

Amendment No. 138

Assembly Amendment to Assembly Bill No. 65	(BDR 34-275)
<b>Proposed by:</b> Assembly Committee on Education	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.





ASSEMBLY BILL NO. 65—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Education

SUMMARY—Revises provisions relating to education. (BDR 34-275)

FISCAL NOTE: Effect on Local Government: No.  
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; revising provisions relating to reports regarding and investigations into incidents of discrimination based on race, bullying and cyber-bullying; revising provisions governing the approval of work-based learning programs; revising ~~provisions governing performance evaluations of certain postprobationary teachers and administrators;~~ **the requirement for children of a certain age to attend a public school;** revising provisions governing the placement of children in certain early grades; ~~revising provisions relating to discipline in public schools;~~ and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law establishes the Office for a Safe and Respectful Learning Environment in the Department of Education and requires the Director of the Office to investigate any complaint that a teacher, administrator, coach or other staff member or member of a governing body has violated applicable provisions of law regarding discrimination based on race, bullying or cyber-bullying. (NRS 388.1323) Existing law also requires the Director to establish the SafeVoice Program within the Office, which allows a person to make an anonymous report to a support center regarding dangerous, violent or unlawful activity that is conducted, or is threatened to be conducted, on the property of a public school or in certain other circumstances related to public schools. (NRS 388.1455) Any anonymous tip made through the SafeVoice Program is then forwarded to the appropriate public safety agencies and certain trained personnel at the public school for appropriate action to be taken. (NRS 388.14553) **Section 3** of this bill provides that the Director is not required to investigate a complaint that a teacher, administrator, coach or other staff member or member of a governing body has violated applicable provisions of law regarding discrimination based on race, bullying or cyber-bullying if the complaint is made through the SafeVoice Program and investigated by certain trained personnel at the public school, unless the complaint alleges that a previous investigation of the same matter by the personnel at the public school failed to resolve the issue or was otherwise deficient.

**Section 2** of this bill revises the definition of “bullying” to exclude acts, gestures and expressions which are engaged in as part of a mutual disagreement or conflict.

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21 Upon receiving a report of discrimination based on race, bullying or cyber-bullying,  
22 existing law requires the administrator of a school or his or her designee to immediately begin  
23 an investigation into the report. With certain exceptions, existing law requires the  
24 investigation to be completed not later than 2 school days after receipt of the report. (NRS  
25 388.1351) **Section 6** of this bill requires the investigation to be completed, to the greatest  
26 extent practicable, within 5 school days after the administrator or designee receives the report,  
27 or within 7 school days if extenuating circumstances prevent the investigation from being  
28 completed within 5 school days. **Section 6** also removes the requirement for a direct  
29 supervisor of a principal to submit to the Office a quarterly report regarding incidents of  
30 discrimination based on race, bullying or cyber-bullying.

31 Existing law authorizes the board of trustees of a school district or the governing body of  
32 a charter school to offer a work-based learning program upon the approval of the State Board  
33 of Education. (NRS 389.167) **Section 9** of this bill requires a work-based learning program to  
34 be approved instead by the Superintendent of Public Instruction.

35 ~~Existing law requires a postprobationary teacher or administrator who receives an  
36 evaluation designating his or her overall performance as highly effective for 2 consecutive  
37 school years to participate in one observation cycle in the school year immediately following  
38 the school year in which the postprobationary teacher or administrator receives a second  
39 consecutive evaluation designating his or her performance as highly effective but does not  
40 require such a teacher or administrator to receive an evaluation for that year. (NRS 391.690,  
41 391.710) Sections 10 and 11 of this bill authorize such a postprobationary teacher or  
42 administrator to receive an evaluation in the school year immediately following the school  
43 year in which the postprobationary teacher or administrator receives a second consecutive  
44 evaluation designating his or her performance as highly effective upon the request of the  
45 teacher or administrator or at the discretion of the administrator who conducts the observation  
46 cycle for that year.]~~

47 Existing law requires a child to be a certain age on or before the first day of the school  
48 year to be admitted to certain early grades of school. (NRS 392.040) **Section 12** of this bill  
49 changes the date by which a child must attain a certain age to start certain early grades from  
50 the first day of the school year to August 1 of the school year, or if August 1 does not occur  
51 during a school year, on or before August 1 preceding a school year.

