Amendment No. 112

Senate Amendment to Senate Bill No. 49	(BDR 34-405)
Proposed by: Senate Committee on Education	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐		Adopted	☐	Lost	☐	
Concurred In	☐	Not	☐		Concurred In	☐	Not	☐	
Receded	☐	Not	☐		Receded	☐	Not	☐	

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

AAK/RBL Date: 4/6/2017

S.B. No. 49—Revises provisions relating to funding for pupils with disabilities in public schools. (BDR 34-405)

A SB49 112

SENATE BILL NO. 49–COMMITTEE ON FINANCE

(ON BEHALF OF THE WASHOE COUNTY SCHOOL DISTRICT)

PREFILED NOVEMBER 16, 2016

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Referred to Committee on Finance

SUMMARY—Revises provisions relating to funding for pupils with disabilities in public schools. (BDR 34-405)

FISCAL NOTE: Effect on Local Government: No.
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; removing the limitation on the number of pupils with disabilities for which additional money is provided to public schools through the basic support guarantee per pupil; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for a basic support guarantee to be provided for each pupil who attends public school in this State. The money is paid from the State Distributive School Account in the State General Fund. The amount of the basic support guarantee is established for each school district for each school year according to a formula. Existing law further provides for a multiplier to be applied for pupils with disabilities so that additional funding is provided for such pupils from the State Distributive School Account. However, that additional funding is limited to not more than 13 percent of the total pupil enrollment in the school district or charter school, except in limited circumstances. (NRS 387.122) This bill removes the limitation on the number of pupils to whom the multiplier may apply. **This bill also requires the additional funding to: (1) be equal or greater than the amount received during Fiscal Year 2017-2018; and (2) satisfy federal requirements for maintenance of effort.** In addition, this bill ~~[authorizes]~~ **requires** the Department of Education to **: (1) establish standards for determining whether a pupil has a disability for which the multiplier applies; and (2)** conduct such audits as it deems necessary to ensure that the school districts and the State Public Charter School Authority accurately identify pupils to whom the multiplier applies.

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

Section 1. NRS 387.122 is hereby amended to read as follows:

387.122 1. For making the apportionments of the State Distributive School Account in the State General Fund required by the provisions of this title, the basic support guarantee per pupil for each school district is established by law for each school year. The formula for calculating the basic support guarantee may be expressed as an estimated weighted average per pupil, based on the total expenditures for public education in the immediately preceding even-numbered fiscal year, plus any legislative appropriations for the immediately succeeding biennium, minus those local funds not guaranteed by the State pursuant to NRS 387.163.

2. The estimated weighted average per pupil for the State must be calculated as a basic support guarantee for each school district through an equity allocation model that incorporates:

(a) Factors relating to wealth in the school district;

(b) Salary costs;

(c) Transportation; and

(d) Any other factor determined by the Superintendent of Public Instruction after consultation with the school districts and the State Public Charter School Authority.

3. The basic support guarantee per pupil must include a multiplier for pupils with disabilities. Except as otherwise provided in this subsection, the ***~~[The]~~*** funding provided to each school district and charter school through the multiplier for pupils with disabilities is limited to the actual number of pupils with disabilities enrolled in the school district or charter school **.** ~~[, not to exceed 13 percent of total pupil enrollment for the school district or charter school. If a school district or charter school has reported an enrollment of pupils with disabilities equal to more than 13 percent of total pupil enrollment,]~~ ***If the funding which would otherwise be provided to a school district or charter school pursuant to this subsection would be less than the amount received as the basic support guarantee by the school district or charter school for Fiscal Year 2017-2018 or would fail to satisfy the requirements for maintenance of effort under federal law,*** the school district or charter school must receive an amount of money ~~[necessary]~~ ***:***

(a) Which equals the amount of money received as the basic support guarantee by the school district or charter school for Fiscal Year 2017-2018; or

(b) Which is necessary to satisfy the requirements for maintenance of effort under federal ~~[law.]~~ ***law,***

↪ as applicable.

4. Not later than July 1 of each even-numbered year, the Superintendent of Public Instruction shall review and, if necessary, revise the factors used for the equity allocation model adopted for the previous biennium and present the review and any revisions at a meeting of the Legislative Committee on Education for consideration and recommendations by the Committee. After the meeting, the Superintendent of Public Instruction shall consider any recommendations of the Legislative Committee on Education, determine whether to include those recommendations in the equity allocation model and adopt the model. The Superintendent of Public Instruction shall submit the equity allocation model to the:

(a) Governor for inclusion in the proposed executive budget.

(b) Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.

5. The Department shall make available updated information regarding the equity allocation model on the Internet website maintained by the Department.

6. The Department shall ~~[conduct]~~ :

(a) Establish, after consultation with the school districts and the State Public Charter School Authority, standards for determining whether a pupil has a disability for which the multiplier described in subsection 3 applies; and

(b) Conduct such audits as the Department deems necessary to ensure that each school district and the State Public Charter School Authority has a process

in place that accurately determines whether a pupil has a disability for which the multiplier described in subsection 3 applies.

Sec. 2. This act becomes effective on July 1, 2017.