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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  
4 parent or legal guardian of any child who resides in this State.  
5 Except as otherwise provided in this subsection and subsection 2, a  
6 charter school shall enroll pupils who are eligible for enrollment in  
7 the order in which the applications are received. If the board of



1 trustees of the school district in which the charter school is located  
2 has established zones of attendance pursuant to NRS 388.040, the  
3 charter school shall, if practicable, ensure that the racial composition  
4 of pupils enrolled in the charter school does not differ by more than  
5 10 percent from the racial composition of pupils who attend public  
6 schools in the zone in which the charter school is located. If a  
7 charter school is sponsored by the board of trustees of a school  
8 district located in a county whose population is 100,000 or more,  
9 except for a program of distance education provided by the charter  
10 school, the charter school shall enroll pupils who are eligible for  
11 enrollment who reside in the school district in which the charter  
12 school is located before enrolling pupils who reside outside the  
13 school district. Except as otherwise provided in subsection 2, if  
14 more pupils who are eligible for enrollment apply for enrollment in  
15 the charter school than the number of spaces which are available,  
16 the charter school shall determine which applicants to enroll  
17 pursuant to this subsection on the basis of a lottery system.

18 2. Before a charter school enrolls pupils who are eligible for  
19 enrollment, a charter school may enroll a child who:

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

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

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

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

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

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

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

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

38 (e) Resides within the school district and within 2 miles of the  
39 charter school if the charter school is located in an area that the  
40 sponsor of the charter school determines includes a high percentage  
41 of children who are at risk. If space is available after the charter  
42 school enrolls pupils pursuant to this paragraph, the charter school  
43 may enroll children who reside outside the school district but within  
44 2 miles of the charter school if the charter school is located within



\* S B 2 0 0 R 1 \*

1 an area that the sponsor determines includes a high percentage of  
2 children who are at risk.

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

7 3. Except as otherwise provided in subsection 8, a charter  
8 school shall not accept applications for enrollment in the charter  
9 school or otherwise discriminate based on the:

- 10 (a) Race;
- 11 (b) Gender;
- 12 (c) Religion;
- 13 (d) Ethnicity; or
- 14 (e) Disability,

15 ➔ of a pupil.

16 4. If the governing body of a charter school determines that the  
17 charter school is unable to provide an appropriate special education  
18 program and related services for a particular disability of a pupil  
19 who is enrolled in the charter school, the governing body may  
20 request that the board of trustees of the school district of the county  
21 in which the pupil resides transfer that pupil to an appropriate  
22 school.

23 5. Except as otherwise provided in this subsection, upon the  
24 request of a parent or legal guardian of a child who is enrolled in a  
25 public school of a school district or a private school, or a parent or  
26 legal guardian of a homeschooled child, the governing body of the  
27 charter school shall authorize the child to participate in a class that  
28 is not otherwise available to the child at his or her school or  
29 homeschool or participate in an extracurricular activity at the charter  
30 school if:

31 (a) Space for the child in the class or extracurricular activity is  
32 available;

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

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

40 ➔ If the governing body of a charter school authorizes a child to  
41 participate in a class or extracurricular activity pursuant to this  
42 subsection, the governing body is not required to provide  
43 transportation for the child to attend the class or activity. A charter  
44 school shall not authorize such a child to participate in a class or



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1 activity through a program of distance education provided by the  
2 charter school pursuant to NRS 388.820 to 388.874, inclusive.

3 6. The governing body of a charter school may revoke its  
4 approval for a child to participate in a class or extracurricular  
5 activity at a charter school pursuant to subsection 5 if the governing  
6 body determines that the child has failed to comply with applicable  
7 statutes, or applicable rules and regulations. If the governing body  
8 so revokes its approval, neither the governing body nor the charter  
9 school is liable for any damages relating to the denial of services to  
10 the child.

11 7. The governing body of a charter school may, before  
12 authorizing a homeschooled child to participate in a class or  
13 extracurricular activity pursuant to subsection 5, require proof of the  
14 identity of the child, including, without limitation, the birth  
15 certificate of the child or other documentation sufficient to establish  
16 the identity of the child.

17 8. This section does not preclude the formation of a charter  
18 school that is dedicated to provide educational services exclusively  
19 to pupils:

20 (a) With disabilities;

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

25 (c) Who are at risk.

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

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