52 Existing law, **in general**, requires a child ~~who is 6 years of age on or before the first day  
53 of school and has not completed kindergarten to be admitted to kindergarten. (NRS 392.040)~~  
54 **Section 12** instead requires such a child to undergo an assessment to determine whether the  
55 child should be admitted to kindergarten or first grade.

56 Existing law requires a child who is 7 years of age on or before the first day of school to:  
57 (1) be admitted to second grade if the child has completed kindergarten and first grade; (2) be  
58 admitted to first grade if the child has completed kindergarten; and (3) if the child has not  
59 completed kindergarten, to undergo an assessment to determine whether the child should be  
60 admitted to kindergarten or first grade. (NRS 392.040) **Section 12:** (1) eliminates the  
61 requirement for a child who is 7 years of age by August 1 preceding a school year to complete  
62 kindergarten; and (2) requires such a child who has not completed first grade to be placed in  
63 either first or second grade based on the results of an assessment.

64 Existing law establishes provisions related to the discipline of pupils, including, without  
65 limitation, suspending, expelling or removing a pupil from school. (NRS 392.461-392.472)  
66 Existing law prohibits a public school from suspending, expelling or removing a pupil from a  
67 classroom or other premises of the school without first providing a plan of action based on  
68 restorative justice. (NRS 392.472) **Section 15** of this bill removes the requirement for a public  
69 school to provide a plan of action based on restorative justice before suspending, expelling or  
70 removing a pupil from a classroom or other premises of the school and requires a public  
71 school to instead consider whether restorative approaches should be used as an alternative or  
72 in addition to suspending or expelling a pupil or removing a pupil from a classroom or other  
73 premises of the school. **Section 15** defines "restorative approaches" and requires the  
74 Department to develop examples of disciplinary practices in which restorative approaches are  
75 used as an alternative or in addition to suspending or expelling a pupil or removing a pupil  
76 from a classroom or other premises of the school. Sections 1, 4, 5, 7, 8, 13 and 14 of this bill  
77 make conforming changes relating to restorative approaches.] **between 7 and 18 years of age**  
78 **to attend public school. (NRS 392.040) Section 12.5 of this bill revises this provision to**  
79 **require each child to begin attending public school once the child is 6 years of age, rather**

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than 7 years of age. Section 15.5 of this bill requires a child who is 6 years of age or older on or before August 1, 2024, and enrolls in public school for the first time to be admitted to kindergarten or first grade.

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

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**Section 1.** ~~[NRS 385A.250 is hereby amended to read as follows:~~  
~~385A.250 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, and categorized by types of~~  
~~incidents and the demographics identified in subsection 1 of NRS 388.1235:~~  
~~(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 discrimination based on race,~~  
~~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 discrimination based on race, bullying or cyber bullying; and~~  
~~(4) Any actions taken to reduce the number of incidents of discrimination~~  
~~based on race, 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.~~  
~~(g) For each school in the district, including, without limitation, each charter~~  
~~school sponsored by the district, information on:~~

~~(1) The [plan for restorative justice and the] process for progressive discipline used by the school [;], including, without limitation, any restorative approaches that are used by the school; and~~

~~(2) The manner in which the school trains employees on restorative [justice] approaches and progressive discipline;~~

~~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.~~

~~(c) "Discrimination based on race" has the meaning ascribed to it in NRS 388.1235.~~

~~(d) "Expulsion" has the meaning ascribed to it in NRS 392.4603.~~

~~(e) "Restorative [justice]" approaches" has the meaning ascribed to it in NRS 392.472.~~

~~(f) "Suspension" has the meaning ascribed to it in NRS 392.4607.] (Deleted by amendment.)~~

**Sec. 2.** NRS 388.122 is hereby amended to read as follows:

388.122 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,

1 physical or mental disability of a person, sex or any other distinguishing  
2 characteristic or background of a person;

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

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

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

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

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

13 (g) Stalking; and

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

16 **3. *The term does not include expressions, acts or gestures which are***  
17 ***engaged in as part of a mutual disagreement or conflict.***

18 **Sec. 3.** NRS 388.1323 is hereby amended to read as follows:

19 388.1323 1. The Office for a Safe and Respectful Learning Environment is  
20 hereby created within the Department.

21 2. The Superintendent of Public Instruction shall appoint a Director of the  
22 Office, who shall serve at the pleasure of the Superintendent.

