

NRS 387.1211 Definitions. As used in NRS 387.121 to 387.12468, inclusive:

1. “At-risk pupil” means a pupil who is ~~within the quintile of pupils~~ determined to be most in need of additional services and assistance to graduate based on one or more measures prescribed by the State Board, which may include, without limitation, consideration of whether a pupil:
 - (a) Is economically disadvantaged;
 - (b) Is at risk of dropping out of high school; or
 - (c) Fails to meet minimum standards of academic proficiency.

➤ *The State Board shall periodically evaluate and establish the threshold for student counts qualifying as At-Risk pupils.*
2. “Average daily attendance” means the total number of pupils attending a particular school each day during a period of reporting divided by the number of days school is in session during that period.
3. “Average daily enrollment” means the total number of pupils enrolled in and scheduled to attend a public school in a specific school district during a period of reporting divided by the number of days school is in session during that period.
4. “Commission” means the Commission on School Funding created by NRS 387.1246.
5. “Enrollment” means the count of pupils enrolled in and scheduled to attend programs of instruction of a school district, charter school or university school for profoundly gifted pupils at a specified time during the school year.

(Added to NRS by 1979, 1582; A 1987, 994; 1991, 1547; 1997, 1859; 1999, 2925; 2007, 1199; 2015, 3707; 2019, 4211; 2023, 736)

NRS 388A.045 “Pupil ‘at risk’ ” defined. A pupil ~~is~~ “at risk” *has the meaning ascribed to it in NRS 387.1211. if the pupil has an economic or academic disadvantage such that he or she requires special services and assistance to enable him or her to succeed in educational programs. The term includes, without limitation, pupils who are members of economically disadvantaged families, pupils who are English learners, pupils who are at risk of dropping out of high school and pupils who do not meet minimum standards of academic proficiency. The term does not include a pupil with a disability.*

NRS 387.1223 Quarterly reports of average daily enrollment; calculation of yearly apportionment; effect of declining enrollment; consequences for school district, charter school or university school for profoundly gifted pupils that deliberately causes decline in enrollment.

1. On or before October 1, January 1, April 1 and July 1, each school district, charter school and university school for profoundly gifted pupils shall report to the Department, in the form prescribed by the Department, the average daily enrollment of pupils pursuant to this section for the immediately preceding quarter of the school year. If October 1, January 1, April 1 or July 1 falls on a Saturday, Sunday or legal holiday, the report may be submitted before 5 p.m. on the next business day.

2. Except as otherwise provided in subsection 3 *and 5*, the yearly apportionment from the State Education Fund for each school district, charter school and university school for profoundly gifted pupils must be computed by:

(a) Multiplying the adjusted base per pupil funding established for that school district, charter school or university school for profoundly gifted pupils for that school year by the sum of:

(1) The count of pupils enrolled in kindergarten and grades 1 to 12, inclusive, in a public school in the school district, the charter school or the university school for profoundly gifted pupils based on the average daily enrollment of those pupils during the quarter.

(2) The count of pupils not included under subparagraph (1) who are enrolled full-time in a program of distance education provided by that school district, charter school or university school for profoundly gifted pupils based on the average daily enrollment of those pupils during the quarter.

(3) The count of pupils who reside in the county and are enrolled:

(I) In a public school of the school district and are concurrently enrolled part-time in a program of distance education provided by another school district or a charter school, based on the average daily enrollment of those pupils during the quarter.

(II) In a charter school and are concurrently enrolled part-time in a program of distance education provided by the school district, based on the average daily enrollment of those pupils during the quarter.

(4) The count of pupils not included under subparagraph (1), (2) or (3), who are receiving special education pursuant to the provisions of [NRS 388.417](#) to [388.469](#), inclusive, and [388.5251](#) to [388.5267](#), inclusive, based on the average daily enrollment of those pupils during the quarter and excluding the count of pupils who have not attained the age of 5 years and who are receiving special education pursuant to [NRS 388.435](#).

(5) Six-tenths the count of pupils who have not attained the age of 5 years and who are receiving special education pursuant to [NRS 388.435](#), based on the average daily enrollment of those pupils during the quarter.

(6) The count of children detained in facilities for the detention of children, alternative programs and juvenile forestry camps receiving instruction pursuant to the provisions of [NRS 388.550](#), [388.560](#) and [388.570](#), based on the average daily enrollment of those pupils during the quarter.

