

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.

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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; 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:**

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



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

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

3       1. *The board of trustees of a school district, the governing*  
4 *body of a charter school or the governing body of a university*  
5 *school for profoundly gifted pupils that obtains textbooks,*  
6 *instructional supplies, instructional software or instructional*  
7 *hardware free of charge may submit to the Department a written*  
8 *request on a form prescribed by the Department to reduce the*  
9 *amount of money that the school district, charter school or*  
10 *university school is required to expend for textbooks, instructional*  
11 *supplies, instructional software and instructional hardware*  
12 *pursuant to NRS 387.206 for the fiscal year. The request must*  
13 *include, without limitation, the amount of the requested reduction*  
14 *in expenditures as determined by the board of trustees or*  
15 *governing body based on the amount that the school district,*  
16 *charter school or university school would otherwise pay to*  
17 *purchase comparable textbooks, instructional supplies,*  
18 *instructional software or instructional hardware.*

19       2. *Upon receipt of a written request pursuant to subsection 1,*  
20 *the Department shall determine whether the amount of the*  
21 *reduced expenditure is reasonable. The Department may request*  
22 *any additional information it deems necessary from the applicant*  
23 *to determine whether the request is reasonable. If the Department*  
24 *determines that the amount of the request:*

25       (a) *Is reasonable, the Department shall reduce the amount that*  
26 *the school district or school is required to expend on textbooks,*  
27 *instructional supplies, instructional software or instructional*  
28 *hardware pursuant to NRS 387.2062 for the fiscal year by the*  
29 *requested amount.*

30       (b) *Is not reasonable, the Department shall deny the request*  
31 *and inform the board of trustees of the school district, the*  
32 *governing body of the charter school or the governing body of the*  
33 *university school for profoundly gifted pupils of its determination*  
34 *as soon as practicable.*

35       3. *Any textbooks, instructional supplies, instructional*  
36 *software or instructional hardware obtained free of charge that*  
37 *are the subject of a request pursuant to subsection 1 must be:*

38       (a) *Aligned with any applicable standards of content and*  
39 *performance established by the Council to Establish Academic*  
40 *Standards for Public Schools pursuant to NRS 389.520; and*

41       (b) *Selected in accordance with any requirements of state law*  
42 *or regulation, including, without limitation, NRS 389.850, if*




1 *applicable, and any policies established by the board of trustees of*  
2 *the school district, the governing body of the charter school or the*  
3 *governing body of the university school for profoundly gifted*  
4 *pupils, as applicable.*

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

6 387.206 1. On or before July 1 of each year, the Department,  
7 in consultation with the Budget Division of the Office of Finance,  
8 and the Fiscal Analysis Division of the Legislative Counsel Bureau,  
9 shall determine the combined minimum amount of money required  
10 to be expended during that fiscal year for textbooks, instructional  
11 supplies, instructional software and instructional hardware by all  
12 school districts, charter schools and university schools for  
13 profoundly gifted pupils. The amount must be determined by  
14 increasing the amount that was established for the Fiscal Year 2004-  
15 2005 by the percentage of the change in enrollment between Fiscal  
16 Year 2004-2005 and the fiscal year for which the amount is being  
17 established, plus any inflationary adjustment approved by the  
18 Legislature after Fiscal Year 2004-2005.

19 2. The Department, in consultation with the Budget Division of  
20 the Office of Finance and the Fiscal Analysis Division of the  
21 Legislative Counsel Bureau, shall develop or revise, as applicable, a  
22 formula for determining the minimum amount of money that each  
23 school district, charter school and university school for profoundly  
24 gifted pupils is required to expend each fiscal year for textbooks,  
25 instructional supplies, instructional software and instructional  
26 hardware. The sum of all of the minimum amounts determined  
27 pursuant to this subsection must be equal to the combined minimum  
28 amount determined pursuant to subsection 1. The formula must be  
29 used only to develop expenditure requirements and must not be used  
30 to alter the distribution of money for basic support to school  
31 districts, charter schools or university schools for profoundly gifted  
32 pupils.

33 3. Upon approval of the formula pursuant to subsection 2, the  
34 Department shall provide written notice to each school district,  
35 charter school and university school for profoundly gifted pupils  
36 within the first 30 days of each fiscal year that sets forth the required  
37 minimum combined amount of money that the school district,  
38 charter school and university school for profoundly gifted pupils  
39 must expend for textbooks, instructional supplies, instructional  
40 software and instructional hardware for that fiscal year. If a school  
41 district, charter school or university school for profoundly gifted  
42 pupils is granted a waiver pursuant to NRS 387.2065  *or is*  
43 *allowed to reduce its expenditures pursuant to section 1 of this act,*  
44 the Department shall provide written notice to the school district,  
45 charter school or university school within 30 days after the Interim



1 Finance Committee grants the waiver *or the Department approves*  
2 *the reduction, as applicable*, setting forth the revised amount of  
3 money that the school district, charter school or university school  
4 must expend for textbooks, instructional supplies, instructional  
5 software and instructional hardware for the fiscal year.

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

