



Nevada Compilation of School Discipline Laws and Regulations

Prepared: March 31, 2021

Introduction

This compilation presents school discipline-related laws and regulations for U.S. states, U.S. territories, and the District of Columbia, and, where available, links to education agency websites or resources related to school discipline and student conduct. The discipline laws and regulations presented in this compilation have been categorized by type of specific discipline issue covered, according to an organizational framework developed by the National Center for Safe and Supportive Learning Environments (NCSSE). For example, one major category encompasses all laws or regulations governing states or territories that mandate specific disciplinary sanctions (such as suspension) for specific offenses (such as drug possession on school grounds). The school discipline laws and regulations were compiled through exhaustive searches of legislative websites that identified all laws and regulations relevant to each specific category. Compiled materials were subsequently reviewed by state education agency (SEA) representatives in the 50 states, Washington D.C., and the U.S. territories.

Discipline categories were not mutually exclusive. Laws and regulations often appeared across multiple categories. For jurisdictions with more extensive laws covering a breadth of topical areas, relevant sections were excerpted from the larger legislative text for inclusion in the appropriate discipline category. Laws, ordered by chapter and section number, appear first within each category followed by regulations. All laws and regulations listed within categories in the compilation also appear in the sources cited section of the document, which lists laws by chapter and section number and title, and where available, includes active hyperlinks to source websites supported or maintained by state legislatures. Additional links to government websites or resources are provided at the end of this document.

Notes & Disclaimers

To the best of the preparer's knowledge, this Compilation of School Discipline Laws and Regulations is complete and current as of March 2021. Readers should also note that the information in this document was compiled from individual sources that are created by each jurisdiction and which are maintained and updated with varying frequencies. Readers should consult the source information provided directly in order to check for updates to laws and regulations reported in this document or to conduct further research.

For further information, including definitions of the different policy categories, please refer to the [Discipline Laws and Regulations Compendium](#) posted on the Center's website.

Prepared by:

Child Trends

7315 Wisconsin Avenue
Suite 1200W
Bethesda, Maryland 20814

EMT Associates, Inc.

1631 Creekside Drive
Suite 100
Folsom, California 95630



Table of Contents

- Nevada State Codes Cited..... 1**
- Codes of Conduct..... 9**
 - Authority to Develop and Establish Codes of Conduct..... 9
 - Scope..... 13
 - Communication of Policy..... 15
- In-School Discipline..... 19**
 - Discipline Frameworks 19
 - Teacher Authority to Remove Students From Classrooms 20
 - Alternatives to Suspension..... 22
- Conditions on Use of Certain Forms of Discipline..... 26**
 - Corporal Punishment 26
 - Search and Seizure..... 27
 - Restraint and Seclusion 28
- Exclusionary Discipline: Suspension, Expulsion, and Alternative Placement..... 34**
 - Grounds for Suspension or Expulsion..... 34
 - Limitations or Conditions on Exclusionary Discipline 37
 - Due Process..... 41
 - Return to School Following Removal 47
 - Alternative Placements 48
- Discipline Addressing Specific Code of Conduct Violations 54**
 - Firearms and Other Weapons Violations 54
 - Students with Chronic Disciplinary Issues..... 58
 - Chronic Absenteeism and Truancy 62
 - Substance Use..... 71
 - Gang-related Activity 72
 - Bullying, Harassment, or Hazing 73
 - Dating and Relationship Violence 89
- Prevention, Behavioral Intervention, and Supports..... 90**
 - State Model Policies and Implementation Support..... 90
 - Multi-tiered Frameworks and Systems of Support..... 91
 - Prevention..... 92
 - Social-emotional Learning (SEL)..... 93
 - Trauma-informed Practices..... 94
 - Mental Health Literacy Training..... 94
 - School-based Behavioral Health Programs 97
- Monitoring and Accountability 99**
 - Formal Incident Reporting of Conduct Violations 99
 - Parental Notification 102
 - Data Collection, Review, and Reporting of Discipline Policies and Actions 107

Partnerships between Schools and Law Enforcement.....	117
Referrals to Law Enforcement.....	117
School Resource Officer (SRO) or School Security Officer (SSO) Training or Certification	121
Authorizations, Memoranda of Understanding (MOUs), and/or Funding.....	122
Threat Assessment Protocols	126
State-Sponsored, Publicly Available Websites or Other Resources on School Discipline.....	131

Nevada State Codes Cited

[Nevada Revised Laws](#)

Title 5. Juvenile Justice

Chapter 62C. Procedure Before Adjudication

[NRS 62C.400.](#) Department of juvenile services to provide certain information to juvenile court and school district concerning child who engaged in bullying or cyber-bullying

[Chapter 62E. Disposition of Cases by Juvenile Court](#)

[NRS 62E.030.](#) Court to provide certain information to school district concerning certain offenses

Title 15. Crimes and Punishments

[Chapter 200. Crimes against the Person](#)

Hazing

[NRS 200.605.](#) Penalties; definition

[Chapter 202. Crimes against Public Health and Safety](#)

Weapons: Dangerous Weapons and Firearms

[NRS 202.265.](#) Possession of dangerous weapon on property or in vehicle of school or child care facility; penalty; exceptions

Nevada Clean Indoor Air Act

[NRS 202.2491.](#) Smoking tobacco: Unlawful in certain public places; posting signs; designation of areas for smoking

[Chapter 236. Holidays and Periods of Observance](#)

Periods of Observance

[NRS 236.073.](#) Week of Respect

Title 22. Cooperative Agreements by Public Agencies; Regional Transportation Commissions/ Planning and Zoning; Development and Redevelopment

[Chapter 280. Metropolitan Police Departments](#)

Administration and Powers

[NRS 280.287.](#) Contract for provision and supervision of police services in public schools and charter schools; qualifications and training for officers assigned to school police unit

Title 34. Education

[Chapter 385. State Administrative Organization](#)

Superintendent of Public Instruction

[NRS 385.175.](#) Designation as educational leader for system of K-12 public education; general duties

[NRS 385.230.](#) Annual report of the state of public education; contents of report; presentation and submission of report.

Chapter 385A. Accountability of Public Schools

Program and Annual Reports of Accountability

District Accountability Report

[NRS 385A.240.](#) Attendance, truancy and transiency of pupils

[NRS 385A.250.](#) Discipline of pupils

State Accountability Report

[NRS 385A.400.](#) Requirements for report; public dissemination of report.

[NRS 385A.450.](#) Attendance, truancy and transiency of pupils

[NRS 385A.460.](#) Discipline of pupils

Statewide System of Accountability

[NRS 385A.620.](#) Regulations governing inclusion of pupils enrolled in certain alternative programs within statewide system

[NRS 385A.840.](#) Collection and reporting of data on discipline of pupils

Chapter 388. System of Public Instruction

General Provisions

[NRS 388.077.](#) Right of pupils to constitutional expression; limitation; adoption of policy for pupil publications; resolution of complaint by pupil of violation of right

Provision of Safe and Respectful Learning Environment

General Provisions

[NRS 388.121.](#) Definitions

[NRS 388.122.](#) "Bullying" defined

[NRS 388.123.](#) "Cyber-bullying" defined

[NRS 388.124.](#) "Electronic communication" defined

[NRS 388.132.](#) Legislative declaration concerning safe and respectful learning environment

[NRS 388.1321.](#) Legislative declaration concerning duty of governing body, administrators and teachers to create and provide safe and respectful learning environment; authority of parent or guardian of pupil to petition court to compel performance of duty; remedy not exclusive

[NRS 388.1323.](#) Office for a Safe and Respectful Learning Environment: Creation; appointment and duties of Director

[NRS 388.1325.](#) Bullying Prevention Account: Creation; acceptance of gifts and grants; credit of interest and income; authorized uses by school district that receives grant

[NRS 388.1327.](#) Regulations

Policies; Informational Pamphlet; Program of Training

[NRS 388.133.](#) Policy by Department concerning safe and respectful learning environment

[NRS 388.134.](#) Policy by governing bodies for provision of safe and respectful learning environment and policy for ethical, safe and secure use of computers; provision of training to governing bodies and school personnel; posting of policies on Internet website; annual review and update of policies

[NRS 388.1341.](#) Development of informational pamphlet by Department; annual review and update; posting on Internet website; development of tutorial

[NRS 388.1342.](#) Establishment of programs of training by Department; completion of program by members of State Board of Education and governing bodies; completion of certain programs by school district and school personnel; annual review and update of programs of training

School Safety Team

[NRS 388.1343.](#) Establishment by administrator of each school; duties of administrator

[NRS 388.1344.](#) Membership; chair; duties

Prohibition of Bullying and Cyber-Bullying; Reports of Violations

[NRS 388.135.](#) Bullying and cyber-bullying prohibited

[NRS 388.1351.](#) Staff member required to report violation to administrator; required actions and investigation; notification to parent or guardian; written report of findings and conclusions of investigation; follow-up with victim; list of resources to be provided to parent or guardian; appeal of disciplinary action; reassignment of pupil who is victim of bullying or cyber-bullying; reports

[NRS 388.1352.](#) Establishment of policy by governing body for employees to report violations to law enforcement

[NRS 388.13535.](#) Deferral of required investigation of bullying or cyber-bullying; actions by administrator or designee if investigation is deferred; exemption from certain requirements if violation committed by certain pupils

[NRS 388.136.](#) School officials prohibited from interfering with disclosure of violations

[NRS 388.137.](#) Immunity for reporting of violations; exceptions; recommendation for disciplinary action if person who made report acted with malice, intentional misconduct, gross negligence or violation of law

Rules of Behavior; Week of Respect

[NRS 388.139.](#) Text of certain provisions required to be included in rules of behavior

[NRS 388.1395.](#) Requirements for delivery of information during annual "Week of Respect."

Safe-to-Tell Program

[NRS 388.14538.](#) Handle with Care Program: Establishment; notification of exposure of child to traumatic event or certain other events; training; regulations.

[NRS 388.1454.](#) Legislative findings and declarations concerning SafeVoice Program

[NRS 388.1455.](#) Establishment of SafeVoice Program; requirements of Program; support center for initial reports; training regarding Program and support center; duties of Director; reports, policies and regulation

[NRS 388.14553.](#) Appointment of team to receive notification of certain activity; certain information regarding Program to appear on identification cards of pupils and be posted conspicuously; member of team to take appropriate action upon receipt of notification.

[NRS 388.14555.](#) Immunity from liability for team and team members

[NRS 388.14557.](#) Requirements of support center

Response to Crisis, Emergency or Suicide

[NRS 388.2358.](#) "School resource officer" defined

- [NRS 388.243.](#) Development committee: Development of plan to be used by schools in responding to crisis, emergency or suicide; submission of plan to board of trustees or governing body of charter school and Division of Emergency Management of Department of Public Safety; compliance with plan required
- [NRS 388.253.](#) Department: Development of model plan for management of a suicide or a crisis or emergency; requirements for model plan; authorized dissemination of plans prepared by Department and development committee; annual review and update of model plan
- [NRS 388.256.](#) Development and contents of policy for prevention of suicide in certain grades; duty of Department to develop model policy; posting of link to Internet website of Coordinator of Statewide Program for Suicide Prevention
- [NRS 388.2565.](#) Training for school resource officers in prevention of suicide
- [NRS 388.266.](#) Block grants to employ or contract with social workers and other mental health workers

Pupils with Disabilities

Use of Aversive Intervention, Physical Restraint and Mechanical Restraint on Pupils with Disabilities

- [NRS 388.471.](#) Definitions
- [NRS 388.473.](#) "Aversive intervention" defined
- [NRS 388.476.](#) "Chemical restraint" defined
- [NRS 388.478.](#) "Corporal punishment" defined
- [NRS 388.485.](#) "Electric shock" defined
- [NRS 388.487.](#) "Emergency" defined
- [NRS 388.491.](#) "Mechanical restraint" defined
- [NRS 388.494.](#) "Physical restraint" defined
- [NRS 388.495.](#) "Verbal and mental abuse" defined
- [NRS 388.497.](#) Aversive intervention prohibited
- [NRS 388.499.](#) Physical restraint and mechanical restraint prohibited; exceptions
- [NRS 388.501.](#) Conditions under which physical restraint may be used; report required; requirements if pupil has three or five reports of use of restraint in 1 school year.
- [NRS 388.503.](#) Conditions under which mechanical restraint may be used; report required; requirements if pupil has three or five reports of use of restraint in 1 school year
- [NRS 388.505.](#) Mandatory education and training for staff
- [NRS 388.506.](#) Disciplinary action against person for intentional violation
- [NRS 388.508.](#) Report of violation; corrective plan required; appointment of administrator to oversee school under certain circumstances
- [NRS 388.511.](#) Retaliation for reporting violation prohibited
- [NRS 388.513.](#) Reporting of denial of rights; investigation and resolution of disputes by Department
- [NRS 388.515.](#) Annual report by school districts on use of restraint and violations; compilation of reports by Department; submission of compilation to Legislature

Programs to Prevent Criminal Activity; Operation of Alternative Programs

- [NRS 388.532.](#) Development of programs
- [NRS 388.537.](#) Alternative programs for pupils at risk of dropping out of school

Miscellaneous Provisions

- [NRS 388.880.](#) Immunity from civil liability for reporting threat of violence against school official, school employee or pupil; exceptions

[NRS 388.885.](#) Establishment of statewide framework for integrated student supports; requirements for framework; board of trustees and governing body of charter school required to take certain actions; requirements for requests for proposals for integrated student supports

[NRS 388.900.](#) Regulations concerning identification and consideration of certain social and environmental factors

[NRS 388.910.](#) Appointment and duties of school safety specialist

Chapter 389. Academics and Textbooks

General Provisions

[NRS 389.520.](#) Establishment of standards; periodic review of standards; adoption of standards by State Board; establishment of policy for ethical, safe and secure use of computers

Chapter 391. Personnel

Power, Duties and Supervision of Personnel

[NRS 391.270.](#) Teachers: Holding pupils to account for conduct

School Police Officers; Police Services

[NRS 391.281.](#) Fingerprinting and investigation into the background of applicant for employment or appointment as school police officer and certain nonlicensed employees; use of certain information; disqualification of certain applicants, employees and volunteers; acceptance of gifts, grants and donations; immunity from liability; employment of school police officers; contract for police services; training in prevention of suicide

[NRS 391.282.](#) Jurisdiction of school police officers; law enforcement agency to respond to request for assistance by school district which does not have school police according to agency protocol

[NRS 391.283.](#) Policy for procedures to be followed by peace officers in arresting pupil on school grounds during school hours

School Counselors, Psychologists, Nurses and Social Workers

[NRS 391.294.](#) Authority and supervision of school psychologist

Chapter 392. Pupils

Compulsory and Excused Attendance; Retention

[NRS 392.040.](#) Attendance required for child between 7 and 18 years of age; minimum age required for kindergarten and first grade; waiver from attendance available for child 6 years of age; developmental screening test required to determine placement; effect of military transfer of parent of child

Advisory Boards to Review School Attendance; School Attendance Councils; Absence and Truancy

[NRS 392.128.](#) Duties of advisory boards; division into subcommittees; provision of assistance in conjunction with community service providers; use and accounting of available money by advisory board

[NRS 392.130.](#) Conditions under which pupil deemed truant; approval required for absence; notice of unapproved absence to parent; applicability

[NRS 392.140.](#) Conditions under which pupil declared habitual truant; applicability

- [NRS 392.144.](#) Duties of school if pupil is truant; habitual truant must be reported to attendance officer or law enforcement, referred to advisory board or referred for imposition of administrative sanctions
- [NRS 392.146.](#) Contents of written referral to advisory board; notice to parents or guardian
[NRS 392.147.](#) Hearing by advisory board; written agreement for participation of pupil in certain programs; reporting of pupil to attendance officer or law enforcement agency or referral for administrative sanctions under certain circumstances; appeal by parent; confidentiality of information
- [NRS 392.148.](#) Administrative sanctions against habitual truant after investigation and hearing; suspension or delay in issuance of driver's license; appeal by parent or guardian.
- [NRS 392.149.](#) Issuance of citation to habitual truant; applicability
[NRS 392.150.](#) Appointment of attendance officer authorized; procedures to monitor attendance and truancy; consideration of employment of attendance clerk
- [NRS 392.160.](#) Taking into custody child reported absent from school; persons or counseling agency to whom child may be delivered

Children Who Have Been Adjudicated Delinquent for Sexual Offense or Sexually Motivated Act

- [NRS 392.264.](#) Offender prohibited from attending school victim attends without court approval; duty of superintendent of school district to negotiate agreement for attendance in another school district; termination of agreement

Reports of Abuse, Neglect and Other Illegal Conduct

- [NRS 392.303.](#) Employee of or volunteer for school required to make report; timing of and entity to be notified of report; investigation of reports
[NRS 392.305.](#) Method of making report; content

Behavior and Discipline - General Provisions

- [NRS 392.462.](#) Collection by public school of data on discipline of pupils
[NRS 392.463.](#) Adoption of plan to ensure public schools are safe and free of controlled substances; written rules of behavior and punishments; distribution of plan and rules to pupils; availability for inspection
- [NRS 392.4633.](#) Corporal punishment prohibited
[NRS 392.4634.](#) Prohibition against disciplining certain pupils for simulating firearm or dangerous weapon or wearing clothing or accessories that depict firearm or dangerous weapon; exceptions; prohibition against adoption of conflicting policy, ordinance or regulation
- [NRS 392.4635.](#) Policy for prohibition of activities of criminal gangs on school property
[NRS 392.4637.](#) Policy concerning use and possession of pagers, cellular telephones and other electronic devices
- [NRS 392.4638.](#) Board of trustees authorized to adopt policy for pupils to report unlawful activity being conducted on school property, activity sponsored by public school or on school bus
- [NRS 392.464.](#) Adoption and enforcement by trustees of disciplinary measures for pupil in possession of alcoholic beverage or controlled substance on premises of school

Temporary Alternative Placement

- [NRS 392.4644.](#) Plan for restorative discipline and on-site review of disciplinary decisions; annual review and revision of plan; posting and distribution of plan; written reports by board of trustees concerning compliance with section
- [NRS 392.4645.](#) Removal of pupil: Notice; assignment to temporary alternative placement; exceptions.

[NRS 392.4646.](#) Removal of pupil: Conference; recommendation of principal
[NRS 392.4648.](#) Powers and duties of committee to review temporary alternative placement of pupils; principal to report to school district when committee convened; submission of compiled reports

Habitual Disciplinary Problem; Suspension and Expulsion

[NRS 392.4655.](#) Conditions under which pupil deemed habitual disciplinary problem; plan of behavior to prevent pupil from being deemed habitual disciplinary problem; appeal by parent or guardian concerning content of plan or action taken pursuant to plan

[NRS 392.4657.](#) Conditions under which pupil deemed suspended

[NRS 392.466.](#) Plan of action for pupil who engages in battery on employee of school, possession of firearm or dangerous weapon or sale or distribution of controlled substance or is deemed a habitual disciplinary problem; appeal by employee who is victim of battery; suspension or expulsion of such pupils; modification to suspension or expulsion; limitations for pupils with disabilities

[NRS 392.467.](#) Suspension or expulsion of pupil: Procedure; limitations

[NRS 392.4675.](#) Certain suspended or expelled pupils ineligible to attend public school; authority for school district or charter school to enroll ineligible pupil in alternative programs, independent study, distance education, charter school designated for pupils with disciplinary problems or challenge school

[NRS 392.472.](#) Requirement to provide plan of action before expelling pupil; example plans of action; approval of plans of action; guidance document; regulations

Miscellaneous Provisions

[NRS 392.850.](#) Provision of information to certain employees regarding unlawful conduct of pupil; immunity from liability under certain circumstances; confidentiality of information

Unlawful Acts

[NRS 392.900.](#) Interference with pupil attending school; penalty

[NRS 392.915.](#) Threatening to cause bodily harm or death to pupil or school employee by means of oral, written or electronic communication; penalties

Nevada Regulations

Chapter 388. System of Public Instruction

Alternative Programs for Pupils at Risk of Dropping Out of School

[NAC 388.500.](#) "Alternative program" defined

[NAC 388.510.](#) General requirements; effective period

[NAC 388.520.](#) Plan to provide for independent study

Provision of Safe and Respectful Learning Environment

General Provisions

[NAC 388.890.](#) Reporting of information regarding bullying or cyber-bullying by pupils; actions of principal or designee when ensuring safety and well-being of reported victim

[NAC 388.900.](#) Requirements of investigation of report; documentation of interviews conducted as part of investigation

- [NAC 388.905.](#) Requirements of written report if violation found to have occurred; principal or designee to develop and carry out plan to support well-being of victim and aggressor; follow-up with victim and aggressor
- [NAC 388.910.](#) Required actions by principal upon completion of written report of investigation; adoption of policy by school district that prescribes procedures to appeal outcome of investigation
- [NAC 388.915.](#) Complaint concerning outcome of appeal or violation of provisions of law; preliminary report concerning whether to conduct further investigation; final report when further investigation is conducted; Department authorized to request school district to prepare plan of corrective action; employee subject to disciplinary action prohibited from administrative appeal of such action
- [NAC 388.920.](#) Annual report of accountability to exclude personally identifiable information of pupil involved in reported violation; certain persons not to interfere with reporting of statistics concerning violations

Chapter 389. Academics and Textbooks

- [NAC 389.195.](#) Elementary school

Codes of Conduct

Authority to Develop and Establish Codes of Conduct

LAWS

NRS 388.133. Policy by Department concerning safe and respectful learning environment.

1. The Department shall, in consultation with the governing bodies, educational personnel, local associations and organizations of parents whose children are enrolled in schools throughout this State, and individual parents and legal guardians whose children are enrolled in schools throughout this State, prescribe by regulation a policy for all school districts and schools to provide a safe and respectful learning environment that is free of bullying and cyber-bullying.
2. The policy must include, without limitation:
 - (a) Requirements and methods for reporting violations of NRS 388.135, including, without limitation, violations among teachers and violations between teachers and administrators, coaches and other personnel of a school district or school;
 - (b) Requirements and methods for addressing the rights and needs of persons with diverse gender identities or expressions;
 - (c) Requirements and methods for restorative disciplinary practices; and
 - (d) A policy for use by school districts and schools to train members of the governing body and all administrators, teachers and all other personnel employed by the governing body. The policy must include, without limitation:
 - (1) Training in the appropriate methods to facilitate positive human relations among pupils by eliminating the use of bullying and cyber-bullying so that pupils may realize their full academic and personal potential;
 - (2) Training in methods to prevent, identify and report incidents of bullying and cyber-bullying;
 - (3) Training concerning the needs of persons with diverse gender identities or expressions;
 - (4) Training concerning the needs of pupils with disabilities and pupils with autism spectrum disorder;
 - (5) Methods to promote a positive learning environment;
 - (6) Methods to improve the school environment in a manner that will facilitate positive human relations among pupils; and
 - (7) Methods to teach skills to pupils so that the pupils are able to replace inappropriate behavior with positive behavior.

NRS 388.134. Policy by governing bodies for provision of safe and respectful learning environment and policy for ethical, safe and secure use of computers; provision of training to governing bodies and school personnel; posting of policies on Internet website; annual review and update of policies.

Each governing body shall:

1. Adopt the policy prescribed pursuant to NRS 388.133 and the policy prescribed pursuant to subsection 2 of NRS 389.520. The governing body may adopt an expanded policy for one or both of the policies if each expanded policy complies with the policy prescribed pursuant to NRS 388.133 or pursuant to subsection 2 of NRS 389.520, as applicable.
2. Provide for the appropriate training of members of the governing body and all administrators, teachers and all other personnel employed by the governing body in accordance with the policies

prescribed pursuant to NRS 388.133 and pursuant to subsection 2 of NRS 389.520. For members of the governing body who have not previously served on the governing body or for employees of the school district or school who have not previously been employed by the district or school, the training required by this subsection must be provided within 180 days after the member begins his or her service or after the employee begins his or her employment, as applicable.

3. Post the policies adopted pursuant to subsection 1 on the Internet website maintained by the school district or school.

4. Ensure that the parents and legal guardians of pupils enrolled in the school district or school have sufficient information concerning the availability of the policies, including, without limitation, information that describes how to access the policies on the Internet website maintained by the school district or school. Upon the request of a parent or legal guardian, the school district or school shall provide the parent or legal guardian with a written copy of the policies.

5. Review the policies adopted pursuant to subsection 1 on an annual basis and update the policies if necessary. If the governing body updates the policies, the governing body must submit a copy of the updated policies to the Department within 30 days after the update.

NRS 392.463. Adoption of plan to ensure public schools are safe and free of controlled substances; written rules of behavior and punishments; distribution of plan and rules to pupils; availability for inspection.

1. Each school district shall adopt a plan to ensure that the public schools within the school district are safe and free of controlled substances. The plan must comply with the Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101 et seq.

2. Each school district shall prescribe written rules of behavior required of and prohibited for pupils attending school within their district and shall prescribe appropriate punishments for violations of the rules. If suspension or expulsion is used as a punishment for a violation of the rules, the school district shall follow the procedures in NRS 392.467.

3. A copy of the plan adopted pursuant to subsection 1 and the rules of behavior, prescribed punishments and procedures to be followed in imposing punishments prescribed pursuant to subsection 2 must be distributed to each pupil at the beginning of the school year and to each new pupil who enters school during the year. Copies must also be made available for inspection at each school located in that district in an area on the grounds of the school which is open to the public.

NRS 392.4635. Policy for prohibition of activities of criminal gangs on school property.

1. The board of trustees of each school district shall establish a policy that prohibits the activities of criminal gangs on school property.

2. The policy established pursuant to subsection 1 may include, without limitation:

(a) The provision of training for the prevention of the activities of criminal gangs on school property.

(b) If the policy includes training:

(1) A designation of the grade levels of the pupils who must receive the training.

(2) A designation of the personnel who must receive the training, including, without limitation, personnel who are employed in schools at the grade levels designated pursuant to subparagraph (1).

The board of trustees of each school district shall ensure that the training is provided to the pupils and personnel designated in the policy.

(c) Provisions which prohibit:

(1) A pupil from wearing any clothing or carrying any symbol on school property that denotes membership in or an affiliation with a criminal gang; and

(2) Any activity that encourages participation in a criminal gang or facilitates illegal acts of a criminal gang.

(d) Provisions which provide for the suspension or expulsion pursuant to NRS 392.466 and 392.467 of pupils who violate the policy.

3. The board of trustees of each school district may develop the policy required pursuant to subsection 1 in consultation with:

(a) Local law enforcement agencies;

(b) School police officers, if any;

(c) Persons who have experience regarding the actions and activities of criminal gangs;

(d) Organizations which are dedicated to alleviating criminal gangs or assisting members of criminal gangs who wish to disassociate from the gang; and

(e) Any other person deemed necessary by the board of trustees.

4. As used in this section, "criminal gang" has the meaning ascribed to it in NRS 213.1263.

NRS 392.4637. Policy concerning use and possession of pagers, cellular telephones and other electronic devices.

1. The board of trustees of each school district shall adopt a policy concerning the use and possession by pupils of a pager, cellular telephone or any other similar electronic device used for communication while on the premises of a public school or while at an activity sponsored by a public school.

2. The policy adopted pursuant to subsection 1 must:

(a) Prescribe appropriate measures for disciplining a pupil who violates the policy.

(b) Be included within each copy of the rules of behavior for pupils that the school district provides to pupils pursuant to NRS 392.463.

NRS 392.4638. Board of trustees authorized to adopt policy for pupils to report unlawful activity being conducted on school property, activity sponsored by public school or on school bus.

1. The board of trustees of each school district may adopt a policy that allows a pupil enrolled in a public school within the school district to report, anonymously if the pupil chooses, any unlawful activity which is being conducted on school property, at an activity sponsored by a public school or on a school bus. The policy may include, without limitation:

(a) The types of unlawful activities which a pupil may report; and

(b) The manner in which a pupil may report the unlawful activities.

2. The board of trustees of a school district may work in consultation with a local law enforcement agency or other governmental entity, corporation, business, organization or other entity to assist the board of trustees in the implementation of a policy adopted pursuant to subsection 1.

3. If the board of trustees of a school district adopts a policy pursuant to subsection 1, each public school within the school district shall post prominently in various locations at the school the policy adopted pursuant to subsection 1, which must clearly denote the phone number and any other methods by which a report may be made. If a public school maintains an Internet website for the school, the policy must also be posted on the school's website.

4. If the board of trustees of a school district adopts a policy pursuant to subsection 1, the board of trustees shall post the policy on the Internet website maintained by the school district.

NRS 392.464. Adoption and enforcement by trustees of disciplinary measures for pupil in possession of alcoholic beverage or controlled substance on premises of school.

1. The board of trustees of each school district shall adopt and enforce measures for disciplining any pupil who is found in possession of an alcoholic beverage or a controlled substance, while on the premises of any public school in its district.
2. As used in this section, "alcoholic beverage" has the meaning ascribed to it in NRS 202.015.

NRS 392.4644. Plan for restorative discipline and on-site review of disciplinary decisions; annual review and revision of plan; posting and distribution of plan; written reports by board of trustees concerning compliance with section.

1. The board of trustees of each school district shall establish a plan to provide for the restorative discipline of pupils and on-site review of disciplinary decisions. The plan must:
 - (a) Be developed with the input and participation of teachers, school administrators and other educational personnel and support personnel who are employed by the school district, and the parents and guardians of pupils who are enrolled in schools within the school district.
 - (b) Be consistent with the written rules of behavior prescribed in accordance with NRS 392.463.
 - (c) Include, without limitation, provisions designed to address the specific disciplinary needs and concerns of each school within the school district.
 - (d) Provide restorative disciplinary practices which include, without limitation:
 - (1) Holding a pupil accountable for his or her behavior;
 - (2) Restoration or remedies related to the behavior of the pupil;
 - (3) Relief for any victim of the pupil; and
 - (4) Changing the behavior of the pupil.
 - (e) Provide for the temporary removal of a pupil from a classroom or other premises of a public school in accordance with NRS 392.4645.
 - (f) Provide for the placement of a pupil in a different school within the school district in accordance with NRS 392.466.
 - (g) Include the names of any members of a committee to review the temporary alternative placement of pupils required by NRS 392.4647.
 - (h) Be posted on the Internet website maintained by the school district.
2. On or before September 15 of each year, the principal of each public school shall:
 - (a) Review the plan established by subsection 1 in consultation with the teachers, school administrators and other educational personnel and support personnel who are employed at the school and the parents and guardians of pupils and the pupils who are enrolled in the school;
 - (b) Based upon the review, recommend to the board of trustees of the school district revisions to the plan, as recommended by the teachers, school administrators and other educational personnel and support personnel and the parents and guardians of pupils and the pupils who are enrolled in the school, if necessary;
 - (c) Post a copy of the plan or the revised plan, as provided by the school district, on the Internet website maintained by the school; and
 - (d) Distribute to each teacher, school administrator and all educational support personnel who are employed at or assigned to the school a written or electronic copy of the plan or the revised plan, as provided by the school district.
3. On or before November 15 of each year, the board of trustees of each school district shall:

- (a) Submit a written report to the Superintendent of Public Instruction that reports the progress of each school within the district in complying with the requirements of this section; and
- (b) Post a copy of the report on the Internet website maintained by the school district.

REGULATIONS

No relevant regulations found.

Scope

LAWS

NRS 388.135. Bullying and cyber-bullying prohibited.

A member of a governing body, any employee of a governing body, including, without limitation, an administrator, teacher or other staff member, a member of a club or organization which uses the facilities of any school, regardless of whether the club or organization has any connection to the school, or any pupil shall not engage in bullying or cyber-bullying on the premises of any school, at an activity sponsored by a school or on any school bus.

NRS 391.270. Teachers: Holding pupils to account for conduct.

Every teacher in the public schools shall hold pupils to a strict account of their conduct on and in close proximity to the school grounds, on the play ground, and during any intermission.

NRS 392.466. Plan of action for pupil who engages in battery on employee of school, possession of firearm or dangerous weapon or sale or distribution of controlled substance or is deemed a habitual disciplinary problem; appeal by employee who is victim of battery; suspension or expulsion of such pupils; modification to suspension or expulsion; limitations for pupils with disabilities.

1. Except as otherwise provided in this section, any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school or on any school bus and who is at least 11 years of age shall meet with the school and his or her parent or legal guardian. The school shall provide a plan of action based on restorative justice to the parent or legal guardian of the pupil. The pupil may be expelled from the school, in which case the pupil shall:
 - (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
 - (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.
2. An employee who is a victim of a battery which results in the bodily injury of an employee of the school may appeal to the school the plan of action provided pursuant to subsection 1 if:
 - (a) The employee feels any actions taken pursuant to such plan are inappropriate; and
 - (b) For a pupil who committed the battery and is participating in a program of special education pursuant to NRS 388.419, the board of trustees of the school district has reviewed the circumstances and determined that such an appeal is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.
3. Except as otherwise provided in this section, any pupil who is found in possession of a firearm or a dangerous weapon while on the premises of any public school, at an activity sponsored by a public

school or on any school bus must, for the first occurrence, be expelled from the school for a period of not less than 1 year, although the pupil may be placed in another kind of school for a period not to exceed the period of the expulsion. For a second occurrence, the pupil must be permanently expelled from the school and:

(a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

4. If a school is unable to retain a pupil in the school pursuant to subsection 1 for the safety of any person or because doing so would not be in the best interest of the pupil, the pupil may be suspended, expelled or placed in another school. If a pupil is placed in another school, the current school of the pupil shall explain what services will be provided to the pupil at the new school that the current school is unable to provide to address the specific needs and behaviors of the pupil. The school district of the current school of the pupil shall coordinate with the new school or the board of trustees of the school district of the new school to create a plan of action based on restorative justice for the pupil and to ensure that any resources required to execute the plan of action based on restorative justice are available at the new school.

5. Except as otherwise provided in this section, if a pupil is deemed a habitual disciplinary problem pursuant to NRS 392.4655, the pupil is at least 11 years of age and the school has made a reasonable effort to complete a plan of action based on restorative justice with the pupil, the pupil may be:

(a) Suspended from the school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or

(b) Expelled from the school under extraordinary circumstances as determined by the principal of the school.

6. If the pupil is expelled, or the period of the pupil's suspension is for one school semester, the pupil must:

(a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

7. The superintendent of schools of a school district may, for good cause shown in a particular case in that school district, allow a modification to a suspension or expulsion pursuant to subsections 1 to 5, inclusive, if such modification is set forth in writing. The superintendent shall allow such a modification if the superintendent determines that a plan of action based on restorative justice may be used successfully.

8. This section does not prohibit a pupil from having in his or her possession a knife or firearm with the approval of the principal of the school. A principal may grant such approval only in accordance with the policies or regulations adopted by the board of trustees of the school district.

9. Except as otherwise provided in this section, a pupil who is not more than 10 years of age must not be permanently expelled from school. In extraordinary circumstances, a school may request an exception to this subsection from the board of trustees of the school district. A pupil who is at least 11 years of age may be suspended from school or permanently expelled from school pursuant to this section only after the board of trustees of the school district has reviewed the circumstances and approved this action in accordance with the procedural policy adopted by the board for such issues.

10. A pupil who is at least 11 years of age and who is participating in a program of special education pursuant to NRS 388.419 may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters and only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

(a) Suspended from school pursuant to this section for not more than 5 days. Such a suspension may be imposed pursuant to this paragraph for each occurrence of conduct proscribed by subsection 1.

(b) Permanently expelled from school pursuant to this section.

11. As used in this section:

(a) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of NRS 200.481.

(b) "Dangerous weapon" includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku or trefoil, as defined in NRS 202.350, a butterfly knife or any other knife described in NRS 202.350, a switchblade knife as defined in NRS 202.265, or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person.

(c) "Firearm" includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a "firearm" in 18 U.S.C. § 921, as that section existed on July 1, 1995.

(d) "Restorative justice" has the meaning ascribed to it in subsection 6 of NRS 392.472.

12. The provisions of this section do not prohibit a pupil who is suspended or expelled from enrolling in a charter school that is designed exclusively for the enrollment of pupils with disciplinary problems if the pupil is accepted for enrollment by the charter school pursuant to NRS 388A.453 or 388A.456. Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to the pupil's suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.

REGULATIONS

No relevant regulations found.

Communication of Policy

LAWS

NRS 388.134. Policy by governing bodies for provision of safe and respectful learning environment and policy for ethical, safe and secure use of computers; provision of training to governing bodies and school personnel; posting of policies on Internet website; annual review and update of policies.

Each governing body shall:

1. Adopt the policy prescribed pursuant to NRS 388.133 and the policy prescribed pursuant to subsection 2 of NRS 389.520. The governing body may adopt an expanded policy for one or both of the policies if each expanded policy complies with the policy prescribed pursuant to NRS 388.133 or pursuant to subsection 2 of NRS 389.520, as applicable.

2. Provide for the appropriate training of members of the governing body and all administrators, teachers and all other personnel employed by the governing body in accordance with the policies prescribed pursuant to NRS 388.133 and pursuant to subsection 2 of NRS 389.520. For members of the governing body who have not previously served on the governing body or for employees of the

school district or school who have not previously been employed by the district or school, the training required by this subsection must be provided within 180 days after the member begins his or her service or after the employee begins his or her employment, as applicable.

3. Post the policies adopted pursuant to subsection 1 on the Internet website maintained by the school district or school.

4. Ensure that the parents and legal guardians of pupils enrolled in the school district or school have sufficient information concerning the availability of the policies, including, without limitation, information that describes how to access the policies on the Internet website maintained by the school district or school. Upon the request of a parent or legal guardian, the school district or school shall provide the parent or legal guardian with a written copy of the policies.

5. Review the policies adopted pursuant to subsection 1 on an annual basis and update the policies if necessary. If the governing body updates the policies, the governing body must submit a copy of the updated policies to the Department within 30 days after the update.

NRS 388.1341. Development of informational pamphlet by Department; annual review and update; posting on Internet website; development of tutorial.

1. The Department, in consultation with persons who possess knowledge and expertise in bullying and cyber-bullying, shall, to the extent money is available, develop an informational pamphlet to assist pupils and the parents or legal guardians of pupils enrolled in schools in this State in resolving incidents of bullying or cyber-bullying. If developed, the pamphlet must include, without limitation:

(a) A summary of the policy prescribed by the Department pursuant to NRS 388.133 and the provisions of NRS 388.121 to 388.1395, inclusive;

(b) A description of practices which have proven effective in preventing and resolving violations of NRS 388.135 in schools, which must include, without limitation, methods to identify and assist pupils who are at risk for bullying and cyber-bullying; and

(c) An explanation that the parent or legal guardian of a pupil who is involved in a reported violation of NRS 388.135 may request an appeal of a disciplinary decision made against the pupil as a result of the violation, in accordance with the policy governing disciplinary action adopted by a governing body.

