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. In addition, this bill authorizes the Department of Education to 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 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, the school district or charter school must receive an
   amount of money necessary to satisfy the requirements for
   maintenance of effort under federal law.
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 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.