23 3. The Director of the Office shall ensure that the Office:

24 (a) Maintains a 24-hour, toll-free statewide hotline and Internet website by  
25 which any person can report a violation of the provisions of NRS 388.121 to  
26 388.1395, inclusive, and obtain information about antidiscrimination and anti-  
27 bullying efforts and organizations; and

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

32 (1) Training regarding methods, procedures and practice for recognizing  
33 discrimination based on race, bullying and cyber-bullying behaviors;

34 (2) Training regarding effective intervention and remediation strategies  
35 regarding discrimination based on race, bullying and cyber-bullying;

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

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

43 4. The Director of the Office shall establish procedures by which the Office  
44 may receive reports of discrimination based on race, bullying and cyber-bullying  
45 and complaints regarding violations of the provisions of NRS 388.121 to 388.1395,  
46 inclusive.

47 5. ~~The~~ ***Except as otherwise provided in this subsection, the*** Director of the  
48 Office or his or her designee shall investigate any complaint that a teacher,  
49 administrator, coach or other staff member or member of a governing body has  
50 violated a provision of NRS 388.121 to 388.1395, inclusive. If a complaint alleges  
51 criminal conduct or an investigation leads the Director of the Office or his or her  
52 designee to suspect criminal conduct, the Director of the Office may request  
53 assistance from the Investigation Division of the Department of Public Safety. ***The***

1 *Director of the Office or his or her designee is not required to investigate a*  
 2 *complaint pursuant to this subsection if the complaint is made through the*  
 3 *SafeVoice Program established pursuant to NRS 388.1455 and investigated by*  
 4 *the team appointed pursuant to paragraph (a) of subsection 1 of NRS 388.14553,*  
 5 *unless the complaint alleges that a previous investigation conducted by the team*  
 6 *appointed pursuant to paragraph (a) of subsection 1 of NRS 388.14553 regarding*  
 7 *the same matter failed to resolve the issue or was otherwise deficient.*

8 **Sec. 4.** ~~[NRS 388.133 is hereby amended to read as follows:~~

9 ~~388.133 1. The Department shall, in consultation with the governing bodies,~~  
 10 ~~educational personnel, local associations and organizations of parents whose~~  
 11 ~~children are enrolled in schools throughout this State, and individual parents and~~  
 12 ~~legal guardians whose children are enrolled in schools throughout this State,~~  
 13 ~~prescribe by regulation a policy for all school districts and schools to provide a safe~~  
 14 ~~and respectful learning environment that is free of discrimination based on race,~~  
 15 ~~bullying and cyber bullying.~~

16 ~~2. The policy must include, without limitation:~~

17 ~~(a) Requirements and methods for reporting violations of NRS 388.125,~~  
 18 ~~including, without limitation, violations among teachers and violations between~~  
 19 ~~teachers and administrators, coaches and other personnel of a school district or~~  
 20 ~~school;~~

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

23 ~~(c) Requirements and methods for restorative disciplinary practices that align~~  
 24 ~~with the statewide framework for restorative [justice] *approaches* if such a~~  
 25 ~~framework is developed pursuant to NRS 388.1333; and~~

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

29 ~~(1) Training in the appropriate methods to facilitate positive human~~  
 30 ~~relations among pupils by eliminating the use of discrimination based on race,~~  
 31 ~~bullying and cyber bullying so that pupils may realize their full academic and~~  
 32 ~~personal potential;~~

33 ~~(2) Training in methods to prevent, identify and report incidents of~~  
 34 ~~discrimination based on race, bullying and cyber bullying;~~

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

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

39 ~~(5) Methods to promote a positive learning environment;~~

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

42 ~~(7) Methods to teach skills to pupils so that the pupils are able to replace~~  
 43 ~~inappropriate behavior with positive behavior.] **(Deleted by amendment.)**~~

44 **Sec. 5.** ~~[NRS 388.1333 is hereby amended to read as follows:~~

45 ~~388.1333 1. To the extent that money is available, the Department shall~~  
 46 ~~develop a statewide framework for restorative [justice] *approaches*. The statewide~~  
 47 ~~framework must, without limitation:~~

48 ~~(a) In accordance with NRS 392.472, establish standards for [a plan of action~~  
 49 ~~based on] restorative [justice] *approaches* to enable a public school to address the~~  
 50 ~~unique needs of pupils enrolled in the school;~~

