

Amendment No. 289

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| Senate Amendment to Senate Bill No. 182 | (BDR 34-138) |
| Proposed by: Senate Committee on Education | |
| Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes | |

| 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) green bold italic underlining is new language proposed 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 that is proposed to be retained in this amendment; and (6) green bold underlining is newly added transitory language.

SHORT FORM AMENDMENT

Section 8 of this act is the only section affected by this amendment.

EGO/BJE



Date: 4/21/2013

S.B. No. 182—Expands full-day kindergarten in public schools. (BDR 34-138)



The Title of Senate Bill No. 182 is hereby amended as follows:

1 AN ACT relating to education; revising provisions governing the count of pupils
 2 for the purpose of calculating basic support; requiring the board of
 3 trustees of each school district to establish, equip and maintain a full-day
 4 kindergarten in each elementary school or school attendance area in the
 5 district; revising provisions governing the age at which a child is required
 6 to be enrolled in and attend school; requiring a child who is 5 years of age
 7 on or before September 30 of a school year to be admitted to kindergarten
 8 at the beginning of that school year ~~+~~ **unless a waiver is filed with the**
 9 **school district;** and providing other matters properly relating thereto.

If this amendment is adopted, the Legislative Counsel's Digest will be changed as follows:

Legislative Counsel's Digest:

10 Existing law generally requires the board of trustees of each school district to establish,
 11 equip and maintain a kindergarten in each elementary school or school attendance area in the
 12 district. (NRS 388.060) ~~(With certain exceptions, existing law also requires each parent,~~
 13 ~~custodial parent, guardian or other person in the State of Nevada having control or charge of~~
 14 ~~any child between the ages of 7 and 18 years to send the child to a public school during all the~~
 15 ~~time the public school is in session in the school district in which the child resides unless the~~
 16 ~~child has graduated from high school. Existing law further provides that a child who is 5 years~~
 17 ~~of age on or before September 30 of a school year may be admitted to kindergarten at the~~
 18 ~~beginning of that school year. (NRS 392.040))~~

19 **Section 7** of this bill requires the board of trustees of each school district to establish,
 20 equip and maintain a full-day kindergarten in each elementary school or school attendance
 21 area in the district which provides at least as many minutes of instruction per day as the other
 22 grade levels for which the elementary school or school attendance area enrolls pupils. **Section**
 23 **3** of this bill imposes a similar requirement upon any charter school that enrolls pupils in
 24 kindergarten.

25 **With certain exceptions, existing law requires each parent, custodial parent,**
 26 **guardian or other person in the State of Nevada having control or charge of any child**
 27 **between the ages of 7 and 18 years to send the child to a public school during all the time**
 28 **the public school is in session in the school district in which the child resides. Existing**
 29 **law further authorizes a child who is 5 years of age on or before September 30 of a**
 30 **school year to be admitted to kindergarten at the beginning of that school year, but**
 31 **allows the parent or other guardian of a child who is 5 or 6 years of age on or before**
 32 **September 30 of a school year to elect for the child not to attend kindergarten or first**
 33 **grade during that school year by filing a waiver with the school district. Under existing**
 34 **law, before enrolling in school, a child whose attendance has been waived is required to**
 35 **undergo a developmental screening test to determine the grade for which the child is**
 36 **prepared developmentally. (NRS 392.040)** **Section 8** of this bill lowers, from 7 years of age
 37 to 5 years of age, the age at which a child must be enrolled in and attend public school. ~~+~~
 38 ~~Section 8 also~~ **and** requires a child who is 5 years of age on or before September 30 of a
 39 school year to be admitted to kindergarten at the beginning of that school year ~~+~~ **unless the**
 40 **parent or other guardian of the child elects for the child not to attend kindergarten by**
 41 **filing a waiver with the school district. If such a waiver is filed, the child is required to**
 42 **undergo the developmental screening test required under existing law to determine if the**
 43 **child is prepared developmentally for first grade.**

44 Existing law provides the formula by which the basic support of each school district is
 45 computed by including a certain weighting factor for pupils enrolled in kindergarten. (NRS
 46 387.1233) **Section 4** of this bill revises the formula to reflect the enrollment of pupils in full-
 47 day kindergarten.

1 The remaining sections of this bill revise applicable provisions relating to kindergarten
2 and the age at which a child must attend school to reflect the new requirements.

Section 8 of Senate Bill No. 182 is hereby amended as follows:

3 **Sec. 8.** NRS 392.040 is hereby amended to read as follows:

4 392.040 1. Except as otherwise provided by law, each parent, custodial
5 parent, guardian or other person in the State of Nevada having control or charge of
6 any child between the ages of ~~7~~ 5 and 18 years shall send the child to a public
7 school during all the time the public school is in session in the school district in
8 which the child resides unless the child has graduated from high school.

9 2. ~~1.1~~ Except as otherwise provided in subsection 3, a child who is 5 years
10 of age on or before September 30 of a school year ~~may~~ **must** be admitted to
11 kindergarten at the beginning of that school year, and the child's enrollment must
12 be counted for purposes of apportionment. If a child is not 5 years of age on or
13 before September 30 of a school year, the child must not be admitted to
14 kindergarten.