2. If the Department develops a pamphlet pursuant to subsection 1, the Department shall review the pamphlet on an annual basis and make such revisions to the pamphlet as the Department determines are necessary to ensure the pamphlet contains current information.

3. If the Department develops a pamphlet pursuant to subsection 1, the Department shall post a copy of the pamphlet on the Internet website maintained by the Department.

4. To the extent the money is available, the Department shall develop a tutorial which must be made available on the Internet website maintained by the Department that includes, without limitation, the information contained in the pamphlet developed pursuant to subsection 1, if such a pamphlet is developed by the Department.

NRS 388.139. Text of certain provisions required to be included in rules of behavior.

Each school district shall include the text of the provisions of NRS 388.121 to 388.1395, inclusive, and the policies adopted by the board of trustees of the school district pursuant to NRS 388.134 under the heading "Bullying and Cyber-Bullying Is Prohibited in Public Schools," within each copy of the rules of behavior for pupils that the school district provides to pupils pursuant to NRS 392.463.

NRS 392.463. Adoption of plan to ensure public schools are safe and free of controlled substances; written rules of behavior and punishments; distribution of plan and rules to pupils; availability for inspection.

1. Each school district shall adopt a plan to ensure that the public schools within the school district are safe and free of controlled substances. The plan must comply with the Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101 et seq.
2. Each school district shall prescribe written rules of behavior required of and prohibited for pupils attending school within their district and shall prescribe appropriate punishments for violations of the rules. If suspension or expulsion is used as a punishment for a violation of the rules, the school district shall follow the procedures in NRS 392.467.
3. A copy of the plan adopted pursuant to subsection 1 and the rules of behavior, prescribed punishments and procedures to be followed in imposing punishments prescribed pursuant to subsection 2 must be distributed to each pupil at the beginning of the school year and to each new pupil who enters school during the year. Copies must also be made available for inspection at each school located in that district in an area on the grounds of the school which is open to the public.

NRS 392.464. Plan for restorative discipline and on-site review of disciplinary decisions; annual review and revision of plan; posting and distribution of plan; written reports by board of trustees concerning compliance with section.

1. The board of trustees of each school district shall establish a plan to provide for the restorative discipline of pupils and on-site review of disciplinary decisions. The plan must:
 - (a) Be developed with the input and participation of teachers, school administrators and other educational personnel and support personnel who are employed by the school district, and the parents and guardians of pupils who are enrolled in schools within the school district.
 - (b) Be consistent with the written rules of behavior prescribed in accordance with NRS 392.463.
 - (c) Include, without limitation, provisions designed to address the specific disciplinary needs and concerns of each school within the school district.
 - (d) Provide restorative disciplinary practices which include, without limitation:
 - (1) Holding a pupil accountable for his or her behavior;
 - (2) Restoration or remedies related to the behavior of the pupil;
 - (3) Relief for any victim of the pupil; and
 - (4) Changing the behavior of the pupil.
 - (e) Provide for the temporary removal of a pupil from a classroom or other premises of a public school in accordance with NRS 392.4645.
 - (f) Provide for the placement of a pupil in a different school within the school district in accordance with NRS 392.466.
 - (g) Include the names of any members of a committee to review the temporary alternative placement of pupils required by NRS 392.4647.
 - (h) Be posted on the Internet website maintained by the school district.
2. On or before September 15 of each year, the principal of each public school shall:
 - (a) Review the plan established by subsection 1 in consultation with the teachers, school administrators and other educational personnel and support personnel who are employed at the school and the parents and guardians of pupils and the pupils who are enrolled in the school;
 - (b) Based upon the review, recommend to the board of trustees of the school district revisions to the plan, as recommended by the teachers, school administrators and other educational personnel and

support personnel and the parents and guardians of pupils and the pupils who are enrolled in the school, if necessary;

(c) Post a copy of the plan or the revised plan, as provided by the school district, on the Internet website maintained by the school; and

(d) Distribute to each teacher, school administrator and all educational support personnel who are employed at or assigned to the school a written or electronic copy of the plan or the revised plan, as provided by the school district.

3. On or before November 15 of each year, the board of trustees of each school district shall:

(a) Submit a written report to the Superintendent of Public Instruction that reports the progress of each school within the district in complying with the requirements of this section; and

(b) Post a copy of the report on the Internet website maintained by the school district.

REGULATIONS

No relevant regulations found.

In-School Discipline

Discipline Frameworks

LAWS

NRS 392.4644. Plan for restorative discipline and on-site review of disciplinary decisions; annual review and revision of plan; posting and distribution of plan; written reports by board of trustees concerning compliance with section.

1. The board of trustees of each school district shall establish a plan to provide for the restorative discipline of pupils and on-site review of disciplinary decisions. The plan must:
 - (a) Be developed with the input and participation of teachers, school administrators and other educational personnel and support personnel who are employed by the school district, and the parents and guardians of pupils who are enrolled in schools within the school district.
 - (b) Be consistent with the written rules of behavior prescribed in accordance with NRS 392.463.
 - (c) Include, without limitation, provisions designed to address the specific disciplinary needs and concerns of each school within the school district.
 - (d) Provide restorative disciplinary practices which include, without limitation:
 - (1) Holding a pupil accountable for his or her behavior;
 - (2) Restoration or remedies related to the behavior of the pupil;
 - (3) Relief for any victim of the pupil; and
 - (4) Changing the behavior of the pupil.
 - (e) Provide for the temporary removal of a pupil from a classroom or other premises of a public school in accordance with NRS 392.4645.
 - (f) Provide for the placement of a pupil in a different school within the school district in accordance with NRS 392.466.
 - (g) Include the names of any members of a committee to review the temporary alternative placement of pupils required by NRS 392.4647.
 - (h) Be posted on the Internet website maintained by the school district.
2. On or before September 15 of each year, the principal of each public school shall:
 - (a) Review the plan established by subsection 1 in consultation with the teachers, school administrators and other educational personnel and support personnel who are employed at the school and the parents and guardians of pupils and the pupils who are enrolled in the school;
 - (b) Based upon the review, recommend to the board of trustees of the school district revisions to the plan, as recommended by the teachers, school administrators and other educational personnel and support personnel and the parents and guardians of pupils and the pupils who are enrolled in the school, if necessary;
 - (c) Post a copy of the plan or the revised plan, as provided by the school district, on the Internet website maintained by the school; and
 - (d) Distribute to each teacher, school administrator and all educational support personnel who are employed at or assigned to the school a written or electronic copy of the plan or the revised plan, as provided by the school district.
3. On or before November 15 of each year, the board of trustees of each school district shall:

- (a) Submit a written report to the Superintendent of Public Instruction that reports the progress of each school within the district in complying with the requirements of this section; and
- (b) Post a copy of the report on the Internet website maintained by the school district.

REGULATIONS

No relevant regulations found.

Teacher Authority to Remove Students From Classrooms

LAWS

NRS 392.4645. Removal of pupil: Notice; assignment to temporary alternative placement; exceptions.

1. The plan established pursuant to NRS 392.4644 must provide for the temporary removal of a pupil from a classroom or other premises of a public school if, in the judgment of the teacher or other staff member responsible for the classroom or other premises, as applicable, the pupil has engaged in behavior that seriously interferes with the ability of the teacher to teach the other pupils in the classroom and with the ability of the other pupils to learn or with the ability of the staff member to discharge his or her duties. The plan must provide that, upon the removal of a pupil from a classroom or any other premises of a public school pursuant to this section, the principal of the school shall provide an explanation of the reason for the removal of the pupil to the pupil and offer the pupil an opportunity to respond to the explanation. Within 24 hours after the removal of a pupil pursuant to this section, the principal of the school shall notify the parent or legal guardian of the pupil of the removal.
2. Except as otherwise provided in subsection 3, a pupil who is removed from a classroom or any other premises of a public school pursuant to this section may be assigned to a temporary alternative placement pursuant to which the pupil:
 - (a) Is separated, to the extent practicable, from pupils who are not assigned to a temporary alternative placement;
 - (b) Studies or remains under the supervision of appropriate personnel of the school district; and
 - (c) Is prohibited from engaging in any extracurricular activity sponsored by the school.
3. The principal shall not assign a pupil to a temporary alternative placement if the suspension or expulsion of a pupil who is removed from the classroom pursuant to this section is:
 - (a) Required by NRS 392.466; or
 - (b) Authorized by NRS 392.467 and the principal decides to proceed in accordance with that section.

If the principal proceeds in accordance with NRS 392.466 or 392.467, the pupil must be removed from school in accordance with those sections and the provisions of NRS 392.4642 to 392.4648, inclusive, do not apply to the pupil.

NRS 392.4646. Removal of pupil: Conference; recommendation of principal.

1. Except as otherwise provided in this section, not later than 3 school days after a pupil is removed from a classroom or any other premises of a public school pursuant to NRS 392.4645, a conference must be held with:
 - (a) The pupil;
 - (b) A parent or legal guardian of the pupil;
 - (c) The principal of the school; and

(d) The teacher or other staff member who removed the pupil.

The principal shall give an oral or written notice of the conference, as appropriate, to each person who is required to participate.

2. After receipt of the notice required pursuant to subsection 1, the parent or legal guardian of the pupil may, not later than 3 school days after the removal of the pupil, request that the date of the conference be postponed. The principal shall accommodate such a request. If the date of the conference is postponed pursuant to this subsection, the principal shall send written notice to the parent or legal guardian confirming that the conference has been postponed at the request of the parent or legal guardian.

3. If a parent or legal guardian of a pupil refuses to attend a conference, the principal of the school shall send a written notice to the parent or legal guardian confirming that the parent or legal guardian has waived the right to a conference provided by this section and authorized the principal to recommend the placement of the pupil pursuant to subsection 6.

4. Except as otherwise provided in this subsection, a pupil must not return to the classroom or other premises of the public school from which the pupil was removed before the conference is held. If the conference is not held within 3 school days after the removal of the pupil, the pupil must be allowed to return to the classroom or other premises unless:

(a) The parent or legal guardian of the pupil refuses to attend the conference;

(b) The failure to hold a conference is attributed to the action or inaction of the pupil or the parent or legal guardian of the pupil; or

(c) The parent or legal guardian requested that the date of the conference be postponed.

5. During the conference, the teacher who removed the pupil from the classroom, the staff member who removed the pupil from the other premises of the public school or the principal shall provide the pupil and the pupil's parent or legal guardian with an explanation of the reason for the removal of the pupil from the classroom or other premises. The pupil and the pupil's parent or legal guardian must be granted an opportunity to respond to the explanation of the pupil's behavior and to indicate whether the removal of the pupil from the classroom or other premises was appropriate in their opinion based upon the behavior of the pupil.

6. Upon conclusion of the conference or, if a conference is not held pursuant to subsection 3 not later than 3 school days after the removal of a pupil from a classroom or other premises of a public school, the principal shall recommend whether to return the pupil to the classroom or other premises or continue the temporary alternative placement of the pupil if the pupil has been assigned to a temporary alternative placement.

NRS 392.4648. Powers and duties of committee to review temporary alternative placement of pupils; principal to report to school district when committee convened; submission of compiled reports.

1. If the teacher or other staff member who removed a pupil from the classroom or other premises of a public school does not agree with the recommendation of the principal pursuant to subsection 6 of NRS 392.4646, the principal shall continue the temporary alternative placement of the pupil and shall immediately convene a meeting of the committee created pursuant to NRS 392.4647. The principal shall inform the parent or legal guardian of the pupil that the committee will be conducting a meeting. The committee shall review the circumstances of the pupil's removal from the classroom or other premises of the public school and the pupil's behavior that caused the pupil to be removed from the classroom or other premises. Based upon its review, the committee shall assess the best placement available for the pupil and shall, without limitation:

- (a) Direct that the pupil be returned to the classroom or other premises from which he or she was removed;
 - (b) Assign the pupil to another appropriate classroom or other premises;
 - (c) Assign the pupil to an alternative program of education, if available;
 - (d) Recommend the suspension or expulsion of the pupil in accordance with NRS 392.467; or
 - (e) Take any other appropriate disciplinary action against the pupil that the committee deems necessary.
2. A principal shall report to the school district each time a committee created pursuant to NRS 392.4647 is convened and, upon the conclusion of the committee's review of a placement, shall supplement the report with the result of the assessment of the committee.
3. Each school district shall compile the reports submitted to the school district pursuant to subsection 2 and, on or before July 1 of each year, submit an annual report to the Legislative Committee on Education containing such information for all schools located in the school district.

REGULATIONS

No relevant regulations found.

Alternatives to Suspension

LAWS

NRS 388.133. Policy by Department concerning safe and respectful learning environment.

1. The Department shall, in consultation with the governing bodies, educational personnel, local associations and organizations of parents whose children are enrolled in schools throughout this State, and individual parents and legal guardians whose children are enrolled in schools throughout this State, prescribe by regulation a policy for all school districts and schools to provide a safe and respectful learning environment that is free of bullying and cyber-bullying.
2. The policy must include, without limitation:
 - (c) Requirements and methods for restorative disciplinary practices.

NRS 392.4644. Plan for restorative discipline and on-site review of disciplinary decisions; annual review and revision of plan; posting and distribution of plan; written reports by board of trustees concerning compliance with section.

1. The board of trustees of each school district shall establish a plan to provide for the restorative discipline of pupils and on-site review of disciplinary decisions. The plan must:
 - (a) Be developed with the input and participation of teachers, school administrators and other educational personnel and support personnel who are employed by the school district, and the parents and guardians of pupils who are enrolled in schools within the school district.
 - (b) Be consistent with the written rules of behavior prescribed in accordance with NRS 392.463.
 - (c) Include, without limitation, provisions designed to address the specific disciplinary needs and concerns of each school within the school district.
 - (d) Provide restorative disciplinary practices which include, without limitation:
 - (1) Holding a pupil accountable for his or her behavior;
 - (2) Restoration or remedies related to the behavior of the pupil;
 - (3) Relief for any victim of the pupil; and

- (4) Changing the behavior of the pupil.
 - (e) Provide for the temporary removal of a pupil from a classroom or other premises of a public school in accordance with NRS 392.4645.
 - (f) Provide for the placement of a pupil in a different school within the school district in accordance with NRS 392.466.
 - (g) Include the names of any members of a committee to review the temporary alternative placement of pupils required by NRS 392.4647.
 - (h) Be posted on the Internet website maintained by the school district.
2. On or before September 15 of each year, the principal of each public school shall:
- (a) Review the plan established by subsection 1 in consultation with the teachers, school administrators and other educational personnel and support personnel who are employed at the school and the parents and guardians of pupils and the pupils who are enrolled in the school;
 - (b) Based upon the review, recommend to the board of trustees of the school district revisions to the plan, as recommended by the teachers, school administrators and other educational personnel and support personnel and the parents and guardians of pupils and the pupils who are enrolled in the school, if necessary;
 - (c) Post a copy of the plan or the revised plan, as provided by the school district, on the Internet website maintained by the school; and
 - (d) Distribute to each teacher, school administrator and all educational support personnel who are employed at or assigned to the school a written or electronic copy of the plan or the revised plan, as provided by the school district.
3. On or before November 15 of each year, the board of trustees of each school district shall:
- (a) Submit a written report to the Superintendent of Public Instruction that reports the progress of each school within the district in complying with the requirements of this section; and
 - (b) Post a copy of the report on the Internet website maintained by the school district.

NRS 392.466. Plan of action for pupil who engages in battery on employee of school, possession of firearm or dangerous weapon or sale or distribution of controlled substance or is deemed a habitual disciplinary problem; appeal by employee who is victim of battery; suspension or expulsion of such pupils; modification to suspension or expulsion; limitations for pupils with disabilities.

1. Except as otherwise provided in this section, any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school or on any school bus and who is at least 11 years of age shall meet with the school and his or her parent or legal guardian. The school shall provide a plan of action based on restorative justice to the parent or legal guardian of the pupil. The pupil may be suspended or expelled from the school, in which case the pupil shall:
- (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
 - (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program. [...]
4. If a school is unable to retain a pupil in the school pursuant to subsection 1 for the safety of any person or because doing so would not be in the best interest of the pupil, the pupil may be suspended, expelled or placed in another school. If a pupil is placed in another school, the current school of the pupil shall

explain what services will be provided to the pupil at the new school that the current school is unable to provide to address the specific needs and behaviors of the pupil. The school district of the current school of the pupil shall coordinate with the new school to create a plan of action based on restorative justice for the pupil and to ensure that any resources required to execute the plan of action based on restorative justice are available at the new school.

5. Except as otherwise provided in this section, if a pupil is deemed a habitual disciplinary problem pursuant to NRS 392.4655, the pupil is at least 11 years of age and the school has made a reasonable effort to complete a plan of action based on restorative justice with the pupil, based on the seriousness of the acts which were the basis for the discipline, the pupil may be:

- (a) Suspended from the school;
- (b) Expelled from the school under extraordinary circumstances as determined by the principal of the school. [...]

7. The superintendent of schools of a school district may, for good cause shown in a particular case in that school district, allow a modification to a suspension or expulsion pursuant to subsections 1 to 5, inclusive, if such modification is set forth in writing. The superintendent shall allow such a modification if the superintendent determines that a plan of action based on restorative justice may be used successfully.

NRS 392.472. Requirement to provide plan of action before expelling pupil; example plans of action; approval of plans of action; guidance document; regulations.

1. Except as otherwise provided in NRS 392.466 and to the extent practicable, a public school shall provide a plan of action based on restorative justice before expelling a pupil from school.

2. The Department shall develop one or more examples of a plan of action which may include, without limitation:

- (a) Positive behavioral interventions and support;
- (b) A plan for behavioral intervention;
- (c) A referral to a team of student support;
- (d) A referral to an individualized education program team;
- (e) A referral to appropriate community-based services; and
- (f) A conference with the principal of the school or his or her designee and any other appropriate personnel.

3. The Department may approve a plan of action based on restorative justice that meets the requirements of this section submitted by a public school.

4. The Department shall post on its Internet website a guidance document that includes, without limitation:

- (a) A description of the requirements of this section and NRS 392.462;
- (b) A timeline for implementation of the requirements of this section and NRS 392.462 by a public school;
- (c) One or more models of restorative justice and best practices relating to restorative justice;
- (d) A curriculum for professional development relating to restorative justice and references for one or more consultants or presenters qualified to provide additional information or training relating to restorative justice; and
- (e) One or more examples of a plan of action based on restorative justice developed pursuant to subsection 2.

5. The Department shall adopt regulations necessary to carry out the provisions of this section.

6. As used in this section:

(a) "Individualized education program team" has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(B).

(b) "Restorative justice" means nonpunitive intervention and support provided by the school to a pupil to improve the behavior of the pupil and remedy any harm caused by the pupil.

REGULATIONS

No relevant regulations found.

Conditions on Use of Certain Forms of Discipline

Corporal Punishment

LAWS

NRS 388.478. "Corporal punishment" defined.

"Corporal punishment" means the intentional infliction of physical pain, including, without limitation, hitting, pinching or striking.

NRS 392.303. Employee of or volunteer for school required to make report; timing of and entity to be notified of report; investigation of reports.

1. In addition to the reporting required by NRS 432B.220, if, in his or her capacity as an employee of or volunteer for a public school or private school, such an employee or volunteer knows or has reasonable cause to believe that a child has been subjected to:
 - (a) Abuse or neglect, sexual conduct in violation of NRS 201.540 or luring in violation of NRS 201.560 by another employee of or volunteer for a public school or private school, the employee or volunteer who has such knowledge or reasonable cause to believe shall report the abuse or neglect, sexual conduct or luring to the agency which provides child welfare services in the county in which the school is located and a law enforcement agency.
 - (b) Corporal punishment in violation of NRS 392.4633 or 394.366 by another employee of or volunteer for a public school or private school, the employee or volunteer who has such knowledge or reasonable cause to believe shall report the corporal punishment to the agency which provides child welfare services in the county in which the school is located.
2. A report pursuant to subsection 1 must be made as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the child has been subjected to abuse or neglect or a violation of NRS 201.540, 201.560, 392.4633 or 394.366.
3. If a law enforcement agency that receives a report pursuant to paragraph (a) of subsection 1 concludes that there is not probable cause to believe that the person allegedly responsible for the abuse or neglect or who allegedly violated NRS 201.540 or 201.560 committed the act of which he or she is accused, the law enforcement agency shall notify the agency which provides child welfare services of that determination.
4. If a school police officer receives a report pursuant to this section of an offense that is punishable as a category A felony, the school police officer shall notify the local law enforcement agency that has jurisdiction over the school.
5. A law enforcement agency, other than a school police officer, shall notify a school police officer, if such an officer is employed in the school district, if the law enforcement agency receives a report pursuant to this section of an offense that is punishable as a felony and:
 - (a) Allegedly occurred:
 - (1) On the property of a public school for which the board of trustees of the school district has employed or appointed school police officers;
 - (2) At an activity sponsored by such a school; or
 - (3) On a school bus while the school bus was being used by such a school for an official school-related purpose; or
 - (b) Was allegedly committed by a person who the law enforcement agency has reasonable cause to believe is an employee or volunteer of such a school.

6. An agency which provides child welfare services shall assess all allegations contained in any report made pursuant to this section and, if the agency deems appropriate, assign the matter for investigation.
7. Nothing in NRS 392.275 to 392.365, inclusive, shall be construed to prohibit an agency which provides child welfare services and a law enforcement agency from undertaking simultaneous investigations of the abuse or neglect of a child or a violation of NRS 201.540 or 201.560.

NRS 392.305. Method of making report; content.

1. A person may make a report pursuant to NRS 392.303 by telephone or, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, by any other means of oral, written or electronic communication that a reasonable person would believe, under those facts and circumstances, is a reliable and swift means of communicating information to the person who receives the report. If the report is made orally, the person who receives the report must reduce it to writing as soon as reasonably practicable.
2. The report must contain the following information, if obtainable and to the extent applicable:
 - (a) The name, address, age and sex of the child and the school in which the child is enrolled;
 - (b) The name and address of the child's parents or other person responsible for the care of the child;
 - (c) The nature and extent of the abuse or neglect of the child or the sexual conduct, luring or corporal punishment to which the child was subjected;
 - (d) The name, address and relationship, if known, of the person who is alleged to have abused or neglected, engaged in sexual contact with, lured or administered corporal punishment to, the child; and
 - (e) Any other information known to the person making the report that the agency which provides child welfare services considers necessary.

NRS 392.4633. Corporal punishment prohibited.

1. Corporal punishment must not be administered upon a pupil in any public school.
2. Subsection 1 does not prohibit any person from defending himself or herself if attacked by a pupil.
3. As used in this section, "corporal punishment" means the intentional infliction of physical pain upon or the physical restraint of a pupil for disciplinary purposes. The term does not include the use of reasonable and necessary force:
 - (a) To quell a disturbance that threatens physical injury to any person or the destruction of property;
 - (b) To obtain possession of a weapon or other dangerous object within a pupil's control;
 - (c) For the purpose of self-defense or the defense of another person; or
 - (d) To escort a disruptive pupil who refuses to go voluntarily with the proper authorities.

REGULATIONS

No relevant regulations found.

Search and Seizure

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Restraint and Seclusion

LAWS

NRS 388.471. Definitions.

As used in NRS 388.471 to 388.515, inclusive, unless the context otherwise requires, the words and terms defined in NRS 388.473 to 388.495, inclusive, have the meanings ascribed to them in those sections.

NRS 388.473. "Aversive intervention" defined.

"Aversive intervention" means any of the following actions if the action is used to punish a pupil with a disability or to eliminate, reduce or discourage maladaptive behavior of a pupil with a disability:

1. The use of noxious odors and tastes;
2. The use of water and other mists or sprays;
3. The use of blasts of air;
4. The use of corporal punishment;
5. The use of verbal and mental abuse;
6. The use of electric shock;
7. The administration of chemical restraint to a person;
8. The placement of a person alone in a room where release from the room is prohibited by a mechanism, including, without limitation, a lock, device or object positioned to hold the door closed or otherwise prevent the person from leaving the room;
9. Requiring a person to perform exercise under forced conditions if the:
 - (a) Person is required to perform the exercise because he or she exhibited a behavior that is related to his or her disability;
 - (b) Exercise is harmful to the health of the person because of his or her disability; or
 - (c) Nature of the person's disability prevents him or her from engaging in the exercise; or
10. The deprivation of necessities needed to sustain the health of a person, regardless of the length of the deprivation, including, without limitation, the denial or unreasonable delay in the provision of:
 - (a) Food or liquid at a time when it is customarily served; or
 - (b) Medication.

NRS 388.476. "Chemical restraint" defined.

"Chemical restraint" means the administration of drugs for the specific and exclusive purpose of controlling an acute or episodic aggressive behavior when alternative intervention techniques have failed to limit or control the behavior. The term does not include the administration of drugs on a regular basis, as prescribed by a physician, to treat the symptoms of mental, physical, emotional or behavioral disorders and for assisting a person in gaining self-control over his or her impulses.

NRS 388.478. "Corporal punishment" defined.

"Corporal punishment" means the intentional infliction of physical pain, including, without limitation, hitting, pinching or striking.

NRS 388.485. "Electric shock" defined.

"Electric shock" means the application of electric current to a person's skin or body. The term does not include electroconvulsive therapy.

NRS 388.487. "Emergency" defined.

"Emergency" means a situation in which immediate intervention is necessary to protect the physical safety of a person or others from an immediate threat of physical injury or to protect against an immediate threat of severe property damage.

NRS 388.491. "Mechanical restraint" defined.

"Mechanical restraint" means the use of devices, including, without limitation, mittens, straps and restraint chairs to limit a person's movement or hold a person immobile.

NRS 388.494. "Physical restraint" defined.

"Physical restraint" means the use of physical contact to limit a person's movement or hold a person immobile.

NRS 388.495. "Verbal and mental abuse" defined.

"Verbal and mental abuse" means actions or utterances that are intended to cause and actually cause severe emotional distress to a person.

NRS 388.497. Aversive intervention prohibited.

A person employed by the board of trustees of a school district or any other person shall not use any aversive intervention on a pupil with a disability.

NRS 388.499. Physical restraint and mechanical restraint prohibited; exceptions.

A person employed by the board of trustees of a school district or any other person shall not:

1. Except as otherwise provided in NRS 388.501, use physical restraint on a pupil with a disability.
2. Except as otherwise provided in NRS 388.503, use mechanical restraint on a pupil with a disability.

NRS 388.501. Conditions under which physical restraint may be used; report required; requirements if pupil has three or five reports of use of restraint in 1 school year.

1. Except as otherwise provided in subsection 2, physical restraint may be used on a pupil with a disability only if:

- (a) An emergency exists that necessitates the use of physical restraint;
- (b) The physical restraint is used only for the period that is necessary to contain the behavior of the pupil so that the pupil is no longer an immediate threat of causing physical injury to the pupil or to others or causing severe property damage; and
- (c) The use of force in the application of physical restraint does not exceed the force that is reasonable and necessary under the circumstances precipitating the use of physical restraint.

2. Physical restraint may be used on a pupil with a disability and the provisions of subsection 1 do not apply if the physical restraint is used to:

- (a) Assist the pupil in completing a task or response if the pupil does not resist the application of physical restraint or if the pupil's resistance is minimal in intensity and duration;
- (b) Escort or carry the pupil to safety if the pupil is in danger in his or her present location; or
- (c) Conduct medical examinations or treatments on the pupil that are necessary.

3. If physical restraint is used on a pupil with a disability in an emergency, the use of the procedure must be reported in the pupil's cumulative record and a confidential file maintained for the pupil not later than 1 working day after the procedure is used. A copy of the report must be provided to the board of trustees of the school district or its designee, the pupil's individualized education program team and the parent or guardian of the pupil. If the board of trustees or its designee determines that a denial of the pupil's rights has occurred, the board of trustees or its designee shall submit a report to the Department in accordance with NRS 388.513.

4. If a pupil with a disability has three reports of the use of physical restraint in his or her record pursuant to subsection 3 in 1 school year, the school district shall notify the school in which the pupil is enrolled to review the circumstances of the use of the restraint on the pupil and provide a report to the school district on its findings.

5. If a pupil with a disability has five reports of the use of physical restraint in his or her record pursuant to subsection 3 in 1 school year, the pupil's individualized education program must be reviewed in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1414 et seq., and the regulations adopted pursuant thereto. If physical restraint continues after the pupil's individualized education program has been reviewed, the school district and the parent or legal guardian of the pupil shall include in the pupil's individualized education program additional methods that are appropriate for the pupil to ensure that the restraint does not continue, including, without limitation, mentoring, training, a functional behavioral assessment, a positive behavior plan and positive behavioral supports.

NRS 388.503. Conditions under which mechanical restraint may be used; report required; requirements if pupil has three or five reports of use of restraint in 1 school year.

1. Except as otherwise provided in subsection 2, mechanical restraint may be used on a pupil with a disability only if:

- (a) An emergency exists that necessitates the use of mechanical restraint;
- (b) A medical order authorizing the use of mechanical restraint from the pupil's treating physician or advanced practice registered nurse is included in the pupil's individualized education program before the application of the mechanical restraint;
- (c) The physician or advanced practice registered nurse who signed the order required pursuant to paragraph (b) or the attending physician or attending advanced practice registered nurse examines the pupil as soon as practicable after the application of the mechanical restraint;
- (d) The mechanical restraint is applied by a member of the staff of the school who is trained and qualified to apply mechanical restraint;
- (e) The pupil is given the opportunity to move and exercise the parts of his or her body that are restrained at least 10 minutes per every 60 minutes of restraint, unless otherwise prescribed by the physician or advanced practice registered nurse who signed the order;
- (f) A member of the staff of the school lessens or discontinues the restraint every 15 minutes to determine whether the pupil will stop injury to himself or herself without the use of the restraint;
- (g) The record of the pupil contains a notation that includes the time of day that the restraint was lessened or discontinued pursuant to paragraph (f), the response of the pupil and the response of the member of the staff of the school who applied the mechanical restraint;
- (h) A member of the staff of the school continuously monitors the pupil during the time that mechanical restraint is used on the pupil; and
- (i) The mechanical restraint is used only for the period that is necessary to contain the behavior of the pupil so that the pupil is no longer an immediate threat of causing physical injury to himself or herself.

2. Mechanical restraint may be used on a pupil with a disability and the provisions of subsection 1 do not apply if the mechanical restraint is used to:

- (a) Treat the medical needs of the pupil;
- (b) Protect a pupil who is known to be at risk of injury to himself or herself because he or she lacks coordination or suffers from frequent loss of consciousness;
- (c) Provide proper body alignment to a pupil; or
- (d) Position a pupil who has physical disabilities in a manner prescribed in the pupil's individualized education program.

3. If mechanical restraint is used on a pupil with a disability in an emergency, the use of the procedure must be reported in the pupil's cumulative record and a confidential file maintained for the pupil not later than 1 working day after the procedure is used. A copy of the report must be provided to the board of trustees of the school district or its designee, the pupil's individualized education program team and the parent or guardian of the pupil. If the board of trustees or its designee determines that a denial of the pupil's rights has occurred, the board of trustees or its designee shall submit a report to the Department in accordance with NRS 388.513.

4. If a pupil with a disability has three reports of the use of mechanical restraint in his or her record pursuant to subsection 3 in 1 school year, the school district shall notify the school in which the pupil is enrolled to review the circumstances of the use of the restraint on the pupil and provide a report of its findings to the school district.

5. If a pupil with a disability has five reports of the use of mechanical restraint in his or her record pursuant to subsection 3 in 1 school year, the pupil's individualized education program must be reviewed in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1414 et seq., and the regulations adopted pursuant thereto. If mechanical restraint continues after the pupil's individualized education program has been reviewed, the school district and the parent or legal guardian of the pupil shall include in the pupil's individualized education program additional methods that are appropriate for the pupil to ensure that restraint does not continue, including, without limitation, mentoring, training, a functional behavioral assessment, a positive behavior plan and positive behavioral supports.

NRS 388.505. Mandatory education and training for staff.

1. The Department shall develop a model program of education for use by the school districts to train the members of the staff of the schools within the school districts who are identified in the individualized education programs of pupils with disabilities to provide services to those pupils. The model program of education must provide instruction in positive behavioral interventions and positive behavioral supports that:

- (a) Includes positive methods to modify the environment of pupils with disabilities to promote adaptive behavior and reduce the occurrence of inappropriate behavior;
- (b) Includes methods to teach skills to pupils with disabilities so that the pupils can replace inappropriate behavior with adaptive behavior;
- (c) Includes methods to enhance the independence and quality of life for pupils with disabilities;
- (d) Includes the use of the least intrusive methods to respond to and reinforce the behavior of pupils with disabilities; and
- (e) Offers a process for designing interventions based upon the pupil that are focused on promoting appropriate changes in behavior as well as enhancing the overall quality of life for the pupil.

2. The board of trustees of each school district shall provide for appropriate training for the members of the staff of the schools within the school district who are authorized to carry out and monitor physical

restraint and mechanical restraint to ensure that those members of the staff are qualified to carry out the procedures in accordance with NRS 388.471 to 388.515, inclusive.

NRS 388.506. Disciplinary action against person for intentional violation.

In addition to any penalty prescribed by specific statute, a person who intentionally uses aversive intervention on a pupil with a disability or intentionally violates NRS 388.499 is subject to disciplinary action pursuant to NRS 391.330 or 391.750, or both.

NRS 388.508. Report of violation; corrective plan required; appointment of administrator to oversee school under certain circumstances.

1. A school where a violation of NRS 388.471 to 388.515, inclusive, occurs shall report the violation to the board of trustees of the school district not later than 24 hours after the violation occurred, or as soon thereafter as the violation is discovered.
2. The board of trustees of the school district where the violation occurred shall develop, in cooperation with the superintendent of schools of the school district, a corrective plan to ensure that within 30 calendar days after the violation occurred, appropriate action is taken by the school and the board of trustees to prevent future violations.
3. The superintendent of schools of the school district shall submit the plan to the Department. The Department shall review the plan to ensure that it complies with applicable federal law and the statutes and regulations of this state. The Department may require appropriate revision of the plan to ensure compliance.
4. If the school where the violation occurred does not meet the requirements of the plan to the satisfaction of the Department, the Department may appoint a licensed administrator to oversee the school to ensure that the school meets the requirements of the plan. An administrator serves at the pleasure of the Superintendent of Public Instruction and is entitled to receive such compensation as may be set by the superintendent. A school district that contains a school for which an administrator is appointed pursuant to this subsection shall reimburse the Department for any expenses incurred by the Department pursuant to this subsection.

NRS 388.511. Retaliation for reporting violation prohibited.

An officer, administrator or employee of a public school shall not retaliate against any person for having:

1. Reported a violation of NRS 388.471 to 388.515, inclusive; or
2. Provided information regarding a violation of NRS 388.471 to 388.515, inclusive, by a public school or a member of the staff of the public school.

NRS 388.513. Reporting of denial of rights; investigation and resolution of disputes by Department.

1. A denial of rights of a pupil with a disability pursuant to NRS 388.471 to 388.515, inclusive, must be entered in the pupil's cumulative record and a confidential file maintained for that pupil. Notice of the denial must be provided to the board of trustees of the school district or its designee.
2. If the board of trustees of a school district or its designee receives notice of a denial of rights pursuant to subsection 1, the board of trustees or its designee shall cause a full report to be prepared which must set forth in detail the factual circumstances surrounding the denial. A copy of the report must be provided to the Department.
3. The Department:
 - (a) Shall receive reports made pursuant to subsection 2;
 - (b) May investigate apparent violations of the rights of pupils with disabilities; and

(c) May act to resolve disputes relating to apparent violations.

NRS 388.515. Annual report by school districts on use of restraint and violations; compilation of reports by Department; submission of compilation to Legislature.

1. The board of trustees of each school district shall, on or before August 1 of each year, prepare a report in the form prescribed by the Department that includes, without limitation, for each school within the school district:

(a) The number of instances in which physical restraint was used at the school during the immediately preceding school year, which must indicate the number of instances per teacher employed at the school and per pupil enrolled at the school without disclosing personally identifiable information about the teacher or the pupil;

(b) The number of instances in which mechanical restraint was used at the school during the immediately preceding school year, which must indicate the number of instances per teacher employed at the school and per pupil enrolled at the school without disclosing personally identifiable information about the teacher or the pupil; and

(c) The number of violations of NRS 388.471 to 388.515, inclusive, by type of violation, which must indicate the number of violations per teacher employed at the school and per pupil enrolled at the school without disclosing personally identifiable information about the teacher or the pupil.

2. The board of trustees of each school district shall prescribe a form for each school within the school district to report the information set forth in subsection 1 to the school district and the time by which those reports must be submitted to the school district.

3. On or before August 15 of each year, the board of trustees of each school district shall submit to the Department the written report prepared by the board of trustees pursuant to subsection 1.

4. The Department shall compile the data received by each school district pursuant to subsection 3 and prepare a written report of the compilation, disaggregated by school district. On or before October 1 of each year, the Department shall submit the written compilation:

(a) In even-numbered years, to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature.

(b) In odd-numbered years, to the Legislative Committee on Education.

5. If a particular item in a report required pursuant to this section would reveal personally identifiable information about an individual pupil or teacher, that item must not be included in the report.

REGULATIONS

No relevant regulations found.

Exclusionary Discipline: Suspension, Expulsion, and Alternative Placement

Grounds for Suspension or Expulsion

LAWS

NRS 392.466. Plan of action for pupil who engages in battery on employee of school, possession of firearm or dangerous weapon or sale or distribution of controlled substance or is deemed a habitual disciplinary problem; appeal by employee who is victim of battery; suspension or expulsion of such pupils; modification to suspension or expulsion; limitations for pupils with disabilities.

