

ASSEMBLY BILL NO. 533—COMMITTEE ON EDUCATION

MARCH 24, 2025

Referred to Committee on Education

SUMMARY—Revises provisions relating to education.  
(BDR 34-756)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 2)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 pupil to attend a public school outside the zone of attendance the pupil is otherwise required to attend in certain circumstances; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law: (1) authorizes the board of trustees of certain school districts to zone the school district and determine which pupils must attend each school; and (2) allows pupils to attend certain schools despite the zoning decision of the board of trustees of the school district. (NRS 388.040) **Section 2** of this bill authorizes a pupil to attend a public school outside the zone of attendance that the pupil is otherwise required to attend if the public school is not at capacity in the grade level of the pupil and the pupil receives approval to attend the school. **Section 2** additionally: (1) requires the Superintendent of Public Instruction to establish an application process to enable pupils to request such transfers between public schools; (2) provides certain requirements governing the application process, including, without limitation, various factors that may not be considered when determining whether to approve an application; and (3) sets forth the process for the parent or legal guardian of a pupil who submits an application to appeal certain decisions regarding the application. **Section 1** of this bill authorizes the board of trustees of a school district that furnishes transportation to pupils to elect not to provide transportation to a pupil who attends a public school outside of his or her zone of attendance pursuant to **section 2**. Additionally, **section 2** authorizes the board of trustees of a school district to accept gifts and grants to carry out certain provisions of **section 2**.



\* A B 5 3 3 \*

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

**Section 1.** NRS 386.790 is hereby amended to read as follows:

386.790 1. As provided in this title, the board of trustees of any school district may furnish transportation for all resident children of school age 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 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 (f) of subsection 2 of NRS 388.040.*

**Sec. 2.** NRS 388.040 is hereby amended to read as follows:

388.040 1. Except as otherwise provided in subsection 2, the board of trustees of a school district that includes more than one school which offers instruction in the same grade or grades may zone the school district and determine which pupils must attend each school.



2. The establishment of zones pursuant to subsection 1 does not preclude a pupil from attending a:

(a) Charter school;

(b) University school for profoundly gifted pupils;

(c) Public school outside the zone of attendance that the pupil is otherwise required to attend if the pupil is a child in foster care who is remaining in his or her school of origin pursuant to NRS 388E.105;

(d) Public school outside the zone of attendance that the pupil is otherwise required to attend if the pupil has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive, or the parent or legal guardian with whom the pupil resides has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive; ~~for~~

(e) Public school outside the zone of attendance that the pupil is otherwise required to attend if the pupil is an English learner enrolling in the school pursuant to subsection 5 of NRS 388.408 ~~for~~;   
*or*

*(f) Public school outside the zone of attendance that the pupil is otherwise required to attend if the public school is not at capacity in the grade level of the pupil and the pupil is approved to attend the school pursuant to this section.*

3. The Superintendent of Public Instruction shall:

(a) Establish an application process through which a pupil may request to attend, pursuant to paragraph (f) of subsection 2, a public school outside the zone of attendance that the pupil is otherwise required to attend. The process must:

(1) Include an annual deadline by which a pupil must submit the application to the board of trustees of the school district in which the school the pupil requests to attend is located; and

(2) Provide for the notification of a pupil and his or her parent or legal guardian, and the principals of the schools involved in the transfer of the pupil, if an application is approved.

(b) On the Internet website maintained by the Department, annually publish data describing, for pupils who transferred between schools located in different zones of attendance pursuant to paragraph (f) of subsection 2:

(1) The total number of pupils who transferred between schools located in different zones of attendance during the previous school year; and

(2) For each public school, the number of pupils who transferred into and out of the school pursuant to paragraph (f) of subsection 2 during the previous school year.

4. The board of trustees of each school district shall:



(a) Establish capacity limits for each grade level within each public school in the school district.

(b) Require a public school in the school district to enroll a pupil whose application submitted pursuant to subsection 3 has been approved, so long as the public school has capacity at the grade level of the pupil.

(c) Establish a method to determine which pupils to enroll in any grade level within a public school for which applications exceed the capacity limits established pursuant to paragraph (a), which may include, without limitation, a lottery system.

(d) Allow a pupil whose application submitted pursuant to subsection 3 has been approved to permanently transfer to that public school without requiring an additional application in any subsequent school year.

(e) Prepare and submit an annual report to the Superintendent of Public Instruction describing:

(1) The number of applications received pursuant to subsection 3 and the number of such applications that were approved or denied; and

(2) For each application that was denied, the reason the board of trustees of the school district denied the application.

5. The application process established pursuant to subsection 3 must prohibit the consideration of any of the following factors in determining whether to approve an application:

(a) The academic, artistic or athletic ability of a pupil;

(b) The participation of a pupil in any extracurricular activity or the skill of a pupil in such an activity;

(c) Whether a pupil is a pupil with a disability;

(d) Whether a pupil is an English learner;

(e) The address at which the pupil resides; or

(f) Except as otherwise provided in this paragraph, whether a pupil has previously been subject to any disciplinary action. The board of trustees of a school district may deny the application of a pupil who, in the school year for which the application is submitted or in the immediately preceding school year, was suspended for 10 or more days or expelled.

6. If an application to attend a public school outside the zone of attendance that a pupil is otherwise required to attend submitted pursuant to subsection 3 is denied or no action is taken on the application, the parent or legal guardian of the pupil may appeal the denial or lack of action to the superintendent of the school district and, if he or she upholds the decision of the board of trustees of the school district, to the Superintendent of Public Instruction. The Superintendent of Public Instruction shall



1 *promptly approve or deny the application, and his or her decision*  
2 *is final.*

3 7. *The board of trustees of a school district may accept gifts*  
4 *and grants to carry out the provisions of subsections 3 to 6,*  
5 *inclusive.*

6 8. *As used in this section:*

7 (a) *“Expelled” has the meaning ascribed to “expel” or*  
8 *“expulsion” in NRS 392.4603.*

9 (b) *“Suspended” has the meaning ascribed to “suspend” or*  
10 *“suspension” in NRS 392.4607.*

11 **Sec. 3.** The provisions of NRS 354.599 do not apply to any  
12 additional expenses of a local government that are related to the  
13 provisions of this act.

14 **Sec. 4.** 1. This section and section 3 of this act become  
15 effective upon passage and approval.

16 2. Sections 1 and 2 of this act become effective:

17 (a) Upon passage and approval for the purpose of adopting any  
18 regulations and performing any other preparatory administrative  
19 tasks that are necessary to carry out the provisions of this act; and

20 (b) On July 1, 2026, for all other purposes.







