

SENATE BILL NO. 249—SENATOR DONDERO LOOP

MARCH 15, 2021

Referred to Committee on Education

SUMMARY—Revises provisions relating to education. (BDR 34-81)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; requiring the board of trustees of a school district or the governing body of a charter school to include certain information on an identification card issued to a pupil; requiring a pupil to be excused from attendance at a public school for behavioral health reasons in certain circumstances; providing that a qualified mental health professional or behavioral health professional can provide a certificate to excuse a pupil from attendance at school; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law generally requires a child between 7 and 18 years of age to attend public school. (NRS 392.040) Under existing law, a child must be excused from attendance when satisfactory evidence is presented to the board of trustees of the school district in which the child resides that the physical or mental condition of the child prevents or renders inadvisable the child’s attendance at school. Existing law provides that a certificate from a qualified physician must be taken as satisfactory evidence of the inability of the child to attend school. (NRS 392.050) **Section 2** of this bill includes behavioral health among the conditions that may require a child to be excused from attendance. **Section 2** also authorizes a qualified mental health professional or behavioral health professional to provide evidence of the inability of a child to attend school. **Section 2** prohibits an excusal from attendance from negatively affecting the rating of a school pursuant to the statewide system of accountability for public schools.

**Section 1** of this bill requires the board of trustees of a school district or the governing body of a charter school to ensure that information relating to mental health resources appears on the back of any identification card issued to a pupil at a school.



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

1       **Section 1.** Chapter 388 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3       *The board of trustees of a school district or the governing body*  
4 *of a charter school shall ensure that information relating to*  
5 *mental health resources, including, without limitation, the*  
6 *telephone number for a local or national suicide prevention*  
7 *hotline, appears on the back of any identification card issued to a*  
8 *pupil at a school within the school district or the charter school.*

9       **Sec. 2.** NRS 392.050 is hereby amended to read as follows:

10       392.050 1. A child must be excused from attendance required  
11 by the provisions of NRS 392.040 when satisfactory written  
12 evidence is presented to the board of trustees of the school district in  
13 which the child resides that the child's physical or mental condition  
14 *or behavioral health* is such as to prevent or render inadvisable the  
15 child's attendance at school or his or her application to study.

16       2. A certificate in writing from any qualified physician ,  
17 *mental health professional or behavioral health professional*  
18 acting within his or her authorized scope of practice, filed with the  
19 board of trustees immediately after its receipt, stating that the child  
20 is not able to attend school or that the child's attendance is  
21 inadvisable must be taken as satisfactory evidence by the board of  
22 trustees.

23       3. A board of trustees of a school district which has excused  
24 from attendance pursuant to subsection 1 a child who, pursuant to  
25 NRS 388.417, qualifies as a pupil with a disability, shall make  
26 available to the child a free appropriate public education in  
27 compliance with the Individuals with Disabilities Education Act (20  
28 U.S.C. §§ 1400 et seq.), as that act existed on July 1, 1995.

29       4. *If a pupil is excused from attendance pursuant to*  
30 *subsection 1, the excusal must not negatively affect the rating of a*  
31 *public school as determined by the Department pursuant to the*  
32 *statewide system of accountability for public schools.*

33       **Sec. 3.** This act becomes effective on July 1, 2021.