1. Except as otherwise provided in this section, any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school or on any school bus and who is at least 11 years of age shall meet with the school and his or her parent or legal guardian. The school shall provide a plan of action based on restorative justice to the parent or legal guardian of the pupil. The pupil may be expelled from the school, in which case the pupil shall:
 - (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
 - (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.
2. An employee who is a victim of a battery which results in the bodily injury of an employee of the school may appeal to the school the plan of action provided pursuant to subsection 1 if:
 - (a) The employee feels any actions taken pursuant to such plan are inappropriate; and
 - (b) For a pupil who committed the battery and is participating in a program of special education pursuant to NRS 388.419, the board of trustees of the school district has reviewed the circumstances and determined that such an appeal is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.
3. Except as otherwise provided in this section, any pupil who is found in possession of a firearm or a dangerous weapon while on the premises of any public school, at an activity sponsored by a public school or on any school bus must, for the first occurrence, be expelled from the school for a period of not less than 1 year, although the pupil may be placed in another kind of school for a period not to exceed the period of the expulsion. For a second occurrence, the pupil must be permanently expelled from the school and:
 - (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
 - (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.
4. If a school is unable to retain a pupil in the school pursuant to subsection 1 for the safety of any person or because doing so would not be in the best interest of the pupil, the pupil may be suspended, expelled or placed in another school. If a pupil is placed in another school, the current school of the pupil shall explain what services will be provided to the pupil at the new school that the current school is unable to provide to address the specific needs and behaviors of the pupil. The school district of the current school

of the pupil shall coordinate with the new school or the board of trustees of the school district of the new school to create a plan of action based on restorative justice for the pupil and to ensure that any resources required to execute the plan of action based on restorative justice are available at the new school.

5. Except as otherwise provided in this section, if a pupil is deemed a habitual disciplinary problem pursuant to NRS 392.4655, the pupil is at least 11 years of age and the school has made a reasonable effort to complete a plan of action based on restorative justice with the pupil, the pupil may be:

(a) Suspended from the school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or

(b) Expelled from the school under extraordinary circumstances as determined by the principal of the school.

6. If the pupil is expelled, or the period of the pupil's suspension is for one school semester, the pupil must:

(a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

7. The superintendent of schools of a school district may, for good cause shown in a particular case in that school district, allow a modification to a suspension or expulsion pursuant to subsections 1 to 5, inclusive, if such modification is set forth in writing. The superintendent shall allow such a modification if the superintendent determines that a plan of action based on restorative justice may be used successfully.

8. This section does not prohibit a pupil from having in his or her possession a knife or firearm with the approval of the principal of the school. A principal may grant such approval only in accordance with the policies or regulations adopted by the board of trustees of the school district.

9. Except as otherwise provided in this section, a pupil who is not more than 10 years of age must not be permanently expelled from school. In extraordinary circumstances, a school may request an exception to this subsection from the board of trustees of the school district. A pupil who is at least 11 years of age may be suspended from school or permanently expelled from school pursuant to this section only after the board of trustees of the school district has reviewed the circumstances and approved this action in accordance with the procedural policy adopted by the board for such issues.

10. A pupil who is at least 11 years of age and who is participating in a program of special education pursuant to NRS 388.419 may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters and only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

(a) Suspended from school pursuant to this section for not more than 5 days. Such a suspension may be imposed pursuant to this paragraph for each occurrence of conduct proscribed by subsection 1.

(b) Permanently expelled from school pursuant to this section.

11. As used in this section:

(a) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of NRS 200.481.

(b) "Dangerous weapon" includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku or trefoil, as defined in NRS 202.350, a butterfly knife or any other knife described in NRS 202.350, a switchblade knife as defined in NRS 202.265, or any other

object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person.

(c) "Firearm" includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a "firearm" in 18 U.S.C. § 921, as that section existed on July 1, 1995.

(d) "Restorative justice" has the meaning ascribed to it in subsection 6 of NRS 392.472.

12. The provisions of this section do not prohibit a pupil who is suspended or expelled from enrolling in a charter school that is designed exclusively for the enrollment of pupils with disciplinary problems if the pupil is accepted for enrollment by the charter school pursuant to NRS 388A.453 or 388A.456. Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to the pupil's suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.

NRS 392.467. Suspension or expulsion of pupil: Procedure; limitations.

1. Except as otherwise provided in subsections 5 and 6 and NRS 392.466, the board of trustees of a school district may authorize the suspension or expulsion of any pupil who is at least 11 years of age from any public school within the school district. Except as otherwise provided in NRS 392.466, a pupil who is not more than 10 years of age must not be permanently expelled from school.

2. Except as otherwise provided in subsection 6, no pupil may be suspended or expelled until the pupil has been given notice of the charges against him or her, an explanation of the evidence and an opportunity for a hearing, except that a pupil who is found to be in possession of a firearm or a dangerous weapon as provided in NRS 392.466 may be removed from the school immediately upon being given an explanation of the reasons for his or her removal and pending proceedings, to be conducted as soon as practicable after removal, for the pupil's suspension or expulsion.

3. The board of trustees of a school district may authorize the expulsion, suspension or removal of a pupil who has been charged with a crime from the school at which the pupil is enrolled regardless of the outcome of any criminal or delinquency proceedings brought against the pupil only if the school:

(a) Conducts an independent investigation of the conduct of the pupil; and

(b) Gives notice of the charges brought against the pupil by the school to the pupil.

4. The provisions of chapter 241 of NRS do not apply to any hearing conducted pursuant to this section. Such hearings must be closed to the public.

5. The board of trustees of a school district shall not authorize the expulsion, suspension or removal of any pupil from the public school system solely for offenses related to attendance or because the pupil is declared a truant or habitual truant in accordance with NRS 392.130 or 392.140.

6. A pupil who is participating in a program of special education pursuant to NRS 388.419, other than a pupil who receives early intervening services, may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters and only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

(a) Suspended from school pursuant to this section for not more than 5 days for each occurrence.

(b) Permanently expelled from school pursuant to this section.

REGULATIONS

No relevant regulations found.

Limitations or Conditions on Exclusionary Discipline

LAWS

NRS 388.900. Regulations concerning identification and consideration of certain social and environmental factors.

The State Board shall adopt regulations that require:

1. The board of trustees of each school district and the governing body of each charter school to identify the social and environmental factors that affect the educational experience of pupils at each school in the district or the charter school, as applicable, and provide a description of those factors to the Department; and
2. The Department, the board of trustees of each school district, the governing body of each charter school and the staff of each public school to consider the factors identified pursuant to subsection 1 for a school when making decisions concerning the school or interacting with and making decisions concerning the staff of the school or pupils enrolled at the school. Such decisions include, without limitation, decisions concerning the allocation of money, the provision of integrated student supports pursuant to NRS 388.885, evaluations of members of the staff of the school pursuant to NRS 391.650 to 391.826, inclusive, salaries of members of the staff of the school and the discipline of pupils.

NRS 392.4634. Prohibition against disciplining certain pupils for simulating firearm or dangerous weapon or wearing clothing or accessories that depict firearm or dangerous weapon; exceptions; prohibition against adoption of conflicting policy, ordinance or regulation.

1. Except as otherwise provided in subsection 3, a pupil enrolled in kindergarten or grades 1 to 8, inclusive, may not be disciplined, including, without limitation, pursuant to NRS 392.466, for:
 - (a) Simulating a firearm or dangerous weapon while playing; or
 - (b) Wearing clothing or accessories that depict a firearm or dangerous weapon or express an opinion regarding a constitutional right to keep and bear arms, unless it substantially disrupts the educational environment.
2. Simulating a firearm or dangerous weapon includes, without limitation:
 - (a) Brandishing a partially consumed pastry or other food item to simulate a firearm or dangerous weapon;
 - (b) Possessing a toy firearm or toy dangerous weapon that is 2 inches or less in length;
 - (c) Possessing a toy firearm or toy dangerous weapon made of plastic building blocks which snap together;
 - (d) Using a finger or hand to simulate a firearm or dangerous weapon;
 - (e) Drawing a picture or possessing an image of a firearm or dangerous weapon; and
 - (f) Using a pencil, pen or other writing or drawing implement to simulate a firearm or dangerous weapon.
3. A pupil who simulates a firearm or dangerous weapon may be disciplined when disciplinary action is consistent with a policy adopted by the board of trustees of the school district and such simulation:
 - (a) Substantially disrupts learning by pupils or substantially disrupts the educational environment at the school;
 - (b) Causes bodily harm to another person; or
 - (c) Places another person in reasonable fear of bodily harm.

4. Except as otherwise provided in subsection 5, a school, school district, board of trustees of a school district or other entity shall not adopt any policy, ordinance or regulation which conflicts with this section.
5. The provisions of this section shall not be construed to prohibit a school from establishing and enforcing a policy requiring pupils to wear a school uniform as authorized pursuant to NRS 386.855.
6. As used in this section:
 - (a) "Dangerous weapon" has the meaning ascribed to it in paragraph (b) of subsection 11 of NRS 392.466.
 - (b) "Firearm" has the meaning ascribed to it in paragraph (c) of subsection 11 of NRS 392.466.

NRS 392.466. Plan of action for pupil who engages in battery on employee of school, possession of firearm or dangerous weapon or sale or distribution of controlled substance or is deemed a habitual disciplinary problem; appeal by employee who is victim of battery; suspension or expulsion of such pupils; modification to suspension or expulsion; limitations for pupils with disabilities.

1. Except as otherwise provided in this section, any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school or on any school bus and who is at least 11 years of age shall meet with the school and his or her parent or legal guardian. The school shall provide a plan of action based on restorative justice to the parent or legal guardian of the pupil. The pupil may be expelled from the school, in which case the pupil shall:
 - (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
 - (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.
2. An employee who is a victim of a battery which results in the bodily injury of an employee of the school may appeal to the school the plan of action provided pursuant to subsection 1 if:
 - (a) The employee feels any actions taken pursuant to such plan are inappropriate; and
 - (b) For a pupil who committed the battery and is participating in a program of special education pursuant to NRS 388.419, the board of trustees of the school district has reviewed the circumstances and determined that such an appeal is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.
3. Except as otherwise provided in this section, any pupil who is found in possession of a firearm or a dangerous weapon while on the premises of any public school, at an activity sponsored by a public school or on any school bus must, for the first occurrence, be expelled from the school for a period of not less than 1 year, although the pupil may be placed in another kind of school for a period not to exceed the period of the expulsion. For a second occurrence, the pupil must be permanently expelled from the school and:
 - (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
 - (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.
4. If a school is unable to retain a pupil in the school pursuant to subsection 1 for the safety of any person or because doing so would not be in the best interest of the pupil, the pupil may be suspended, expelled or placed in another school. If a pupil is placed in another school, the current school of the pupil shall

explain what services will be provided to the pupil at the new school that the current school is unable to provide to address the specific needs and behaviors of the pupil. The school district of the current school of the pupil shall coordinate with the new school or the board of trustees of the school district of the new school to create a plan of action based on restorative justice for the pupil and to ensure that any resources required to execute the plan of action based on restorative justice are available at the new school.

5. Except as otherwise provided in this section, if a pupil is deemed a habitual disciplinary problem pursuant to NRS 392.4655, the pupil is at least 11 years of age and the school has made a reasonable effort to complete a plan of action based on restorative justice with the pupil, the pupil may be:

- (a) Suspended from the school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or
- (b) Expelled from the school under extraordinary circumstances as determined by the principal of the school.

6. If the pupil is expelled, or the period of the pupil's suspension is for one school semester, the pupil must:

- (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
- (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

7. The superintendent of schools of a school district may, for good cause shown in a particular case in that school district, allow a modification to a suspension or expulsion pursuant to subsections 1 to 5, inclusive, if such modification is set forth in writing. The superintendent shall allow such a modification if the superintendent determines that a plan of action based on restorative justice may be used successfully.

8. This section does not prohibit a pupil from having in his or her possession a knife or firearm with the approval of the principal of the school. A principal may grant such approval only in accordance with the policies or regulations adopted by the board of trustees of the school district.

9. Except as otherwise provided in this section, a pupil who is not more than 10 years of age must not be permanently expelled from school. In extraordinary circumstances, a school may request an exception to this subsection from the board of trustees of the school district. A pupil who is at least 11 years of age may be suspended from school or permanently expelled from school pursuant to this section only after the board of trustees of the school district has reviewed the circumstances and approved this action in accordance with the procedural policy adopted by the board for such issues.

10. A pupil who is at least 11 years of age and who is participating in a program of special education pursuant to NRS 388.419 may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters and only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

- (a) Suspended from school pursuant to this section for not more than 5 days. Such a suspension may be imposed pursuant to this paragraph for each occurrence of conduct proscribed by subsection 1.
- (b) Permanently expelled from school pursuant to this section.

11. As used in this section:

- (a) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of NRS 200.481.

(b) "Dangerous weapon" includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku or trefoil, as defined in NRS 202.350, a butterfly knife or any other knife described in NRS 202.350, a switchblade knife as defined in NRS 202.265, or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person.

(c) "Firearm" includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a "firearm" in 18 U.S.C. § 921, as that section existed on July 1, 1995.

(d) "Restorative justice" has the meaning ascribed to it in subsection 6 of NRS 392.472.

12. The provisions of this section do not prohibit a pupil who is suspended or expelled from enrolling in a charter school that is designed exclusively for the enrollment of pupils with disciplinary problems if the pupil is accepted for enrollment by the charter school pursuant to NRS 388A.453 or 388A.456. Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to the pupil's suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.

NRS 392.467. Suspension or expulsion of pupil: Procedure; limitations.

1. Except as otherwise provided in subsections 5 and 6 and NRS 392.466, the board of trustees of a school district may authorize the suspension or expulsion of any pupil who is at least 11 years of age from any public school within the school district. Except as otherwise provided in NRS 392.466, a pupil who is not more than 10 years of age must not be permanently expelled from school.

2. Except as otherwise provided in subsection 6, no pupil may be suspended or expelled until the pupil has been given notice of the charges against him or her, an explanation of the evidence and an opportunity for a hearing, except that a pupil who is found to be in possession of a firearm or a dangerous weapon as provided in NRS 392.466 may be removed from the school immediately upon being given an explanation of the reasons for his or her removal and pending proceedings, to be conducted as soon as practicable after removal, for the pupil's suspension or expulsion.

3. The board of trustees of a school district may authorize the expulsion, suspension or removal of a pupil who has been charged with a crime from the school at which the pupil is enrolled regardless of the outcome of any criminal or delinquency proceedings brought against the pupil only if the school:

(a) Conducts an independent investigation of the conduct of the pupil; and

(b) Gives notice of the charges brought against the pupil by the school to the pupil.

4. The provisions of chapter 241 of NRS do not apply to any hearing conducted pursuant to this section. Such hearings must be closed to the public.

5. The board of trustees of a school district shall not authorize the expulsion, suspension or removal of any pupil from the public school system solely for offenses related to attendance or because the pupil is declared a truant or habitual truant in accordance with NRS 392.130 or 392.140.

6. A pupil who is participating in a program of special education pursuant to NRS 388.419, other than a pupil who receives early intervening services, may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters and only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

(a) Suspended from school pursuant to this section for not more than 5 days for each occurrence.

(b) Permanently expelled from school pursuant to this section.

REGULATIONS

No relevant regulations found.

Due Process

LAWS

NRS 388.13535. Deferral of required investigation of bullying or cyber-bullying; actions by administrator or designee if investigation is deferred; exemption from certain requirements if violation committed by certain pupils.

1. If a law enforcement agency is investigating a potential crime involving an alleged violation of NRS 388.135, the administrator or his or her designee may, after providing the notification required by paragraph (a) of subsection 3 of NRS 388.1351, defer the investigation required by that section until the completion of the criminal investigation by the law enforcement agency. If the administrator or his or her designee defers an investigation pursuant to this subsection, the administrator or designee shall:
 - (a) Immediately develop and carry out a plan to protect the safety of each pupil directly involved in the alleged violation of NRS 388.135; and
 - (b) To the extent that the law enforcement agency has provided the administrator or designee with information about the projected date for completion of its investigation, provide the parents or guardians of each pupil directly involved in the alleged violation of NRS 388.135 with that information.
2. Except as otherwise provided in this section, the deferral authorized by subsection 1 does not affect the obligations of the administrator or designee pursuant to NRS 388.121 to 388.1395, inclusive.
3. Any plan developed pursuant to subsection 1 must be carried out in a manner that causes the least possible disruption for the reported victim or victims of bullying or cyber-bullying. When necessary, the administrator or his or her designee shall give priority to protecting the reported victim or victims over any interest of the reported perpetrator or perpetrators when determining how to carry out the plan.
4. If the administrator or designee determines that a violation of NRS 388.135 was caused by the disability of the pupil who committed the violation:
 - (a) The provisions of NRS 388.1351 do not apply to the same or similar behavior if the behavior is addressed in the pupil's individualized education program; and
 - (b) The administrator or designee shall take any measures necessary to protect the safety of the victim of the violation.
5. The provisions of NRS 388.1351 do not apply to a violation of NRS 388.135 committed by:
 - (a) A pupil who is enrolled in prekindergarten if the behavior is addressed through measures intended to modify the behavior of the pupil.
 - (b) An employee of a school or school district against another employee of a school or school district.
 - (c) An adult who is not a pupil or employee of a school or school district against another such adult.

NRS 392.4655. Conditions under which pupil deemed habitual disciplinary problem; plan of behavior to prevent pupil from being deemed habitual disciplinary problem; appeal by parent or guardian concerning content of plan or action taken pursuant to plan.

1. Except as otherwise provided in this section, a principal of a school shall deem a pupil enrolled in the school a habitual disciplinary problem if the school has written evidence which documents that in 1 school year:

- (a) The pupil has threatened or extorted, or attempted to threaten or extort, another pupil or a teacher or other personnel employed by the school two or more times or the pupil has a record of five suspensions from the school for any reason; and
 - (b) The pupil has not entered into and participated in a plan of behavior pursuant to subsection 5.
2. At least one teacher of a pupil who is enrolled in elementary school and at least two teachers of a pupil who is enrolled in junior high, middle school or high school may request that the principal of the school deem a pupil a habitual disciplinary problem. Upon such a request, the principal of the school shall meet with each teacher who made the request to review the pupil's record of discipline. If, after the review, the principal of the school determines that the provisions of subsection 1 do not apply to the pupil, a teacher who submitted a request pursuant to this subsection may appeal that determination to the board of trustees of the school district. Upon receipt of such a request, the board of trustees shall review the initial request and determination pursuant to the procedure established by the board of trustees for such matters.
3. If a pupil is suspended, the school in which the pupil is enrolled shall provide written notice to the parent or legal guardian of the pupil that contains:
- (a) A description of the act committed by the pupil and the date on which the act was committed;
 - (b) An explanation that if the pupil receives five suspensions on his or her record during the current school year and has not entered into and participated in a plan of behavior pursuant to subsection 5, the pupil will be deemed a habitual disciplinary problem;
 - (c) An explanation that, pursuant to subsection 5 of NRS 392.466, a pupil who is deemed a habitual disciplinary problem may be:
 - (1) Suspended from school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or
 - (2) Expelled from school under extraordinary circumstances as determined by the principal of the school;
 - (d) If the pupil has a disability and is participating in a program of special education pursuant to NRS 388.419, an explanation of the effect of subsection 10 of NRS 392.466, including, without limitation, that if it is determined in accordance with 20 U.S.C. § 1415 that the pupil's behavior is not a manifestation of the pupil's disability, he or she may be suspended or expelled from school in the same manner as a pupil without a disability; and
 - (e) A summary of the provisions of subsection 5.
4. A school shall provide the notice required by subsection 3 for each suspension on the record of a pupil during a school year. Such notice must be provided at least 7 days before the school deems the pupil a habitual disciplinary problem.
5. If a pupil is suspended, the school in which the pupil is enrolled shall develop, in consultation with the pupil and the parent or legal guardian of the pupil, a plan of behavior for the pupil. The parent or legal guardian of the pupil may choose for the pupil not to participate in the plan of behavior. If the parent or legal guardian of the pupil chooses for the pupil not to participate, the school shall inform the parent or legal guardian of the consequences of not participating in the plan of behavior. Such a plan must be designed to prevent the pupil from being deemed a habitual disciplinary problem and may include, without limitation:
- (a) A plan for graduating if the pupil is deficient in credits and not likely to graduate according to schedule.
 - (b) Information regarding schools with a mission to serve pupils who have been:
 - (1) Expelled or suspended from a public school, including, without limitation, a charter school; or

(2) Deemed to be a habitual disciplinary problem pursuant to this section.

(c) A voluntary agreement by the parent or legal guardian to attend school with his or her child.

(d) A voluntary agreement by the pupil and the pupil's parent or legal guardian to attend counseling, programs or services available in the school district or community.

(e) A voluntary agreement by the pupil and the pupil's parent or legal guardian that the pupil will attend summer school, intersession school or school on Saturday, if any of those alternatives are offered by the school district.

6. If a pupil commits the same act for which notice was provided pursuant to subsection 3 after he or she enters into a plan of behavior pursuant to subsection 5, the pupil shall be deemed to have not successfully completed the plan of behavior and may be deemed a habitual disciplinary problem.

7. A pupil may, pursuant to the provisions of this section, enter into one plan of behavior per school year.

8. The parent or legal guardian of a pupil who has entered into a plan of behavior with a school pursuant to this section may appeal to the board of trustees of the school district a determination made by the school concerning the contents of the plan of behavior or action taken by the school pursuant to the plan of behavior. Upon receipt of such a request, the board of trustees of the school district shall review the determination in accordance with the procedure established by the board of trustees for such matters.

NRS 392.466. Plan of action for pupil who engages in battery on employee of school, possession of firearm or dangerous weapon or sale or distribution of controlled substance or is deemed a habitual disciplinary problem; appeal by employee who is victim of battery; suspension or expulsion of such pupils; modification to suspension or expulsion; limitations for pupils with disabilities.

1. Except as otherwise provided in this section, any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school or on any school bus and who is at least 11 years of age shall meet with the school and his or her parent or legal guardian. The school shall provide a plan of action based on restorative justice to the parent or legal guardian of the pupil. The pupil may be expelled from the school, in which case the pupil shall:

(a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

2. An employee who is a victim of a battery which results in the bodily injury of an employee of the school may appeal to the school the plan of action provided pursuant to subsection 1 if:

(a) The employee feels any actions taken pursuant to such plan are inappropriate; and

(b) For a pupil who committed the battery and is participating in a program of special education pursuant to NRS 388.419, the board of trustees of the school district has reviewed the circumstances and determined that such an appeal is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.

3. Except as otherwise provided in this section, any pupil who is found in possession of a firearm or a dangerous weapon while on the premises of any public school, at an activity sponsored by a public school or on any school bus must, for the first occurrence, be expelled from the school for a period of not less than 1 year, although the pupil may be placed in another kind of school for a period not to exceed the period of the expulsion. For a second occurrence, the pupil must be permanently expelled from the school and:

- (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
 - (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.
4. If a school is unable to retain a pupil in the school pursuant to subsection 1 for the safety of any person or because doing so would not be in the best interest of the pupil, the pupil may be suspended, expelled or placed in another school. If a pupil is placed in another school, the current school of the pupil shall explain what services will be provided to the pupil at the new school that the current school is unable to provide to address the specific needs and behaviors of the pupil. The school district of the current school of the pupil shall coordinate with the new school or the board of trustees of the school district of the new school to create a plan of action based on restorative justice for the pupil and to ensure that any resources required to execute the plan of action based on restorative justice are available at the new school.
5. Except as otherwise provided in this section, if a pupil is deemed a habitual disciplinary problem pursuant to NRS 392.4655, the pupil is at least 11 years of age and the school has made a reasonable effort to complete a plan of action based on restorative justice with the pupil, the pupil may be:
- (a) Suspended from the school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or
 - (b) Expelled from the school under extraordinary circumstances as determined by the principal of the school.
6. If the pupil is expelled, or the period of the pupil's suspension is for one school semester, the pupil must:
- (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
 - (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.
7. The superintendent of schools of a school district may, for good cause shown in a particular case in that school district, allow a modification to a suspension or expulsion pursuant to subsections 1 to 5, inclusive, if such modification is set forth in writing. The superintendent shall allow such a modification if the superintendent determines that a plan of action based on restorative justice may be used successfully.
8. This section does not prohibit a pupil from having in his or her possession a knife or firearm with the approval of the principal of the school. A principal may grant such approval only in accordance with the policies or regulations adopted by the board of trustees of the school district.
9. Except as otherwise provided in this section, a pupil who is not more than 10 years of age must not be permanently expelled from school. In extraordinary circumstances, a school may request an exception to this subsection from the board of trustees of the school district. A pupil who is at least 11 years of age may be suspended from school or permanently expelled from school pursuant to this section only after the board of trustees of the school district has reviewed the circumstances and approved this action in accordance with the procedural policy adopted by the board for such issues.
10. A pupil who is at least 11 years of age and who is participating in a program of special education pursuant to NRS 388.419 may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters and only after the board of trustees of the school district has

reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

- (a) Suspended from school pursuant to this section for not more than 5 days. Such a suspension may be imposed pursuant to this paragraph for each occurrence of conduct proscribed by subsection 1.
- (b) Permanently expelled from school pursuant to this section.

11. As used in this section:

- (a) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of NRS 200.481.
- (b) "Dangerous weapon" includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku or trefoil, as defined in NRS 202.350, a butterfly knife or any other knife described in NRS 202.350, a switchblade knife as defined in NRS 202.265, or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person.
- (c) "Firearm" includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a "firearm" in 18 U.S.C. § 921, as that section existed on July 1, 1995.
- (d) "Restorative justice" has the meaning ascribed to it in subsection 6 of NRS 392.472.

12. The provisions of this section do not prohibit a pupil who is suspended or expelled from enrolling in a charter school that is designed exclusively for the enrollment of pupils with disciplinary problems if the pupil is accepted for enrollment by the charter school pursuant to NRS 388A.453 or 388A.456. Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to the pupil's suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.

NRS 392.467. Suspension or expulsion of pupil: Procedure; limitations.

1. Except as otherwise provided in subsections 5 and 6 and NRS 392.466, the board of trustees of a school district may authorize the suspension or expulsion of any pupil who is at least 11 years of age from any public school within the school district. Except as otherwise provided in NRS 392.466, a pupil who is not more than 10 years of age must not be permanently expelled from school.
2. Except as otherwise provided in subsection 6, no pupil may be suspended or expelled until the pupil has been given notice of the charges against him or her, an explanation of the evidence and an opportunity for a hearing, except that a pupil who is found to be in possession of a firearm or a dangerous weapon as provided in NRS 392.466 may be removed from the school immediately upon being given an explanation of the reasons for his or her removal and pending proceedings, to be conducted as soon as practicable after removal, for the pupil's suspension or expulsion.
3. The board of trustees of a school district may authorize the expulsion, suspension or removal of a pupil who has been charged with a crime from the school at which the pupil is enrolled regardless of the outcome of any criminal or delinquency proceedings brought against the pupil only if the school:
 - (a) Conducts an independent investigation of the conduct of the pupil; and
 - (b) Gives notice of the charges brought against the pupil by the school to the pupil.
4. The provisions of chapter 241 of NRS do not apply to any hearing conducted pursuant to this section. Such hearings must be closed to the public.
5. The board of trustees of a school district shall not authorize the expulsion, suspension or removal of any pupil from the public school system solely for offenses related to attendance or because the pupil is declared a truant or habitual truant in accordance with NRS 392.130 or 392.140.

6. A pupil who is participating in a program of special education pursuant to NRS 388.419, other than a pupil who receives early intervening services, may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters and only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

- (a) Suspended from school pursuant to this section for not more than 5 days for each occurrence.
- (b) Permanently expelled from school pursuant to this section.

REGULATIONS

NAC 388.915. Complaint concerning outcome of appeal or violation of provisions of law; preliminary report concerning whether to conduct further investigation; final report when further investigation is conducted; Department authorized to request school district to prepare plan of corrective action; employee subject to disciplinary action prohibited from administrative appeal of such action.

1. Not later than 30 days after receiving notification of the final resolution of an appeal made pursuant to the policy adopted pursuant to NAC 388.910, the parent or guardian of a pupil directly involved in the reported violation of NRS 388.135 may submit a complaint to the Department concerning the outcome of the appeal or a violation of any provision of NRS 388.121 to 388.1395, inclusive, or NAC 388.870 to 388.920, inclusive, or criminal conduct by a teacher, administrator, principal, coach, other staff member or member of the board of trustees of a school district. Each complaint must be in writing and must include, without limitation:

- (a) Contact information for the parent or guardian;
- (b) A copy of the written report of the findings and conclusions of the investigation conducted pursuant to NRS 388.1351 and NAC 388.900;
- (c) Any written record of the appeal prepared by or at the direction of the school district or school regarding the violation or, if there is not a written record, a narrative summation provided by the parent or guardian, including any contact information that will assist the Department in verifying the accuracy of the narrative summation;
- (d) If the complaint concerns the outcome of an appeal, the outcome that the parent or guardian would have preferred;
- (e) If the complaint alleges that a teacher, administrator, principal, coach, other staff member or member of the board of trustees of a school district has violated any provision of NRS 388.121 to 388.1395, inclusive, or NAC 388.870 to 388.920, inclusive, the specific provision that was allegedly violated and a description of the alleged violation;
- (f) If the complaint alleges that a teacher, administrator, principal, coach, other staff member or member of the board of trustees of a school district has engaged in criminal conduct, a description of the alleged crime; and
- (g) Any other information that the parent or guardian determines would be useful to the Department when resolving the complaint.

2. The Department shall not provide legal advice, including, without limitation, advice concerning whether a statute or regulation has been violated or whether a crime has been committed.

3. After a complaint is submitted pursuant to this section, the Department may request any additional information necessary to conduct an investigation. The Department shall make any such request for additional information within 5 working days after receipt of the initial complaint. The Department shall notify a parent or guardian who submits a complaint when the Department determines that the complaint

is complete and requires no additional information for the purposes of making a preliminary determination pursuant to subsection 4.

4. After receiving a complaint that is complete, the Department shall determine whether it will conduct further investigation into the complaint and issue to the parent or guardian of each pupil directly involved in the incident described in the complaint, any other person involved in that incident and the superintendent of the school district a preliminary report containing that determination. The Department shall issue the preliminary report not later than 10 working days after receipt of the completed complaint pursuant to subsection 3.

5. If the Department conducts further investigation after issuing a preliminary report pursuant to subsection 4, the Department shall issue to the parent or guardian of each pupil directly involved in the incident, any other person involved in that incident and the superintendent of the school district a final report concerning the findings and conclusions of the investigation. The Department shall issue the final report not later than 45 working days after the preliminary report is issued unless the Department notifies the parent or guardian of each pupil directly involved in the incident, any other person involved in the incident and the superintendent of the school district that the Department needs more time to conduct the investigation.

6. As a result of a complaint submitted pursuant to this section, the Department may request that a school district prepare a plan of corrective action, including any recommendations made by the Department.

7. An employee who is subject to disciplinary action pursuant to NRS 388.1354 may not appeal that disciplinary action to the Department pursuant to this section.

Return to School Following Removal

LAWS

NRS 392.4646. Removal of pupil: Conference; recommendation of principal.

4. Except as otherwise provided in this subsection, a pupil must not return to the classroom or other premises of the public school from which the pupil was removed before the conference is held. If the conference is not held within 3 school days after the removal of the pupil, the pupil must be allowed to return to the classroom or other premises unless:

- (a) The parent or legal guardian of the pupil refuses to attend the conference;
- (b) The failure to hold a conference is attributed to the action or inaction of the pupil or the parent or legal guardian of the pupil; or
- (c) The parent or legal guardian requested that the date of the conference be postponed. [...]

6. Upon conclusion of the conference or, if a conference is not held pursuant to subsection 3 not later than 3 school days after the removal of a pupil from a classroom or other premises of a public school, the principal shall recommend whether to return the pupil to the classroom or other premises or continue the temporary alternative placement of the pupil if the pupil has been assigned to a temporary alternative placement.

NRS 392.4657. Conditions under which pupil deemed suspended.

A pupil shall be deemed suspended from school if the school in which the pupil is enrolled:

1. Prohibits the pupil from attending school for 3 or more consecutive days; and
2. Requires a conference or some other form of communication with the parent or legal guardian of the pupil before the pupil is allowed to return to school.

REGULATIONS

No relevant regulations found.

Alternative Placements

LAWS

NRS 385A.620. Regulations governing inclusion of pupils enrolled in certain alternative programs within statewide system.

1. The State Board shall adopt regulations that prescribe, consistent with 20 U.S.C. §§ 6301 et seq., and the regulations adopted pursuant thereto, the manner in which pupils enrolled in:

(b) An alternative program for the education of pupils at risk of dropping out of school pursuant to NRS 388.537.

NRS 388.537. Alternative programs for pupils at risk of dropping out of school.

1. The board of trustees of a school district may, subject to the approval of the Superintendent of Public Instruction, operate an alternative program for the education of pupils at risk of dropping out of school, including pupils who are enrolled in kindergarten or grades 1 to 12, inclusive.
2. The board of trustees of a school district may submit to the Department, in the form prescribed by the Department, a plan to operate an alternative program.
3. The Superintendent of Public Instruction shall review each plan to operate an alternative program submitted to the Department and approve or deny the plan. Approval by the Superintendent constitutes approval of each component of the plan for the alternative program.
4. If a plan for an alternative program is denied by the Superintendent of Public Instruction, the board of trustees of a school district may appeal the decision of the Superintendent to the State Board. The State Board may approve or deny the plan for the alternative program upon appeal.
5. An alternative program may include:
 - (a) A shorter school day or an opportunity for pupils to attend a longer school day than that regularly provided in the school district. The alternative program must provide for a number of minutes of instruction that is equal to or greater than that which would be provided under a program consisting of 180 school days.
 - (b) An opportunity for pupils to attend classes of instruction during any part of the calendar year.
 - (c) A comprehensive curriculum that includes elective classes of instruction and career and technical education.
 - (d) An opportunity for pupils to obtain academic credit through experience gained at work or while engaged in other activities.
 - (e) An opportunity for pupils to satisfy either:
 - (1) The requirements for a regular high school diploma; or
 - (2) The requirements for an adult standard diploma.
 - (f) The provision of child care for the children of pupils.
 - (g) The transportation of pupils to and from classes of instruction.
 - (h) The placement of pupils for independent study pursuant to NRS 389.155, if the board of trustees of the school district determines that the pupil would benefit from such placement.
6. The board of trustees of a school district may operate an alternative program pursuant to this section through a program of distance education pursuant to NRS 388.820 to 388.874, inclusive.

NRS 392.264. Offender prohibited from attending school victim attends without court approval; duty of superintendent of school district to negotiate agreement for attendance in another school district; termination of agreement.

1. If a superintendent of a school district receives notification and a victim identified in the notification is a pupil in the school district, the superintendent shall not permit an offender who is subject to the provisions of NRS 62F.100 to 62F.150, inclusive, to attend a public school that a victim is attending unless:
 - (a) An alternative plan of supervision is approved by the court pursuant to NRS 62F.130; or
 - (b) An alternative plan of attendance is approved by the court pursuant to NRS 62F.140.
2. If the court does not approve an alternative plan of supervision or an alternative plan of attendance for the offender and the school district in which the offender resides does not have another public school in the district for the offender to attend, the superintendent of the school district shall negotiate an agreement with:
 - (a) The superintendent of an adjoining school district within this state for the offender to attend a public school in that adjoining school district; or
 - (b) The superintendent, or another appropriate administrator, of an adjoining school district in an adjoining state for the offender to attend a public school in that adjoining school district.
3. The superintendent of the school district in which the offender resides shall inform the person with whom the superintendent is negotiating that the offender has been adjudicated delinquent for a sexual offense or a sexually motivated act, but the superintendent shall not disclose the name of a victim.
4. An agreement which is made pursuant to this section and which is presented to a board of trustees for approval:
 - (a) Must not contain the name of a victim;
 - (b) Must comply with the provisions of subsections 2 and 3 of NRS 392.010; and
 - (c) Must be approved by the Superintendent of Public Instruction.
5. A board of trustees may terminate an agreement entered into pursuant to this section if, because of a change in circumstances, the offender is able to attend a public school in the school district in which the offender resides without violating subsection 1.

NRS 392.4645. Removal of pupil: Notice; assignment to temporary alternative placement; exceptions.

1. The plan established pursuant to NRS 392.4644 must provide for the temporary removal of a pupil from a classroom or other premises of a public school if, in the judgment of the teacher or other staff member responsible for the classroom or other premises, as applicable, the pupil has engaged in behavior that seriously interferes with the ability of the teacher to teach the other pupils in the classroom and with the ability of the other pupils to learn or with the ability of the staff member to discharge his or her duties. The plan must provide that, upon the removal of a pupil from a classroom or any other premises of a public school pursuant to this section, the principal of the school shall provide an explanation of the reason for the removal of the pupil to the pupil and offer the pupil an opportunity to respond to the explanation. Within 24 hours after the removal of a pupil pursuant to this section, the principal of the school shall notify the parent or legal guardian of the pupil of the removal.
2. Except as otherwise provided in subsection 3, a pupil who is removed from a classroom or any other premises of a public school pursuant to this section may be assigned to a temporary alternative placement pursuant to which the pupil:
 - (a) Is separated, to the extent practicable, from pupils who are not assigned to a temporary alternative placement;

- (b) Studies or remains under the supervision of appropriate personnel of the school district; and
- (c) Is prohibited from engaging in any extracurricular activity sponsored by the school.

3. The principal shall not assign a pupil to a temporary alternative placement if the suspension or expulsion of a pupil who is removed from the classroom pursuant to this section is:

- (a) Required by NRS 392.466; or
- (b) Authorized by NRS 392.467 and the principal decides to proceed in accordance with that section.

If the principal proceeds in accordance with NRS 392.466 or 392.467, the pupil must be removed from school in accordance with those sections and the provisions of NRS 392.4642 to 392.4648, inclusive, do not apply to the pupil.

NRS 392.466. Plan of action for pupil who engages in battery on employee of school, possession of firearm or dangerous weapon or sale or distribution of controlled substance or is deemed a habitual disciplinary problem; appeal by employee who is victim of battery; suspension or expulsion of such pupils; modification to suspension or expulsion; limitations for pupils with disabilities.

1. Except as otherwise provided in this section, any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school or on any school bus and who is at least 11 years of age shall meet with the school and his or her parent or legal guardian. The school shall provide a plan of action based on restorative justice to the parent or legal guardian of the pupil. The pupil may be expelled from the school, in which case the pupil shall:

- (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
- (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

2. An employee who is a victim of a battery which results in the bodily injury of an employee of the school may appeal to the school the plan of action provided pursuant to subsection 1 if:

- (a) The employee feels any actions taken pursuant to such plan are inappropriate; and
- (b) For a pupil who committed the battery and is participating in a program of special education pursuant to NRS 388.419, the board of trustees of the school district has reviewed the circumstances and determined that such an appeal is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.