51 ~~(b) Provide for the identification of and address the needs of homeless pupils,~~  
 52 ~~unaccompanied pupils or pupils in foster care;~~



~~(c) Address the occurrences of the suspension, expulsion or removal of pupils from school that disproportionately affect pupils who belong to a group of pupils listed in subsection 2 of NRS 395A.250;~~

~~(d) Provide for the improvement of school climate, culture and safety and pupil outcomes by providing information on, without limitation:~~

~~(1) Multi-tiered systems of support;~~

~~(2) Early warning systems;~~

~~(3) Positive behavioral interventions and support;~~

~~(4) The provision of school social workers;~~

~~(5) Curriculum on social and emotional learning; and~~

~~(6) Trauma-informed practices; and~~

~~(e) Provide for training for teachers, administrators and other school staff in:~~

~~(1) Child and adolescent development;~~

~~(2) Restorative [justice.] approaches, including, without limitation, positive behavioral interventions and support, conflict resolution and de-escalation techniques; and~~

~~(3) Psychology, trauma and chronic stress, the effect of trauma and chronic stress on pupils and learning and effective responses to trauma and chronic stress.~~

~~2. The Department may apply for grants, gifts and donations of money to carry out the objectives of the statewide framework for restorative [justice.] approaches.~~

~~3. As used in this section:~~

~~(a) "Foster care" has the meaning ascribed to it in 45 C.F.R. § 1355.20.~~

~~(b) "Homeless pupil" has the meaning ascribed to the term "homeless children and youths" in 42 U.S.C. § 11434a(2).~~

~~(c) "Restorative [justice.] approaches" has the meaning ascribed to it in NRS 392.472.~~

~~(d) "Unaccompanied pupil" has the meaning ascribed to the term "unaccompanied youth" in 42 U.S.C. § 11434a(6).] (Deleted by amendment.)~~

**Sec. 6.** NRS 388.1351 is hereby amended to read as follows:

388.1351 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 discrimination based on race, bullying or cyber-bullying and ensure the safety and well-being of the reported victim or victims of the discrimination based on race, 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 discrimination based on race, bullying or cyber-bullying, as applicable, either as a reported

1 aggressor or a reported victim of the discrimination based on race, bullying or  
2 cyber-bullying. The notification must be provided:

3 (1) If the discrimination based on race, bullying or cyber-bullying is  
4 reported before the end of school hours on a school day, before the school's  
5 administrative office closes on the day on which the discrimination based on race,  
6 bullying or cyber-bullying is reported; or

7 (2) If the discrimination based on race, bullying or cyber-bullying was  
8 reported on a day that is not a school day, or after school hours on a school day,  
9 before the school's administrative office closes on the school day following the day  
10 on which the discrimination based on race, bullying or cyber-bullying is reported.

11 (b) Interviews with all pupils whose parents or guardians must be notified  
12 pursuant to paragraph (a) and with all such parents and guardians.

13 4. If the contact information for the parent or guardian of a pupil in the  
14 records of the school is not correct, a good faith effort to notify the parent or  
15 guardian shall be deemed sufficient to meet the requirement for notification  
16 pursuant to paragraph (a) of subsection 3.

17 5. Except as otherwise provided in this subsection, an investigation required  
18 by this section must be completed ~~[not later than 2]~~, *to the greatest extent*  
19 *practicable, within 5* school days after the administrator or designee receives a  
20 report required by subsection 1. If extenuating circumstances prevent the  
21 administrator or designee from completing the investigation required by this section  
22 within ~~[2]~~ 5 school days after making a good faith effort, ~~[1]~~ 2 additional school  
23 ~~[day] days~~ may be used to complete the investigation. ~~[The time for completing an~~  
24 ~~investigation into a report of cyber bullying may also be extended to not more than~~  
25 ~~5 school days after the report is received with the consent of each reported victim of~~  
26 ~~the cyber bullying or, if a reported victim is under 18 years of age and is not~~  
27 ~~emancipated, the parent or guardian of the reported victim.]~~

28 6. An administrator or designee who conducts an investigation required by  
29 this section shall complete a written report of the findings and conclusions of the  
30 investigation. If a violation is found to have occurred:

