

ASSEMBLY BILL NO. 64—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE EUREKA COUNTY SCHOOL DISTRICT)

PREFILED NOVEMBER 19, 2018

Referred to Committee on Ways and Means

SUMMARY—Revises provisions governing the funding provided to school districts for pupils enrolled in full-time programs of distance education. (BDR 34-455)

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; revising provisions governing the calculation of apportionments to charter schools for pupils enrolled full-time in programs of distance education; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the Superintendent of Public Instruction is required to
2 apportion the State Distributive School Account in the State General Fund among
3 the school districts, charter schools and university schools for profoundly gifted
4 pupils. (NRS 387.124) Existing law provides various formulas for the calculation of
5 the apportionment of funding to certain charter schools. (NRS 387.1241) **Section 1**
6 of this bill creates formulas for the calculation of the apportionment to charter
7 schools for pupils who are enrolled full-time in a program of distance education,
8 depending on how many pupils are enrolled in the county school district in which
9 the charter school is located.

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

1 **Section 1.** NRS 387.1241 is hereby amended to read as
2 follows:

3 387.1241 Except as otherwise provided in this section and
4 NRS 387.124, 387.1242, 387.1244 and 387.528:

5 1. The apportionment to a charter school, computed on a yearly
6 basis, is equal to the sum of the basic support per pupil in the county



1 in which the pupil resides plus the amount of local funds available
2 per pupil pursuant to NRS 387.163 and all other funds available for
3 public schools in the county in which the pupil resides minus the
4 sponsorship fee prescribed by NRS 388A.414 and minus all the
5 funds attributable to pupils who are enrolled in the charter school
6 but are concurrently enrolled part-time in a program of distance
7 education provided by a school district or another charter school. If
8 the apportionment per pupil to a charter school is more than the
9 amount to be apportioned to the school district in which a pupil who
10 is enrolled in the charter school resides, the school district in which
11 the pupil resides shall pay the difference directly to the charter
12 school.

13 2. The apportionment to a charter school that is sponsored by
14 the State Public Charter School Authority or by a college or
15 university within the Nevada System of Higher Education,
16 computed on a yearly basis, is equal to the sum of the basic support
17 per pupil in the county in which the pupil resides plus the amount of
18 local funds available per pupil pursuant to NRS 387.163 and all
19 other funds available for public schools in the county in which the
20 pupil resides, minus the sponsorship fee prescribed by NRS
21 388A.414 and minus all funds attributable to pupils who are
22 enrolled in the charter school but are concurrently enrolled part-time
23 in a program of distance education provided by a school district or
24 another charter school.

25 3. *The apportionment to a charter school in a county school*
26 *district in which 25,000 or fewer pupils are enrolled, for pupils*
27 *who are enrolled full-time in a program of distance education,*
28 *computed on a yearly basis, is equal to the estimated weighted*
29 *average per pupil basic support guarantee calculated as described*
30 *in NRS 387.122 and established by law for all the school districts*
31 *and charter schools within this State, minus the sponsorship fee*
32 *prescribed by NRS 388A.414 and minus all the funds attributable*
33 *to pupils who are enrolled in the charter school but are*
34 *concurrently enrolled part-time in a program of distance*
35 *education provided by a school district or another charter school.*

36 4. *The apportionment to a charter school in a county school*
37 *district in which more than 25,000 pupils are enrolled, for pupils*
38 *who are enrolled full-time in a program of distance education,*
39 *computed on a yearly basis, is equal to the sum of the basic*
40 *support per pupil in the county in which the pupil resides, minus*
41 *the sponsorship fee prescribed by NRS 388A.414 and minus all the*
42 *funds attributable to pupils who are enrolled in the charter school*
43 *but are concurrently enrolled part-time in a program of distance*
44 *education provided by a school district or another charter school.*



5. The governing body of a charter school may submit a written request to the Superintendent of Public Instruction to receive, in the first year of operation of the charter school, an apportionment 30 days before the apportionment is required to be made pursuant to NRS 387.124. Upon receipt of such a request, the Superintendent of Public Instruction may make the apportionment 30 days before the apportionment is required to be made. A charter school may receive all four apportionments in advance in its first year of operation.