3. Except as otherwise provided in this section, any pupil who is found in possession of a firearm or a dangerous weapon while on the premises of any public school, at an activity sponsored by a public school or on any school bus must, for the first occurrence, be expelled from the school for a period of not less than 1 year, although the pupil may be placed in another kind of school for a period not to exceed the period of the expulsion. For a second occurrence, the pupil must be permanently expelled from the school and:

- (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
- (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

4. If a school is unable to retain a pupil in the school pursuant to subsection 1 for the safety of any person or because doing so would not be in the best interest of the pupil, the pupil may be suspended, expelled or placed in another school. If a pupil is placed in another school, the current school of the pupil shall explain what services will be provided to the pupil at the new school that the current school is unable to provide to address the specific needs and behaviors of the pupil. The school district of the current school of the pupil shall coordinate with the new school or the board of trustees of the school district of the new school to create a plan of action based on restorative justice for the pupil and to ensure that any resources required to execute the plan of action based on restorative justice are available at the new school.

5. Except as otherwise provided in this section, if a pupil is deemed a habitual disciplinary problem pursuant to NRS 392.4655, the pupil is at least 11 years of age and the school has made a reasonable effort to complete a plan of action based on restorative justice with the pupil, the pupil may be:

- (a) Suspended from the school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or
- (b) Expelled from the school under extraordinary circumstances as determined by the principal of the school.

6. If the pupil is expelled, or the period of the pupil's suspension is for one school semester, the pupil must:

- (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
- (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

7. The superintendent of schools of a school district may, for good cause shown in a particular case in that school district, allow a modification to a suspension or expulsion pursuant to subsections 1 to 5, inclusive, if such modification is set forth in writing. The superintendent shall allow such a modification if the superintendent determines that a plan of action based on restorative justice may be used successfully.

8. This section does not prohibit a pupil from having in his or her possession a knife or firearm with the approval of the principal of the school. A principal may grant such approval only in accordance with the policies or regulations adopted by the board of trustees of the school district.

9. Except as otherwise provided in this section, a pupil who is not more than 10 years of age must not be permanently expelled from school. In extraordinary circumstances, a school may request an exception to this subsection from the board of trustees of the school district. A pupil who is at least 11 years of age may be suspended from school or permanently expelled from school pursuant to this section only after the board of trustees of the school district has reviewed the circumstances and approved this action in accordance with the procedural policy adopted by the board for such issues.

10. A pupil who is at least 11 years of age and who is participating in a program of special education pursuant to NRS 388.419 may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters and only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

- (a) Suspended from school pursuant to this section for not more than 5 days. Such a suspension may be imposed pursuant to this paragraph for each occurrence of conduct proscribed by subsection 1.
- (b) Permanently expelled from school pursuant to this section.

11. As used in this section:

- (a) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of NRS 200.481.
- (b) "Dangerous weapon" includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku or trefoil, as defined in NRS 202.350, a butterfly knife or any other knife described in NRS 202.350, a switchblade knife as defined in NRS 202.265, or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person.
- (c) "Firearm" includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a "firearm" in 18 U.S.C. § 921, as that section existed on July 1, 1995.
- (d) "Restorative justice" has the meaning ascribed to it in subsection 6 of NRS 392.472.

12. The provisions of this section do not prohibit a pupil who is suspended or expelled from enrolling in a charter school that is designed exclusively for the enrollment of pupils with disciplinary problems if the pupil is accepted for enrollment by the charter school pursuant to NRS 388A.453 or 388A.456. Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to the pupil's suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.

NRS 392.4675. Certain suspended or expelled pupils ineligible to attend public school; authority for school district or charter school to enroll ineligible pupil in alternative programs, independent study, distance education, charter school designated for pupils with disciplinary problems or challenge school.

1. Except as otherwise provided in this section, a pupil who is suspended or expelled from:

- (a) Any public school in this State pursuant to NRS 392.466; or
- (b) Any school outside of this State for the commission of any act which, if committed within this State, would be a ground for suspension or expulsion from public school pursuant to NRS 392.466, is ineligible to attend any public school in this State during the period of that suspension or expulsion.

2. A school district or a charter school, if the charter school offers the applicable program, may allow a pupil who is ineligible to attend a public school pursuant to this section to enroll in:

- (a) An alternative program for the education of pupils at risk of dropping out of school provided pursuant to NRS 388.537;
- (b) A program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school;
- (c) A program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive;
- (d) Any program of instruction offered pursuant to the provisions of NRS 388.550; or
- (e) A challenge school,

if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable school or program. A school district or charter school may conduct an investigation of the background of any such pupil to determine if the educational needs of the pupil may be satisfied without undue disruption to the school or program. If an investigation is conducted, the board of trustees of the school district or the governing body of the charter school shall, based on the results of the investigation, determine if the pupil will be allowed to enroll in such a school or program.

3. The provisions of subsections 1 and 2 do not prohibit a pupil from enrolling in a charter school that is designed exclusively for the enrollment of pupils with disciplinary problems if the pupil is accepted for enrollment by the charter school pursuant to NRS 388A.453 or 388A.456. Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to the pupil's

suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.

REGULATIONS

NAC 388.500. "Alternative program" defined.

As used in NAC 388.510 and 388.520, unless the context otherwise requires, "alternative program" means a program operated by a school district in accordance with NRS 388.537 for the education of pupils at risk of dropping out of school.

NAC 388.510. General requirements; effective period.

1. A plan for an alternative program submitted for approval pursuant to NRS 388.537 must be on a form approved by the Department of Education and must address the considerations set forth in NRS 388.537.
2. A plan for an alternative program that is approved pursuant to NRS 388.537 remains in effect for 5 years after the date of approval. The board of trustees of a school district shall update its plan for an alternative program at least once annually if a substantive change is made to the plan.

NAC 388.520. Plan to provide for independent study.

1. An alternative program may include a plan to provide for independent study pursuant to NAC 389.710 to 389.750, inclusive.
2. A plan to provide for independent study must include:
 - (a) A description of the pupils targeted for enrollment in courses of independent study.
 - (b) A list of the intended instructors, including an identification of the subject areas that each instructor will teach.
 - (c) The names of the courses of independent study to be taught.
 - (d) A plan for maintaining the records of each pupil placed for independent study in accordance with the requirements set forth in NAC 389.720.
 - (e) A statement of the maximum period allowed to complete the courses of independent study.
 - (f) A statement of the maximum number of credits that a pupil may earn in courses of independent study.

Discipline Addressing Specific Code of Conduct Violations

Firearms and Other Weapons Violations

LAWS

NRS 202.265. Possession of dangerous weapon on property or in vehicle of school or child care facility; penalty; exceptions.

1. Except as otherwise provided in this section, a person shall not carry or possess while on the property of the Nevada System of Higher Education, a private or public school or child care facility, or while in a vehicle of a private or public school or child care facility:
 - (a) An explosive or incendiary device;
 - (b) A dirk, dagger or switchblade knife;
 - (c) A nunchaku or trefoil;
 - (d) A blackjack or billy club or metal knuckles;
 - (e) A pneumatic gun;
 - (f) A pistol, revolver or other firearm; or
 - (g) Any device used to mark any part of a person with paint or any other substance.
2. Any person who violates subsection 1 is guilty of a gross misdemeanor.
3. This section does not prohibit the possession of a weapon listed in subsection 1 on the property of:
 - (a) A private or public school or child care facility by a:
 - (1) Peace officer;
 - (2) School security guard; or
 - (3) Person having written permission from the president of a branch or facility of the Nevada System of Higher Education or the principal of the school or the person designated by a child care facility to give permission to carry or possess the weapon.
 - (b) A child care facility which is located at or in the home of a natural person by the person who owns or operates the facility so long as the person resides in the home and the person complies with any laws governing the possession of such a weapon.
4. The provisions of this section apply to a child care facility located at or in the home of a natural person only during the normal hours of business of the facility.
5. For the purposes of this section:
 - (a) "Child care facility" means any child care facility that is licensed pursuant to chapter 432A of NRS or licensed by a city or county.
 - (b) "Nunchaku" has the meaning ascribed to it in NRS 202.350.
 - (c) "Pneumatic gun" means any implement designed as a gun that may expel a ball bearing or a pellet by action of pneumatic pressure. The term includes, without limitation, a paintball gun that expels plastic balls filled with paint for the purpose of marking the point of impact.
 - (d) "Switchblade knife" means a spring-blade knife, snap-blade knife or any other knife having the appearance of a pocketknife, any blade of which is 2 or more inches long and which can be released automatically by a flick of a button, pressure on the handle or other mechanical device, or is released by any type of mechanism. The term does not include a knife which has a blade that is held in place by a spring if the blade does not have any type of automatic release.

- (e) "Trefoil" has the meaning ascribed to it in NRS 202.350.
- (f) "Vehicle" has the meaning ascribed to "school bus" in NRS 484A.230.

NRS 392.4634. Prohibition against disciplining certain pupils for simulating firearm or dangerous weapon or wearing clothing or accessories that depict firearm or dangerous weapon; exceptions; prohibition against adoption of conflicting policy, ordinance or regulation.

1. Except as otherwise provided in subsection 3, a pupil enrolled in kindergarten or grades 1 to 8, inclusive, may not be disciplined, including, without limitation, pursuant to NRS 392.466, for:
 - (a) Simulating a firearm or dangerous weapon while playing; or
 - (b) Wearing clothing or accessories that depict a firearm or dangerous weapon or express an opinion regarding a constitutional right to keep and bear arms, unless it substantially disrupts the educational environment.
2. Simulating a firearm or dangerous weapon includes, without limitation:
 - (a) Brandishing a partially consumed pastry or other food item to simulate a firearm or dangerous weapon;
 - (b) Possessing a toy firearm or toy dangerous weapon that is 2 inches or less in length;
 - (c) Possessing a toy firearm or toy dangerous weapon made of plastic building blocks which snap together;
 - (d) Using a finger or hand to simulate a firearm or dangerous weapon;
 - (e) Drawing a picture or possessing an image of a firearm or dangerous weapon; and
 - (f) Using a pencil, pen or other writing or drawing implement to simulate a firearm or dangerous weapon.
3. A pupil who simulates a firearm or dangerous weapon may be disciplined when disciplinary action is consistent with a policy adopted by the board of trustees of the school district and such simulation:
 - (a) Substantially disrupts learning by pupils or substantially disrupts the educational environment at the school;
 - (b) Causes bodily harm to another person; or
 - (c) Places another person in reasonable fear of bodily harm.
4. Except as otherwise provided in subsection 5, a school, school district, board of trustees of a school district or other entity shall not adopt any policy, ordinance or regulation which conflicts with this section.
5. The provisions of this section shall not be construed to prohibit a school from establishing and enforcing a policy requiring pupils to wear a school uniform as authorized pursuant to NRS 386.855.
6. As used in this section:
 - (a) "Dangerous weapon" has the meaning ascribed to it in paragraph (b) of subsection 11 of NRS 392.466.
 - (b) "Firearm" has the meaning ascribed to it in paragraph (c) of subsection 11 of NRS 392.466.

NRS 392.466. Plan of action for pupil who engages in battery on employee of school, possession of firearm or dangerous weapon or sale or distribution of controlled substance or is deemed a habitual disciplinary problem; appeal by employee who is victim of battery; suspension or expulsion of such pupils; modification to suspension or expulsion; limitations for pupils with disabilities.

1. Except as otherwise provided in this section, any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on

the premises of any public school, at an activity sponsored by a public school or on any school bus and who is at least 11 years of age shall meet with the school and his or her parent or legal guardian. The school shall provide a plan of action based on restorative justice to the parent or legal guardian of the pupil. The pupil may be expelled from the school, in which case the pupil shall:

(a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

2. An employee who is a victim of a battery which results in the bodily injury of an employee of the school may appeal to the school the plan of action provided pursuant to subsection 1 if:

(a) The employee feels any actions taken pursuant to such plan are inappropriate; and

(b) For a pupil who committed the battery and is participating in a program of special education pursuant to NRS 388.419, the board of trustees of the school district has reviewed the circumstances and determined that such an appeal is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.

3. Except as otherwise provided in this section, any pupil who is found in possession of a firearm or a dangerous weapon while on the premises of any public school, at an activity sponsored by a public school or on any school bus must, for the first occurrence, be expelled from the school for a period of not less than 1 year, although the pupil may be placed in another kind of school for a period not to exceed the period of the expulsion. For a second occurrence, the pupil must be permanently expelled from the school and:

(a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

4. If a school is unable to retain a pupil in the school pursuant to subsection 1 for the safety of any person or because doing so would not be in the best interest of the pupil, the pupil may be suspended, expelled or placed in another school. If a pupil is placed in another school, the current school of the pupil shall explain what services will be provided to the pupil at the new school that the current school is unable to provide to address the specific needs and behaviors of the pupil. The school district of the current school of the pupil shall coordinate with the new school or the board of trustees of the school district of the new school to create a plan of action based on restorative justice for the pupil and to ensure that any resources required to execute the plan of action based on restorative justice are available at the new school.

5. Except as otherwise provided in this section, if a pupil is deemed a habitual disciplinary problem pursuant to NRS 392.4655, the pupil is at least 11 years of age and the school has made a reasonable effort to complete a plan of action based on restorative justice with the pupil, the pupil may be:

(a) Suspended from the school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or

(b) Expelled from the school under extraordinary circumstances as determined by the principal of the school.

6. If the pupil is expelled, or the period of the pupil's suspension is for one school semester, the pupil must:

- (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
- (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

7. The superintendent of schools of a school district may, for good cause shown in a particular case in that school district, allow a modification to a suspension or expulsion pursuant to subsections 1 to 5, inclusive, if such modification is set forth in writing. The superintendent shall allow such a modification if the superintendent determines that a plan of action based on restorative justice may be used successfully.

8. This section does not prohibit a pupil from having in his or her possession a knife or firearm with the approval of the principal of the school. A principal may grant such approval only in accordance with the policies or regulations adopted by the board of trustees of the school district.

9. Except as otherwise provided in this section, a pupil who is not more than 10 years of age must not be permanently expelled from school. In extraordinary circumstances, a school may request an exception to this subsection from the board of trustees of the school district. A pupil who is at least 11 years of age may be suspended from school or permanently expelled from school pursuant to this section only after the board of trustees of the school district has reviewed the circumstances and approved this action in accordance with the procedural policy adopted by the board for such issues.

10. A pupil who is at least 11 years of age and who is participating in a program of special education pursuant to NRS 388.419 may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters and only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

- (a) Suspended from school pursuant to this section for not more than 5 days. Such a suspension may be imposed pursuant to this paragraph for each occurrence of conduct proscribed by subsection 1.
- (b) Permanently expelled from school pursuant to this section.

11. As used in this section:

- (a) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of NRS 200.481.
- (b) "Dangerous weapon" includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku or trefoil, as defined in NRS 202.350, a butterfly knife or any other knife described in NRS 202.350, a switchblade knife as defined in NRS 202.265, or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person.
- (c) "Firearm" includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a "firearm" in 18 U.S.C. § 921, as that section existed on July 1, 1995.
- (d) "Restorative justice" has the meaning ascribed to it in subsection 6 of NRS 392.472.

12. The provisions of this section do not prohibit a pupil who is suspended or expelled from enrolling in a charter school that is designed exclusively for the enrollment of pupils with disciplinary problems if the pupil is accepted for enrollment by the charter school pursuant to NRS 388A.453 or 388A.456. Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to the pupil's suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.

NRS 392.467. Suspension or expulsion of pupil: Procedure; limitations.

2. Except as otherwise provided in subsection 6, no pupil may be suspended or expelled until the pupil has been given notice of the charges against him or her, an explanation of the evidence and an opportunity for a hearing, except that a pupil who is found to be in possession of a firearm or a dangerous weapon as provided in NRS 392.466 may be removed from the school immediately upon being given an explanation of the reasons for his or her removal and pending proceedings, to be conducted as soon as practicable after removal, for the pupil's suspension or expulsion.

REGULATIONS

No relevant regulations found.

Students with Chronic Disciplinary Issues

LAWS

NRS 392.4655. Conditions under which pupil deemed habitual disciplinary problem; plan of behavior to prevent pupil from being deemed habitual disciplinary problem; appeal by parent or guardian concerning content of plan or action taken pursuant to plan.

1. Except as otherwise provided in this section, a principal of a school shall deem a pupil enrolled in the school a habitual disciplinary problem if the school has written evidence which documents that in 1 school year:

- (a) The pupil has threatened or extorted, or attempted to threaten or extort, another pupil or a teacher or other personnel employed by the school two or more times or the pupil has a record of five suspensions from the school for any reason; and
- (b) The pupil has not entered into and participated in a plan of behavior pursuant to subsection 5.

2. At least one teacher of a pupil who is enrolled in elementary school and at least two teachers of a pupil who is enrolled in junior high, middle school or high school may request that the principal of the school deem a pupil a habitual disciplinary problem. Upon such a request, the principal of the school shall meet with each teacher who made the request to review the pupil's record of discipline. If, after the review, the principal of the school determines that the provisions of subsection 1 do not apply to the pupil, a teacher who submitted a request pursuant to this subsection may appeal that determination to the board of trustees of the school district. Upon receipt of such a request, the board of trustees shall review the initial request and determination pursuant to the procedure established by the board of trustees for such matters.

3. If a pupil is suspended, the school in which the pupil is enrolled shall provide written notice to the parent or legal guardian of the pupil that contains:

- (a) A description of the act committed by the pupil and the date on which the act was committed;
- (b) An explanation that if the pupil receives five suspensions on his or her record during the current school year and has not entered into and participated in a plan of behavior pursuant to subsection 5, the pupil will be deemed a habitual disciplinary problem;
- (c) An explanation that, pursuant to subsection 5 of NRS 392.466, a pupil who is deemed a habitual disciplinary problem may be:
 - (1) Suspended from school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or
 - (2) Expelled from school under extraordinary circumstances as determined by the principal of the school;

(d) If the pupil has a disability and is participating in a program of special education pursuant to NRS 388.419, an explanation of the effect of subsection 10 of NRS 392.466, including, without limitation, that if it is determined in accordance with 20 U.S.C. § 1415 that the pupil's behavior is not a manifestation of the pupil's disability, he or she may be suspended or expelled from school in the same manner as a pupil without a disability; and

(e) A summary of the provisions of subsection 5.

4. A school shall provide the notice required by subsection 3 for each suspension on the record of a pupil during a school year. Such notice must be provided at least 7 days before the school deems the pupil a habitual disciplinary problem.

5. If a pupil is suspended, the school in which the pupil is enrolled shall develop, in consultation with the pupil and the parent or legal guardian of the pupil, a plan of behavior for the pupil. The parent or legal guardian of the pupil may choose for the pupil not to participate in the plan of behavior. If the parent or legal guardian of the pupil chooses for the pupil not to participate, the school shall inform the parent or legal guardian of the consequences of not participating in the plan of behavior. Such a plan must be designed to prevent the pupil from being deemed a habitual disciplinary problem and may include, without limitation:

(a) A plan for graduating if the pupil is deficient in credits and not likely to graduate according to schedule.

(b) Information regarding schools with a mission to serve pupils who have been:

(1) Expelled or suspended from a public school, including, without limitation, a charter school; or

(2) Deemed to be a habitual disciplinary problem pursuant to this section.

(c) A voluntary agreement by the parent or legal guardian to attend school with his or her child.

(d) A voluntary agreement by the pupil and the pupil's parent or legal guardian to attend counseling, programs or services available in the school district or community.

(e) A voluntary agreement by the pupil and the pupil's parent or legal guardian that the pupil will attend summer school, intersession school or school on Saturday, if any of those alternatives are offered by the school district.

6. If a pupil commits the same act for which notice was provided pursuant to subsection 3 after he or she enters into a plan of behavior pursuant to subsection 5, the pupil shall be deemed to have not successfully completed the plan of behavior and may be deemed a habitual disciplinary problem.

7. A pupil may, pursuant to the provisions of this section, enter into one plan of behavior per school year.

8. The parent or legal guardian of a pupil who has entered into a plan of behavior with a school pursuant to this section may appeal to the board of trustees of the school district a determination made by the school concerning the contents of the plan of behavior or action taken by the school pursuant to the plan of behavior. Upon receipt of such a request, the board of trustees of the school district shall review the determination in accordance with the procedure established by the board of trustees for such matters.

NRS 392.466. Plan of action for pupil who engages in battery on employee of school, possession of firearm or dangerous weapon or sale or distribution of controlled substance or is deemed a habitual disciplinary problem; appeal by employee who is victim of battery; suspension or expulsion of such pupils; modification to suspension or expulsion; limitations for pupils with disabilities.

1. Except as otherwise provided in this section, any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school or on any school bus and who is at least 11 years of age shall meet with the school and his or her parent or legal guardian. The

school shall provide a plan of action based on restorative justice to the parent or legal guardian of the pupil. The pupil may be expelled from the school, in which case the pupil shall:

- (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
- (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

2. An employee who is a victim of a battery which results in the bodily injury of an employee of the school may appeal to the school the plan of action provided pursuant to subsection 1 if:

- (a) The employee feels any actions taken pursuant to such plan are inappropriate; and
- (b) For a pupil who committed the battery and is participating in a program of special education pursuant to NRS 388.419, the board of trustees of the school district has reviewed the circumstances and determined that such an appeal is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.

3. Except as otherwise provided in this section, any pupil who is found in possession of a firearm or a dangerous weapon while on the premises of any public school, at an activity sponsored by a public school or on any school bus must, for the first occurrence, be expelled from the school for a period of not less than 1 year, although the pupil may be placed in another kind of school for a period not to exceed the period of the expulsion. For a second occurrence, the pupil must be permanently expelled from the school and:

- (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
- (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

4. If a school is unable to retain a pupil in the school pursuant to subsection 1 for the safety of any person or because doing so would not be in the best interest of the pupil, the pupil may be suspended, expelled or placed in another school. If a pupil is placed in another school, the current school of the pupil shall explain what services will be provided to the pupil at the new school that the current school is unable to provide to address the specific needs and behaviors of the pupil. The school district of the current school of the pupil shall coordinate with the new school or the board of trustees of the school district of the new school to create a plan of action based on restorative justice for the pupil and to ensure that any resources required to execute the plan of action based on restorative justice are available at the new school.

5. Except as otherwise provided in this section, if a pupil is deemed a habitual disciplinary problem pursuant to NRS 392.4655, the pupil is at least 11 years of age and the school has made a reasonable effort to complete a plan of action based on restorative justice with the pupil, the pupil may be:

- (a) Suspended from the school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or
- (b) Expelled from the school under extraordinary circumstances as determined by the principal of the school.

6. If the pupil is expelled, or the period of the pupil's suspension is for one school semester, the pupil must:

- (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or

(b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

7. The superintendent of schools of a school district may, for good cause shown in a particular case in that school district, allow a modification to a suspension or expulsion pursuant to subsections 1 to 5, inclusive, if such modification is set forth in writing. The superintendent shall allow such a modification if the superintendent determines that a plan of action based on restorative justice may be used successfully.

8. This section does not prohibit a pupil from having in his or her possession a knife or firearm with the approval of the principal of the school. A principal may grant such approval only in accordance with the policies or regulations adopted by the board of trustees of the school district.

9. Except as otherwise provided in this section, a pupil who is not more than 10 years of age must not be permanently expelled from school. In extraordinary circumstances, a school may request an exception to this subsection from the board of trustees of the school district. A pupil who is at least 11 years of age may be suspended from school or permanently expelled from school pursuant to this section only after the board of trustees of the school district has reviewed the circumstances and approved this action in accordance with the procedural policy adopted by the board for such issues.

10. A pupil who is at least 11 years of age and who is participating in a program of special education pursuant to NRS 388.419 may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters and only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

(a) Suspended from school pursuant to this section for not more than 5 days. Such a suspension may be imposed pursuant to this paragraph for each occurrence of conduct proscribed by subsection 1.

(b) Permanently expelled from school pursuant to this section.

11. As used in this section:

(a) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of NRS 200.481.

(b) "Dangerous weapon" includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku or trefoil, as defined in NRS 202.350, a butterfly knife or any other knife described in NRS 202.350, a switchblade knife as defined in NRS 202.265, or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person.

(c) "Firearm" includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a "firearm" in 18 U.S.C. § 921, as that section existed on July 1, 1995.

(d) "Restorative justice" has the meaning ascribed to it in subsection 6 of NRS 392.472.

12. The provisions of this section do not prohibit a pupil who is suspended or expelled from enrolling in a charter school that is designed exclusively for the enrollment of pupils with disciplinary problems if the pupil is accepted for enrollment by the charter school pursuant to NRS 388A.453 or 388A.456. Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to the pupil's suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.

REGULATIONS

No relevant regulations found.

Chronic Absenteeism and Truancy

LAWS

NRS 392.040. Attendance required for child between 7 and 18 years of age; minimum age required for kindergarten and first grade; waiver from attendance available for child 6 years of age; developmental screening test required to determine placement; effect of military transfer of parent of child.

1. Except as otherwise provided by law, each parent, custodial parent, guardian or other person in the State of Nevada having control or charge of any child between the ages of 7 and 18 years shall send the child to a public school during all the time the public school is in session in the school district in which the child resides unless the child has graduated from high school.
2. A child who is 5 years of age on or before September 30 of a school year may be admitted to kindergarten at the beginning of that school year, and the child's enrollment must be counted for purposes of apportionment. If a child is not 5 years of age on or before September 30 of a school year, the child must not be admitted to kindergarten.
3. Except as otherwise provided in subsection 4, a child who is 6 years of age on or before September 30 of a school year must:
 - (a) If the child has not completed kindergarten, be admitted to kindergarten at the beginning of that school year; or
 - (b) If the child has completed kindergarten, be admitted to the first grade at the beginning of that school year, and the child's enrollment must be counted for purposes of apportionment. If a child is not 6 years of age on or before September 30 of a school year, the child must not be admitted to the first grade until the beginning of the school year following the child's sixth birthday.
4. The parents, custodial parent, guardian or other person within the State of Nevada having control or charge of a child who is 6 years of age on or before September 30 of a school year may elect for the child not to attend kindergarten or the first grade during that year. The parents, custodial parent, guardian or other person who makes such an election shall file with the board of trustees of the appropriate school district a waiver in a form prescribed by the board.
5. Whenever a child who is 6 years of age is enrolled in a public school, each parent, custodial parent, guardian or other person in the State of Nevada having control or charge of the child shall send the child to the public school during all the time the school is in session. If the board of trustees of a school district has adopted a policy prescribing a minimum number of days of attendance for pupils enrolled in kindergarten or first grade pursuant to NRS 392.122, the school district shall provide to each parent and legal guardian of a pupil who elects to enroll his or her child in kindergarten or first grade a written document containing a copy of that policy and a copy of the policy of the school district concerning the withdrawal of pupils from kindergarten or first grade. Before the child's first day of attendance at a school, the parent or legal guardian shall sign a statement on a form provided by the school district acknowledging that he or she has read and understands the policy concerning attendance and the policy concerning withdrawal of pupils from kindergarten or first grade. The parent or legal guardian shall comply with the applicable requirements for attendance. This requirement for attendance does not apply to any child under the age of 7 years who has not yet been enrolled or has been formally withdrawn from enrollment in public school.
6. A child who is 7 years of age on or before September 30 of a school year must:
 - (a) If the child has completed kindergarten and the first grade, be admitted to the second grade.
 - (b) If the child has completed kindergarten, be admitted to the first grade.

(c) If the parents, custodial parent, guardian or other person in the State of Nevada having control or charge of the child waived the child's attendance from kindergarten pursuant to subsection 4, undergo an assessment by the district pursuant to subsection 7 to determine whether the child is prepared developmentally to be admitted to the first grade. If the district determines that the child is prepared developmentally, the child must be admitted to the first grade. If the district determines that the child is not so prepared, he or she must be admitted to kindergarten.

The enrollment of any child pursuant to this subsection must be counted for apportionment purposes.

7. Each school district shall prepare and administer before the beginning of each school year a developmental screening test to a child:

- (a) Who is 7 years of age on or before September 30 of the next school year; and
- (b) Whose parents waived the child's attendance from kindergarten pursuant to subsection 4, to determine whether the child is prepared developmentally to be admitted to the first grade. The results of the test must be made available to the parents, custodial parent, guardian or other person within the State of Nevada having control or charge of the child.

8. Except as otherwise provided in subsection 9, a child who becomes a resident of this State after completing kindergarten or beginning first grade in another state in accordance with the laws of that state may be admitted to the grade the child was attending or would be attending had he or she remained a resident of the other state regardless of his or her age, unless the board of trustees of the school district determines that the requirements of this section are being deliberately circumvented.

9. Pursuant to the provisions of NRS 388F.010, a child who transfers to a school in this State from a school outside this State because of the military transfer of the parent or legal guardian of the child must be admitted to:

- (a) The grade, other than kindergarten, the child was attending or would be attending had he or she remained a resident of the other state, regardless of the child's age.
- (b) Kindergarten, if the child was enrolled in kindergarten in another state in accordance with the laws of that state, regardless of the child's age.

10. As used in this section, "kindergarten" includes:

- (a) A kindergarten established by the board of trustees of a school district pursuant to NRS 388.060;
- (b) A kindergarten established by the governing body of a charter school; and
- (c) An authorized program of instruction for kindergarten offered in a child's home pursuant to NRS 388.060.

NRS 392.128. Duties of advisory boards; division into subcommittees; provision of assistance in conjunction with community service providers; use and accounting of available money by advisory board.

1. Each advisory board to review school attendance created pursuant to NRS 392.126 shall:

- (a) Review the records of the attendance and truancy of pupils submitted to the advisory board to review school attendance by the board of trustees of the school district or the State Public Charter School Authority or a college or university within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 3 of NRS 385A.240;
- (b) Identify factors that contribute to the truancy of pupils in the school district;
- (c) Establish programs to reduce the truancy of pupils in the school district, including, without limitation, the coordination of services available in the community to assist with the intervention, diversion and discipline of pupils who are truant;
- (d) At least annually, evaluate the effectiveness of those programs;

(e) Establish a procedure for schools and school districts for the reporting of the status of pupils as habitual truants; and

(f) Inform the parents and legal guardians of the pupils who are enrolled in the schools within the district of the policies and procedures adopted pursuant to the provisions of this section.

2. The chair of an advisory board may divide the advisory board into subcommittees. The advisory board may delegate one or more of the duties of the advisory board to a subcommittee of the advisory board, including, without limitation, holding hearings pursuant to NRS 392.147. If the chair of an advisory board divides the advisory board into subcommittees, the chair shall notify the board of trustees of the school district of this action. Upon receipt of such a notice, the board of trustees shall establish rules and procedures for each such subcommittee. A subcommittee shall abide by the applicable rules and procedures when it takes action or makes decisions.

3. An advisory board to review school attendance may work with a family resource center or other provider of community services to provide assistance to pupils who are truant. The advisory board shall identify areas within the school district in which community services are not available to assist pupils who are truant. As used in this subsection, "family resource center" has the meaning ascribed to it in NRS 430A.040.

4. An advisory board to review school attendance created in a county pursuant to NRS 392.126 may use money appropriated by the Legislature and any other money made available to the advisory board for the use of programs to reduce the truancy of pupils in the school district. The advisory board to review school attendance shall, on a quarterly basis, provide to the board of trustees of the school district an accounting of the money used by the advisory board to review school attendance to reduce the truancy of pupils in the school district.

NRS 392.130. Conditions under which pupil deemed truant; approval required for absence; notice of unapproved absence to parent; applicability.

1. Within the meaning of this chapter, a pupil shall be deemed a truant who is absent from school without the written approval of the pupil's teacher or the principal of the school, unless the pupil is physically or mentally unable to attend school. The teacher or principal shall give his or her written approval for a pupil to be absent if an emergency exists or upon the request of a parent or legal guardian of the pupil. Before a pupil may attend or otherwise participate in school activities outside the classroom during regular classroom hours, the pupil must receive the approval of the teacher or principal.

2. An unapproved absence for at least one period, or the equivalent of one period for the school, of a school day may be deemed a truancy for the purposes of this section.

3. If a pupil is physically or mentally unable to attend school, the parent or legal guardian or other person having control or charge of the pupil shall notify the teacher or principal of the school orally or in writing, in accordance with the policy established by the board of trustees of the school district, within 3 days after the pupil returns to school.

4. An absence which has not been approved pursuant to subsection 1 or 3 shall be deemed an unapproved absence. In the event of an unapproved absence, the teacher, attendance officer or other school official shall deliver or cause to be delivered a written notice of truancy to the parent, legal guardian or other person having control or charge of the child. The written notice must be delivered to the parent, legal guardian or other person who has control of the child. The written notice must inform the parents or legal guardian of such absences in a form specified by the Department.

5. The provisions of this section apply to all pupils who are required to attend school pursuant to NRS 392.040.

6. As used in this section, "physically or mentally unable to attend" does not include a physical or mental condition for which a pupil is excused pursuant to NRS 392.050.

NRS 392.140. Conditions under which pupil declared habitual truant; applicability.

1. Any child who has been declared a truant three or more times within one school year must be declared a habitual truant.
2. Any child who has once been declared a habitual truant and who in an immediately succeeding year is absent from school without the written:
 - (a) Approval of the child's teacher or the principal of the school pursuant to subsection 1 of NRS 392.130; or
 - (b) Notice of his or her parent or legal guardian or other person who has control or charge over the pupil pursuant to subsection 3 of NRS 392.130, may again be declared a habitual truant.
3. The provisions of this section apply to all pupils who are required to attend school pursuant to NRS 392.040.

NRS 392.144. Duties of school if pupil is truant; habitual truant must be reported to attendance officer or law enforcement, referred to advisory board or referred for imposition of administrative sanctions.

1. If a pupil has one or more unapproved absences from school, the school in which the pupil is enrolled shall take reasonable actions designed, as applicable, to encourage, enable or convince the pupil to attend school.
2. If a pupil is a habitual truant pursuant to NRS 392.140, or if a pupil who is a habitual truant pursuant to NRS 392.140 is again declared truant pursuant to NRS 392.130 in the same school year after being declared a habitual truant, the principal of the school shall:
 - (a) Report the pupil to an attendance officer, a school police officer or the local law enforcement agency for investigation and issuance of a citation, if warranted, in accordance with NRS 392.149;
 - (b) If the parent or legal guardian of a pupil has signed a written consent pursuant to subsection 4, submit a written referral of the pupil to the advisory board to review school attendance in the county in accordance with NRS 392.146; or
 - (c) Refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148.
3. The board of trustees of each school district shall adopt criteria to determine whether the principal of a school shall:
 - (a) Report a pupil to an attendance officer, a school police officer or the law enforcement agency pursuant to paragraph (a) of subsection 2;
 - (b) Refer a pupil to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2; or
 - (c) Refer a pupil for the imposition of administrative sanctions pursuant to paragraph (c) of subsection 2.
4. If the principal of a school makes an initial determination to submit a written referral of a pupil to the advisory board to review school attendance, the principal shall notify the parent or legal guardian of the pupil and request the parent or legal guardian to sign a written consent that authorizes the school and, if applicable, the school district to release the records of the pupil to the advisory board to the extent that such release is necessary for the advisory board to carry out its duties pursuant to NRS 392.146 and 392.147. The written consent must comply with the applicable requirements of 20 U.S.C. § 1232g(b) and 34 C.F.R. Part 99. If the parent or legal guardian refuses to sign the consent, the principal shall:
 - (a) Report the pupil to an attendance officer, a school police officer or the local law enforcement agency pursuant to paragraph (a) of subsection 2; or
 - (b) Refer the pupil for the imposition of administrative sanctions pursuant to paragraph (c) of subsection 2.

NRS 392.146. Contents of written referral to advisory board; notice to parents or guardian.

A written referral of a pupil to an advisory board to review school attendance must include the dates on which the pupil was truant from school and all action taken by the school to assist the pupil to attend school. The advisory board may request clarification of any information contained in the written referral or any additional information that the advisory board considers necessary. The school shall provide written notice of the referral to the parents or legal guardian of the pupil. The written notice must include, without limitation:

1. The name and address of the pupil referred;
2. A written explanation of the reason for the referral;
3. A summary of the provisions of NRS 392.147; and
4. The address and telephone number of the advisory board to review school attendance.

NRS 392.147. Hearing by advisory board; written agreement for participation of pupil in certain programs; reporting of pupil to attendance officer or law enforcement agency or referral for administrative sanctions under certain circumstances; appeal by parent; confidentiality of information.

1. If an advisory board to review school attendance receives a written referral of a pupil pursuant to NRS 392.146, the advisory board shall set a date, time and place for a hearing. The pupil and the pupil's parents or legal guardian shall attend the hearing held by the advisory board. The hearing must be closed to the public. The chair of an advisory board to review school attendance may request that subpoenas for a hearing conducted pursuant to this section be issued to:

- (a) The parent or legal guardian of a pupil who has been referred to the advisory board or any other person that the advisory board considers necessary to the hearing.
- (b) A pupil who has been referred to the advisory board.

2. If a pupil and the pupil's parents or legal guardian do not attend the hearing, the chair of the advisory board shall:

- (a) Report the pupil to an attendance officer, a school police officer or the appropriate local law enforcement agency for investigation and issuance of a citation, if warranted in accordance with NRS 392.149; or
- (b) Refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148.

3. If an advisory board to review school attendance determines that the status of a pupil as a habitual truant can be adequately addressed through participation by the pupil in programs and services available in the community, the advisory board shall order the pupil to participate in such programs and services. If the pupil does not agree to participate in such programs and services, the chair of the advisory board shall report the pupil to an attendance officer, a school police officer or the appropriate local law enforcement agency for investigation and issuance of a citation, if warranted in accordance with NRS 392.149, or refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148. If the pupil agrees to participate in such programs and services, the advisory board, the pupil and the parents or legal guardian of the pupil shall enter into a written agreement that:

- (a) Sets forth the findings of the advisory board;
- (b) Sets forth the terms and conditions of the pupil's participation in the programs and services designated by the advisory board; and
- (c) Adequately informs the pupil and the pupil's parents or legal guardian that if the pupil or his or her parents or legal guardian do not comply with the terms of the written agreement, the chair of the advisory board is legally obligated to report the pupil to an attendance officer, a school police officer or

the appropriate local law enforcement agency for investigation and issuance of a citation, if warranted in accordance with NRS 392.149, or refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148.