31 (a) The report must include recommendations concerning the imposition of  
32 disciplinary action or other measures to be imposed as a result of the violation, in  
33 accordance with the policy governing disciplinary action adopted by the governing  
34 body. Subject to the provisions of the Family Educational Rights and Privacy Act  
35 of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, the  
36 report must be made available, not later than 24 hours after the completion of the  
37 written report, to all parents or guardians who must be notified pursuant to  
38 paragraph (a) of subsection 3 as part of the investigation; and

39 (b) Any action taken after the completion of the investigation to address the  
40 discrimination based on race, bullying or cyber-bullying must be based on  
41 restorative disciplinary practices and carried out in a manner that causes the least  
42 possible disruption for the victim or victims. When necessary, the administrator or  
43 ~~[his or her]~~ designee shall give priority to ensuring the safety and well-being of the  
44 victim or victims over any interest of the perpetrator or perpetrators when  
45 determining the actions to take.

46 7. If a violation is found not to have occurred, information concerning the  
47 incident must not be included in the record of the reported aggressor.

48 8. Not later than 10 school days after receiving a report required by  
49 subsection 1, the administrator or designee shall meet with each reported victim of  
50 the discrimination based on race, bullying or cyber-bullying to inquire about the  
51 well-being of the reported victim and to ensure that the reported discrimination  
52 based on race, bullying or cyber-bullying, as applicable, is not continuing.

1 9. To the extent that information is available, the administrator or ~~his or her~~  
2 designee shall provide a list of any resources that may be available in the  
3 community to assist a pupil to each parent or guardian of a pupil to whom notice  
4 was provided pursuant to this section as soon as practicable. Such a list may  
5 include, without limitation, resources available at no charge or at a reduced cost and  
6 may be provided in person or by electronic or regular mail. If such a list is  
7 provided, the administrator ~~[-his]~~ or ~~her~~ designee, or any employee of the school  
8 or the school district is not responsible for providing such resources to the pupil or  
9 ensuring the pupil receives such resources.

10 10. The parent or guardian of a pupil involved in the reported violation of  
11 NRS 388.135 may appeal a disciplinary decision of the administrator or ~~his or her~~  
12 designee, made against the pupil as a result of the violation, in accordance with the  
13 policy governing disciplinary action adopted by the governing body. Not later than  
14 30 days after receiving a response provided in accordance with such a policy, the  
15 parent or guardian may submit a complaint to the Department. The Department  
16 shall consider and respond to the complaint pursuant to procedures and standards  
17 prescribed in regulations adopted by the Department.

18 11. If a violation of NRS 388.135 is found to have occurred, the parent or  
19 guardian of a pupil who is a victim of discrimination based on race, bullying or  
20 cyber-bullying may request that the board of trustees of the school district in which  
21 the pupil is enrolled to assign the pupil to a different school in the school district.  
22 Upon receiving such a request, the board of trustees shall, in consultation with the  
23 parent or guardian of the pupil, assign the pupil to a different school.

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

26 (a) Reports received pursuant to subsection 1 concerning incidents of bullying  
27 or cyber-bullying;

28 (b) Reports received pursuant to subsection 1 concerning incidents of  
29 discrimination based on race;

30 (c) Times in which a violation of NRS 388.135 is found to have occurred; and

31 (d) Times in which no violation of NRS 388.135 is found to have occurred.

32 13. ~~[A direct supervisor who receives a monthly report pursuant to subsection~~  
33 ~~12 shall, each calendar quarter, submit a report to the Office for a Safe and~~  
34 ~~Respectful Learning Environment that includes, for the schools for which the direct~~  
35 ~~supervisor has received a monthly report in the calendar quarter and categorized by~~  
36 ~~types of incidents and the demographics identified in subsection 1 of NRS~~  
37 ~~388.1235, the:~~

38 ~~—(a) Total number of reports received pursuant to subsection 1 concerning~~  
39 ~~bullying or cyber bullying;~~

40 ~~—(b) Total number of reports received pursuant to subsection 1 concerning~~  
41 ~~incidents of discrimination based on race;~~

42 ~~—(c) Number of times in which a violation of NRS 388.135 is found to have~~  
43 ~~occurred; and~~

44 ~~—(d) Number of times in which no violation of NRS 388.135 is found to have~~  
45 ~~occurred.~~

46 ~~—14. The Office for a Safe and Respectful Learning Environment, in~~  
47 ~~consultation with the direct supervisor of a principal, shall, after reviewing a report~~  
48 ~~submitted pursuant to subsection 12 or 13, as applicable, make any~~  
49 ~~recommendations based on identified trends and patterns the Office determines to~~  
50 ~~be appropriate regarding interventions or training to address discrimination based~~  
51 ~~on race, bullying and cyber bullying at the school.~~

52 ~~—15.] School hours and school days are determined for the purposes of this~~  
53 ~~section by the schedule established by the governing body for the school.~~

1 ~~[6.]~~ 14. The provisions of this section must not be construed to place any  
2 limit on the time within which an investigation concerning any alleged act that  
3 constitutes sexual assault must be completed.