Sec. 2. NRS 387.185 is hereby amended to read as follows:

387.185 1. Except as otherwise provided in subsection 2 and NRS 387.528, unless the Superintendent of Public Instruction authorizes a withholding pursuant to NRS 387.1244, all school money due each county school district must be paid over by the State Treasurer to the county treasurer on August 1, November 1, February 1 and May 1 of each year or as soon thereafter as the county treasurer may apply for it, upon the warrant of the State Controller drawn in conformity with the apportionment of the Superintendent of Public Instruction as provided in NRS 387.124.

2. Except as otherwise provided in NRS 387.528, unless the Superintendent of Public Instruction authorizes a withholding pursuant to NRS 387.1244, if the board of trustees of a school district establishes and administers a separate account pursuant to the provisions of NRS 354.603, all school money due that school district must be paid over by the State Treasurer to the school district on August 1, November 1, February 1 and May 1 of each year or as soon thereafter as the school district may apply for it, upon the warrant of the State Controller drawn in conformity with the apportionment of the Superintendent of Public Instruction as provided in NRS 387.124.

3. No county school district may receive any portion of the public school money unless that school district has complied with the provisions of this title and regulations adopted pursuant thereto.

4. Except as otherwise provided in this subsection, unless the Superintendent of Public Instruction authorizes a withholding pursuant to NRS 387.1244, all school money due each charter school must be paid over by the State Treasurer to the governing body of the charter school on August 1, November 1, February 1 and May 1 of each year or as soon thereafter as the governing body may apply for it, upon the warrant of the State Controller drawn in conformity with the apportionment of the Superintendent of Public Instruction as provided in NRS 387.124. If the Superintendent of Public Instruction has approved, pursuant to subsection ~~3~~ 5 of NRS 387.1241, a request for payment of an apportionment 30 days before the apportionment is otherwise required to be made, the



1 money due to the charter school must be paid by the State Treasurer
2 to the governing body of the charter school on July 1, October 1,
3 January 1 or April 1, as applicable.

4 5. Except as otherwise provided in this subsection, unless the
5 Superintendent of Public Instruction authorizes a withholding
6 pursuant to NRS 387.1244, all school money due each university
7 school for profoundly gifted pupils must be paid over by the State
8 Treasurer to the governing body of the university school on
9 August 1, November 1, February 1 and May 1 of each year or as
10 soon thereafter as the governing body may apply for it, upon the
11 warrant of the State Controller drawn in conformity with the
12 apportionment of the Superintendent of Public Instruction as
13 provided in NRS 387.124. If the Superintendent of Public
14 Instruction has approved, pursuant to NRS 387.1242, a request for
15 payment of an apportionment 30 days before the apportionment is
16 otherwise required to be made, the money due to the university
17 school must be paid by the State Treasurer to the governing body of
18 the university school on July 1, October 1, January 1 or April 1, as
19 applicable.

20 **Sec. 3.** NRS 388A.417 is hereby amended to read as follows:

21 388A.417 1. To determine the amount of money for
22 distribution to a charter school in its first year of operation, the
23 count of pupils who are enrolled in the charter school must initially
24 be determined 30 days before the beginning of the school year of the
25 school district, based on the number of pupils whose applications for
26 enrollment have been approved by the charter school.

27 2. The count of pupils who are enrolled in the charter school
28 must be revised each quarter based on the average daily enrollment
29 of pupils in the charter school that is reported for that quarter
30 pursuant to NRS 387.1223.

31 3. Pursuant to subsection ~~3~~ 5 of NRS 387.1241, the
32 governing body of a charter school may request that the
33 apportionments made to the charter school in its first year of
34 operation be paid to the charter school 30 days before the
35 apportionments are otherwise required to be made.

36 4. If a charter school ceases to operate as a charter school
37 during a school year, the remaining apportionments that would have
38 been made to the charter school pursuant to NRS 387.124 and
39 387.1241 for that year must be paid on a proportionate basis to the
40 school districts where the pupils who were enrolled in the charter
41 school reside.

42 **Sec. 4.** This act becomes effective on July 1, 2019.