The parents or legal guardian of the pupil shall, upon the request of the advisory board, provide proof satisfactory to the advisory board that the pupil is participating in the programs and services set forth in the written agreement.

4. The chair of an advisory board to review school attendance shall report a pupil to an attendance officer, a school police officer or the appropriate local law enforcement agency or refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148 if:

- (a) The pupil and the pupil's parents or legal guardian fail to attend a hearing set by the advisory board pursuant to subsection 1;
- (b) The advisory board determines that the status of a pupil as a habitual truant cannot be adequately addressed by requiring the pupil to participate in programs and services available in the community;
- (c) The pupil does not consent to participation in programs and services pursuant to subsection 3; or
- (d) The pupil or the pupil's parents or legal guardian violates the terms of the written agreement entered into pursuant to subsection 3.

5. If the chair of an advisory board makes a report to an attendance officer, a school police officer or the local law enforcement agency pursuant to subsection 4, the chair shall:

- (a) Submit to the attendance officer, school police officer or law enforcement agency, as applicable, written documentation of all efforts made by the advisory board to address the status of the pupil as a habitual truant; and
- (b) Make recommendations to the attendance officer, school police officer or law enforcement agency, as applicable, regarding the appropriate disposition of the case.

6. If the chair of an advisory board refers a pupil for the imposition of administrative sanctions pursuant to subsection 4, the chair shall:

- (a) Provide written documentation of all efforts made by the advisory board to address the status of the pupil as a habitual truant; and
- (b) Make recommendations regarding the appropriate disposition of the case.

7. If the parents or legal guardian of a pupil enter into a written agreement pursuant to this section, the parents or legal guardian may appeal to the board of trustees of the school district a determination made by the advisory board concerning the contents of the written agreement. Upon receipt of such a request, the board of trustees of the school district shall review the determination in accordance with the procedure established by the board of trustees for such matters.

8. The board of trustees of each school district shall adopt policies and rules to protect the confidentiality of the deliberations, findings and determinations made by an advisory board and information concerning a pupil and the family of a pupil. An advisory board shall not disclose information concerning the records of a pupil or services provided to a pupil or the pupil's family unless the disclosure is specifically authorized by statute or by the policies and rules of the board of trustees and is necessary for the advisory board to carry out its duties.

NRS 392.148. Administrative sanctions against habitual truant after investigation and hearing; suspension or delay in issuance of driver's license; appeal by parent or guardian.

1. Upon receipt of a report pursuant to NRS 392.144 or 392.147, a school police officer or a person designated pursuant to subsection 6 shall conduct an investigation, set a date for a hearing and provide a written notice of the hearing to the parent or legal guardian of the pupil. If it appears after investigation

and a hearing that a pupil is a habitual truant, a school police officer or a person designated pursuant to subsection 6 may issue an order imposing the following administrative sanctions against a pupil:

(a) If it is the first time that administrative sanctions have been issued pursuant to this section because the pupil is a habitual truant, and the pupil is 14 years of age or older, order the suspension of the driver's license of the pupil for at least 30 days but not more than 6 months. If the pupil does not possess a driver's license, the order must provide that the pupil is prohibited from applying for a driver's license for 30 days:

- (1) Immediately following the date of the order if the pupil is eligible to apply for a driver's license; or
- (2) After the date the pupil becomes eligible to apply for a driver's license if the pupil is not eligible to apply for a driver's license.

(b) If it is the second time or any subsequent time that administrative sanctions have been issued pursuant to this section because the pupil is a habitual truant, and the pupil is 14 years of age or older, order the suspension of the driver's license of the pupil for at least 60 days but not more than 1 year. If the pupil does not possess a driver's license, the order must provide that the pupil is prohibited from applying for a driver's license for 60 days immediately following:

- (1) The date of the order if the pupil is eligible to apply for a driver's license; or
- (2) The date the pupil becomes eligible to apply for a driver's license if the pupil is not eligible to apply for a driver's license.

2. If a pupil applies for a driver's license, the Department of Motor Vehicles shall:

(a) Notify the pupil of the provisions of this section that authorize the suspension of the driver's license of the pupil; and

(b) Require the pupil to sign an affidavit acknowledging that the pupil is aware that his or her driver's license may be suspended pursuant to this section.

3. If an order is issued pursuant to this section delaying the ability of the pupil to receive a driver's license, a copy of the order must be forwarded to the Department of Motor Vehicles not later than 5 days after the order is issued.

4. If an order is issued pursuant to this section suspending the driver's license of a pupil:

(a) The pupil shall surrender his or her driver's license to the school police officer or the person designated pursuant to subsection 6.

(b) Not later than 5 days after issuing the order, the school police officer or the designated person shall forward to the Department of Motor Vehicles a copy of the order and the driver's license of the pupil.

(c) The Department of Motor Vehicles:

(1) Shall report the suspension of the driver's license of the pupil to an insurance company or its agent inquiring about the pupil's driving record, but such a suspension must not be considered for the purpose of rating or underwriting.

(2) Shall not treat the suspension in the manner statutorily required for moving traffic violations.

(3) Shall not require the pupil to submit to the tests and other requirements which are adopted by regulation pursuant to subsection 1 of NRS 483.495 as a condition of reinstatement or reissuance after the suspension of a driver's license.

5. The parent or legal guardian of a pupil may request a hearing before a person designated by the board of trustees of the school district in which the pupil is enrolled to appeal the imposition of any administrative sanctions pursuant to this section. The person designated by the board of trustees shall, not later than 30 days after receipt of the request, hold a hearing to review the reason for the imposition of any administrative sanctions. Not later than 30 days after the hearing, the person designated by the board

of trustees shall issue a written decision affirming, denying or modifying the decision to impose administrative sanctions and mail a copy of the decision to the parent or legal guardian of the pupil.

6. If a public school does not have a school police officer assigned to it, the principal of the school may designate a qualified person to carry out the requirements of this section.

NRS 392.149. Issuance of citation to habitual truant; applicability.

1. Upon receipt of a report pursuant to NRS 392.144 or 392.147, if it appears after investigation that a pupil is a habitual truant, the attendance officer, school police officer or law enforcement agency to whom the report is made shall prepare manually or electronically a citation directing the pupil to appear in the proper juvenile court.

2. A copy of the citation must be delivered to the pupil and to the parent, guardian or any other person who has control or charge of the pupil by:

- (a) The local law enforcement agency;
- (b) A school police officer employed by the board of trustees of the school district; or
- (c) An attendance officer appointed by the board of trustees of the school district.

3. The citation must be in the form prescribed for misdemeanor citations in NRS 171.1773.

4. The provisions of this section apply to all pupils who are required to attend school pursuant to NRS 392.040.

NRS 392.150. Appointment of attendance officer authorized; procedures to monitor attendance and truancy; consideration of employment of attendance clerk.

1. The board of trustees of a school district may appoint an attendance officer for the school district, who need not be a licensed employee of the school district, except that in any school district where a system of classified employment is in effect, attendance officers must be classified employees of the school district. If the board of trustees appoints an attendance officer for the school district, the board of trustees may:

- (a) Fix the compensation of the attendance officer;
- (b) Prescribe the duties of the attendance officer; and
- (c) Adopt regulations not inconsistent with law for the performance of the duties of the attendance officer.

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

- (a) Establish procedures to monitor the attendance and truancy of pupils, including, without limitation, a standard method for reporting the truancy of pupils and a standard method for reporting excessive absences of pupils throughout the school district;
- (b) Coordinate efforts to refer pupils who are truant to appropriate providers of community services; and
- (c) Determine, based on the attendance and truancy of pupils at each school within the school district, whether to employ an attendance clerk for a particular school or group of schools whose primary responsibility is to monitor the attendance and truancy of pupils.

NRS 392.160. Taking into custody child reported absent from school; persons or counseling agency to whom child may be delivered.

1. Any peace officer, the attendance officer or any other school officer shall, during school hours, take into custody without warrant:

- (a) Any child between the ages of 7 and 18 years; and

(b) Any child who has arrived at the age of 6 years but not at the age of 7 years and is enrolled in a public school, who has been reported to the officer by the teacher, superintendent of schools or other school officer as an absentee from instruction upon which the child is lawfully required to attend.

2. Except as otherwise provided in subsection 3:

(a) During school hours, the officer having custody shall forthwith deliver the child to the superintendent of schools, principal or other school officer at the child's school of attendance.

(b) After school hours, the officer having custody shall deliver the child to the parent, guardian or other person having control or charge of the child.

3. The board of trustees of a school district or the governing body of a charter school may enter into an agreement with a counseling agency to permit delivery of the child to the agency. For the purposes of this subsection, "counseling agency" means an agency designated by the school district in which the child is enrolled to provide counseling for the child and the parent, guardian or other person having control or charge of the child.

NRS 392.467. Suspension or expulsion of pupil: Procedure; limitations.

1. Except as otherwise provided in subsections 5 and 6 and NRS 392.466, the board of trustees of a school district may authorize the suspension or expulsion of any pupil who is at least 11 years of age from any public school within the school district. Except as otherwise provided in NRS 392.466, a pupil who is not more than 10 years of age must not be permanently expelled from school.

2. Except as otherwise provided in subsection 6, no pupil may be suspended or expelled until the pupil has been given notice of the charges against him or her, an explanation of the evidence and an opportunity for a hearing, except that a pupil who is found to be in possession of a firearm or a dangerous weapon as provided in NRS 392.466 may be removed from the school immediately upon being given an explanation of the reasons for his or her removal and pending proceedings, to be conducted as soon as practicable after removal, for the pupil's suspension or expulsion.

3. The board of trustees of a school district may authorize the expulsion, suspension or removal of a pupil who has been charged with a crime from the school at which the pupil is enrolled regardless of the outcome of any criminal or delinquency proceedings brought against the pupil only if the school:

(a) Conducts an independent investigation of the conduct of the pupil; and

(b) Gives notice of the charges brought against the pupil by the school to the pupil.

4. The provisions of chapter 241 of NRS do not apply to any hearing conducted pursuant to this section. Such hearings must be closed to the public.

5. The board of trustees of a school district shall not authorize the expulsion, suspension or removal of any pupil from the public school system solely for offenses related to attendance or because the pupil is declared a truant or habitual truant in accordance with NRS 392.130 or 392.140.

6. A pupil who is participating in a program of special education pursuant to NRS 388.419, other than a pupil who receives early intervening services, may, in accordance with the procedural policy adopted by the board of trustees of the school district for such matters and only after the board of trustees of the school district has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:

(a) Suspended from school pursuant to this section for not more than 5 days for each occurrence.

(b) Permanently expelled from school pursuant to this section.

NRS 392.900. Interference with pupil attending school; penalty.

1. It is unlawful for any person, against the will of a pupil attending any public school, to beat, whip, detain or otherwise interfere with the pupil while the pupil is on his or her way to and from school.

2. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor.

REGULATIONS

No relevant regulations found.

Substance Use

LAWS

NRS 202.2491. Smoking tobacco: Unlawful in certain public places; posting signs; designation of areas for smoking.

1. Except as otherwise provided in subsections 5 and 6 and NRS 202.24915, the smoking of tobacco in any form is prohibited if done in any:

(h) School bus. [...]

A school district which prohibits the use of tobacco by pupils need not designate an area which may be used by the pupils to smoke.

NRS 388.532. Development of programs.

1. The State Board in cooperation with the board of trustees of the various county school districts shall develop for pupils in the first through eighth grades:

(a) Programs designed to reduce the number of pupils who drop out of school; and

(b) Programs for the prevention of alcohol and other substance use disorders.

2. The State Board in cooperation with the board of trustees of the various county school districts may seek the cooperation of private industry in developing for pupils in all grades programs and activities designed to reduce the number of pupils who participate in the activities of criminal gangs, as defined in NRS 213.1263.

NRS 392.463. Adoption of plan to ensure public schools are safe and free of controlled substances; written rules of behavior and punishments; distribution of plan and rules to pupils; availability for inspection.

1. Each school district shall adopt a plan to ensure that the public schools within the school district are safe and free of controlled substances. The plan must comply with the Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101 et seq.

2. Each school district shall prescribe written rules of behavior required of and prohibited for pupils attending school within their district and shall prescribe appropriate punishments for violations of the rules. If suspension or expulsion is used as a punishment for a violation of the rules, the school district shall follow the procedures in NRS 392.467.

3. A copy of the plan adopted pursuant to subsection 1 and the rules of behavior, prescribed punishments and procedures to be followed in imposing punishments prescribed pursuant to subsection 2 must be distributed to each pupil at the beginning of the school year and to each new pupil who enters school during the year. Copies must also be made available for inspection at each school located in that district in an area on the grounds of the school which is open to the public.

NRS 392.464. Adoption and enforcement by trustees of disciplinary measures for pupil in possession of alcoholic beverage or controlled substance on premises of school.

1. The board of trustees of each school district shall adopt and enforce measures for disciplining any pupil who is found in possession of an alcoholic beverage or a controlled substance, while on the premises of any public school in its district.
2. As used in this section, "alcoholic beverage" has the meaning ascribed to it in NRS 202.015.

NRS 392.466. Plan of action for pupil who engages in battery on employee of school, possession of firearm or dangerous weapon or sale or distribution of controlled substance or is deemed a habitual disciplinary problem; appeal by employee who is victim of battery; suspension or expulsion of such pupils; modification to suspension or expulsion; limitations for pupils with disabilities.

1. Except as otherwise provided in this section, any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school or on any school bus and who is at least 11 years of age shall meet with the school and his or her parent or legal guardian. The school shall provide a plan of action based on restorative justice to the parent or legal guardian of the pupil. The pupil may be expelled from the school, in which case the pupil shall:
 - (a) Enroll in a private school pursuant to chapter 394 of NRS or be homeschooled; or
 - (b) Enroll in a program of independent study provided pursuant to NRS 389.155 for pupils who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

REGULATIONS

No relevant regulations found.

Gang-related Activity

LAWS

NRS 388.532. Development of programs.

2. The State Board in cooperation with the board of trustees of the various county school districts may seek the cooperation of private industry in developing for pupils in all grades programs and activities designed to reduce the number of pupils who participate in the activities of criminal gangs, as defined in NRS 213.1263.

NRS 392.4635. Policy for prohibition of activities of criminal gangs on school property.

1. The board of trustees of each school district shall establish a policy that prohibits the activities of criminal gangs on school property.
2. The policy established pursuant to subsection 1 may include, without limitation:
 - (a) The provision of training for the prevention of the activities of criminal gangs on school property.
 - (b) If the policy includes training:
 - (1) A designation of the grade levels of the pupils who must receive the training.
 - (2) A designation of the personnel who must receive the training, including, without limitation, personnel who are employed in schools at the grade levels designated pursuant to subparagraph (1).

The board of trustees of each school district shall ensure that the training is provided to the pupils and personnel designated in the policy.

(c) Provisions which prohibit:

(1) A pupil from wearing any clothing or carrying any symbol on school property that denotes membership in or an affiliation with a criminal gang; and

(2) Any activity that encourages participation in a criminal gang or facilitates illegal acts of a criminal gang.

(d) Provisions which provide for the suspension or expulsion pursuant to NRS 392.466 and 392.467 of pupils who violate the policy.

3. The board of trustees of each school district may develop the policy required pursuant to subsection 1 in consultation with:

(a) Local law enforcement agencies;

(b) School police officers, if any;

(c) Persons who have experience regarding the actions and activities of criminal gangs;

(d) Organizations which are dedicated to alleviating criminal gangs or assisting members of criminal gangs who wish to disassociate from the gang; and

(e) Any other person deemed necessary by the board of trustees.

4. As used in this section, "criminal gang" has the meaning ascribed to it in NRS 213.1263.

REGULATIONS

No relevant regulations found.

Bullying, Harassment, or Hazing

LAWS

NRS 62C.400. Department of juvenile services to provide certain information to juvenile court and school district concerning child who engaged in bullying or cyber-bullying.

1. If a department of juvenile services determines that a child who is currently enrolled in school unlawfully engaged in bullying or cyber-bullying, the department shall provide the information specified in subsection 2 to the juvenile court in the judicial district in which the child resides and to the school district in which the child is currently enrolled.

2. The information required to be provided pursuant to subsection 1 must include:

(a) The name of the child;

(b) The name of the person who was the subject of the bullying or cyber-bullying; and

(c) A description of any bullying or cyber-bullying committed by the child against the other person.

3. As used in this section:

(a) "Bullying" has the meaning ascribed to it in NRS 388.122.

(b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

NRS 62E.030. Court to provide certain information to school district concerning certain offenses.

3. If a court determines that a child who is currently enrolled in school unlawfully engaged in bullying or cyber-bullying, the court shall provide the information specified in subsection 4 to the school district in which the child is currently enrolled.

4. The information required to be provided pursuant to subsection 3 must include:
 - (a) The name of the child;
 - (b) The name of the person who was the subject of the bullying or cyber-bullying; and
 - (c) A description of any bullying or cyber-bullying committed by the child against the other person.
5. As used in this section:
 - (a) "Bullying" has the meaning ascribed to it in NRS 388.122.
 - (b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

NRS 200.605. Penalties; definition.

1. A person who engages in hazing is guilty of:
 - (a) A misdemeanor, if no substantial bodily harm results.
 - (b) A gross misdemeanor, if substantial bodily harm results.
2. Consent of a victim of hazing is not a valid defense to a prosecution conducted pursuant to this section.
3. For the purposes of this section, an activity shall be deemed to be "forced" if initiation into or affiliation with a student organization, academic association or athletic team is directly or indirectly conditioned upon participation in the activity.
4. As used in this section, "hazing" means an activity in which a person intentionally or recklessly endangers the physical health of another person for the purpose of initiation into or affiliation with a student organization, academic association or athletic team at a high school, college or university in this state. The term:
 - (a) Includes, without limitation, any physical brutality or brutal treatment, including, without limitation, whipping, beating, branding, forced calisthenics, exposure to the elements or forced consumption of food, liquor, drugs or other substances.
 - (b) Does not include any athletic, curricular, extracurricular or quasi-military practice, conditioning or competition that is sponsored or approved by the high school, college or university.

NRS 236.073. Week of Respect.

1. The Governor shall annually proclaim the first week in October to be "Week of Respect."
2. The proclamation may call upon:
 - (a) News media, educators and appropriate government offices to bring to the attention of the residents of Nevada factual information regarding bullying and cyber-bullying, including, without limitation:
 - (1) Statistical information regarding the number of pupils who are bullied or cyber-bullied each year;
 - (2) The methods to identify and assist pupils who are at risk of bullying or cyber-bullying; and
 - (3) The methods to prevent bullying and cyber-bullying; and
 - (b) Governing bodies to provide instruction on the ways in which pupils can prevent bullying and cyber-bullying during the Week of Respect and throughout the school year that is appropriate for the grade level of pupils who receive the instruction.
3. As used in this section:
 - (a) "Bullying" has the meaning ascribed to it in NRS 388.122.
 - (b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.
 - (c) "Governing body" has the meaning ascribed to it in NRS 388.126.

NRS 385A.250. Discipline of pupils.

1. The annual report of accountability prepared pursuant to NRS 385A.070 must include information on the discipline of pupils, including, without limitation:

(e) For each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district:

(2) The number of incidents determined to be bullying or cyber-bullying after an investigation is conducted pursuant to NRS 388.1351;

(3) The number of incidents resulting in suspension or expulsion, or both, for bullying or cyber-bullying; and

(4) Any actions taken to reduce the number of incidents of bullying or cyber-bullying including, without limitation, training that was offered or other policies, practices and programs that were implemented.

3. As used in this section:

(a) "Bullying" has the meaning ascribed to it in NRS 388.122.

(b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

NRS 385A.460. Discipline of pupils.

1. The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include information on the discipline of pupils, including, without limitation:

(e) For each school district, including, without limitation, each charter school in the district, and for this State as a whole:

(1) The number of reported violations of NRS 388.135 occurring at a school or otherwise involving a pupil enrolled at a school, regardless of the outcome of the investigation conducted pursuant to NRS 388.1351;

(2) The number of incidents determined to be bullying or cyber-bullying after an investigation is conducted pursuant to NRS 388.1351;

(3) The number of incidents resulting in suspension or expulsion for bullying or cyber-bullying; and

(4) Any actions taken to reduce the number of incidents of bullying or cyber-bullying, including, without limitation, training that was offered or other policies, practices and programs that were implemented.

2. As used in this section:

(a) "Bullying" has the meaning ascribed to it in NRS 388.122.

(b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

NRS 388.077. Right of pupils to constitutional expression; limitation; adoption of policy for pupil publications; resolution of complaint by pupil of violation of right.

1. Each pupil of a public school, including, without limitation, each pupil of a university school for profoundly gifted pupils, is entitled to express himself or herself in a manner consistent with the rights guaranteed by the First and Fourteenth Amendments to the United States Constitution.

2. Any expression described in subsection 1 must not be disruptive of instruction at a public school, including, without limitation, a university school for profoundly gifted pupils, must not be used to engage in bullying or cyber-bullying or intimidate any person and must not be organized, broadcast or endorsed by a public school, including, without limitation, a university school for profoundly gifted pupils.

3. The board of trustees of each school district, the governing body of each charter school and the governing body of each university school for profoundly gifted pupils shall adopt a written policy for pupil publications which:

- (a) Establishes reasonable provisions governing the time, place and manner for the distribution of pupil publications;
- (b) Protects the right of expression described in subsection 1 for pupils working on pupil publications as journalists in their determination of the news, opinions, feature content, advertising content and other content of the pupil publications;
- (c) Prohibits, without limitation, the following:
 - (1) Restricting the publication of any content in pupil publications unless the content would substantially disrupt the ability of the public school to perform its educational mission;
 - (2) Dismissing, suspending, disciplining or retaliating against an employee or other person acting as an adviser for a pupil publication or as an adviser for pupils working as journalists on a pupil publication for acting within the scope of that position, including, without limitation, taking responsible and appropriate action to protect a pupil engaged in conduct protected pursuant to the written policy or refusing to perform an action which violates the written policy; and
 - (3) Expelling, suspending or otherwise disciplining a pupil for engaging in conduct in accordance with the policy, unless such conduct substantially disrupts the ability of the public school to perform its educational mission and the disruption was intentional; and
- (d) Includes a disclaimer indicating that any content published in a pupil publication is not endorsed by the public school.

4. The board of trustees of each school district, the governing body of each charter school and the governing body of each university school for profoundly gifted pupils shall adopt a policy prescribing procedures for the resolution of a complaint by a pupil of the school district, charter school or university school for profoundly gifted pupils that the rights of the pupil described in subsection 1 or 3 have been violated. The policy required by this subsection may be part of a comprehensive discrimination grievance policy of the school district, charter school or university school for profoundly gifted pupils or may be a separate policy.

5. As used in this section:

- (a) "Bullying" has the meaning ascribed to it in NRS 388.122.
- (b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

NRS 388.121. Definitions.

As used in NRS 388.121 to 388.1395, inclusive, unless the context otherwise requires, the words and terms defined in NRS 388.1215 to 388.127, inclusive, have the meanings ascribed to them in those sections.

NRS 388.122. "Bullying" defined.

1. "Bullying" means written, verbal or electronic expressions or physical acts or gestures, or any combination thereof, that are directed at a person or group of persons, or a single severe and willful act or expression that is directed at a person or group of persons, and:

- (a) Have the effect of:
 - (1) Physically harming a person or damaging the property of a person; or
 - (2) Placing a person in reasonable fear of physical harm to the person or damage to the property of the person;
- (b) Interfere with the rights of a person by:
 - (1) Creating an intimidating or hostile educational environment for the person; or

(2) Substantially interfering with the academic performance of a pupil or the ability of the person to participate in or benefit from services, activities or privileges provided by a school; or

(c) Are acts or conduct described in paragraph (a) or (b) and are based upon the:

(1) Actual or perceived race, color, national origin, ancestry, religion, gender identity or expression, sexual orientation, physical or mental disability of a person, sex or any other distinguishing characteristic or background of a person; or

(2) Association of a person with another person having one or more of those actual or perceived characteristics.

2. The term includes, without limitation:

(a) Repeated or pervasive taunting, name-calling, belittling, mocking or use of put-downs or demeaning humor regarding the actual or perceived race, color, national origin, ancestry, religion, gender identity or expression, sexual orientation, physical or mental disability of a person, sex or any other distinguishing characteristic or background of a person;

(b) Behavior that is intended to harm another person by damaging or manipulating his or her relationships with others by conduct that includes, without limitation, spreading false rumors;

(c) Repeated or pervasive nonverbal threats or intimidation such as the use of aggressive, menacing or disrespectful gestures;

(d) Threats of harm to a person, to his or her possessions or to other persons, whether such threats are transmitted verbally, electronically or in writing;

(e) Blackmail, extortion or demands for protection money or involuntary loans or donations;

(f) Blocking access to any property or facility of a school;

(g) Stalking; and

(h) Physically harmful contact with or injury to another person or his or her property.

NRS 388.123. "Cyber-bullying" defined.

"Cyber-bullying" means bullying through the use of electronic communication. The term includes the use of electronic communication to transmit or distribute a sexual image of a minor. As used in this section, "sexual image" has the meaning ascribed to it in NRS 200.737.

NRS 388.124. "Electronic communication" defined.

"Electronic communication" means the communication of any written, verbal or pictorial information through the use of an electronic device, including, without limitation, a telephone, a cellular phone, a computer or any similar means of communication.

NRS 388.132. Legislative declaration concerning safe and respectful learning environment.

The Legislature declares that:

1. Pupils are the most vital resource to the future of this State;

2. A learning environment that is safe and respectful is essential for the pupils enrolled in the schools in this State and is necessary for those pupils to achieve academic success and meet this State's high academic standards;

3. Every classroom, hallway, locker room, cafeteria, restroom, gymnasium, playground, athletic field, school bus, parking lot and other areas on the premises of a school in this State must be maintained as a safe and respectful learning environment, and no form of bullying or cyber-bullying will be tolerated within the system of public education in this State;

4. Any form of bullying or cyber-bullying seriously interferes with the ability of teachers to teach in the classroom and the ability of pupils to learn;
5. The use of the Internet by pupils in a manner that is ethical, safe and secure is essential to a safe and respectful learning environment and is essential for the successful use of technology;
6. It will ensure that:
 - (a) The schools in this State provide a safe and respectful learning environment in which persons of differing beliefs, races, colors, national origins, ancestries, religions, gender identities or expressions, sexual orientations, physical or mental disabilities, sexes or any other distinguishing characteristics or backgrounds can realize their full academic and personal potential;
 - (b) All administrators, teachers and other personnel of the school districts and schools in this State demonstrate appropriate and professional behavior on the premises of any school by treating other persons, including, without limitation, pupils, with civility and respect, by refusing to tolerate bullying and cyber-bullying, and by taking immediate action to protect a victim or target of bullying or cyber-bullying when witnessing, overhearing or being notified that bullying or cyber-bullying is occurring or has occurred;
 - (c) The quality of instruction is not negatively impacted by poor attitudes or interactions among administrators, teachers, coaches or other personnel of a school district or school;
 - (d) All persons in a school are entitled to maintain their own beliefs and to respectfully disagree without resorting to bullying, cyber-bullying or violence; and
 - (e) Any teacher, administrator, coach or other staff member or pupil who tolerates or engages in an act of bullying or cyber-bullying or violates a provision of NRS 388.121 to 388.1395, inclusive, regarding a response to bullying or cyber-bullying against a pupil will be held accountable; and
7. By declaring this mandate that the schools in this State provide a safe and respectful learning environment, the Legislature is not advocating or requiring the acceptance of differing beliefs in a manner that would inhibit the freedom of expression, but is requiring that pupils be free from physical, emotional or mental abuse while at school and that pupils be provided with an environment that allows them to learn.

NRS 388.1321. Legislative declaration concerning duty of governing body, administrators and teachers to create and provide safe and respectful learning environment; authority of parent or guardian of pupil to petition court to compel performance of duty; remedy not exclusive.

1. The Legislature hereby declares that the members of a governing body and all administrators and teachers have a duty to create and provide a safe and respectful learning environment for all pupils that is free of bullying and cyber-bullying.
2. A parent or guardian of a pupil may petition a court of competent jurisdiction for a writ of mandamus to compel the performance of any duty imposed by the provisions of NRS 388.121 to 388.1395, inclusive.
3. Nothing in this section shall be deemed to preclude a parent or guardian of a pupil from seeking any remedy available at law or in equity.

NRS 388.1323. Office for a Safe and Respectful Learning Environment: Creation; appointment and duties of Director.

1. The Office for a Safe and Respectful Learning Environment is hereby created within the Department.
2. The Superintendent of Public Instruction shall appoint a Director of the Office, who shall serve at the pleasure of the Superintendent.
3. The Director of the Office shall ensure that the Office:

(a) Maintains a 24-hour, toll-free statewide hotline and Internet website by which any person can report a violation of the provisions of NRS 388.121 to 388.1395, inclusive, and obtain information about anti-bullying efforts and organizations; and

(b) Provides outreach and anti-bullying education and training for pupils, parents and guardians, teachers, administrators, coaches and other staff members and the members of a governing body. The outreach and training must include, without limitation:

(1) Training regarding methods, procedures and practice for recognizing bullying and cyber-bullying behaviors;

(2) Training regarding effective intervention and remediation strategies regarding bullying and cyber-bullying;

(3) Training regarding methods for reporting violations of NRS 388.135; and

(4) Information on and referral to available resources regarding suicide prevention and the relationship between bullying or cyber-bullying and suicide, including, without limitation, resources for pupils who are members of groups at a high risk of suicide. Such groups include, without limitation, the groups described in subsection 3 of NRS 388.256.

4. The Director of the Office shall establish procedures by which the Office may receive reports of bullying and cyber-bullying and complaints regarding violations of the provisions of NRS 388.121 to 388.1395, inclusive.

5. The Director of the Office or his or her designee shall investigate any complaint that a teacher, administrator, coach or other staff member or member of a governing body has violated a provision of NRS 388.121 to 388.1395, inclusive. If a complaint alleges criminal conduct or an investigation leads the Director of the Office or his or her designee to suspect criminal conduct, the Director of the Office may request assistance from the Investigation Division of the Department of Public Safety.

NRS 388.1325. Bullying Prevention Account: Creation; acceptance of gifts and grants; credit of interest and income; authorized uses by school district that receives grant.

1. The Bullying Prevention Account is hereby created in the State General Fund, to be administered by the Director of the Office for a Safe and Respectful Learning Environment appointed pursuant to NRS 388.1323. The Director of the Office may accept gifts and grants from any source for deposit into the Account. The interest and income earned on the money in the Account must be credited to the Account.

2. In accordance with the regulations adopted by the State Board pursuant to NRS 388.1327, a school district that applies for and receives a grant of money from the Bullying Prevention Account shall use the money for one or more of the following purposes:

(a) The establishment of programs to create a school environment that is free from bullying and cyber-bullying;

(b) The provision of training on the policies adopted by the school district pursuant to NRS 388.134 and the provisions of NRS 388.121 to 388.1395, inclusive; or

(c) The development and implementation of procedures by which the public schools of the school district and the pupils enrolled in those schools can discuss the policies adopted pursuant to NRS 388.134 and the provisions of NRS 388.121 to 388.1395, inclusive.

NRS 388.1327. Regulations.

The State Board shall adopt regulations:

1. Establishing the process whereby school districts may apply to the Department for a grant of money from the Bullying Prevention Account pursuant to NRS 388.1325.

2. As are necessary to carry out the provisions of NRS 388.121 to 388.1395, inclusive.

NRS 388.133. Policy by Department concerning safe and respectful learning environment.

1. The Department shall, in consultation with the governing bodies, educational personnel, local associations and organizations of parents whose children are enrolled in schools throughout this State, and individual parents and legal guardians whose children are enrolled in schools throughout this State, prescribe by regulation a policy for all school districts and schools to provide a safe and respectful learning environment that is free of bullying and cyber-bullying.

2. The policy must include, without limitation:

(a) Requirements and methods for reporting violations of NRS 388.135, including, without limitation, violations among teachers and violations between teachers and administrators, coaches and other personnel of a school district or school;

(b) Requirements and methods for addressing the rights and needs of persons with diverse gender identities or expressions;

(c) Requirements and methods for restorative disciplinary practices; and

(d) A policy for use by school districts and schools to train members of the governing body and all administrators, teachers and all other personnel employed by the governing body. The policy must include, without limitation:

(1) Training in the appropriate methods to facilitate positive human relations among pupils by eliminating the use of bullying and cyber-bullying so that pupils may realize their full academic and personal potential;

(2) Training in methods to prevent, identify and report incidents of bullying and cyber-bullying;

(3) Training concerning the needs of persons with diverse gender identities or expressions;

(4) Training concerning the needs of pupils with disabilities and pupils with autism spectrum disorder;

(5) Methods to promote a positive learning environment;

(6) Methods to improve the school environment in a manner that will facilitate positive human relations among pupils; and

(7) Methods to teach skills to pupils so that the pupils are able to replace inappropriate behavior with positive behavior.

NRS 388.134. Policy by governing bodies for provision of safe and respectful learning environment and policy for ethical, safe and secure use of computers; provision of training to governing bodies and school personnel; posting of policies on Internet website; annual review and update of policies.

Each governing body shall:

1. Adopt the policy prescribed pursuant to NRS 388.133 and the policy prescribed pursuant to subsection 2 of NRS 389.520. The governing body may adopt an expanded policy for one or both of the policies if each expanded policy complies with the policy prescribed pursuant to NRS 388.133 or pursuant to subsection 2 of NRS 389.520, as applicable.

2. Provide for the appropriate training of members of the governing body and all administrators, teachers and all other personnel employed by the governing body in accordance with the policies prescribed pursuant to NRS 388.133 and pursuant to subsection 2 of NRS 389.520. For members of the governing body who have not previously served on the governing body or for employees of the school district or school who have not previously been employed by the district or school, the training required by this subsection must be provided within 180 days after the member begins his or her service or after the employee begins his or her employment, as applicable.

3. Post the policies adopted pursuant to subsection 1 on the Internet website maintained by the school district or school.
4. Ensure that the parents and legal guardians of pupils enrolled in the school district or school have sufficient information concerning the availability of the policies, including, without limitation, information that describes how to access the policies on the Internet website maintained by the school district or school. Upon the request of a parent or legal guardian, the school district or school shall provide the parent or legal guardian with a written copy of the policies.
5. Review the policies adopted pursuant to subsection 1 on an annual basis and update the policies if necessary. If the governing body updates the policies, the governing body must submit a copy of the updated policies to the Department within 30 days after the update.

NRS 388.1341. Development of informational pamphlet by Department; annual review and update; posting on Internet website; development of tutorial.

1. The Department, in consultation with persons who possess knowledge and expertise in bullying and cyber-bullying, shall, to the extent money is available, develop an informational pamphlet to assist pupils and the parents or legal guardians of pupils enrolled in schools in this State in resolving incidents of bullying or cyber-bullying. If developed, the pamphlet must include, without limitation:
 - (a) A summary of the policy prescribed by the Department pursuant to NRS 388.133 and the provisions of NRS 388.121 to 388.1395, inclusive;
 - (b) A description of practices which have proven effective in preventing and resolving violations of NRS 388.135 in schools, which must include, without limitation, methods to identify and assist pupils who are at risk for bullying and cyber-bullying; and
 - (c) An explanation that the parent or legal guardian of a pupil who is involved in a reported violation of NRS 388.135 may request an appeal of a disciplinary decision made against the pupil as a result of the violation, in accordance with the policy governing disciplinary action adopted by a governing body.
2. If the Department develops a pamphlet pursuant to subsection 1, the Department shall review the pamphlet on an annual basis and make such revisions to the pamphlet as the Department determines are necessary to ensure the pamphlet contains current information.
3. If the Department develops a pamphlet pursuant to subsection 1, the Department shall post a copy of the pamphlet on the Internet website maintained by the Department.
4. To the extent the money is available, the Department shall develop a tutorial which must be made available on the Internet website maintained by the Department that includes, without limitation, the information contained in the pamphlet developed pursuant to subsection 1, if such a pamphlet is developed by the Department.

NRS 388.1342. Establishment of programs of training by Department; completion of program by members of State Board of Education and governing bodies; completion of certain programs by school district and school personnel; annual review and update of programs of training.

1. The Department, in consultation with persons who possess knowledge and expertise in bullying and cyber-bullying, shall establish a program of training:
 - (a) On methods to prevent, identify and report incidents of bullying and cyber-bullying for members of the State Board.
 - (b) On methods to prevent, identify and report incidents of bullying and cyber-bullying for the members of a governing body.
 - (c) For school district and school personnel to assist those persons with carrying out their powers and duties pursuant to NRS 388.121 to 388.1395, inclusive.

(d) For school district and school personnel in the prevention of violence and suicide, including, without limitation, violence and suicide associated with bullying and cyber-bullying, and appropriate methods to respond to incidents of violence or suicide. Such training must include, without limitation, instruction concerning the identification of:

(1) Appropriate mental health services at the school and in the community in which the school is located and how and when to refer pupils and their families for such services; and

(2) Other persons and organizations in the community in which the school is located, including, without limitation, religious and other nonprofit organizations, that may be able to assist with the response to a suicide.

(e) For school district and school personnel concerning the needs of persons with diverse gender identities or expressions.

(f) For school district and school personnel concerning the needs of pupils with disabilities and pupils with autism spectrum disorder.

2. Each member of the State Board shall, within 1 year after the member is elected or appointed to the State Board, complete the program of training on bullying and cyber-bullying established pursuant to paragraph (a) of subsection 1 and undergo the training at least one additional time while the person is a member of the State Board.

3. Except as otherwise provided in NRS 388.134, each member of a governing body shall, within 1 year after the member begins his or her service on the governing body, complete the program of training on bullying and cyber-bullying established pursuant to paragraph (b) of subsection 1 and undergo the training at least one additional time while the person is a member of the governing body.

4. Each administrator of a school shall complete the program of training established pursuant to paragraphs (d), (e) and (f) of subsection 1:

(a) Within 90 days after becoming an administrator;

(b) Except as otherwise provided in paragraph (c), at least once every 3 years thereafter; and

(c) At least once during any school year within which the program of training is revised or updated.