(7) The count of pupils who are enrolled in classes for at least one semester pursuant to subsection 1 of [NRS 388A.471](#), subsection 1 of [NRS 388A.474](#) or subsection 1 of [NRS 392.074](#), based on the average daily enrollment of pupils during the quarter and expressed as a percentage of the total time services are provided to those pupils per school day in proportion to the total time services are provided during a school day to pupils who are counted pursuant to subparagraph (1).

(8) The count of pupils enrolled in a challenge school based on the average daily enrollment of those pupils calculated in the manner set forth in an agreement entered into pursuant to [NRS 388D.330](#).

(b) Adding to the amount computed in paragraph (a) the amounts appropriated pursuant to paragraphs (a), (b) and (c) of subsection 2 of [NRS 387.1214](#).

3. Except as otherwise provided in subsection 4, if the enrollment of pupils in a school district or a charter school that is located within the school district based on the average daily enrollment of pupils during the quarter of the school year is less than or equal to ~~95~~⁹⁷ percent of the enrollment of pupils in the same school district or charter school based on the average daily enrollment of pupils during the same quarter of the immediately preceding school year, the enrollment of pupils during the same quarter of the immediately preceding school year must be used for purposes of making the monthly apportionments from the State Education Fund to that school district or charter school pursuant to [NRS 387.124](#).

4. If the Department determines that a school district, charter school or university school for profoundly gifted pupils deliberately causes a decline in the enrollment of pupils in the school district, charter school or university school for profoundly gifted pupils to receive a higher apportionment pursuant to subsection 3, including, without limitation, by eliminating grades or moving into smaller facilities, the enrollment number from the current school year must be used for purposes of apportioning money from the State Education Fund to that school district, charter school or university school for profoundly gifted pupils pursuant to [NRS 387.124](#).

5. A school district, charter school, or university school for profoundly gifted pupils may submit a written application to the Superintendent of Public Instruction no later than April 1 for an exceptional enrollment growth adjustment to the count of pupils for the purposes of apportionment pursuant to subsection 2 if the school district, charter school, or university school for profoundly gifted students:

- (a) Anticipates an enrollment increase of not less than 15 percent of their current enrollment;*
- (b) Intends to open a new school or campus; or*
- (c) Adds an additional grade level to an existing school or campus.*

5. The Department shall prescribe a process for reconciling the quarterly reports submitted pursuant to subsection 1 to account for pupils who leave the school district or a public school during the school year.

6. Pupils who are excused from attendance at examinations or have completed their work in accordance with the rules of the board of trustees must be credited with attendance during that period.

7. Pupils who are incarcerated in a facility or institution operated by the Department of Corrections must not be counted for the purpose of computing the yearly apportionment pursuant to this section. The average daily attendance for such pupils must be reported to the Department of Education.

8. Pupils who are enrolled in courses which are approved by the Department as meeting the requirements for an adult to earn a high school diploma must not be counted for the purpose of computing the yearly apportionment pursuant to this section.

NRS 387.1214 Determination of statewide base per pupil funding, adjusted base per pupil funding and additional weighted funding; appropriation of money in State Education Fund.

1. After a direct legislative appropriation is made to the State Education Fund from the State General Fund pursuant to [NRS 387.1212](#), the Legislature shall determine the statewide base per pupil funding amount for each fiscal year of the biennium, which is the amount of money expressed on a per pupil basis for the projected enrollment of the public schools in this State, determined to be sufficient by the Legislature to fund the costs of all public schools in this State to operate and provide general education to all pupils for any purpose for which specific funding is not appropriated pursuant to paragraph (a), (b) or (c) of subsection 2 or [NRS 387.122](#). It is the intent of the Legislature that the statewide base per pupil funding amount for any fiscal year, to the extent practicable, be not less than the statewide base per pupil funding amount for the immediately preceding fiscal year, adjusted by the rate of inflation, unless the amount of money contained in the State Education Fund, excluding the Education Stabilization Account, decreases from the preceding fiscal year. If the amount of money contained in the State Education Fund, excluding the Education Stabilization Account, decreases from the preceding fiscal year, it is the intent of the Legislature that a proportional reduction be made in both the statewide base per pupil funding amount and the weighted funding appropriated pursuant to paragraph (c) of subsection 2.

2. After a direct legislative appropriation is made to the State Education Fund from the State General Fund pursuant to [NRS 387.1212](#), the money in the State Education Fund, excluding any amount of money in the Education Stabilization Account, must be appropriated as established by law for each fiscal year of the biennium for the following purposes:

(a) To each school district, *charter school, and university school for profoundly gifted pupils*, an amount of money determined to be sufficient by the Legislature, when combined with any other resources available for this purpose, to provide food services and transportation for pupils and any other similar service that the Legislature deems appropriate.