15 3. ~~1.2~~ Except as otherwise provided in subsection 4, a child who is 6 years of age
16 on or before September 30 of a school year must:

17 ~~—(a) If the child has not completed kindergarten, be admitted to kindergarten at~~
18 ~~the beginning of that school year; or~~

19 ~~—(b) If the child has completed kindergarten, be admitted to the first grade at the~~
20 ~~beginning of that school year;~~

21 ~~and the child's enrollment must be counted for purposes of apportionment. If a~~
22 ~~child is not 6 years of age on or before September 30 of a school year, the child~~
23 ~~must not be admitted to the first grade until the beginning of the school year~~
24 ~~following the child's sixth birthday.~~

25 ~~4.1~~ The parents, custodial parent, guardian or other person within the State of
26 Nevada having control or charge of a child who is ~~6~~ 5 years of age on or before
27 September 30 of a school year may elect for the child not to attend kindergarten ~~for~~
28 the first grade during that **school** year. The parents, custodial parent, guardian or
29 other person who makes such an election shall file with the board of trustees of the
30 appropriate school district a waiver in a form prescribed by the board.

31 ~~4.5.~~ Whenever a child who is 6 years of age is enrolled in a public school, each
32 parent, custodial parent, guardian or other person in the State of Nevada having
33 control or charge of the child shall send the child to the public school during all the
34 time the school is in session. If the board of trustees of a school district has adopted
35 a policy prescribing a minimum number of days of attendance for pupils enrolled in
36 kindergarten or first grade pursuant to NRS 392.122, the school district shall
37 provide to each parent and legal guardian of a pupil who elects to enroll his or her
38 child in kindergarten or first grade a written document containing a copy of that
39 policy and a copy of the policy of the school district concerning the withdrawal of
40 pupils from kindergarten or first grade. Before the child's first day of attendance at
41 a school, the parent or legal guardian shall sign a statement on a form provided by
42 the school district acknowledging that he or she has read and understands the policy
43 concerning attendance and the policy concerning withdrawal of pupils from
44 kindergarten or first grade. The parent or legal guardian shall comply with the
45 applicable requirements for attendance. This requirement for attendance does not
46 apply to any child under the age of 7 years who has not yet been enrolled or has
47 been formally withdrawn from enrollment in public school.

1 ~~6.1~~ 4. A child who is ~~7.1~~ 6 years of age on or before September 30 of a school
2 year must ~~†~~

3 ~~— (a) If the child has completed kindergarten and the first grade, be admitted to~~
4 ~~the second grade.~~

5 ~~— (b) If the child has completed kindergarten, be admitted to the first grade.~~

6 ~~— (c) ††. If the parents, custodial parent, guardian or other person in the State of~~
7 ~~Nevada having control or charge of the child waived the child's attendance from~~
8 ~~kindergarten pursuant to subsection †4.1 3., undergo ~~†an assessment†~~ a~~
9 ~~developmental screening test administered by the district pursuant to subsection~~
10 ~~†7.1 5 to determine whether the child is prepared developmentally to be admitted to~~
11 ~~the first grade. If the district determines that the child is prepared developmentally,~~
12 ~~the child must be admitted to the first grade. If the district determines that the child~~
13 ~~is not so prepared, he or she must be admitted to kindergarten.~~

14 ~~†→ The enrollment of any child pursuant to this subsection must be counted for~~
15 ~~apportionment purposes.~~

16 ~~7.1~~ 5. Each school district shall prepare and administer before the beginning
17 of each school year a developmental screening test to a child:

18 (a) Who is ~~7.1~~ 6 years of age on or before September 30 of ~~the next†~~ that
19 school year; and

20 (b) Whose parents waived the child's attendance from kindergarten pursuant to
21 subsection ~~†4.1~~ 3.

22 ~~→ to determine whether the child is prepared developmentally to be admitted to the~~
23 ~~first grade. The results of the test must be made available to the parents, custodial~~
24 ~~parent, guardian or other person within the State of Nevada having control or~~
25 ~~charge of the child.~~

26 ~~†8.1~~ 6. Except as otherwise provided in subsection ~~†9.1~~ ~~††7~~ 7., a child who
27 becomes a resident of this State after completing kindergarten or beginning first
28 grade in another state in accordance with the laws of that state may be admitted to
29 the grade the child was attending or would be attending had he or she remained a
30 resident of the other state regardless of his or her age, unless the board of trustees of
31 the school district determines that the requirements of this section are being
32 deliberately circumvented.

33 ~~†9.1~~ ~~††7~~ 7. Pursuant to the provisions of NRS 392C.010, a child who
34 transfers to a school in this State from a school outside this State because of the
35 military transfer of the parent or legal guardian of the child must be admitted to ~~†~~

36 ~~— (a) The †the grade †, other than kindergarten, † the child was attending or would~~
37 ~~be attending had he or she remained a resident of the other state, regardless of the~~
38 ~~child's age.~~

39 ~~†(b) Kindergarten, if the child was enrolled in kindergarten in another state in~~
40 ~~accordance with the laws of that state, regardless of the child's age.†~~

41 ~~††0.1~~ 8. As used in this section, "kindergarten" includes:

42 (a) A kindergarten established by the board of trustees of a school district
43 pursuant to NRS 388.060;

44 (b) A kindergarten established by the governing body of a charter school; and

45 (c) An authorized program of instruction for kindergarten offered in a child's
46 home pursuant to NRS 388.060.