5. Each program of training established pursuant to subsection 1 must, to the extent money is available, be made available on the Internet website maintained by the Department or through another provider on the Internet.

6. The governing body may allow school personnel to attend the program established pursuant to paragraph (c), (d), (e) or (f) of subsection 1 during regular school hours.

7. The Department shall review each program of training established pursuant to subsection 1 on an annual basis to ensure that the program contains current information.

NRS 388.1343. Establishment by administrator of each school; duties of administrator.

The administrator of each school or his or her designee shall:

1. Establish a school safety team to develop, foster and maintain a school environment which is free from bullying and cyber-bullying;

2. Conduct investigations of violations of NRS 388.135 occurring at the school; and

3. Collaborate with the governing body and the school safety team to prevent, identify and address reported violations of NRS 388.135 at the school.

NRS 388.1344. Membership; chair; duties.

3. The school safety team shall:

(a) Meet at least two times each year;

- (b) Identify and address patterns of bullying or cyber-bullying;
- (c) Review and strengthen school policies to prevent and address bullying or cyber-bullying;
- (d) Provide information to school personnel, pupils enrolled in the school and parents and legal guardians of pupils enrolled in the school on methods to address bullying and cyber-bullying; and
- (e) To the extent money is available, participate in any training conducted by the school district or school regarding bullying and cyber-bullying.

NRS 388.135. Bullying and cyber-bullying prohibited.

A member of a governing body, any employee of a governing body, including, without limitation, an administrator, teacher or other staff member, a member of a club or organization which uses the facilities of any school, regardless of whether the club or organization has any connection to the school, or any pupil shall not engage in bullying or cyber-bullying on the premises of any school, at an activity sponsored by a school or on any school bus.

NRS 388.1351. Staff member required to report violation to administrator; required actions and investigation; notification to parent or guardian; written report of findings and conclusions of investigation; follow-up with victim; list of resources to be provided to parent or guardian; appeal of disciplinary action; reassignment of pupil who is victim of bullying or cyber-bullying; reports.

1. Except as otherwise provided in NRS 388.13535, a teacher, administrator, coach or other staff member who witnesses a violation of NRS 388.135 or receives information that a violation of NRS 388.135 has occurred shall report the violation to the administrator or his or her designee as soon as practicable, but not later than a time during the same day on which the teacher, administrator, coach or other staff member witnessed the violation or received information regarding the occurrence of a violation.
2. Except as otherwise provided in this subsection, upon receiving a report required by subsection 1, the administrator or designee shall immediately take any necessary action to stop the bullying or cyber-bullying and ensure the safety and well-being of the reported victim or victims of the bullying or cyber-bullying and shall begin an investigation into the report. If the administrator or designee does not have access to the reported victim of the alleged violation of NRS 388.135, the administrator or designee may wait until the next school day when he or she has such access to take the action required by this subsection.
3. The investigation conducted pursuant to subsection 2 must include, without limitation:
 - (a) Except as otherwise provided in subsection 4, notification provided by telephone, electronic mail or other electronic means or provided in person, of the parents or guardians of all pupils directly involved in the reported bullying or cyber-bullying, as applicable, either as a reported aggressor or a reported victim of the bullying or cyber-bullying. The notification must be provided:
 - (1) If the bullying or cyber-bullying is reported before the end of school hours on a school day, before the school's administrative office closes on the day on which the bullying or cyber-bullying is reported; or
 - (2) If the bullying or cyber-bullying was reported on a day that is not a school day, or after school hours on a school day, before the school's administrative office closes on the school day following the day on which the bullying or cyber-bullying is reported.
 - (b) Interviews with all pupils whose parents or guardians must be notified pursuant to paragraph (a) and with all such parents and guardians.
4. If the contact information for the parent or guardian of a pupil in the records of the school is not correct, a good faith effort to notify the parent or guardian shall be deemed sufficient to meet the requirement for notification pursuant to paragraph (a) of subsection 3.

5. Except as otherwise provided in this subsection, an investigation required by this section must be completed not later than 2 school days after the administrator or designee receives a report required by subsection 1. If extenuating circumstances prevent the administrator or designee from completing the investigation required by this section within 2 school days after making a good faith effort, 1 additional school day may be used to complete the investigation. The time for completing an investigation into a report of cyber-bullying may also be extended to not more than 5 school days after the report is received with the consent of each reported victim of the cyber-bullying or, if a reported victim is under 18 years of age and is not emancipated, the parent or guardian of the reported victim.
6. An administrator or designee who conducts an investigation required by this section shall complete a written report of the findings and conclusions of the investigation. If a violation is found to have occurred:
 - (a) The report must include recommendations concerning the imposition of disciplinary action or other measures to be imposed as a result of the violation, in accordance with the policy governing disciplinary action adopted by the governing body. Subject to the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, the report must be made available, not later than 24 hours after the completion of the written report, to all parents or guardians who must be notified pursuant to paragraph (a) of subsection 3 as part of the investigation; and
 - (b) Any action taken after the completion of the investigation to address the bullying or cyber-bullying must be carried out in a manner that causes the least possible disruption for the victim or victims. When necessary, the administrator or his or her designee shall give priority to ensuring the safety and well-being of the victim or victims over any interest of the perpetrator or perpetrators when determining the actions to take.
7. If a violation is found not to have occurred, information concerning the incident must not be included in the record of the reported aggressor.
8. Not later than 10 school days after receiving a report required by subsection 1, the administrator or designee shall meet with each reported victim of the bullying or cyber-bullying to inquire about the well-being of the reported victim and to ensure that the reported bullying or cyber-bullying, as applicable, is not continuing.
9. To the extent that information is available, the administrator or his or her designee shall provide a list of any resources that may be available in the community to assist a pupil to each parent or guardian of a pupil to whom notice was provided pursuant to this section as soon as practicable. Such a list may include, without limitation, resources available at no charge or at a reduced cost and may be provided in person or by electronic or regular mail. If such a list is provided, the administrator, his or her designee, or any employee of the school or the school district is not responsible for providing such resources to the pupil or ensuring the pupil receives such resources.
10. The parent or guardian of a pupil involved in the reported violation of NRS 388.135 may appeal a disciplinary decision of the administrator or his or her designee, made against the pupil as a result of the violation, in accordance with the policy governing disciplinary action adopted by the governing body. Not later than 30 days after receiving a response provided in accordance with such a policy, the parent or guardian may submit a complaint to the Department. The Department shall consider and respond to the complaint pursuant to procedures and standards prescribed in regulations adopted by the Department.
11. If a violation of NRS 388.135 is found to have occurred, the parent or guardian of a pupil who is a victim of bullying or cyber-bullying may request that the board of trustees of the school district in which the pupil is enrolled to assign the pupil to a different school in the school district. Upon receiving such a request, the board of trustees shall, in consultation with the parent or guardian of the pupil, assign the pupil to a different school.

12. A principal or his or her designee shall submit a monthly report to the direct supervisor of the principal that includes for the school the number of:

- (a) Reports received pursuant to subsection 1;
- (b) Times in which a violation of NRS 388.135 is found to have occurred; and
- (c) Times in which no violation of NRS 388.135 is found to have occurred.

13. A direct supervisor who receives a monthly report pursuant to subsection 12 shall, each calendar quarter, submit a report to the Office for a Safe and Respectful Learning Environment that includes, for the schools for which the direct supervisor has received a monthly report in the calendar quarter, the:

- (a) Total number of reports received pursuant to subsection 1;
- (b) Number of times in which a violation of NRS 388.135 is found to have occurred; and
- (c) Number of times in which no violation of NRS 388.135 is found to have occurred.

14. School hours and school days are determined for the purposes of this section by the schedule established by the governing body for the school.

15. The provisions of this section must not be construed to place any limit on the time within which an investigation concerning any alleged act that constitutes sexual assault must be completed.

NRS 388.1352. Establishment of policy by governing body for employees to report violations to law enforcement.

A governing body, in conjunction with the school police officers of the school district, if any, and the local law enforcement agencies that have jurisdiction over the school district or school, shall establish a policy for the procedures which must be followed by an employee of the school district or school when reporting a violation of NRS 388.135 to a school police officer or local law enforcement agency.

NRS 388.13535. Deferral of required investigation of bullying or cyber-bullying; actions by administrator or designee if investigation is deferred; exemption from certain requirements if violation committed by certain pupils.

1. If a law enforcement agency is investigating a potential crime involving an alleged violation of NRS 388.135, the administrator or his or her designee may, after providing the notification required by paragraph (a) of subsection 3 of NRS 388.1351, defer the investigation required by that section until the completion of the criminal investigation by the law enforcement agency. If the administrator or his or her designee defers an investigation pursuant to this subsection, the administrator or designee shall:

- (a) Immediately develop and carry out a plan to protect the safety of each pupil directly involved in the alleged violation of NRS 388.135; and
- (b) To the extent that the law enforcement agency has provided the administrator or designee with information about the projected date for completion of its investigation, provide the parents or guardians of each pupil directly involved in the alleged violation of NRS 388.135 with that information.

2. Except as otherwise provided in this section, the deferral authorized by subsection 1 does not affect the obligations of the administrator or designee pursuant to NRS 388.121 to 388.1395, inclusive.

3. Any plan developed pursuant to subsection 1 must be carried out in a manner that causes the least possible disruption for the reported victim or victims of bullying or cyber-bullying. When necessary, the administrator or his or her designee shall give priority to protecting the reported victim or victims over any interest of the reported perpetrator or perpetrators when determining how to carry out the plan.

4. If the administrator or designee determines that a violation of NRS 388.135 was caused by the disability of the pupil who committed the violation:

- (a) The provisions of NRS 388.1351 do not apply to the same or similar behavior if the behavior is addressed in the pupil's individualized education program; and
 - (b) The administrator or designee shall take any measures necessary to protect the safety of the victim of the violation.
5. The provisions of NRS 388.1351 do not apply to a violation of NRS 388.135 committed by:
- (a) A pupil who is enrolled in prekindergarten if the behavior is addressed through measures intended to modify the behavior of the pupil.
 - (b) An employee of a school or school district against another employee of a school or school district.
 - (c) An adult who is not a pupil or employee of a school or school district against another such adult.

NRS 388.136. School officials prohibited from interfering with disclosure of violations.

1. A school official shall not directly or indirectly interfere with or prevent the disclosure of information concerning a violation of NRS 388.135.
2. As used in this section, "school official" means:
 - (a) A member of a governing body; or
 - (b) A licensed or unlicensed employee of a school district or school.

NRS 388.137. Immunity for reporting of violations; exceptions; recommendation for disciplinary action if person who made report acted with malice, intentional misconduct, gross negligence or violation of law.

1. No cause of action may be brought against a pupil or an employee or volunteer of a school who reports a violation of NRS 388.135 unless the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law.
2. If an administrator determines that a report of a violation of NRS 388.135 is false and that the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law, the administrator may recommend the imposition of disciplinary action or other measures against the person in accordance with the policy governing disciplinary action adopted by the governing body.

NRS 388.139. Text of certain provisions required to be included in rules of behavior.

Each school district shall include the text of the provisions of NRS 388.121 to 388.1395, inclusive, and the policies adopted by the board of trustees of the school district pursuant to NRS 388.134 under the heading "Bullying and Cyber-Bullying Is Prohibited in Public Schools," within each copy of the rules of behavior for pupils that the school district provides to pupils pursuant to NRS 392.463.

NRS 388.1395. Requirements for delivery of information during annual "Week of Respect."

The governing body of each school shall determine the most effective manner for the delivery of information to the pupils of the school during the "Week of Respect" proclaimed by the Governor each year pursuant to NRS 236.073. The information delivered during the "Week of Respect" must focus on:

1. Methods to prevent, identify and report incidents of bullying and cyber-bullying;
2. Methods to improve the school environment in a manner that will facilitate positive human relations among pupils; and
3. Methods to facilitate positive human relations among pupils by eliminating the use of bullying and cyber-bullying.

NRS 389.520. Establishment of standards; periodic review of standards; adoption of standards by State Board; establishment of policy for ethical, safe and secure use of computers.

2. The standards for computer education and technology must include a policy for the ethical, safe and secure use of computers and other electronic devices. The policy must include, without limitation:

- (a) The ethical use of computers and other electronic devices, including, without limitation:
 - (1) Rules of conduct for the acceptable use of the Internet and other electronic devices; and
 - (2) Methods to ensure the prevention of:
 - (I) Cyber-bullying;
 - (II) Plagiarism; and
 - (III) The theft of information or data in an electronic form;
- (b) The safe use of computers and other electronic devices, including, without limitation, methods to:
 - (1) Avoid cyber-bullying and other unwanted electronic communication, including, without limitation, communication with on-line predators;
 - (2) Recognize when an on-line electronic communication is dangerous or potentially dangerous; and
 - (3) Report a dangerous or potentially dangerous on-line electronic communication to the appropriate school personnel;

9. As used in this section:

- (b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

NRS 392.915. Threatening to cause bodily harm or death to pupil or school employee by means of oral, written or electronic communication; penalties.

1. A person shall not, through the use of any means of oral, written or electronic communication, including, without limitation, through the use of cyber-bullying, knowingly threaten to cause bodily harm or death to a pupil or employee of a school district or charter school with the intent to:

- (a) Intimidate, harass, frighten, alarm or distress a pupil or employee of a school district or charter school;
- (b) Cause panic or civil unrest; or
- (c) Interfere with the operation of a public school, including, without limitation, a charter school.

2. Unless a greater penalty is provided by specific statute, a person who violates the provisions of subsection 1 is guilty of:

- (a) A misdemeanor, unless the provisions of paragraph (b) apply to the circumstances.
- (b) A gross misdemeanor, if the threat causes:
 - (1) Any pupil or employee of a school district or charter school who is the subject of the threat to be intimidated, harassed, frightened, alarmed or distressed;
 - (2) Panic or civil unrest; or
 - (3) Interference with the operation of a public school, including, without limitation, a charter school.

3. As used in this section:

- (a) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.
- (b) "Oral, written or electronic communication" includes, without limitation, any of the following:
 - (1) A letter, note or any other type of written correspondence.
 - (2) An item of mail or a package delivered by any person or postal or delivery service.
 - (3) A telegraph or wire service, or any other similar means of communication.

- (4) A telephone, cellular phone, satellite phone, page or facsimile machine, or any other similar means of communication.
- (5) A radio, television, cable, closed-circuit, wire, wireless, satellite or other audio or video broadcast or transmission, or any other similar means of communication.
- (6) An audio or video recording or reproduction, or any other similar means of communication.
- (7) An item of electronic mail, a modem or computer network, or the Internet, or any other similar means of communication.

REGULATIONS

NAC 388.890. Reporting of information regarding bullying or cyber-bullying by pupils; actions of principal or designee when ensuring safety and well-being of reported victim.

1. A pupil who is a victim of bullying or cyber-bullying in violation of NRS 388.135, witnesses a violation of NRS 388.135 or receives information that a violation of NRS 388.135 has occurred may report the violation:
 - (a) To any employee or volunteer in the public school or school district in which the pupil is enrolled, including, without limitation, a teacher, counselor, coach or administrator;
 - (b) Through the 24-hour, toll-free statewide hotline or Internet website maintained by the Office for a Safe and Respectful Learning Environment pursuant to NRS 388.1323; or
 - (c) Through a hotline or Internet website maintained by the school district in which the pupil is enrolled, if the school district maintains such a hotline or website.
2. When ensuring the safety and well-being of a reported victim of bullying or cyber-bullying as required by NRS 388.1351, the principal or his or her designee:
 - (a) Shall not take any action that may cause harm to the reported victim, including, without limitation, requiring the reported victim to change classrooms or isolating the reported victim from his or her peers.
 - (b) Shall, to the extent practicable, talk privately and discreetly about the violation with the reported victim, without bringing undue attention to the reported victim.

NAC 388.900. Requirements of investigation of report; documentation of interviews conducted as part of investigation.

1. Each investigation of a report of bullying or cyber-bullying conducted pursuant to NRS 388.1351 must be conducted thoroughly and impartially in a manner that does not retraumatize or further traumatize the reported victim and must include, without limitation, an interview with:
 - (a) Each person involved in the reported bullying or cyber-bullying, including, without limitation, the reported aggressor, the reported victim and any relevant witnesses.
 - (b) The parent or guardian of the reported aggressor and the reported victim.To the extent practicable, the identities of the persons interviewed and the content of the interviews must remain confidential.
2. Each principal or his or her designee who conducts an investigation pursuant to this section and NRS 388.1351 shall document the date, time, subject and content of each interview conducted and maintain such documentation in a manner that is consistent with the policy governing maintenance of disciplinary records for the school district in which the school is located.
3. Each principal or his or her designee who conducts an investigation must complete the investigation within the time prescribed by NRS 388.1351.

Dating and Relationship Violence

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Prevention, Behavioral Intervention, and Supports

State Model Policies and Implementation Support

LAWS

NRS 388.505. Mandatory education and training for staff.

1. The Department shall develop a model program of education for use by the school districts to train the members of the staff of the schools within the school districts who are identified in the individualized education programs of pupils with disabilities to provide services to those pupils. The model program of education must provide instruction in positive behavioral interventions and positive behavioral supports that:

- (a) Includes positive methods to modify the environment of pupils with disabilities to promote adaptive behavior and reduce the occurrence of inappropriate behavior;
- (b) Includes methods to teach skills to pupils with disabilities so that the pupils can replace inappropriate behavior with adaptive behavior;
- (c) Includes methods to enhance the independence and quality of life for pupils with disabilities;
- (d) Includes the use of the least intrusive methods to respond to and reinforce the behavior of pupils with disabilities; and
- (e) Offers a process for designing interventions based upon the pupil that are focused on promoting appropriate changes in behavior as well as enhancing the overall quality of life for the pupil.

2. The board of trustees of each school district shall provide for appropriate training for the members of the staff of the schools within the school district who are authorized to carry out and monitor physical restraint and mechanical restraint to ensure that those members of the staff are qualified to carry out the procedures in accordance with NRS 388.471 to 388.515, inclusive.

NRS 388.1341. Development of informational pamphlet by Department; annual review and update; posting on Internet website; development of tutorial.

1. The Department, in consultation with persons who possess knowledge and expertise in bullying and cyber-bullying, shall, to the extent money is available, develop an informational pamphlet to assist pupils and the parents or legal guardians of pupils enrolled in schools in this State in resolving incidents of bullying or cyber-bullying. If developed, the pamphlet must include, without limitation:

- (a) A summary of the policy prescribed by the Department pursuant to NRS 388.133 and the provisions of NRS 388.121 to 388.1395, inclusive;
- (b) A description of practices which have proven effective in preventing and resolving violations of NRS 388.135 in schools, which must include, without limitation, methods to identify and assist pupils who are at risk for bullying and cyber-bullying; and
- (c) An explanation that the parent or legal guardian of a pupil who is involved in a reported violation of NRS 388.135 may request an appeal of a disciplinary decision made against the pupil as a result of the violation, in accordance with the policy governing disciplinary action adopted by a governing body.

2. If the Department develops a pamphlet pursuant to subsection 1, the Department shall review the pamphlet on an annual basis and make such revisions to the pamphlet as the Department determines are necessary to ensure the pamphlet contains current information.

3. If the Department develops a pamphlet pursuant to subsection 1, the Department shall post a copy of the pamphlet on the Internet website maintained by the Department.

4. To the extent the money is available, the Department shall develop a tutorial which must be made available on the Internet website maintained by the Department that includes, without limitation, the information contained in the pamphlet developed pursuant to subsection 1, if such a pamphlet is developed by the Department.

REGULATIONS

No relevant regulations found.

Multi-tiered Frameworks and Systems of Support

LAWS

NRS 388.885. Establishment of statewide framework for integrated student supports; requirements for framework; board of trustees and governing body of charter school required to take certain actions; requirements for requests for proposals for integrated student supports.

1. The Department shall, to the extent money is available, establish a statewide framework for providing and coordinating integrated student supports for pupils enrolled in public schools and the families of such pupils. The statewide framework must:

(a) Establish minimum standards for the provision of integrated student supports by school districts and charter schools. Such standards must be designed to allow a school district or charter school the flexibility to address the unique needs of the pupils enrolled in the school district or charter school.

(b) Establish a protocol for providing and coordinating integrated student supports. Such a protocol must be designed to:

(1) Support a school-based approach to promoting the success of all pupils by establishing a means to identify barriers to academic achievement and educational attainment of all pupils and methods for intervening and providing integrated student supports which are coordinated to reduce those barriers, including, without limitation, methods for:

(I) Engaging the parents and guardians of pupils;

(II) Assessing the social, emotional and academic development of pupils;

(III) Attaining appropriate behavior from pupils; and

(IV) Screening, intervening and monitoring the social, emotional and academic progress of pupils;

(2) Encourage the provision of education in a manner that is centered around pupils and their families and is culturally and linguistically appropriate;

(3) Encourage providers of integrated student supports to collaborate to improve academic achievement and educational attainment, including, without limitation, by:

(I) Engaging in shared decision-making;

(II) Establishing a referral process reduces duplication of services and increases efficiencies in the manner in that which barriers to academic achievement and educational attainment are addressed by such providers; and

(III) Establishing productive working relationships between such providers;

(4) Encourage collaboration between the Department and local educational agencies to develop training regarding:

(I) Best practices for providing integrated student supports;

(II) Establishing effective integrated student support teams comprised of persons or governmental entities providing integrated student supports;

- (III) Effective communication between providers of integrated student supports; and
 - (IV) Compliance with applicable state and federal law; and
 - (5) Support statewide and local organizations in their efforts to provide leadership, coordination, technical assistance, professional development and advocacy to improve access to integrated student supports and expand upon existing integrated student supports that address the physical, emotional and educational needs of pupils.
- (c) Include integration and coordination across school- and community-based providers of integrated student support services through the establishment of partnerships and systems that support this framework.
 - (d) Establish accountability standards for each administrator of a school to ensure the provision and coordination of integrated student supports.
2. The board of trustees of each school district and the governing body of each charter school shall:
- (a) Annually conduct a needs assessment for pupils enrolled in the school district or charter school, as applicable, to identify the academic and nonacademic supports needed within the district or charter school. The board of trustees of a school district or the governing body of a charter school shall be deemed to have satisfied this requirement if the board of trustees or the governing body has conducted such a needs assessment for the purpose of complying with any provision of federal law or any other provision of state law that requires the board of trustees or governing body to conduct such a needs assessment.
 - (b) Ensure that mechanisms for data-driven decision-making are in place and the academic progress of pupils for whom integrated student supports have been provided is tracked.
 - (c) Ensure integration and coordination between providers of integrated student supports.
 - (d) To the extent money is available, ensure that pupils have access to social workers, mental health workers, counselors, psychologists, nurses, speech-language pathologists, audiologists and other school-based specialized instructional support personnel or community-based medical or behavioral providers of health care.
3. Any request for proposals issued by a local educational agency for integrated student supports must include provisions requiring a provider of integrated student supports to comply with the protocol established by the Department pursuant to subsection 1.
4. As used in this section, integrated student support means any measure designed to assist a pupil in:
- (a) Improving his or her academic achievement and educational attainment and maintaining stability and positivity in his or her life; and
 - (b) His or her social, emotional and academic development.

REGULATIONS

No relevant regulations found.

Prevention

LAWS

NRS 388.133. Policy by Department concerning safe and respectful learning environment.

1. The Department shall, in consultation with the governing bodies, educational personnel, local associations and organizations of parents whose children are enrolled in schools throughout this State, and individual parents and legal guardians whose children are enrolled in schools throughout this State,

prescribe by regulation a policy for all school districts and schools to provide a safe and respectful learning environment that is free of bullying and cyber-bullying.

2. The policy must include, without limitation:

(a) Requirements and methods for reporting violations of NRS 388.135, including, without limitation, violations among teachers and violations between teachers and administrators, coaches and other personnel of a school district or school;

(b) Requirements and methods for addressing the rights and needs of persons with diverse gender identities or expressions;

(c) Requirements and methods for restorative disciplinary practices; and

(d) A policy for use by school districts and schools to train members of the governing body and all administrators, teachers and all other personnel employed by the governing body. The policy must include, without limitation:

(1) Training in the appropriate methods to facilitate positive human relations among pupils by eliminating the use of bullying and cyber-bullying so that pupils may realize their full academic and personal potential;

(2) Training in methods to prevent, identify and report incidents of bullying and cyber-bullying;

(3) Training concerning the needs of persons with diverse gender identities or expressions;

(4) Training concerning the needs of pupils with disabilities and pupils with autism spectrum disorder;

(5) Methods to promote a positive learning environment;

(6) Methods to improve the school environment in a manner that will facilitate positive human relations among pupils; and

(7) Methods to teach skills to pupils so that the pupils are able to replace inappropriate behavior with positive behavior.

REGULATIONS

No relevant regulations found.

Social-emotional Learning (SEL)

LAWS

No relevant laws found.

REGULATIONS

NAC 389.195. Elementary school.

1. The State Board of Education prescribes the following courses of study for elementary schools:

(a) Reading.

(b) Language.

(c) Social studies.

(d) Mathematics.

(e) Science.

(f) Art.

(g) Music.

(h) Health.

- (i) Physical education.
 - (j) Computers.
2. In addition to the courses prescribed by subsection 1, a course of study in:
- (a) Introduction to technology is prescribed for pupils in sixth, seventh or eighth grade.
 - (b) Academic achievement, career exploration, and personal and social development is prescribed for pupils in seventh or eighth grade.
3. A local school board may offer:
- (a) A course in a world language as an elective course for pupils in kindergarten through the eighth grade.
 - (b) A course in home and career skills as an elective course for pupils in seventh and eighth grades.

Trauma-informed Practices

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Mental Health Literacy Training

LAWS

NRS 388.256. Development and contents of policy for prevention of suicide in certain grades; duty of Department to develop model policy; posting of link to Internet website of Coordinator of Statewide Program for Suicide Prevention.

1. The board of trustees of each school district, the governing body of each charter school that provides instruction to pupils in grades 7 to 12, inclusive, and the governing body of each university school for profoundly gifted pupils shall, in consultation with pupils, parents or guardians of pupils, school employees, persons who provide mental health services to pupils, persons and organizations with expertise in the prevention of suicide and other interested persons and entities:
- (a) Adopt a policy for the prevention of suicide in grades 7 to 12, inclusive; and
 - (b) Review the policy at least once every 5 years and update the policy as necessary.
2. The policy adopted pursuant to subsection 1 must include, without limitation:
- (c) Required training for teachers and pupils concerning the prevention of suicide. Such training:
 - (1) Must include, without limitation, instruction concerning the identification of:
 - (I) Appropriate mental health services at the school and in the community in which the school is located and when and how to refer pupils and their families for such services; and
 - (II) Other persons and organizations in the community in which the school is located, including, without limitation, religious and other nonprofit organizations, that may be able to assist with the response to a suicide.
 - (2) May include, without limitation, the review of appropriate materials concerning the prevention of suicide or participation in the program of training established pursuant to paragraph (d) of subsection 1 of NRS 388.1342.

NRS 388.910. Appointment and duties of school safety specialist.

1. The superintendent of schools of each school district shall designate an employee at the district level to serve as the school safety specialist for the district. The principal of each charter school shall designate an employee to serve as the school safety specialist for the charter school. Not later than 1 year after being designated pursuant to this subsection, a school safety specialist shall complete the training provided by the Office for a Safe and Respectful Learning Environment pursuant to NRS 388.1323.

2. A school safety specialist shall:

(a) Review policies and procedures of the school district or charter school, as applicable, that relate to school safety to determine whether those policies and procedures comply with state laws and regulations;

(b) Ensure that each school employee who interacts directly with pupils as part of his or her job duties receives information concerning mental health services available in the school district or charter school, as applicable, and persons to contact if a pupil needs such services;

(c) Ensure the provision to school employees and pupils of appropriate training concerning:

(1) Mental health;

(2) Emergency procedures, including, without limitation, the plan developed pursuant to NRS 388.243; and

(3) Other matters relating to school safety and security;

(d) Annually conduct a school security risk assessment and submit the school security risk assessment to the Office for a Safe and Respectful Learning Environment for review pursuant to NRS 388.1323;

(e) Present a summary of the school security risk assessment conducted pursuant to paragraph (d) and any recommendations to improve school safety and security based on the assessment at a public meeting of the board of trustees of the school district or governing body of the charter school, as applicable;

(f) Not later than 30 days after the meeting described in paragraph (e), provide to the Director a summary of the school security risk assessment, any recommendations to improve school safety and security based on the assessment and any actions taken by the board of trustees or governing body, as applicable, based on those recommendations;

(g) Serve as the liaison for the school district or charter school, as applicable, with local public safety agencies, other governmental agencies, nonprofit organizations and the public regarding matters relating to school safety and security;

(h) At least once every 3 years, provide a tour of each school in the district or the charter school, as applicable, to employees of public safety agencies that are likely to be first responders to a crisis, emergency or suicide at the school; and

(i) Provide a written record to the board of trustees of the school district or the governing body of the charter school, as applicable, of any recommendations made by an employee of a public safety agency as a result of a tour provided pursuant to paragraph (h). The board of trustees or governing body, as applicable, shall maintain a record of such recommendations.

3. In a school district in a county whose population is 100,000 or more, the school safety specialist shall collaborate with the emergency manager designated pursuant to NRS 388.262 where appropriate in the performance of the duties prescribed in subsection 2.

4. As used in this section:

(a) "Crisis" has the meaning ascribed to it in NRS 388.231.

(b) "Emergency" has the meaning ascribed to it in NRS 388.233.

NRS 388.1342. Establishment of programs of training by Department; completion of program by members of State Board of Education and governing bodies; completion of certain programs by school district and school personnel; annual review and update of programs of training.

1. The Department, in consultation with persons who possess knowledge and expertise in bullying and cyber-bullying, shall establish a program of training:
 - (a) On methods to prevent, identify and report incidents of bullying and cyber-bullying for members of the State Board.
 - (b) On methods to prevent, identify and report incidents of bullying and cyber-bullying for the members of a governing body.
 - (c) For school district and school personnel to assist those persons with carrying out their powers and duties pursuant to NRS 388.121 to 388.1395, inclusive.
 - (d) For school district and school personnel in the prevention of violence and suicide, including, without limitation, violence and suicide associated with bullying and cyber-bullying, and appropriate methods to respond to incidents of violence or suicide. Such training must include, without limitation, instruction concerning the identification of:
 - (1) Appropriate mental health services at the school and in the community in which the school is located and how and when to refer pupils and their families for such services; and
 - (2) Other persons and organizations in the community in which the school is located, including, without limitation, religious and other nonprofit organizations, that may be able to assist with the response to a suicide.
 - (e) For school district and school personnel concerning the needs of persons with diverse gender identities or expressions.
 - (f) For school district and school personnel concerning the needs of pupils with disabilities and pupils with autism spectrum disorder.
2. Each member of the State Board shall, within 1 year after the member is elected or appointed to the State Board, complete the program of training on bullying and cyber-bullying established pursuant to paragraph (a) of subsection 1 and undergo the training at least one additional time while the person is a member of the State Board.
3. Except as otherwise provided in NRS 388.134, each member of a governing body shall, within 1 year after the member begins his or her service on the governing body, complete the program of training on bullying and cyber-bullying established pursuant to paragraph (b) of subsection 1 and undergo the training at least one additional time while the person is a member of the governing body.
4. Each administrator of a school shall complete the program of training established pursuant to paragraphs (d), (e) and (f) of subsection 1:
 - (a) Within 90 days after becoming an administrator;
 - (b) Except as otherwise provided in paragraph (c), at least once every 3 years thereafter; and
 - (c) At least once during any school year within which the program of training is revised or updated.
5. Each program of training established pursuant to subsection 1 must, to the extent money is available, be made available on the Internet website maintained by the Department or through another provider on the Internet.
6. The governing body may allow school personnel to attend the program established pursuant to paragraph (c), (d), (e) or (f) of subsection 1 during regular school hours.
7. The Department shall review each program of training established pursuant to subsection 1 on an annual basis to ensure that the program contains current information.

REGULATIONS

No relevant regulations found.

School-based Behavioral Health Programs

LAWS

NRS 388.266. Block grants to employ or contract with social workers and other mental health workers.

To the extent that money is available for the purpose, the Department shall:

1. Develop and carry into effect a program of block grants for the purposes described in subsection 2; and
2. Make and administer block grants to school districts and charter schools to employ or contract with social workers and other mental health workers in schools with identified needs.

NRS 388.885. Establishment of statewide framework for integrated student supports: requirements for framework; board of trustees and governing body of charter school required to take certain actions; requirements for requests for proposals for integrated student supports.

2. The board of trustees of each school district and the governing body of each charter school shall:
 - (d) To the extent money is available, ensure that pupils have access to social workers, mental health workers, counselors, psychologists, nurses, speech-language pathologists, audiologists and other school-based specialized instructional support personnel or community-based medical or behavioral providers of health care.

NRS 388.910. Appointment and duties of school safety specialist.

1. The superintendent of schools of each school district shall designate an employee at the district level to serve as the school safety specialist for the district. The principal of each charter school shall designate an employee to serve as the school safety specialist for the charter school. Not later than 1 year after being designated pursuant to this subsection, a school safety specialist shall complete the training provided by the Office for a Safe and Respectful Learning Environment pursuant to NRS 388.1323.
2. A school safety specialist shall:
 - (a) Review policies and procedures of the school district or charter school, as applicable, that relate to school safety to determine whether those policies and procedures comply with state laws and regulations;
 - (b) Ensure that each school employee who interacts directly with pupils as part of his or her job duties receives information concerning mental health services available in the school district or charter school, as applicable, and persons to contact if a pupil needs such services;
 - (c) Ensure the provision to school employees and pupils of appropriate training concerning:
 - (1) Mental health;
 - (2) Emergency procedures, including, without limitation, the plan developed pursuant to NRS 388.243; and
 - (3) Other matters relating to school safety and security.

NRS 391.294. Authority and supervision of school psychologist.

1. A school psychologist may, through consultation or collaboration with other educational personnel or by providing direct services:

- (a) Deliver mental and behavioral health services to pupils in a school;
 - (b) Collaborate with the school, community and parents or legal guardians of pupils to promote a safe and supportive learning environment;
 - (c) Provide preventative, intervention and post intervention services through integrated systems of support;
 - (d) Collect and analyze data on the mental and behavioral health of pupils;
 - (e) Administer applicable assessments to pupils;
 - (f) Monitor the progress of the academic, mental and behavioral health of pupils;
 - (g) Assist with the development and implementation of school-wide practices to promote learning;
 - (h) Analyze resilience and risk factors of pupils;
 - (i) Provide instructional support to other educational personnel;
 - (j) Evaluate and make recommendations for the improvement of special education services;
 - (k) Promote diversity in development and learning;
 - (l) Conduct research and evaluate programs related to the mental and behavioral health of pupils; and
 - (m) Participate in planning for and implementing a response to a crisis at the school.
2. In a school district in which more than 50,000 pupils were enrolled during the preceding school year, each school psychologist must be supervised by a psychologist licensed pursuant to chapter 391 of NRS who is a licensed administrator.
3. In a school district in which not more than 50,000 pupils were enrolled during the preceding school year, each school psychologist must be supervised by a licensed administrator.

NRS 388.14538. Handle with Care Program: Establishment; notification of exposure of child to traumatic event or certain other events; training; regulations.

1. The Director shall establish the Handle with Care Program within the Office for a Safe and Respectful Learning Environment. The Handle with Care Program must enable a law enforcement officer or agency to notify the Program when a child who may attend a public school is exposed to a traumatic event or other event that may affect his or her ability to succeed at school as described in NRS 289.840. [...]
6. The Director shall provide training regarding:
- (d) Collaboration with teachers and other members of the staff of a school, pupils, family members of pupils and other persons, as appropriate, to reduce the negative impact of the traumatic event on the affected pupil and appropriate interventions that may be available to assist the pupil.

REGULATIONS

No relevant regulations found.

Monitoring and Accountability

Formal Incident Reporting of Conduct Violations

LAWS

NRS 388.1351. Staff member required to report violation to administrator; required actions and investigation; notification to parent or guardian; written report of findings and conclusions of investigation; follow-up with victim; list of resources to be provided to parent or guardian; appeal of disciplinary action; reassignment of pupil who is victim of bullying or cyber-bullying; reports.

1. Except as otherwise provided in NRS 388.13535, a teacher, administrator, coach or other staff member who witnesses a violation of NRS 388.135 or receives information that a violation of NRS 388.135 has occurred shall report the violation to the administrator or his or her designee as soon as practicable, but not later than a time during the same day on which the teacher, administrator, coach or other staff member witnessed the violation or received information regarding the occurrence of a violation. [...]

12. A principal or his or her designee shall submit a monthly report to the direct supervisor of the principal that includes for the school the number of:

- (a) Reports received pursuant to subsection 1;
- (b) Times in which a violation of NRS 388.135 is found to have occurred; and
- (c) Times in which no violation of NRS 388.135 is found to have occurred.

13. A direct supervisor who receives a monthly report pursuant to subsection 12 shall, each calendar quarter, submit a report to the Office for a Safe and Respectful Learning Environment that includes, for the schools for which the direct supervisor has received a monthly report in the calendar quarter, the:

- (a) Total number of reports received pursuant to subsection 1;
- (b) Number of times in which a violation of NRS 388.135 is found to have occurred; and
- (c) Number of times in which no violation of NRS 388.135 is found to have occurred.

NRS 388.1454. Legislative findings and declarations concerning SafeVoice Program.

The Legislature hereby finds and declares that a SafeVoice Program is necessary because it is the intent of the Legislature to enable the people of this State to easily and anonymously provide to appropriate state or local public safety agencies and to school administrators information about dangerous, violent or unlawful activities, or the threat of such activities, conducted on school property, at an activity sponsored by a public school, on a school bus of a public school or by a pupil enrolled at a public school.

NRS 388.1455. Establishment of SafeVoice Program; requirements of Program; support center for initial reports; training regarding Program and support center; duties of Director; reports, policies and regulation.

1. The Director shall establish the SafeVoice Program within the Office for a Safe and Respectful Learning Environment. The Program must enable any person to report to the Program any dangerous, violent or unlawful activity which is being conducted, or is threatened to be conducted, on school property, at an activity sponsored by a public school, on a school bus of a public school or by a pupil enrolled at a public school. Any information relating to any such dangerous, violent or unlawful activity, or threat thereof, received by the Program is confidential and, except as otherwise authorized pursuant to subsection 2 and NRS 388.1458, must not be disclosed to any person.