(b) To each school district, charter school or university school for profoundly gifted pupils, an amount of money determined to be sufficient by the Legislature, when combined with any other resources available for this purpose, to provide local funding to support pupils with disabilities.

(c) To each school district, an amount of money determined to be sufficient by the Legislature, when combined with any other resources available for this purpose, to provide adjusted base per pupil funding for each pupil estimated to be enrolled in the school district.

(d) To each charter school or university school for profoundly gifted pupils, an amount of money determined to be sufficient by the Legislature, when combined with any other resources available for this purpose, to provide:

(1) The statewide base per pupil funding amount for each pupil estimated to be enrolled full-time in a program of distance education provided by the charter school or university school for profoundly gifted pupils; and

(2) Adjusted base per pupil funding for each pupil estimated to be enrolled in the charter school or university school for profoundly gifted pupils other than a pupil identified in subparagraph (1).

(e) To each school district, charter school or university school for profoundly gifted pupils, an amount of money determined to be sufficient by the Legislature, when combined with any other resources available for this purpose, to provide additional weighted funding for each pupil estimated to be enrolled in the school district, charter school or university school for profoundly gifted pupils who is:

- (1) An English learner;
- (2) An at-risk pupil; or
- (3) A gifted and talented pupil.

3. The adjusted base per pupil funding appropriated pursuant to paragraph (c) of subsection 2 for each school district must be determined by applying the cost adjustment factor established pursuant to [NRS 387.1215](#) which applies to the school district and the attendance area adjustment established pursuant to [NRS 387.1218](#) which applies to each applicable area of the school district to the statewide base per pupil funding amount.

4. The adjusted base per pupil funding appropriated pursuant to subparagraph (2) of paragraph (d) of subsection 2 for each charter school or university school for profoundly gifted pupils must be determined by applying the cost adjustment factor established pursuant to [NRS 387.1215](#) which applies to the charter school or university school and, if applicable, the attendance area adjustment established pursuant to [NRS 387.1218](#) to the statewide base per pupil funding amount.

5. The weighted funding appropriated pursuant to paragraph (e) of subsection 2 must be established separately for each category of pupils identified in that paragraph and expressed as a multiplier to be applied to the statewide base per pupil funding amount determined pursuant to subsection 1. *Except as described in subsection (d)* A pupil who belongs to more than one category of pupils or for whom a school district, charter school or university school for profoundly gifted pupils is eligible to receive the statewide multiplier pursuant to [NRS 387.122](#) must receive only the weighted funding for the single category to which the pupil belongs which has the largest multiplier or the statewide multiplier, whichever is larger. It is the intent of the Legislature that, to the extent practicable:

(a) The multiplier for each category of pupils for any fiscal year be not less than the multiplier for the immediately preceding fiscal year unless:

(1) The amount of money contained in the State Education Fund, excluding the Education Stabilization Account, decreases from the preceding fiscal year, in which event it is the intent of the Legislature that a proportional reduction be made in both the statewide base per pupil funding amount and the weighted funding appropriated pursuant to paragraph (e) of subsection 2; or

(2) The amount of money contained in the State Education Fund, excluding the Education Stabilization Account, increases from the preceding fiscal year but in an amount which, after funding the appropriations required by paragraphs (a) to (d), inclusive, of subsection 2, is insufficient to fund the multiplier for each category of pupils, in which event it is the intent of the Legislature that the remaining money in the State Education Fund be used to provide a multiplier for each category of pupils which is as close as practicable to the multiplier for the preceding fiscal year;

(b) The recommendations of the Commission for the multiplier for each category of pupils be considered and the multiplier for one category of pupils may be changed by an amount that is not proportional to the change in the multiplier for one or more other categories of pupils if the Legislature determines that a disproportionate need to serve the pupils in the affected category exists; and

(c) If the multipliers for all categories of pupils in a fiscal year are increased from the multipliers in the immediately preceding fiscal year, a proportional increase is considered for the statewide base per pupil funding amount.

(d) At such time that the Nevada base per-pupil allocation amount equates to no less than 90 percent of the average national base per-pupil allocation as reported by the National Center on Education Statistics, pupils that belong to more than one weighted category may be included in the count for the multiplier of each applicable weighted category which they belong.

