

Committee Action:  
Do Pass \_\_\_\_\_  
Amend & Do Pass \_\_\_\_\_  
Other \_\_\_\_\_

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### **Assembly Committee on Education**

This measure may be considered for action during today's work session.

#### **ASSEMBLY BILL 330**

**Revises provisions governing education. (BDR 34-1087)**

**Sponsored By:** Assembly Committee on Education  
**Date Heard:** March 23, 2023  
**Fiscal Notes:** Effect on Local Government: May have Fiscal Impact.  
Effect on the State: No.  
  
CONTAINS UNFUNDED MANDATE

Assembly Bill 330 makes various changes to pupil discipline and behavior. The bill removes the reference to a statewide framework for restorative justice, outlines certain data reporting requirements, and outlines certain duties of the Superintendent of Public Instruction of Nevada's Department of Education and school principals related to pupil discipline. It also puts in place certain conditions relating to removing a pupil from a classroom and outlines provisions related to certain removals, such as suspensions, significant suspensions, expulsions, and permanent expulsions. Furthermore, the bill makes certain changes relating to the discipline for homeless pupils and applies bill provisions to charter schools and university schools for profoundly gifted pupils.

**Amendments:** One amendment was proposed for this measure.

1. Assemblywoman Bilbray-Axelrod submitted an amendment restoring provisions concerning the statewide framework for restorative justice, adding certain age parameters to the bill, and adding certain definitions relating to progressive discipline, restorative justice, and assault to the bill. The amendment also removes and restores certain language relating to homeless pupils, removes certain authorizations related to principal actions, and removes certain language concerning disciplinary actions. Finally, it adds certain language from regulation into statute.

# **CONCEPTUAL AMENDMENT PROPOSED BY ASSEMBLYWOMAN BILBRAY-AXELROD**

## **ASSEMBLY BILL 330: REVISES PROVISIONS GOVERNING EDUCATION**

### **BACKGROUND**

Assembly Bill 330 makes various changes relating to the discipline of pupils, including provisions relating to the suspension, expulsion, and permanent expulsion of pupils.

### **PROPOSED AMENDMENT**

Assemblywoman Bilbray-Axelrod proposed an amendment that would make the following changes:

1. Reinstate language originally removed within the bill concerning alignment with the statewide framework for restorative justice.
2. Establish that children under the age of 6 cannot be permanently expelled.
3. Add in language that defines progressive discipline in the following manner:
  - a. "Progressive discipline utilizes a continuum of prevention strategies to foster and reinforce positive behavior to help students make good choices. It includes the use of age-appropriate interventions, support, and consequences to address inappropriate student behavior. Progressive discipline measures are used in response to appropriate behavior, both corrective and supportive."
4. Add in language that defines restorative justice in the following manner:
  - a. "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.
5. Add in the following definitions related to assault:
  - a. Assault on a school employee shall be defined as an attempt to commit intentional use of force or violence upon the person of any school employee or volunteer that is likely to result in physical injury, or intentionally placing such a school employee or employee in reasonable apprehension thereof (other than in self-defense).
  - b. Assault on persons other than a school employee or volunteer shall be defined as an attempt to commit intentional use of force or violence upon a person who is not a school employee or volunteer that is likely to result in physical injury, or intentionally placing such a person in reasonable apprehension thereof (other than in self-defense).
6. Remove new language in subsection 6 of Section 7.

7. Remove language changes in the bill and revert to existing language relating to homeless pupils and the presumption that behavior was caused by homelessness and that a "reasonable determination" must instead be made. This amendment does seek to maintain the added bill language concerning suspension for not more than five days for such pupils.
8. Remove "for the first occurrence" in subsection 1 of Section 10. Additionally, this amendment seeks to separate out the pupil actions listed in subsection 1 and add permissive language for each that would allow a principal to make exceptions to the procedures outlined in the bill for such instances.
9. Add language from Regulation R020-22 of Nevada's Department of Education into statute and align bill definitions with the Regulation.

**Intent**

The intent of the proposed amendment is to clarify the inclusion of restorative justice and the aim of progressive discipline within the bill. It also seeks to outline certain exemptions and exclusions for certain students and incidents, as well as outline the duties and abilities of different parties discussed in the bill.