2. The SafeVoice Program must include, without limitation, methods and procedures to ensure that:

(a) Information reported to the Program is promptly forwarded to the appropriate public safety agencies, the Department and other appropriate state agencies, school administrators and other school employees, including, without limitation, the teams appointed pursuant to NRS 388.14553;

(b) The identity of a person who reports information to the Program may remain anonymous, unless the policies established and regulations adopted pursuant to subsection 6 require the identity of such a person to be disclosed; and

(c) The appropriate public safety agencies may access personally identifiable information concerning a pupil:

(1) To take the appropriate action in response to an activity or threat reported pursuant to this section;

(2) Twenty-four hours a day; and

(3) Subject to the confidentiality required pursuant to this section.

3. On behalf of the SafeVoice Program, the Director or his or her designee shall establish and operate a support center that meets the requirements of NRS 388.14557, which includes, without limitation, a hotline, Internet website, mobile telephone application and text messaging application or enter into an agreement with an organization that the Director determines is appropriately qualified and experienced, pursuant to which the organization will establish and operate such a support center, which includes, without limitation, a hotline, Internet website, mobile telephone application and text messaging application. The support center shall receive initial reports made to the Program through the hotline, Internet website, mobile telephone application and text messaging application and forward the information contained in the reports in the manner required by subsection 2.

4. The Director shall provide training regarding:

(a) The Program to employees and volunteers of each public safety agency, public safety answering point, board of trustees of a school district, governing body of a charter school and any other entity whose employees and volunteers the Director determines should receive training regarding the Program.

(b) Properly responding to a report received from the support center, including, without limitation, the manner in which to respond to reports of different types of dangerous, violent and unlawful activity and threats of such activity, to each member of a team appointed pursuant to NRS 388.14553.

(c) The procedure for making a report to the support center using the hotline, Internet website, mobile telephone application and text messaging application and collaborating to prevent dangerous, violent and unlawful activity directed at teachers and other members of the staff of a school, pupils, family members of pupils and other persons.

5. The Director shall:

(a) Post information concerning the SafeVoice Program on an Internet website maintained by the Director;

(b) Provide to each public school educational materials regarding the SafeVoice Program, including, without limitation, information about the telephone number, address of the Internet website, mobile telephone application, text messaging application and any other methods by which a report may be made; and

(c) On or before July 1 of each year, submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Committee on Education a report containing a summary of the information reported to the Director pursuant to NRS 388.14557 during the immediately preceding 12 months and any other information that the Director determines would assist the Committee to evaluate the SafeVoice Program.

6. The Department shall establish policies and adopt regulations pursuant to subsection 2 relating to the disclosure of the identity of a person who reports information to the Program. The regulations must include, without limitation, the disclosure of the identity of a person who reported information to the Program:

- (a) To ensure the safety and well-being of the person who reported information to the Program;
- (b) To comply with the provisions of NRS 388.1351; or
- (c) If the person knowingly reported false information to the Program.

7. As used in this section:

- (a) "Public safety agency" has the meaning ascribed to it in NRS 239B.020.
- (b) "Public safety answering point" has the meaning ascribed to it in NRS 707.500.

NRS 388.14553. Appointment of team to receive notification of certain activity; certain information regarding Program to appear on identification cards of pupils and be posted conspicuously; member of team to take appropriate action upon receipt of notification.

1. The board of trustees of a school district or the governing body of a charter school shall:

(a) Appoint a team of at least three members of the staff of each public school, other than a charter school, that is located in the school district or of the charter school, as applicable, including, without limitation, a school counselor, psychologist, social worker or a similar person, if the school employs such a person on a full-time basis, and a school administrator. The team must receive notification if the support center receives:

- (1) A report through the SafeVoice Program of any dangerous, violent or unlawful activity which is being conducted, or is threatened to be conducted, on the property of the school, at an activity sponsored by the school, on a school bus of the school or by a pupil enrolled at the school; or
- (2) Notification through the Handle with Care Program of a pupil who was exposed to a traumatic event.

(b) Ensure that information concerning the SafeVoice Program, including, without limitation, the telephone number for the hotline established pursuant to NRS 388.1455:

- (1) Appears on the back of any identification card issued to pupils and staff at the school; and
- (2) Is posted in conspicuous locations around the school, which may include, without limitation, the front office, the cafeteria or a school bus.

2. Upon receiving notification from the support center through the SafeVoice Program or the Handle with Care Program, a member of the appropriate team appointed pursuant to paragraph (a) of subsection 1 shall take appropriate action in accordance with the training he or she has received pursuant to NRS 388.1455 or 388.14538 to respond to the activity, threat or traumatic event, as applicable.

3. The team appointed pursuant to paragraph (a) of subsection 1 may:

- (a) Include a person appointed by the public school pursuant to NRS 388.247 to a committee to review the plan developed for the school pursuant to NRS 388.243.
- (b) Allow another person to temporarily serve on the team if a member of the team is unavailable.

REGULATIONS

NAC 388.890. Reporting of information regarding bullying or cyber-bullying by pupils; actions of principal or designee when ensuring safety and well-being of reported victim.

1. A pupil who is a victim of bullying or cyber-bullying in violation of NRS 388.135, witnesses a violation of NRS 388.135 or receives information that a violation of NRS 388.135 has occurred may report the violation:
 - (a) To any employee or volunteer in the public school or school district in which the pupil is enrolled, including, without limitation, a teacher, counselor, coach or administrator;
 - (b) Through the 24-hour, toll-free statewide hotline or Internet website maintained by the Office for a Safe and Respectful Learning Environment pursuant to NRS 388.1323; or
 - (c) Through a hotline or Internet website maintained by the school district in which the pupil is enrolled, if the school district maintains such a hotline or website.
2. When ensuring the safety and well-being of a reported victim of bullying or cyber-bullying as required by NRS 388.1351, the principal or his or her designee:
 - (a) Shall not take any action that may cause harm to the reported victim, including, without limitation, requiring the reported victim to change classrooms or isolating the reported victim from his or her peers.
 - (b) Shall, to the extent practicable, talk privately and discreetly about the violation with the reported victim, without bringing undue attention to the reported victim.

Parental Notification

LAWS

NRS 388.1351. Staff member required to report violation to administrator; required actions and investigation; notification to parent or guardian; written report of findings and conclusions of investigation; follow-up with victim; list of resources to be provided to parent or guardian; appeal of disciplinary action; reassignment of pupil who is victim of bullying or cyber-bullying; reports.

1. Except as otherwise provided in NRS 388.13535, a teacher, administrator, coach or other staff member who witnesses a violation of NRS 388.135 or receives information that a violation of NRS 388.135 has occurred shall report the violation to the administrator or his or her designee as soon as practicable, but not later than a time during the same day on which the teacher, administrator, coach or other staff member witnessed the violation or received information regarding the occurrence of a violation.
2. Except as otherwise provided in this subsection, upon receiving a report required by subsection 1, the administrator or designee shall immediately take any necessary action to stop the bullying or cyber-bullying and ensure the safety and well-being of the reported victim or victims of the bullying or cyber-bullying and shall begin an investigation into the report. If the administrator or designee does not have access to the reported victim of the alleged violation of NRS 388.135, the administrator or designee may wait until the next school day when he or she has such access to take the action required by this subsection.
3. The investigation conducted pursuant to subsection 2 must include, without limitation:
 - (a) Except as otherwise provided in subsection 4, notification provided by telephone, electronic mail or other electronic means or provided in person, of the parents or guardians of all pupils directly involved in the reported bullying or cyber-bullying, as applicable, either as a reported aggressor or a reported victim of the bullying or cyber-bullying. The notification must be provided:

(1) If the bullying or cyber-bullying is reported before the end of school hours on a school day, before the school's administrative office closes on the day on which the bullying or cyber-bullying is reported; or

(2) If the bullying or cyber-bullying was reported on a day that is not a school day, or after school hours on a school day, before the school's administrative office closes on the school day following the day on which the bullying or cyber-bullying is reported.

(b) Interviews with all pupils whose parents or guardians must be notified pursuant to paragraph (a) and with all such parents and guardians.

4. If the contact information for the parent or guardian of a pupil in the records of the school is not correct, a good faith effort to notify the parent or guardian shall be deemed sufficient to meet the requirement for notification pursuant to paragraph (a) of subsection 3.

NRS 392.140. Conditions under which pupil declared habitual truant; applicability.

1. Any child who has been declared a truant three or more times within one school year must be declared a habitual truant.

2. Any child who has once been declared a habitual truant and who in an immediately succeeding year is absent from school without the written:

(a) Approval of the child's teacher or the principal of the school pursuant to subsection 1 of NRS 392.130; or

(b) Notice of his or her parent or legal guardian or other person who has control or charge over the pupil pursuant to subsection 3 of NRS 392.130, may again be declared a habitual truant.

3. The provisions of this section apply to all pupils who are required to attend school pursuant to NRS 392.040.

NRS 392.144. Duties of school if pupil is truant; habitual truant must be reported to attendance officer or law enforcement, referred to advisory board or referred for imposition of administrative sanctions.

1. If a pupil has one or more unapproved absences from school, the school in which the pupil is enrolled shall take reasonable actions designed, as applicable, to encourage, enable or convince the pupil to attend school.

2. If a pupil is a habitual truant pursuant to NRS 392.140, or if a pupil who is a habitual truant pursuant to NRS 392.140 is again declared truant pursuant to NRS 392.130 in the same school year after being declared a habitual truant, the principal of the school shall:

(a) Report the pupil to an attendance officer, a school police officer or the local law enforcement agency for investigation and issuance of a citation, if warranted, in accordance with NRS 392.149;

(b) If the parent or legal guardian of a pupil has signed a written consent pursuant to subsection 4, submit a written referral of the pupil to the advisory board to review school attendance in the county in accordance with NRS 392.146; or

(c) Refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148.

3. The board of trustees of each school district shall adopt criteria to determine whether the principal of a school shall:

(a) Report a pupil to an attendance officer, a school police officer or the law enforcement agency pursuant to paragraph (a) of subsection 2;

(b) Refer a pupil to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2; or

- (c) Refer a pupil for the imposition of administrative sanctions pursuant to paragraph (c) of subsection 2.
4. If the principal of a school makes an initial determination to submit a written referral of a pupil to the advisory board to review school attendance, the principal shall notify the parent or legal guardian of the pupil and request the parent or legal guardian to sign a written consent that authorizes the school and, if applicable, the school district to release the records of the pupil to the advisory board to the extent that such release is necessary for the advisory board to carry out its duties pursuant to NRS 392.146 and 392.147. The written consent must comply with the applicable requirements of 20 U.S.C. § 1232g(b) and 34 C.F.R. Part 99. If the parent or legal guardian refuses to sign the consent, the principal shall:
- (a) Report the pupil to an attendance officer, a school police officer or the local law enforcement agency pursuant to paragraph (a) of subsection 2; or
 - (b) Refer the pupil for the imposition of administrative sanctions pursuant to paragraph (c) of subsection 2.

NRS 392.146. Contents of written referral to advisory board; notice to parents or guardian.

A written referral of a pupil to an advisory board to review school attendance must include the dates on which the pupil was truant from school and all action taken by the school to assist the pupil to attend school. The advisory board may request clarification of any information contained in the written referral or any additional information that the advisory board considers necessary. The school shall provide written notice of the referral to the parents or legal guardian of the pupil. The written notice must include, without limitation:

- 1. The name and address of the pupil referred;
- 2. A written explanation of the reason for the referral;
- 3. A summary of the provisions of NRS 392.147; and
- 4. The address and telephone number of the advisory board to review school attendance.

NRS 392.149. Issuance of citation to habitual truant; applicability.

- 1. Upon receipt of a report pursuant to NRS 392.144 or 392.147, if it appears after investigation that a pupil is a habitual truant, the attendance officer, school police officer or law enforcement agency to whom the report is made shall prepare manually or electronically a citation directing the pupil to appear in the proper juvenile court.
- 2. A copy of the citation must be delivered to the pupil and to the parent, guardian or any other person who has control or charge of the pupil by:
 - (a) The local law enforcement agency;
 - (b) A school police officer employed by the board of trustees of the school district; or
 - (c) An attendance officer appointed by the board of trustees of the school district.
- 3. The citation must be in the form prescribed for misdemeanor citations in NRS 171.1773.
- 4. The provisions of this section apply to all pupils who are required to attend school pursuant to NRS 392.040.

NRS 392.4645. Removal of pupil: Notice; assignment to temporary alternative placement; exceptions.

- 1. The plan established pursuant to NRS 392.4644 must provide for the temporary removal of a pupil from a classroom or other premises of a public school if, in the judgment of the teacher or other staff member responsible for the classroom or other premises, as applicable, the pupil has engaged in behavior that seriously interferes with the ability of the teacher to teach the other pupils in the classroom and with the ability of the other pupils to learn or with the ability of the staff member to discharge his or

her duties. The plan must provide that, upon the removal of a pupil from a classroom or any other premises of a public school pursuant to this section, the principal of the school shall provide an explanation of the reason for the removal of the pupil to the pupil and offer the pupil an opportunity to respond to the explanation. Within 24 hours after the removal of a pupil pursuant to this section, the principal of the school shall notify the parent or legal guardian of the pupil of the removal.

2. Except as otherwise provided in subsection 3, a pupil who is removed from a classroom or any other premises of a public school pursuant to this section may be assigned to a temporary alternative placement pursuant to which the pupil:

- (a) Is separated, to the extent practicable, from pupils who are not assigned to a temporary alternative placement;
- (b) Studies or remains under the supervision of appropriate personnel of the school district; and
- (c) Is prohibited from engaging in any extracurricular activity sponsored by the school.

3. The principal shall not assign a pupil to a temporary alternative placement if the suspension or expulsion of a pupil who is removed from the classroom pursuant to this section is:

- (a) Required by NRS 392.466; or
- (b) Authorized by NRS 392.467 and the principal decides to proceed in accordance with that section.

If the principal proceeds in accordance with NRS 392.466 or 392.467, the pupil must be removed from school in accordance with those sections and the provisions of NRS 392.4642 to 392.4648, inclusive, do not apply to the pupil.

NRS 392.4655. Conditions under which pupil deemed habitual disciplinary problem; plan of behavior to prevent pupil from being deemed habitual disciplinary problem; appeal by parent or guardian concerning content of plan or action taken pursuant to plan.

1. Except as otherwise provided in this section, a principal of a school shall deem a pupil enrolled in the school a habitual disciplinary problem if the school has written evidence which documents that in 1 school year:

- (a) The pupil has threatened or extorted, or attempted to threaten or extort, another pupil or a teacher or other personnel employed by the school two or more times or the pupil has a record of five suspensions from the school for any reason; and
- (b) The pupil has not entered into and participated in a plan of behavior pursuant to subsection 5.

2. At least one teacher of a pupil who is enrolled in elementary school and at least two teachers of a pupil who is enrolled in junior high, middle school or high school may request that the principal of the school deem a pupil a habitual disciplinary problem. Upon such a request, the principal of the school shall meet with each teacher who made the request to review the pupil's record of discipline. If, after the review, the principal of the school determines that the provisions of subsection 1 do not apply to the pupil, a teacher who submitted a request pursuant to this subsection may appeal that determination to the board of trustees of the school district. Upon receipt of such a request, the board of trustees shall review the initial request and determination pursuant to the procedure established by the board of trustees for such matters.

3. If a pupil is suspended, the school in which the pupil is enrolled shall provide written notice to the parent or legal guardian of the pupil that contains:

- (a) A description of the act committed by the pupil and the date on which the act was committed;
- (b) An explanation that if the pupil receives five suspensions on his or her record during the current school year and has not entered into and participated in a plan of behavior pursuant to subsection 5, the pupil will be deemed a habitual disciplinary problem;

(c) An explanation that, pursuant to subsection 5 of NRS 392.466, a pupil who is deemed a habitual disciplinary problem may be:

(1) Suspended from school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or

(2) Expelled from school under extraordinary circumstances as determined by the principal of the school;

(d) If the pupil has a disability and is participating in a program of special education pursuant to NRS 388.419, an explanation of the effect of subsection 10 of NRS 392.466, including, without limitation, that if it is determined in accordance with 20 U.S.C. § 1415 that the pupil's behavior is not a manifestation of the pupil's disability, he or she may be suspended or expelled from school in the same manner as a pupil without a disability; and

(e) A summary of the provisions of subsection 5.

4. A school shall provide the notice required by subsection 3 for each suspension on the record of a pupil during a school year. Such notice must be provided at least 7 days before the school deems the pupil a habitual disciplinary problem.

5. If a pupil is suspended, the school in which the pupil is enrolled shall develop, in consultation with the pupil and the parent or legal guardian of the pupil, a plan of behavior for the pupil. The parent or legal guardian of the pupil may choose for the pupil not to participate in the plan of behavior. If the parent or legal guardian of the pupil chooses for the pupil not to participate, the school shall inform the parent or legal guardian of the consequences of not participating in the plan of behavior. Such a plan must be designed to prevent the pupil from being deemed a habitual disciplinary problem and may include, without limitation:

(a) A plan for graduating if the pupil is deficient in credits and not likely to graduate according to schedule.

(b) Information regarding schools with a mission to serve pupils who have been:

(1) Expelled or suspended from a public school, including, without limitation, a charter school; or

(2) Deemed to be a habitual disciplinary problem pursuant to this section.

(c) A voluntary agreement by the parent or legal guardian to attend school with his or her child.

(d) A voluntary agreement by the pupil and the pupil's parent or legal guardian to attend counseling, programs or services available in the school district or community.

(e) A voluntary agreement by the pupil and the pupil's parent or legal guardian that the pupil will attend summer school, intersession school or school on Saturday, if any of those alternatives are offered by the school district.

6. If a pupil commits the same act for which notice was provided pursuant to subsection 3 after he or she enters into a plan of behavior pursuant to subsection 5, the pupil shall be deemed to have not successfully completed the plan of behavior and may be deemed a habitual disciplinary problem.

7. A pupil may, pursuant to the provisions of this section, enter into one plan of behavior per school year.

8. The parent or legal guardian of a pupil who has entered into a plan of behavior with a school pursuant to this section may appeal to the board of trustees of the school district a determination made by the school concerning the contents of the plan of behavior or action taken by the school pursuant to the plan of behavior. Upon receipt of such a request, the board of trustees of the school district shall review the determination in accordance with the procedure established by the board of trustees for such matters.

NRS 392.4657. Conditions under which pupil deemed suspended.

A pupil shall be deemed suspended from school if the school in which the pupil is enrolled:

1. Prohibits the pupil from attending school for 3 or more consecutive days; and
2. Requires a conference or some other form of communication with the parent or legal guardian of the pupil before the pupil is allowed to return to school.

REGULATIONS

NAC 388.900. Requirements of investigation of report; documentation of interviews conducted as part of investigation.

1. The initial notification provided pursuant to NRS 388.1351 to the parents and guardians of pupils directly involved in a reported violation of NRS 388.135:
 - (a) Must include, without limitation, a statement that the principal or his or her designee will be conducting an investigation of the reported violation and that the parent or guardian may discuss with the principal or designee any counseling or intervention services that are available to the pupil.
 - (b) Must not include any personally identifiable information of a pupil other than the pupil to whose parent or guardian the notification is provided.
2. A principal or his or her designee shall maintain a record of each notification made pursuant to subsection 1, including all good faith efforts to notify a parent or guardian if the contact information for the parent or guardian is not correct.

Data Collection, Review, and Reporting of Discipline Policies and Actions

LAWS

NRS 385.175. Designation as educational leader for system of K-12 public education; general duties.

The Superintendent of Public Instruction is the educational leader for the system of K-12 public education in this State. The Superintendent of Public Instruction shall:

1. Execute, direct or supervise all administrative, technical and procedural activities of the Department in accordance with policies prescribed by the State Board.
2. Employ personnel for the positions approved by the State Board and necessary for the efficient operation of the Department.
3. Organize the Department in a manner which will assure efficient operation and service.
4. Maintain liaison and coordinate activities with other state agencies performing educational functions.
5. Enforce the observance of this title and all other statutes and regulations governing K-12 public education.
6. Request a plan of corrective action from the board of trustees of a school district or the governing body of a charter school if the Superintendent of Public Instruction determines that the school district or charter school, or any other entity which provides education to a pupil with a disability for a school district or charter school, has not complied with a requirement of this title or any other statute or regulation governing K-12 public education. The plan of corrective action must provide a timeline approved by the Superintendent of Public Instruction for compliance with the statute or regulation.
7. Report to the State Board on a regular basis the data on the discipline of pupils and trends in the data on the discipline of pupils collected pursuant to NRS 385A.840.
8. Perform such other duties as are prescribed by law.

NRS 385.230. Annual report of the state of public education; contents of report; presentation and submission of report.

1. The Department shall, in conjunction with the State Board, prepare an annual report of the state of public education in this State. The report must include, without limitation:

(p) An analysis of data on the discipline of pupils collected pursuant to NRS 385A.840, including, without limitation:

(1) Trends in the data measuring changes in the discipline of pupils; and

(2) Areas identified by the Department where the Department will provide support to a public school to address trends in the data on the discipline of pupils.

2. In odd-numbered years, the Superintendent of Public Instruction shall present the report prepared pursuant to subsection 1 in person to the Governor and each standing committee of the Legislature with primary jurisdiction over matters relating to K-12 public education at the beginning of each regular session of the Legislature.

3. In even-numbered years, the Superintendent of Public Instruction shall, on or before January 31, submit a written copy of the report prepared pursuant to subsection 1 to the Governor and to the Legislative Committee on Education.

NRS 385A.240. Attendance, truancy and transiency of pupils.

1. The annual report of accountability prepared pursuant to NRS 385A.070 must include information on the attendance, truancy and transiency of pupils, including, without limitation:

(a) Records of the attendance and truancy of pupils in all grades, including, without limitation:

(1) The average daily attendance of pupils, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district.

(2) For each elementary school, middle school and junior high school in the district, including, without limitation, each charter school sponsored by the district that provides instruction to pupils enrolled in a grade level other than high school, information that compares the attendance of the pupils enrolled in the school with the attendance of pupils throughout the district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(b) The number of pupils in each grade who are retained in the same grade pursuant to NRS 392.033, 392.125 or 392.760, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district.

(c) The transiency rate of pupils for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district. For the purposes of this paragraph, a pupil is not transient if the pupil is transferred to a different school within the school district as a result of a change in the zone of attendance by the board of trustees of the school district pursuant to NRS 388.040.

(d) The number of habitual truants reported for each school in the district and for the district as a whole, including, without limitation, the number who are:

(1) Reported to an attendance officer, a school police officer or a local law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144;

(2) Referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144; and

(3) Referred for the imposition of administrative sanctions pursuant to paragraph (c) of subsection 2 of NRS 392.144.

2. The information included pursuant to subsection 1 must allow such information to be disaggregated by:
 - (a) Pupils who are economically disadvantaged;
 - (b) Pupils from major racial and ethnic groups;
 - (c) Pupils with disabilities;
 - (d) Pupils who are English learners;
 - (e) Pupils who are migratory children;
 - (f) Gender;
 - (g) Pupils who are homeless;
 - (h) Pupils in foster care; and
 - (i) Pupils whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard.
3. On or before September 30 of each year:
 - (a) The board of trustees of each school district shall submit to each advisory board to review school attendance created in the county pursuant to NRS 392.126 the information required by paragraph (a) of subsection 1.
 - (b) The State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall submit to each advisory board to review school attendance created in a county pursuant to NRS 392.126 the information regarding the records of the attendance and truancy of pupils enrolled in the charter school located in that county, if any, in accordance with the regulations prescribed by the Department pursuant to subsection 3 of NRS 385A.070.

NRS 385A.250. Discipline of pupils.

1. The annual report of accountability prepared pursuant to NRS 385A.070 must include information on the discipline of pupils, including, without limitation:
 - (a) Records of incidents involving weapons or violence for each school in the district, including, without limitation, each charter school sponsored by the district.
 - (b) Records of incidents involving the use or possession of alcoholic beverages or controlled substances for each school in the district, including, without limitation, each charter school sponsored by the district.
 - (c) Records of the suspension or expulsion, or both, of pupils required or authorized pursuant to NRS 392.466 and 392.467.
 - (d) The number of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district.
 - (e) For each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district:
 - (1) The number of reported violations of NRS 388.135 occurring at a school or otherwise involving a pupil enrolled at a school, regardless of the outcome of the investigation conducted pursuant to NRS 388.1351;
 - (2) The number of incidents determined to be bullying or cyber-bullying after an investigation is conducted pursuant to NRS 388.1351;
 - (3) The number of incidents resulting in suspension or expulsion, or both, for bullying or cyber-bullying; and

- (4) Any actions taken to reduce the number of incidents of bullying or cyber-bullying including, without limitation, training that was offered or other policies, practices and programs that were implemented.
 - (f) For each high school in the district, including, without limitation, each charter school sponsored by the district that operates as a high school, and for high schools in the district as a whole:
 - (1) The number and percentage of pupils whose violations of the code of honor relating to cheating prescribed pursuant to NRS 392.461 or any other code of honor applicable to pupils enrolled in high school were reported to the principal of the high school, reported by the type of violation;
 - (2) The consequences, if any, to the pupil whose violation is reported pursuant to subparagraph (1), reported by the type of consequence;
 - (3) The number of any such violations of a code of honor in a previous school year by a pupil whose violation is reported pursuant to subparagraph (1), reported by the type of violation; and
 - (4) The process used by the high school to address violations of a code of honor which are reported to the principal.
2. The information included pursuant to subsection 1 must allow such information to be disaggregated by:
 - (a) Pupils who are economically disadvantaged;
 - (b) Pupils from major racial and ethnic groups;
 - (c) Pupils with disabilities;
 - (d) Pupils who are English learners;
 - (e) Pupils who are migratory children;
 - (f) Gender;
 - (g) Pupils who are homeless;
 - (h) Pupils in foster care; and
 - (i) Pupils whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard.
 3. As used in this section:
 - (a) "Bullying" has the meaning ascribed to it in NRS 388.122.
 - (b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

NRS 385A.400. Requirements for report; public dissemination of report.

1. The State Board shall, on or before January 15 of each year, prepare for the immediately preceding school year a single annual report of accountability that includes, without limitation, the information prescribed by NRS 385A.400 to 385A.520, inclusive.
2. A separate reporting for a group of pupils must not be made pursuant to NRS 385A.400 to 385A.520, inclusive, if the number of pupils in that group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The Department shall use the mechanism approved by the United States Department of Education for the statewide system of accountability for public schools for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.
3. The annual report of accountability must:
 - (a) Be prepared in a concise manner; and
 - (b) Be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand.

4. On or before January 15 of each year, the State Board shall provide for public dissemination of the annual report of accountability by posting a copy of the report on the Internet website maintained by the Department.

5. Upon the request of the Governor, the Attorney General, the Committee, the Bureau, the Board of Regents of the University of Nevada, the board of trustees of a school district, the State Public Charter School Authority, a college or university within the Nevada System of Higher Education, the governing body of a charter school or a member of the general public, the State Board shall provide a portion or portions of the annual report of accountability.

NRS 385A.450. Attendance, truancy and transiency of pupils.

The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include information on the attendance, truancy and transiency of pupils, including, without limitation:

1. For all elementary schools, junior high schools and middle schools, the rate of attendance, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

2. The number of pupils in each grade who are retained in the same grade pursuant to NRS 392.033, 392.125 or 392.760, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

3. The transiency rate of pupils, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole. For the purposes of this subsection, a pupil is not a transient if the pupil is transferred to a different school within the school district as a result of a change in the zone of attendance by the board of trustees of the school district pursuant to NRS 388.040.

4. The number of habitual truants reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole, including, without limitation, the number who are:

(a) Reported to an attendance officer, a school police officer or a local law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144;

(b) Referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144; and

(c) Referred for the imposition of administrative sanctions pursuant to paragraph (c) of subsection 2 of NRS 392.144.

NRS 385A.460. Discipline of pupils.

1. The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include information on the discipline of pupils, including, without limitation:

(a) Incidents involving weapons or violence, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(b) Incidents involving the use or possession of alcoholic beverages or controlled substances, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(c) The suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(d) The number of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(e) For each school district, including, without limitation, each charter school in the district, and for this State as a whole:

(1) The number of reported violations of NRS 388.135 occurring at a school or otherwise involving a pupil enrolled at a school, regardless of the outcome of the investigation conducted pursuant to NRS 388.1351;

(2) The number of incidents determined to be bullying or cyber-bullying after an investigation is conducted pursuant to NRS 388.1351;

(3) The number of incidents resulting in suspension or expulsion for bullying or cyber-bullying; and

(4) Any actions taken to reduce the number of incidents of bullying or cyber-bullying, including, without limitation, training that was offered or other policies, practices and programs that were implemented.

(f) For each high school in each school district, including, without limitation, each charter school that operates as a high school, and for the high schools in this State as a whole:

(1) The number and percentage of pupils whose violations of the code of honor relating to cheating prescribed pursuant to NRS 392.461 or any other code of honor applicable to pupils enrolled in high school were reported to the principal of the high school, reported by the type of violation;

(2) The consequences, if any, to the pupil whose violation is reported pursuant to subparagraph (1), reported by the type of consequence;

(3) The number of any such violations of a code of honor in a previous school year by a pupil whose violation is reported pursuant to subparagraph (1), reported by the type of violation; and

(4) The process used by the high school to address violations of a code of honor which are reported to the principal.

2. As used in this section:

(a) "Bullying" has the meaning ascribed to it in NRS 388.122.

(b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

NRS 385A.840. Collection and reporting of data on discipline of pupils.

1. Each public school in this State shall collect data on the discipline of pupils. Such data must:

(a) Be reported annually to the Department through the automated system of accountability information established pursuant to NRS 385A.800;

(b) Be disaggregated into subgroups of pupils; and

(c) Include occurrences of suspension and expulsion as separate offenses.

2. The Department shall:

(a) Develop and provide guidance to each school district in this State on methods and procedures for the collection of data on the discipline of pupils pursuant to subsection 1;

(b) Establish standard definitions of an offense for which a pupil may be disciplined and any related sanctions; and

(c) Provide training and professional development to educational personnel relating to the reporting and analysis of data on the discipline of pupils. Such training must, without limitation, provide educational personnel with the ability to create a report of any data on the discipline of pupils, interpret the results of such a report and develop a responsive plan of action based on the results of such a report.

NRS 388.134. Policy by governing bodies for provision of safe and respectful learning environment and policy for ethical, safe and secure use of computers; provision of training to governing bodies and school personnel; posting of policies on Internet website; annual review and update of policies.

Each governing body shall:

1. Adopt the policy prescribed pursuant to NRS 388.133 and the policy prescribed pursuant to subsection 2 of NRS 389.520. The governing body may adopt an expanded policy for one or both of the policies if each expanded policy complies with the policy prescribed pursuant to NRS 388.133 or pursuant to subsection 2 of NRS 389.520, as applicable.
2. Provide for the appropriate training of members of the governing body and all administrators, teachers and all other personnel employed by the governing body in accordance with the policies prescribed pursuant to NRS 388.133 and pursuant to subsection 2 of NRS 389.520. For members of the governing body who have not previously served on the governing body or for employees of the school district or school who have not previously been employed by the district or school, the training required by this subsection must be provided within 180 days after the member begins his or her service or after the employee begins his or her employment, as applicable.
3. Post the policies adopted pursuant to subsection 1 on the Internet website maintained by the school district or school.
4. Ensure that the parents and legal guardians of pupils enrolled in the school district or school have sufficient information concerning the availability of the policies, including, without limitation, information that describes how to access the policies on the Internet website maintained by the school district or school. Upon the request of a parent or legal guardian, the school district or school shall provide the parent or legal guardian with a written copy of the policies.
5. Review the policies adopted pursuant to subsection 1 on an annual basis and update the policies if necessary. If the governing body updates the policies, the governing body must submit a copy of the updated policies to the Department within 30 days after the update.

NRS 388.513. Reporting of denial of rights; investigation and resolution of disputes by Department.

1. A denial of rights of a pupil with a disability pursuant to NRS 388.471 to 388.515, inclusive, must be entered in the pupil's cumulative record and a confidential file maintained for that pupil. Notice of the denial must be provided to the board of trustees of the school district or its designee.
2. If the board of trustees of a school district or its designee receives notice of a denial of rights pursuant to subsection 1, the board of trustees or its designee shall cause a full report to be prepared which must set forth in detail the factual circumstances surrounding the denial. A copy of the report must be provided to the Department.
3. The Department:
 - (a) Shall receive reports made pursuant to subsection 2;
 - (b) May investigate apparent violations of the rights of pupils with disabilities; and
 - (c) May act to resolve disputes relating to apparent violations.

NRS 388.515. Annual report by school districts on use of restraint and violations; compilation of reports by Department; submission of compilation to Legislature.

1. The board of trustees of each school district shall, on or before August 1 of each year, prepare a report in the form prescribed by the Department that includes, without limitation, for each school within the school district:

- (a) The number of instances in which physical restraint was used at the school during the immediately preceding school year, which must indicate the number of instances per teacher employed at the school and per pupil enrolled at the school without disclosing personally identifiable information about the teacher or the pupil;
 - (b) The number of instances in which mechanical restraint was used at the school during the immediately preceding school year, which must indicate the number of instances per teacher employed at the school and per pupil enrolled at the school without disclosing personally identifiable information about the teacher or the pupil; and
 - (c) The number of violations of NRS 388.471 to 388.515, inclusive, by type of violation, which must indicate the number of violations per teacher employed at the school and per pupil enrolled at the school without disclosing personally identifiable information about the teacher or the pupil.
2. The board of trustees of each school district shall prescribe a form for each school within the school district to report the information set forth in subsection 1 to the school district and the time by which those reports must be submitted to the school district.
 3. On or before August 15 of each year, the board of trustees of each school district shall submit to the Department the written report prepared by the board of trustees pursuant to subsection 1.
 4. The Department shall compile the data received by each school district pursuant to subsection 3 and prepare a written report of the compilation, disaggregated by school district. On or before October 1 of each year, the Department shall submit the written compilation:
 - (a) In even-numbered years, to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature.
 - (b) In odd-numbered years, to the Legislative Committee on Education.
 5. If a particular item in a report required pursuant to this section would reveal personally identifiable information about an individual pupil or teacher, that item must not be included in the report.

NRS 388.14557. Requirements of support center.

The support center must:

1. Be capable of receiving reports made through the SafeVoice Program and notification provided through the Handle with Care Program;
2. Be available to receive reports and notifications and staffed with trained personnel 24 hours a day, 7 days a week, including holidays and other days when school is not in session;
3. Establish a process for handling a report or notification if personnel at the support center are unable to determine the location of the school or the person about whom the report or notification is made, or if the report or notification concerns a private school or an entity other than a school;
4. Train personnel at the support center who are involved in responding to reports and notifications to follow up on each report or notification by gathering information necessary to determine the validity of the report or notification and the severity of any threat;
5. Use a software system that is resistant to hacking and copying of information to protect the anonymity of persons who submit reports and notifications;
6. Develop and implement a standardized procedure for tracking the outcome of reports and notifications;
7. Compile statistics to determine:
 - (a) The most frequent days of the week on which reports and notifications are made;
 - (b) The most frequent times of the day for making reports and providing notifications;

(c) The types of dangerous, violent or unlawful activity that are reported and the frequency of reports of each type of dangerous, violent or unlawful activity;

(d) The frequency with which reports are submitted using the hotline, Internet website, mobile telephone application and text messaging application, respectively; and

(e) The outcome of reports and notifications;

8. Submit to the Director a quarterly report that contains the information compiled pursuant to subsection 7 and any other information necessary for the Director to evaluate the Programs or that is requested by the Director; and

9. Provide each report received through the SafeVoice Program to the appropriate law enforcement agency.

NRS 392.462. Collection by public school of data on discipline of pupils.

Each public school shall collect data on the discipline of pupils. Such data must include, without limitation, the number of expulsions and suspensions of pupils and the number of placements of pupils in another school. Such data must be disaggregated into subgroups of pupils and the types of offense. The principal of each public school shall:

1. Review the data and take appropriate action; and
2. Report the data to the board of trustees of the school district each quarter.

NRS 392.464. Plan for restorative discipline and on-site review of disciplinary decisions; annual review and revision of plan; posting and distribution of plan; written reports by board of trustees concerning compliance with section.

1. The board of trustees of each school district shall establish a plan to provide for the restorative discipline of pupils and on-site review of disciplinary decisions. The plan must:

(a) Be developed with the input and participation of teachers, school administrators and other educational personnel and support personnel who are employed by the school district, and the parents and guardians of pupils who are enrolled in schools within the school district.

(b) Be consistent with the written rules of behavior prescribed in accordance with NRS 392.463.

(c) Include, without limitation, provisions designed to address the specific disciplinary needs and concerns of each school within the school district.

(d) Provide restorative disciplinary practices which include, without limitation:

- (1) Holding a pupil accountable for his or her behavior;
- (2) Restoration or remedies related to the behavior of the pupil;
- (3) Relief for any victim of the pupil; and
- (4) Changing the behavior of the pupil.

(e) Provide for the temporary removal of a pupil from a classroom or other premises of a public school in accordance with NRS 392.4645.

(f) Provide for the placement of a pupil in a different school within the school district in accordance with NRS 392.466.

(g) Include the names of any members of a committee to review the temporary alternative placement of pupils required by NRS 392.4647.

(h) Be posted on the Internet website maintained by the school district.

2. On or before September 15 of each year, the principal of each public school shall:

- (a) Review the plan established by subsection 1 in consultation with the teachers, school administrators and other educational personnel and support personnel who are employed at the school and the parents and guardians of pupils and the pupils who are enrolled in the school;
 - (b) Based upon the review, recommend to the board of trustees of the school district revisions to the plan, as recommended by the teachers, school administrators and other educational personnel and support personnel and the parents and guardians of pupils and the pupils who are enrolled in the school, if necessary;
 - (c) Post a copy of the plan or the revised plan, as provided by the school district, on the Internet website maintained by the school; and
 - (d) Distribute to each teacher, school administrator and all educational support personnel who are employed at or assigned to the school a written or electronic copy of the plan or the revised plan, as provided by the school district.
3. On or before November 15 of each year, the board of trustees of each school district shall:
- (a) Submit a written report to the Superintendent of Public Instruction that reports the progress of each school within the district in complying with the requirements of this section; and
 - (b) Post a copy of the report on the Internet website maintained by the school district.