6. For any money identified in subsection 4 of [NRS 362.170](#) which is deposited to the credit of the State Education Fund:

(a) The amount of such money for the county from which the money was collected that does not exceed the total amount of money appropriated pursuant to subsection 2 to the county school district is deemed to be the first money appropriated pursuant to subsection 2 for that county school district and the first money spent by that county school district from the county school district fund during the applicable fiscal year.

(b) The amount of such money for the county from which the money was collected which exceeds the total amount of money appropriated pursuant to subsection 2 to the county school district must be transferred to the county school district and is hereby authorized for expenditure as a continuing appropriation for the purpose of mitigating the adverse effects of the cyclical nature of the industry of extracting and processing minerals on the ability of the county school district to offer its pupils a reasonably equal educational opportunity.

7. The weighted funding appropriated pursuant to paragraph (e) of subsection 2:

(a) May not be used to settle or arbitrate disputes between a recognized organization representing employees of a school district or the governing body of a charter school and the school district or governing body or to settle any negotiations; and

(b) May not be used to adjust the district-wide schedules of salaries and benefits of the employees of a school district.

8. As used in this section, “rate of inflation” has the meaning ascribed to it in [NRS 387.12455](#).

(Added to NRS by [2019, 4198](#); A [2021, 1105](#), [2919](#); [2023, 7](#), [3052](#))

~~NRS 388A.3936—Authorization to award money for transportation of pupils; transportation plan required; criteria for approval of plan.~~

~~—1. The State Public Charter School Authority may award money to a charter school for the transportation of pupils to the extent money has been appropriated for that purpose.~~

~~—2. A charter school must not receive money pursuant to subsection 1 unless the State Public Charter School Authority has approved a transportation plan for the charter school.~~

~~3. —Each charter school that wishes to receive money pursuant to subsection 1 must submit a transportation plan to the State Public Charter School Authority. The State Public Charter School Authority may approve the transportation plan of a charter school if it determines:~~

~~—(a) The transportation plan is comprehensive and likely to be successfully implemented;~~

~~—(b) The transportation plan will materially improve access to education in the region served by the transportation plan;~~

~~—(c) The transportation plan demonstrates that the charter school will be able to comply with statutory and regulatory transportation requirements, including, without limitation, the certification of bus drivers and vehicle safety;~~

~~—(d) The transportation plan is financially viable;~~

~~—(e) The transportation plan would not cost more, on a per pupil basis, than the average cost for transportation for other public schools operating in the school district in which the charter school is located; and~~

~~—(f) The academic, financial and organizational performance of the charter school indicate that the transportation plan is in the interest of pupils who will be served by the transportation plan.~~

~~—(Added to NRS by [2023, 2178](#))~~

NRS 386.790 Transportation for pupils may be furnished by trustees; regulations; optional provision of transportation to certain pupils enrolled in school outside zone of attendance. [Effective July 1, 2026.]

1. As provided in this title, the board of trustees of any school district *or the governing board of a charter school or university school for profoundly gifted pupils* may furnish transportation for all resident children of school age *enrolled in a school under their jurisdiction* ~~in the school district attending a public school~~, including pupils assigned to special schools or programs pursuant to NRS 388.417 to 388.469, inclusive, or 388.5251 to 388.5267, inclusive:

(a) Who are not excused from school attendance by the provisions of this title; and

(b) Who reside within the school district at such a distance from the school as to make transportation necessary and desirable.

2. When the board of trustees of a school district whose population is less than 100,000 furnishes transportation for pupils attending public schools pursuant to subsection 1, the board may also provide transportation for all resident children of school age in the school district attending private schools not operated for profit, over bus routes established for pupils attending public schools. If such transportation is provided, the pupils attending such private schools must be transported, if space is available, to and from the points on the established routes nearest to the schools which they attend.

3. The board of trustees of any school district *or the governing board of a charter school or university school for profoundly gifted pupils* may:

(a) Establish bus routes.

(b) Make regulations governing the conduct of pupils while being transported.

(c) For the safety of pupils being transported, govern the conduct of drivers by making and enforcing regulations not inconsistent with regulations of the State Board of Education or with law.

4. If the board of trustees of a school district furnishes transportation pursuant to this section, the board of trustees may elect not to provide transportation to pupils who attend a public school outside the zone of attendance that the pupil is otherwise required to attend pursuant to paragraph (e) of subsection 2 of NRS 388.040.

[389:32:1956]—(NRS A 1979, 1614; 1983, 774; 1993, 2161; 2025, 3173, effective July 1, 2026)

NRS 386.795 Use of certain money for procuring vehicles, drivers and insurance.

