

Amendment No. 271

Senate Amendment to Senate Bill No. 106	(BDR 34-243)
Proposed by: Senate Committee on Education	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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.

EWR/RBL



Date: 4/14/2019

S.B. No. 106—Revises provisions relating to required expenditures by schools on certain school supplies. (BDR 34-243)



SENATE BILL NO. 106--SENATOR KIECKHEFER

PREFILED JANUARY 28, 2019

Referred to Committee on Finance

SUMMARY—Revises provisions relating to required expenditures by schools on certain school supplies. (BDR 34-243)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; authorizing a school district, charter school or university school for profoundly gifted pupils to request a reduction in the required minimum amount that the district or school is required to expend on certain supplies in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Department of Education, in consultation with the Budget Division of the Office of Finance and the Fiscal Analysis Division of the Legislative Counsel Bureau, to develop or revise, as applicable, a formula for determining the minimum amount of money that each school district, charter school and university school for profoundly gifted pupils is required to expend each fiscal year for textbooks, instructional supplies, instructional software and instructional hardware. (NRS 387.206) **Section 1** of this bill authorizes a school district, charter school or university school for profoundly gifted pupils to request from the Department a reduction of that required minimum amount when it obtains textbooks, instructional supplies, instructional software or instructional hardware that is available free of charge. If the amount of the request is reasonable, the Department is required to provide the reduction. **Section 2** of this bill requires the Department to provide notice to a school district, charter school or university school for which such a reduction in expenditures is approved of the revised amount of money that the school district, charter school or university school is required to expend for textbooks, instructional supplies, instructional software and instructional hardware for the fiscal year.

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

Section 1. Chapter 387 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The board of trustees of a school district, the governing body of a charter school or the governing body of a university school for profoundly gifted pupils that obtains textbooks, instructional supplies, instructional software or instructional hardware free of charge may submit to the Department a written

1 *request on a form prescribed by the Department to reduce the amount of money*
2 *that the school district, charter school or university school is required to expend*
3 *for textbooks, instructional supplies, instructional software and instructional*
4 *hardware pursuant to NRS 387.206 for the fiscal year. The request must include,*
5 *without limitation, the amount of the requested reduction in expenditures as*
6 *determined by the board of trustees or governing body based on the amount that*
7 *the school district, charter school or university school would otherwise pay to*
8 *purchase comparable textbooks, instructional supplies, instructional software or*
9 *instructional hardware.*

10 2. *Upon receipt of a written request pursuant to subsection 1, the*
11 *Department shall determine whether the amount of the reduced expenditure is*
12 *reasonable. The Department may request any additional information it deems*
13 *necessary from the applicant to determine whether the request is reasonable. If*
14 *the Department determines that the amount of the request:*

15 (a) *Is reasonable, the Department shall reduce the amount that the school*
16 *district or school is required to expend on textbooks, instructional supplies,*
17 *instructional software or instructional hardware pursuant to NRS 387.2062 for*
18 *the fiscal year by the requested amount.*

19 (b) *Is not reasonable, the Department shall deny the request and inform the*
20 *board of trustees of the school district, the governing body of the charter school*
21 *or the governing body of the university school for profoundly gifted pupils of its*
22 *determination as soon as practicable.*

23 3. Any textbooks, instructional supplies, instructional software or
24 instructional hardware obtained free of charge that are the subject of a request
25 pursuant to subsection 1 must be:

26 (a) Aligned with any applicable standards of content and performance
27 established by the Council to Establish Academic Standards for Public Schools
28 pursuant to NRS 389.520; and

29 (b) Selected in accordance with any requirements of state law or regulation,
30 including, without limitation, NRS 389.850, if applicable, and any policies
31 established by the board of trustees of the school district, the governing body of
32 the charter school or the governing body of the university school for profoundly
33 gifted pupils, as applicable.

34 **Sec. 2.** NRS 387.206 is hereby amended to read as follows:

35 387.206 1. On or before July 1 of each year, the Department, in consultation
36 with the Budget Division of the Office of Finance and the Fiscal Analysis Division
37 of the Legislative Counsel Bureau, shall determine the combined minimum amount
38 of money required to be expended during that fiscal year for textbooks,
39 instructional supplies, instructional software and instructional hardware by all
40 school districts, charter schools and university schools for profoundly gifted pupils.
41 The amount must be determined by increasing the amount that was established for
42 the Fiscal Year 2004-2005 by the percentage of the change in enrollment between
43 Fiscal Year 2004-2005 and the fiscal year for which the amount is being
44 established, plus any inflationary adjustment approved by the Legislature after
45 Fiscal Year 2004-2005.

46 2. The Department, in consultation with the Budget Division of the Office of
47 Finance and the Fiscal Analysis Division of the Legislative Counsel Bureau, shall
48 develop or revise, as applicable, a formula for determining the minimum amount of
49 money that each school district, charter school and university school for profoundly
50 gifted pupils is required to expend each fiscal year for textbooks, instructional
51 supplies, instructional software and instructional hardware. The sum of all of the
52 minimum amounts determined pursuant to this subsection must be equal to the
53 combined minimum amount determined pursuant to subsection 1. The formula

1 must be used only to develop expenditure requirements and must not be used to
2 alter the distribution of money for basic support to school districts, charter schools
3 or university schools for profoundly gifted pupils.

4 3. Upon approval of the formula pursuant to subsection 2, the Department
5 shall provide written notice to each school district, charter school and university
6 school for profoundly gifted pupils within the first 30 days of each fiscal year that
7 sets forth the required minimum combined amount of money that the school
8 district, charter school and university school for profoundly gifted pupils must
9 expend for textbooks, instructional supplies, instructional software and instructional
10 hardware for that fiscal year. If a school district, charter school or university school
11 for profoundly gifted pupils is granted a waiver pursuant to NRS 387.2065 ~~It~~ *or is*
12 *allowed to reduce its expenditures pursuant to section 1 of this act*, the
13 Department shall provide written notice to the school district, charter school or
14 university school within 30 days after the Interim Finance Committee grants the
15 waiver *or the Department approves the reduction, as applicable*, setting forth the
16 revised amount of money that the school district, charter school or university school
17 must expend for textbooks, instructional supplies, instructional software and
18 instructional hardware for the fiscal year.

19 **Sec. 3.** This act becomes effective on July 1, 2019.