REGULATIONS

NAC 388.920. Annual report of accountability to exclude personally identifiable information of pupil involved in reported violation; certain persons not to interfere with reporting of statistics concerning violations.

1. The annual report of accountability prepared pursuant to NRS 385A.070 must not include the personally identifiable information of any pupil involved in a reported violation of NRS 388.135 or any other incident of bullying or cyber-bullying.
2. A teacher, administrator, principal, coach, other staff member or member of the board of trustees of a school district shall not interfere with the reporting of statistics concerning violations of NRS 388.135.

Partnerships between Schools and Law Enforcement

Referrals to Law Enforcement

LAWS

NRS 62E.030. Court to provide certain information to school district concerning certain offenses.

1. If a court determines that a child who is currently enrolled in school unlawfully caused or attempted to cause serious bodily injury to another person, the court shall provide the information specified in subsection 2 to the school district in which the child is currently enrolled.
2. The information required to be provided pursuant to subsection 1 must include:
 - (a) The name of the child;
 - (b) A description of any injury sustained by the other person;
 - (c) A description of any weapon used by the child; and
 - (d) A description of any threats made by the child against the other person before, during or after the incident in which the child injured or attempted to injure the person.
3. If a court determines that a child who is currently enrolled in school unlawfully engaged in bullying or cyber-bullying, the court shall provide the information specified in subsection 4 to the school district in which the child is currently enrolled.
4. The information required to be provided pursuant to subsection 3 must include:
 - (a) The name of the child;
 - (b) The name of the person who was the subject of the bullying or cyber-bullying; and
 - (c) A description of any bullying or cyber-bullying committed by the child against the other person.
5. As used in this section:
 - (a) "Bullying" has the meaning ascribed to it in NRS 388.122.
 - (b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

NRS 388.880. Immunity from civil liability for reporting threat of violence against school official, school employee or pupil; exceptions.

1. Except as otherwise provided in subsection 2, if any person who knows or has reasonable cause to believe that another person has made a threat of violence against a school official, school employee or pupil reports in good faith that threat of violence to a school official, teacher, school police officer, local law enforcement agency or potential victim of the violence that is threatened, the person who makes the report is immune from civil liability for any act or omission relating to that report. Such a person is not immune from civil liability for any other act or omission committed by the person as a part of, in connection with or as a principal, accessory or conspirator to the violence, regardless of the nature of the other act or omission.
2. The provisions of this section do not apply to a person who:
 - (a) Is acting in his or her professional or occupational capacity and is required to make a report pursuant to NRS 200.5093, 392.303 or 432B.220.
 - (b) Is required to make a report concerning the commission of a violent or sexual offense against a child pursuant to NRS 202.882.
3. As used in this section:

- (a) "Reasonable cause to believe" means, in light of all the surrounding facts and circumstances which are known, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred.
- (b) "School employee" means a licensed or unlicensed person who is employed by:
- (1) A board of trustees of a school district pursuant to NRS 391.100 or 391.281; or
 - (2) The governing body of a charter school.
- (c) "School official" means:
- (1) A member of the board of trustees of a school district.
 - (2) A member of the governing body of a charter school.
 - (3) An administrator employed by the board of trustees of a school district or the governing body of a charter school.
- (d) "Teacher" means a person employed by the:
- (1) Board of trustees of a school district to provide instruction or other educational services to pupils enrolled in public schools of the school district.
 - (2) Governing body of a charter school to provide instruction or other educational services to pupils enrolled in the charter school.

NRS 388.1352. Establishment of policy by governing body for employees to report violations to law enforcement.

A governing body, in conjunction with the school police officers of the school district, if any, and the local law enforcement agencies that have jurisdiction over the school district or school, shall establish a policy for the procedures which must be followed by an employee of the school district or school when reporting a violation of NRS 388.135 to a school police officer or local law enforcement agency.

NRS 388.1454. Legislative findings and declarations concerning SafeVoice Program.

The Legislature hereby finds and declares that a SafeVoice Program is necessary because it is the intent of the Legislature to enable the people of this State to easily and anonymously provide to appropriate state or local public safety agencies and to school administrators information about dangerous, violent or unlawful activities, or the threat of such activities, conducted on school property, at an activity sponsored by a public school, on a school bus of a public school or by a pupil enrolled at a public school.

NRS 391.281. Fingerprinting and investigation into the background of applicant for employment or appointment as school police officer and certain nonlicensed employees; use of certain information; disqualification of certain applicants, employees and volunteers; acceptance of gifts, grants and donations; immunity from liability; employment of school police officers; contract for police services; training in prevention of suicide.

5. The board of trustees of a school district may employ or appoint persons to serve as school police officers. If the board of trustees of a school district employs or appoints persons to serve as school police officers, the board of trustees shall employ a law enforcement officer to serve as the chief of school police who is supervised by the superintendent of schools of the school district. The chief of school police shall supervise each person appointed or employed by the board of trustees as a school police officer, including any school police officer that provides services to a charter school pursuant to a contract entered into with the board of trustees pursuant to NRS 388A.384. In addition, persons who provide police services pursuant to subsection 6 or 7 shall be deemed school police officers.

6. The board of trustees of a school district in a county that has a metropolitan police department created pursuant to chapter 280 of NRS may contract with the metropolitan police department for the provision

and supervision of police services in the public schools within the jurisdiction of the metropolitan police department and on property therein that is owned by the school district and on property therein that is owned or occupied by a charter school if the board of trustees has entered into a contract with the charter school for the provision of school police officers pursuant to NRS 388A.384. If a contract is entered into pursuant to this subsection, the contract must make provision for the transfer of each school police officer employed by the board of trustees to the metropolitan police department. If the board of trustees of a school district contracts with a metropolitan police department pursuant to this subsection, the board of trustees shall, if applicable, cooperate with appropriate local law enforcement agencies within the school district for the provision and supervision of police services in the public schools within the school district, including, without limitation, any charter school with which the school district has entered into a contract for the provision of school police officers pursuant to NRS 388A.384, and on property owned by the school district and, if applicable, the property owned or occupied by the charter school, but outside the jurisdiction of the metropolitan police department.

7. The board of trustees of a school district in a county that does not have a metropolitan police department created pursuant to chapter 280 of NRS may contract with the sheriff of that county for the provision of police services in the public schools within the school district, including, without limitation, in any charter school with which the board of trustees has entered into a contract for the provision of school police officers pursuant to NRS 388A.384, and on property therein that is owned by the school district and, if applicable, the property owned or occupied by the charter school.

8. The board of trustees of a school district shall ensure that each school police officer receives training in the prevention of suicide before beginning his or her service as a school police officer.

NRS 391.282. Jurisdiction of school police officers: law enforcement agency to respond to request for assistance by school district which does not have school police according to agency protocol.

1. The jurisdiction of each school police officer of a school district extends to all school property, buildings and facilities within the school district and, if the board of trustees has entered into a contract with a charter school for the provision of school police officers pursuant to NRS 388A.384, all property, buildings and facilities in which the charter school is located, for the purpose of:

- (a) Protecting school district personnel, pupils, or real or personal property; or
- (b) Cooperating with local law enforcement agencies in matters relating to personnel, pupils or real or personal property of the school district.

2. In addition to the jurisdiction set forth in subsection 1, a school police officer of a school district has jurisdiction:

- (a) Beyond the school property, buildings and facilities:
 - (1) When in hot pursuit of a person believed to have committed a crime; or
 - (2) While investigating matters that originated within the jurisdiction of the school police officer relating to personnel, pupils or real or personal property of the school district;
- (b) At activities or events sponsored by the school district that are in a location other than the school property, buildings or facilities within the school district; and
- (c) On the streets that are adjacent to the school property, buildings and facilities within the school district to enforce violations of traffic laws and ordinances.

3. A law enforcement agency that is contacted for assistance by a public school or private school which does not have school police shall respond according to the protocol of the law enforcement agency established for responding to calls for assistance from the general public.

NRS 391.283. Policy for procedures to be followed by peace officers in arresting pupil on school grounds during school hours.

1. The board of trustees of each school district, in conjunction with the school police officers of the school district, if any, and the local law enforcement agencies that have jurisdiction over the school district, shall establish a policy for the procedures which must be followed by a peace officer in arresting a pupil on school grounds during school hours. The policy must include the circumstances under which the chief administrative officer of a school must be notified of the arrest of a pupil.
2. Each law enforcement agency that has jurisdiction over any part of a school district shall adopt the policy which is established pursuant to subsection 1.

NRS 392.850. Provision of information to certain employees regarding unlawful conduct of pupil; immunity from liability under certain circumstances; confidentiality of information.

1. The board of trustees of a county school district, or its designee, shall inform each employee of the district, including teachers, other licensed employees, drivers of school buses, instructional aides and office managers, who may have consistent contact with a pupil if that pupil has, within the preceding 3 years, unlawfully caused or attempted to cause serious bodily injury to any person. The district shall provide this information based upon any written records that the district maintains or which it receives from a law enforcement agency or a court. The district need not initiate a request for such information from any source.
2. A school district and the members of its board of trustees are not liable for failure strictly to comply with this section if a good faith effort to comply is made.
3. Except as otherwise provided in NRS 239.0115, any information received by an employee pursuant to this section is confidential and must not be further disseminated by the employee.

NRS 392.4633. Corporal punishment prohibited.

1. Corporal punishment must not be administered upon a pupil in any public school.
2. Subsection 1 does not prohibit any person from defending himself or herself if attacked by a pupil.
3. As used in this section, "corporal punishment" means the intentional infliction of physical pain upon or the physical restraint of a pupil for disciplinary purposes. The term does not include the use of reasonable and necessary force:
 - (a) To quell a disturbance that threatens physical injury to any person or the destruction of property;
 - (b) To obtain possession of a weapon or other dangerous object within a pupil's control;
 - (c) For the purpose of self-defense or the defense of another person; or
 - (d) To escort a disruptive pupil who refuses to go voluntarily with the proper authorities.

NRS 392.4638. Board of trustees authorized to adopt policy for pupils to report unlawful activity being conducted on school property, activity sponsored by public school or on school bus.

1. The board of trustees of each school district may adopt a policy that allows a pupil enrolled in a public school within the school district to report, anonymously if the pupil chooses, any unlawful activity which is being conducted on school property, at an activity sponsored by a public school or on a school bus. The policy may include, without limitation:
 - (a) The types of unlawful activities which a pupil may report; and
 - (b) The manner in which a pupil may report the unlawful activities.
2. The board of trustees of a school district may work in consultation with a local law enforcement agency or other governmental entity, corporation, business, organization or other entity to assist the board of trustees in the implementation of a policy adopted pursuant to subsection 1.

3. If the board of trustees of a school district adopts a policy pursuant to subsection 1, each public school within the school district shall post prominently in various locations at the school the policy adopted pursuant to subsection 1, which must clearly denote the phone number and any other methods by which a report may be made. If a public school maintains an Internet website for the school, the policy must also be posted on the school's website.

4. If the board of trustees of a school district adopts a policy pursuant to subsection 1, the board of trustees shall post the policy on the Internet website maintained by the school district.

REGULATIONS

No relevant regulations found.

School Resource Officer (SRO) or School Security Officer (SSO) Training or Certification

LAWS

NRS 280.287. Contract for provision and supervision of police services in public schools and charter schools; qualifications and training for officers assigned to school police unit.

1. The department may enter into a contract with the board of trustees of the school district located in the county served by the department for the provision and supervision of police services in the public schools within the school district and any charter school with which the board of trustees has entered into a contract for the provision of school police officers pursuant to NRS 388A.384, and on property owned by the school district and, if applicable, on property owned or operated by a charter school. If the department enters into a contract pursuant to this section, the department shall create a separate unit designated as the school police unit for this purpose.

2. The department may establish different qualifications and training requirements for officers assigned to the school police unit than those generally applicable to officers of the department.

NRS 388.2565. Training for school resource officers in prevention of suicide.

The board of trustees of a school district, governing body of a charter school or governing body of a university school for profoundly gifted pupils shall:

1. Ensure that each school resource officer receives training in the prevention of suicide; and
2. Allow a school resource officer to complete the training required by subsection 1 electronically and during working hours.

NRS 388.14538. Handle with Care Program: Establishment; notification of exposure of child to traumatic event or certain other events; training; regulations.

6. The Director shall provide training regarding:

- (a) The Handle with Care Program to law enforcement agencies and employees of law enforcement agencies that may respond to a traumatic event involving a child, the board of trustees of a school district, the governing body of a charter school and any other entity whose employees and volunteers the Director determines should receive training regarding the Program.

NRS 391.281. Fingerprinting and investigation into the background of applicant for employment or appointment as school police officer and certain nonlicensed employees; use of certain information; disqualification of certain applicants, employees and volunteers; acceptance of gifts,

grants and donations; immunity from liability; employment of school police officers; contract for police services; training in prevention of suicide.

8. The board of trustees of a school district shall ensure that each school police officer receives training in the prevention of suicide before beginning his or her service as a school police officer.

REGULATIONS

No relevant regulations found.

Authorizations, Memoranda of Understanding (MOUs), and/or Funding

LAWS

NRS 280.287. Contract for provision and supervision of police services in public schools and charter schools; qualifications and training for officers assigned to school police unit.

1. The department may enter into a contract with the board of trustees of the school district located in the county served by the department for the provision and supervision of police services in the public schools within the school district and any charter school with which the board of trustees has entered into a contract for the provision of school police officers pursuant to NRS 388A.384, and on property owned by the school district and, if applicable, on property owned or operated by a charter school. If the department enters into a contract pursuant to this section, the department shall create a separate unit designated as the school police unit for this purpose.

2. The department may establish different qualifications and training requirements for officers assigned to the school police unit than those generally applicable to officers of the department.

NRS 388.243. Development committee: Development of plan to be used by schools in responding to crisis, emergency or suicide; submission of plan to board of trustees or governing body of charter school and Division of Emergency Management of Department of Public Safety; compliance with plan required.

1. Each development committee established by the board of trustees of a school district shall develop one plan, which constitutes the minimum requirements of a plan, to be used by all the public schools other than the charter schools in the school district in responding to a crisis, emergency or suicide. Each development committee established by the governing body of a charter school shall develop a plan, which constitutes the minimum requirements of a plan, to be used by the charter school in responding to a crisis, emergency or suicide. Each development committee shall, when developing the plan:

- (a) Consult with local social service agencies and local public safety agencies in the county in which its school district or charter school is located.
- (b) If the school district has an emergency manager designated pursuant to NRS 388.262, consult with the emergency manager.
- (c) If the school district has school resource officers, consult with the school resource officer or a person designated by him or her.
- (d) If the school district has school police officers, consult with the chief of school police of the school district or a person designated by him or her.
- (e) Consult with the director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the Department of Public Safety or his or her designee.

- (f) Consult with the State Fire Marshal or his or her designee and a representative of a local government responsible for enforcement of the ordinances, codes or other regulations governing fire safety.
- (g) Determine which persons and organizations in the community, including, without limitation, a provider of mental health services which is operated by a state or local agency, that could be made available to assist pupils and staff in recovering from a crisis, emergency or suicide.
2. The plan developed pursuant to subsection 1 must include, without limitation:
- (a) The plans, procedures and information included in the model plan developed by the Department pursuant to NRS 388.253;
- (b) A procedure for responding to a crisis or an emergency and for responding during the period after a crisis or an emergency has concluded, including, without limitation, a crisis or an emergency that results in immediate physical harm to a pupil or employee of a school in the school district or the charter school;
- (c) A procedure for enforcing discipline within a school in the school district or the charter school and for obtaining and maintaining a safe and orderly environment during a crisis or an emergency;
- (d) The names of persons and organizations in the community, including, without limitation, a provider of mental health services which is operated by a state or local agency, that are available to provide counseling and other services to pupils and staff of the school to assist them in recovering from a crisis, emergency or suicide;
- (e) A plan for making the persons and organizations described in paragraph (d) available to pupils and staff after a crisis, emergency or suicide;
- (f) A procedure for responding to a crisis or an emergency that occurs during an extracurricular activity which takes place on school grounds;
- (g) A plan which includes strategies to assist pupils and staff at a school in recovering from a suicide; and
- (h) A description of the organizational structure which ensures there is a clearly defined hierarchy of authority and responsibility used by the school for the purpose of responding to a crisis, emergency or suicide.
3. Each development committee shall provide a copy of the plan that it develops pursuant to this section to the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee.
4. The board of trustees of the school district that established the committee or the governing body of the charter school that established the committee shall submit for approval to the Division of Emergency Management of the Department of Public Safety the plan developed pursuant to this section.
5. Except as otherwise provided in NRS 388.249 and 388.251, each public school must comply with the plan developed for it pursuant to this section.

NRS 388.14538. Handle with Care Program: Establishment; notification of exposure of child to traumatic event or certain other events; training; regulations.

1. The Director shall establish the Handle with Care Program within the Office for a Safe and Respectful Learning Environment. The Handle with Care Program must enable a law enforcement officer or agency to notify the Program when a child who may attend a public school is exposed to a traumatic event or other event that may affect his or her ability to succeed at school as described in NRS 289.840.
2. The Handle with Care Program must use the support center established for the SafeVoice Program and teams appointed pursuant to NRS 388.14553 or a similar program designated by a school district.

The support center shall establish a separate hotline and any other appropriate method to allow a law enforcement officer or agency to provide the notification described in subsection 1.

3. Notification submitted by a law enforcement officer or employee of a law enforcement agency must include only identifying information about the child. Such information must include, to the extent that it is available, the name of the child, the grade and school where the child is enrolled and the date of birth of the child.

4. The notification may include basic information about the traumatic event if the law enforcement officer or employee reasonably believes that disclosing such information is in the best interest of the child or necessary for reasons related to school safety.

5. Upon receiving notification from a law enforcement officer or employee of a law enforcement agency, the support center shall determine whether the child attends a public school in this State. If so, the team appointed pursuant to NRS 388.14553 must be notified that the child has been exposed to a traumatic event.

6. The Director shall provide training regarding:

(a) The Handle with Care Program to law enforcement agencies and employees of law enforcement agencies that may respond to a traumatic event involving a child, the board of trustees of a school district, the governing body of a charter school and any other entity whose employees and volunteers the Director determines should receive training regarding the Program;

(b) The procedure for notifying the support center when a child who may attend a public school is exposed to a traumatic event or other event that may affect his or her ability to succeed at school and the information to include in the notification;

(c) Properly responding to notification received from the support center, including, without limitation, the manner in which to respond to notification through the Handle with Care Program, to each member of a team appointed pursuant to NRS 388.14553; and

(d) Collaboration with teachers and other members of the staff of a school, pupils, family members of pupils and other persons, as appropriate, to reduce the negative impact of the traumatic event on the affected pupil and appropriate interventions that may be available to assist the pupil.

7. The State Board shall adopt regulations necessary to carry out the provisions of this section.

NRS 388.2358. "School resource officer" defined.

"School resource officer" means a school police officer, deputy sheriff or other peace officer employed by a local law enforcement agency who is assigned to duty at one or more schools, interacts directly with pupils and whose responsibilities include, without limitation, providing guidance and information to pupils, families and educational personnel concerning the avoidance and prevention of crime.

NRS 391.281. Fingerprinting and investigation into the background of applicant for employment or appointment as school police officer and certain nonlicensed employees; use of certain information; disqualification of certain applicants, employees and volunteers; acceptance of gifts, grants and donations; immunity from liability; employment of school police officers; contract for police services; training in prevention of suicide.

5. The board of trustees of a school district may employ or appoint persons to serve as school police officers. If the board of trustees of a school district employs or appoints persons to serve as school police officers, the board of trustees shall employ a law enforcement officer to serve as the chief of school police who is supervised by the superintendent of schools of the school district. The chief of school police shall supervise each person appointed or employed by the board of trustees as a school police officer, including any school police officer that provides services to a charter school pursuant to a contract

entered into with the board of trustees pursuant to NRS 388A.384. In addition, persons who provide police services pursuant to subsection 6 or 7 shall be deemed school police officers.

6. The board of trustees of a school district in a county that has a metropolitan police department created pursuant to chapter 280 of NRS may contract with the metropolitan police department for the provision and supervision of police services in the public schools within the jurisdiction of the metropolitan police department and on property therein that is owned by the school district and on property therein that is owned or occupied by a charter school if the board of trustees has entered into a contract with the charter school for the provision of school police officers pursuant to NRS 388A.384. If a contract is entered into pursuant to this subsection, the contract must make provision for the transfer of each school police officer employed by the board of trustees to the metropolitan police department. If the board of trustees of a school district contracts with a metropolitan police department pursuant to this subsection, the board of trustees shall, if applicable, cooperate with appropriate local law enforcement agencies within the school district for the provision and supervision of police services in the public schools within the school district, including, without limitation, any charter school with which the school district has entered into a contract for the provision of school police officers pursuant to NRS 388A.384, and on property owned by the school district and, if applicable, the property owned or occupied by the charter school, but outside the jurisdiction of the metropolitan police department.

7. The board of trustees of a school district in a county that does not have a metropolitan police department created pursuant to chapter 280 of NRS may contract with the sheriff of that county for the provision of police services in the public schools within the school district, including, without limitation, in any charter school with which the board of trustees has entered into a contract for the provision of school police officers pursuant to NRS 388A.384, and on property therein that is owned by the school district and, if applicable, the property owned or occupied by the charter school.

8. The board of trustees of a school district shall ensure that each school police officer receives training in the prevention of suicide before beginning his or her service as a school police officer.

NRS 391.282. Jurisdiction of school police officers; law enforcement agency to respond to request for assistance by school district which does not have school police according to agency protocol.

1. The jurisdiction of each school police officer of a school district extends to all school property, buildings and facilities within the school district and, if the board of trustees has entered into a contract with a charter school for the provision of school police officers pursuant to NRS 388A.384, all property, buildings and facilities in which the charter school is located, for the purpose of:

- (a) Protecting school district personnel, pupils, or real or personal property; or
- (b) Cooperating with local law enforcement agencies in matters relating to personnel, pupils or real or personal property of the school district.

2. In addition to the jurisdiction set forth in subsection 1, a school police officer of a school district has jurisdiction:

- (a) Beyond the school property, buildings and facilities:
 - (1) When in hot pursuit of a person believed to have committed a crime; or
 - (2) While investigating matters that originated within the jurisdiction of the school police officer relating to personnel, pupils or real or personal property of the school district;
- (b) At activities or events sponsored by the school district that are in a location other than the school property, buildings or facilities within the school district; and
- (c) On the streets that are adjacent to the school property, buildings and facilities within the school district to enforce violations of traffic laws and ordinances.

3. A law enforcement agency that is contacted for assistance by a public school or private school which does not have school police shall respond according to the protocol of the law enforcement agency established for responding to calls for assistance from the general public.

NRS 391.283. Policy for procedures to be followed by peace officers in arresting pupil on school grounds during school hours.

1. The board of trustees of each school district, in conjunction with the school police officers of the school district, if any, and the local law enforcement agencies that have jurisdiction over the school district, shall establish a policy for the procedures which must be followed by a peace officer in arresting a pupil on school grounds during school hours. The policy must include the circumstances under which the chief administrative officer of a school must be notified of the arrest of a pupil.

2. Each law enforcement agency that has jurisdiction over any part of a school district shall adopt the policy which is established pursuant to subsection 1.

REGULATIONS

No relevant regulations found.

Threat Assessment Protocols

LAWS

NRS 388.1455. Establishment of SafeVoice Program; requirements of Program; support center for initial reports; training regarding Program and support center; duties of Director; reports, policies and regulation.

1. The Director shall establish the SafeVoice Program within the Office for a Safe and Respectful Learning Environment. The Program must enable any person to report to the Program any dangerous, violent or unlawful activity which is being conducted, or is threatened to be conducted, on school property, at an activity sponsored by a public school, on a school bus of a public school or by a pupil enrolled at a public school. Any information relating to any such dangerous, violent or unlawful activity, or threat thereof, received by the Program is confidential and, except as otherwise authorized pursuant to subsection 2 and NRS 388.1458, must not be disclosed to any person.

2. The SafeVoice Program must include, without limitation, methods and procedures to ensure that:

(a) Information reported to the Program is promptly forwarded to the appropriate public safety agencies, the Department and other appropriate state agencies, school administrators and other school employees, including, without limitation, the teams appointed pursuant to NRS 388.14553;

(b) The identity of a person who reports information to the Program may remain anonymous, unless the policies established and regulations adopted pursuant to subsection 6 require the identity of such a person to be disclosed; and

(c) The appropriate public safety agencies may access personally identifiable information concerning a pupil:

(1) To take the appropriate action in response to an activity or threat reported pursuant to this section;

(2) Twenty-four hours a day; and

(3) Subject to the confidentiality required pursuant to this section.

3. On behalf of the SafeVoice Program, the Director or his or her designee shall establish and operate a support center that meets the requirements of NRS 388.14557, which includes, without limitation, a hotline, Internet website, mobile telephone application and text messaging application or enter into an

agreement with an organization that the Director determines is appropriately qualified and experienced, pursuant to which the organization will establish and operate such a support center, which includes, without limitation, a hotline, Internet website, mobile telephone application and text messaging application. The support center shall receive initial reports made to the Program through the hotline, Internet website, mobile telephone application and text messaging application and forward the information contained in the reports in the manner required by subsection 2.

4. The Director shall provide training regarding:

(a) The Program to employees and volunteers of each public safety agency, public safety answering point, board of trustees of a school district, governing body of a charter school and any other entity whose employees and volunteers the Director determines should receive training regarding the Program.

(b) Properly responding to a report received from the support center, including, without limitation, the manner in which to respond to reports of different types of dangerous, violent and unlawful activity and threats of such activity, to each member of a team appointed pursuant to NRS 388.14553.

(c) The procedure for making a report to the support center using the hotline, Internet website, mobile telephone application and text messaging application and collaborating to prevent dangerous, violent and unlawful activity directed at teachers and other members of the staff of a school, pupils, family members of pupils and other persons.

5. The Director shall:

(a) Post information concerning the SafeVoice Program on an Internet website maintained by the Director;

(b) Provide to each public school educational materials regarding the SafeVoice Program, including, without limitation, information about the telephone number, address of the Internet website, mobile telephone application, text messaging application and any other methods by which a report may be made; and

(c) On or before July 1 of each year, submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Committee on Education a report containing a summary of the information reported to the Director pursuant to NRS 388.14557 during the immediately preceding 12 months and any other information that the Director determines would assist the Committee to evaluate the SafeVoice Program.

6. The Department shall establish policies and adopt regulations pursuant to subsection 2 relating to the disclosure of the identity of a person who reports information to the Program. The regulations must include, without limitation, the disclosure of the identity of a person who reported information to the Program:

(a) To ensure the safety and well-being of the person who reported information to the Program;

(b) To comply with the provisions of NRS 388.1351; or

(c) If the person knowingly reported false information to the Program.

7. As used in this section:

(a) "Public safety agency" has the meaning ascribed to it in NRS 239B.020.

(b) "Public safety answering point" has the meaning ascribed to it in NRS 707.500.

NRS 388.14553. Appointment of team to receive notification of certain activity; certain information regarding Program to appear on identification cards of pupils and be posted conspicuously; member of team to take appropriate action upon receipt of notification.

1. The board of trustees of a school district or the governing body of a charter school shall:

(a) Appoint a team of at least three members of the staff of each public school, other than a charter school, that is located in the school district or of the charter school, as applicable, including, without limitation, a school counselor, psychologist, social worker or a similar person, if the school employs such a person on a full- time basis, and a school administrator. The team must receive notification if the support center receives:

- (1) A report through the SafeVoice Program of any dangerous, violent or unlawful activity which is being conducted, or is threatened to be conducted, on the property of the school, at an activity sponsored by the school, on a school bus of the school or by a pupil enrolled at the school; or
- (2) Notification through the Handle with Care Program of a pupil who was exposed to a traumatic event.

(b) Ensure that information concerning the SafeVoice Program, including, without limitation, the telephone number for the hotline established pursuant to NRS 388.1455:

- (1) Appears on the back of any identification card issued to pupils and staff at the school; and
- (2) Is posted in conspicuous locations around the school, which may include, without limitation, the front office, the cafeteria or a school bus.

2. Upon receiving notification from the support center through the SafeVoice Program or the Handle with Care Program, a member of the appropriate team appointed pursuant to paragraph (a) of subsection 1 shall take appropriate action in accordance with the training he or she has received pursuant to NRS 388.1455 or 388.14538 to respond to the activity, threat or traumatic event, as applicable.

3. The team appointed pursuant to paragraph (a) of subsection 1 may:

- (a) Include a person appointed by the public school pursuant to NRS 388.247 to a committee to review the plan developed for the school pursuant to NRS 388.243.
- (b) Allow another person to temporarily serve on the team if a member of the team is unavailable.

NRS 388.14555. Immunity from liability for team and team members.

The team appointed pursuant to NRS 388.14553 and each member of the team are immune from civil liability for any damages resulting from an act or omission of the team or the member or another member of the team in performing the duties set forth in NRS 388.14538, 388.1455 and 388.14553.

NRS 388.14557. Requirements of support center.

The support center must:

1. Be capable of receiving reports made through the SafeVoice Program and notification provided through the Handle with Care Program;
2. Be available to receive reports and notifications and staffed with trained personnel 24 hours a day, 7 days a week, including holidays and other days when school is not in session;
3. Establish a process for handling a report or notification if personnel at the support center are unable to determine the location of the school or the person about whom the report or notification is made, or if the report or notification concerns a private school or an entity other than a school;
4. Train personnel at the support center who are involved in responding to reports and notifications to follow up on each report or notification by gathering information necessary to determine the validity of the report or notification and the severity of any threat;
5. Use a software system that is resistant to hacking and copying of information to protect the anonymity of persons who submit reports and notifications;
6. Develop and implement a standardized procedure for tracking the outcome of reports and notifications;

7. Compile statistics to determine:
 - (a) The most frequent days of the week on which reports and notifications are made;
 - (b) The most frequent times of the day for making reports and providing notifications;
 - (c) The types of dangerous, violent or unlawful activity that are reported and the frequency of reports of each type of dangerous, violent or unlawful activity;
 - (d) The frequency with which reports are submitted using the hotline, Internet website, mobile telephone application and text messaging application, respectively; and
 - (e) The outcome of reports and notifications;
8. Submit to the Director a quarterly report that contains the information compiled pursuant to subsection 7 and any other information necessary for the Director to evaluate the Programs or that is requested by the Director; and
9. Provide each report received through the SafeVoice Program to the appropriate law enforcement agency.

NRS 388.253. Department: Development of model plan for management of a suicide or a crisis or emergency; requirements for model plan; authorized dissemination of plans prepared by Department and development committee; annual review and update of model plan.

1. The Department shall, with assistance from other state agencies, including, without limitation, the Division of Emergency Management, the Investigation Division, and the Nevada Highway Patrol Division of the Department of Public Safety, develop a model plan for the management of:
 - (a) A suicide; or
 - (b) A crisis or emergency that involves a public school or a private school and that requires immediate action.
2. The model plan must include, without limitation, a procedure for:
 - (a) In response to a crisis or emergency:
 - (1) Coordinating the resources of local, state and federal agencies, officers and employees, as appropriate;
 - (2) Accounting for all persons within a school;
 - (3) Assisting persons within a school in a school district, a charter school or a private school to communicate with each other;
 - (4) Assisting persons within a school in a school district, a charter school or a private school to communicate with persons located outside the school, including, without limitation, relatives of pupils and relatives of employees of such a school, the news media and persons from local, state or federal agencies that are responding to a crisis or an emergency;
 - (5) Assisting pupils of a school in the school district, a charter school or a private school, employees of such a school and relatives of such pupils and employees to move safely within and away from the school, including, without limitation, a procedure for evacuating the school and a procedure for securing the school;
 - (6) Reunifying a pupil with his or her parent or legal guardian;
 - (7) Providing any necessary medical assistance;
 - (8) Recovering from a crisis or emergency;
 - (9) Carrying out a lockdown at a school;
 - (10) Providing shelter in specific areas of a school; and
 - (11) Providing disaster behavioral health related to a crisis, emergency or suicide;

- (b) Providing specific information relating to managing a crisis or emergency that is a result of:
 - (1) An incident involving hazardous materials;
 - (2) An incident involving mass casualties;
 - (3) An incident involving an active shooter;
 - (4) An incident involving a fire, explosion or other similar situation;
 - (5) An outbreak of disease;
 - (6) Any threat or hazard identified in the hazard mitigation plan of the county in which the school district is located, if such a plan exists; or
 - (7) Any other situation, threat or hazard deemed appropriate;
- (c) Providing pupils and staff at a school that has experienced a crisis or emergency with access to counseling and other resources to assist in recovering from the crisis or emergency;
- (d) Evacuating pupils and employees of a charter school to a designated space within an identified public middle school, junior high school or high school in a school district that is separate from the general population of the school and large enough to accommodate the charter school, and such a space may include, without limitation, a gymnasium or multipurpose room of the public school;
- (e) Selecting an assessment tool which assists in responding to a threat against the school by a pupil or pupils;
- (f) On an annual basis, providing drills to instruct pupils in the appropriate procedures to be followed in response to a crisis or an emergency. Such drills must occur:
 - (1) At different times during normal school hours; and
 - (2) In cooperation with other state agencies, pursuant to this section.
- (g) Responding to a suicide or attempted suicide to mitigate the effects of the suicide or attempted suicide on pupils and staff at the school, including, without limitation, by making counseling and other appropriate resources to assist in recovering from the suicide or attempted suicide available to pupils and staff;
- (h) Providing counseling and other appropriate resources to pupils and school staff who have contemplated or attempted suicide;
- (i) Outreach to persons and organizations located in the community in which a school that has had a suicide by a pupil, including, without limitation, religious and other nonprofit organizations, that may be able to assist with the response to the suicide;
- (j) Addressing the needs of pupils at a school that has experienced a crisis, emergency or suicide who are at a high risk of suicide, including, without limitation, pupils who are members of the groups described in subsection 3 of NRS 388.256; and
- (k) Responding to a pupil who is determined to be a person in mental health crisis, as defined in NRS 433A.0175, including, without limitation:
 - (1) Utilizing mobile mental health crisis response units, where available, before transporting the pupil to a public or private mental health facility pursuant to subparagraph (2); and
 - (2) Transporting the pupil to a public or private mental health facility or hospital for admission pursuant to NRS 433A.150.

REGULATIONS

No relevant regulations found.

State-Sponsored, Publicly Available Websites or Other Resources on School Discipline

Safe, supportive learning environments use disciplinary policies and practices that help students stay out of the justice system, while ensuring academic engagement and success for all students. The following resources provided by Nevada provide additional context to state policy and regulations and, in some cases, may support the readers' efforts to provide a positive disciplinary school climate.

Title	Description	Website address (if applicable)
<i>Website</i>		
Chronic Absenteeism, Nevada Department of Education	Provides information and resources on chronic absenteeism including definitions, highlighted programs such as MTSS, and roles for school districts, educators, and families to prevent chronic absenteeism.	https://doe.nv.gov/SafeRespectfulLearning/Chronic_Absenteeism/
Discipline and Restorative Practices, Nevada Department of Education	Provides information on Restorative Practices (RP) including definition of terms, resources for best practices, MTSS alignment, and equity and disproportionate discipline.	https://doe.nv.gov/SafeRespectfulLearning/Discipline_and_Restorative_Practices/
Multi-Tiered System of Supports (MTSS) in Nevada, Nevada Department of Education	Provides an overview of MTSS in Nevada including resources for MTSS and contact information for Nevada's MTSS Project staff.	https://doe.nv.gov/SafeRespectfulLearning/MTSS/
The Nevada Positive Behavior Support Technical Assistance Center (PBISTA)	Provides information for school districts and families on Nevada Positive Behaviors Support (PBS-NV) including guides for implementation and workshops.	https://www.unr.edu/nced/projects/nvpbista
<i>Documents</i>		
Nevada Department of Education Guidance Memo (2018), Nevada Department of Education	Guidance memo for schools on chronic absenteeism prevention from the Nevada Department of Education.	https://doe.nv.gov/uploadedFiles/ndedoenvgov/content/News_Media/Guidance_Memos/2018/18-06GuidanceMemoonChronicAbsenteeism.pdf
Nevada's Framework for Equitable Integrated System of Student Supports (2018), Nevada Department of Education	Guidance document for school districts on best practices of implementing MTSS in schools. Document includes systemic implementation guides and progress monitoring, problem-solving models and data-based decisions, and information on evidence-based interventions.	https://doe.nv.gov/uploadedFiles/ndedoenvgov/content/SafeRespectfulLearning/MTSSGuidanceDoc508.pdf

Title	Description	Website address (if applicable)
The Intersection of MTSS and Chronic Absenteeism, Nevada Department of Education	One-page visual document outlining how chronic absenteeism and MTSS may intersect to help further guide implementation.	https://doe.nv.gov/uploadedFiles/ndedoenvgov/content/SafeRespectfulLearning/TheIntersectionMTSSandChronicAbsenteeism.pdf
<i>Other Resources</i>		
Annual Reports of Accountability, Nevada Department of Education	Reports on student attendance, discipline, bullying and cyberbullying incidents, disaggregated by school year, school, district, or state, and incident type.	http://www.nevadareportcard.com/di/
Nevada's Anti-Bullying Laws, Nevada Department of Education	PowerPoint presentation presents information on bullying and includes bullying data from 2014 to 2017, summary incident reporting process, definition of bullying, reporting procedures for staff, actions upon receiving a report, and contact information to the Office for a Safe and Respectful Learning Environment.	http://www.doe.nv.gov/uploadedFiles/ndedoenvgov/content/BoardsCommissionsCouncils/StateBoardofEducation/2017/December/Item11NevadasAntiBullyingLaws2017.pdf
Nevada School Climate/Social Emotional Learning (NV-SCSEL) Survey School Reports, Nevada Department of Education	Reports of annual administrations of the Nevada School Climate/Social Emotional Learning Survey, disaggregated by subgroups about school climate and social emotional skills, which could be used to inform decisions about how to adjust support services for students and can be used to evaluate the services and supports provided to students in Nevada schools.	http://reports.nevadaschoolclimate.org/
SafeVoice Nevada, Nevada Department of Education	Anonymous reporting system used by students, parents and faculty to report threats to the safety or well-being of students.	http://safevoicenv.org/