1. As used in this section, “vehicles” means the school buses, station wagons, automobiles and other motor or mechanically propelled vehicles required by the school district for the transportation of pupils.

2. The board of trustees of a school district *or the governing board of a charter school or university school for profoundly gifted pupils* shall use transportation funds of the *local education agency* ~~school district~~ for:

(a) The purchase, rent, hire and use of vehicles, and for necessary equipment, supplies and articles therefor.

(b) Necessary repairs of vehicles to keep them in safe and workable condition.

(c) The employment and compensation of capable and reliable drivers of vehicles and other employees necessary for the transportation of pupils and other authorized persons.

(d) Insuring vehicles owned, rented, hired, used or operated by or under the direction or supervision of the board of trustees. Such insurance shall:

(1) Be of such an amount as the board of trustees *or governing body* may be able to obtain and the regulations of the State Board of Education require as sufficient to protect the board of trustees, the pupils being transported, and their parents, guardians or legal representatives from loss or damage resulting from acts covered by the insurance.

(2) Especially insure against loss and damage resulting from or on account of injury or death of any pupil being transported, caused by a crash or any accident during the operation of any such vehicle.

[391:32:1956]—(NRS A 1979, 1615; 2015, 1668)—(Substituted in revision for NRS 392.320)

NRS 386.800 Transportation by common and private carrier; purchase of bus tickets for certain pupils; contracts and insurance.

1. In addition to the purposes authorized by NRS 386.795, a board of trustees *or the governing board of a charter school or university school for profoundly gifted pupils* may use transportation funds of the *local education agency* ~~school district~~ for:

(a) Arranging and paying for transportation, in accordance with subsection 2, by motor vehicles or otherwise, by contract or such other arrangement as the board of trustees *or governing body* finds most economical, expedient and feasible and for the best interests of the school district.

(b) Purchasing tickets at reduced rates for the transportation of pupils, including, without limitation, homeless pupils, on public buses for use by pupils enrolled in middle school, junior high school and high school to travel to and from school.

2. Transportation may be arranged and contracted for by a board of trustees *or governing body* with:

(a) Any railroad company holding a certificate of public convenience and necessity issued by the Public Utilities Commission of Nevada or bus company or other licensed common carrier holding a certificate of public convenience and necessity issued by the Nevada Transportation Authority.

(b) The owners and operators of private automobiles or other private motor vehicles, including parents of pupils who attend school and are entitled to transportation. When required by the board of trustees, every such private automobile or other private motor vehicle regularly transporting pupils must be insured in the amount required by regulation of the State Board against the loss and damage described in subsection 2 of NRS 386.795.

[392:32:1956]—(NRS A 1979, 1615; 1997, 1993, 2489; 1999, 90, 565)—(Substituted in revision for NRS 392.330)

~~—NRS 388.041— Department to establish program to award grants of money for purpose of providing transportation to pupils attending school outside zone of attendance; required notification; use of grant; regulations. [Effective July 1, 2026.]~~

~~—1.— The Department shall, to the extent that money is available for this purpose, establish a program to award grants of money to organizations or the parent or legal guardian of a pupil for the purpose of providing the pupil with transportation to attend a public school located outside the zone of attendance that the pupil is otherwise required to attend pursuant to paragraph (c) of subsection 2 of NRS 388.040.~~

~~—2.— A pupil who uses transportation provided by the recipient of a grant of money awarded pursuant to this section shall notify the Department if the pupil transfers to another school.~~

~~—3.— An applicant who receives a grant of money pursuant to this section shall not use the grant for any purpose other than providing eligible pupils with transportation to and from a public school located outside the zone of attendance that the pupil is otherwise required to attend.~~

~~—4.— The Department shall adopt regulations:~~

~~—(a) Prescribing the requirements to apply for and receive a grant through the program established by this section.~~

~~—(b) Establishing the eligibility criteria for pupils for whom transportation may be provided through a grant, including, without limitation, that:~~

~~—(1) The pupil lives in the zone of attendance for a public school that received, in the immediately preceding school year, one of the two lowest ratings of performance pursuant to the statewide system of accountability for public schools; and~~

~~—(2) The pupil attends a school district which has elected not to provide transportation to pupils who attend a public school outside the zone of attendance that the pupil is otherwise required to attend pursuant to paragraph (c) of subsection 2 of NRS 388.040 and no other viable form of transportation is available to the pupil.~~

~~—(c) Necessary to carry out the provisions of this section.~~

~~—(Added to NRS by 2025, 3174, effective July 1, 2026)~~