4 **Sec. 7.** ~~[NRS 388A.495 is hereby amended to read as follows:~~

5 ~~388A.495 1. A governing body of a charter school shall adopt:~~

6 ~~(a) Written rules of behavior required of and prohibited for pupils attending the  
7 charter school; and~~

8 ~~(b) Appropriate punishments for violations of the rules.~~

9 ~~2. If suspension or expulsion of a pupil is used as a punishment for a violation  
10 of the rules, the charter school shall ensure that, before the suspension or expulsion,  
11 the pupil and, if the pupil is under 18 years of age, the parent or guardian of the  
12 pupil, has been given notice of the charges against him or her, an explanation of the  
13 evidence and an opportunity for a hearing. **Before a pupil is suspended or expelled,**  
14 **the charter school shall consider whether restorative approaches should be used**  
15 **as an alternative or in addition to suspension or expulsion.** If a pupil is suspended  
16 or expelled, the pupil or, if the pupil is under 18 years of age, the parent or guardian  
17 of the pupil may appeal the suspension or expulsion in accordance with the  
18 provisions of NRS 392.4671. The charter school shall ensure that a pupil who is  
19 suspended or expelled and is appealing the suspension or expulsion or a pupil who  
20 is being considered for suspension or expulsion continues to attend school and  
21 receives an appropriate education in the least restrictive environment possible as  
22 required by NRS 392.4673. The provisions of chapter 241 of NRS do not apply to  
23 any hearing or proceeding conducted pursuant to this section. Such a hearing or  
24 proceeding must be closed to the public.~~

25 ~~3. [A pupil who is at least 11 years of age and who poses a continuing danger  
26 to persons or property or an ongoing threat of disrupting the academic process, who  
27 is colling or distributing any controlled substance or who is found to be in  
28 possession of a dangerous weapon as provided in NRS 392.466 may be removed  
29 from the charter school only after the charter school has made a reasonable effort to  
30 complete a plan of action based on restorative justice with the pupil in accordance  
31 with the provisions of NRS 392.466 and 392.467.~~

32 ~~4.] A pupil with a disability who is at least 11 years of age and who is  
33 enrolled in a charter school may, in accordance with the procedural policy adopted by  
34 the governing body of the charter school for such matters and only after the  
35 governing body or its designee has reviewed the circumstances and determined that  
36 the action is in compliance with the Individuals with Disabilities Education Act, 20  
37 U.S.C. §§ 1400 et seq., be:~~

38 ~~(a) Suspended from the charter school pursuant to this section for not more  
39 than 5 days for each occurrence of proscribed conduct.~~

40 ~~(b) Expelled from school pursuant to this section.~~

41 ~~(c) Permanently expelled from school pursuant to this section.~~

42 ~~[5.] 4. A copy of the rules of behavior, proscribed punishments and  
43 procedures to be followed in imposing punishments must be:~~

44 ~~(a) Distributed to each pupil at the beginning of the school year and to each  
45 new pupil who enters school during the year.~~

46 ~~(b) Available for public inspection at the charter school.~~

47 ~~[6.] 5. The governing body of a charter school may adopt rules relating to the  
48 truancy of pupils who are enrolled in the charter school if the rules are at least as  
49 restrictive as the provisions governing truancy set forth in NRS 392.130 to 392.220,  
50 inclusive. If a governing body adopts rules governing truancy, it shall include the  
51 rules in the written rules adopted by the governing body pursuant to subsection 1.~~

52 ~~[7.] 6. As used in this section:~~

53 ~~(a) "Expel" or "expulsion" has the meaning ascribed to it in NRS 392.4603.~~

1 ~~— (b) “Permanently expelled” means the disciplinary removal of a pupil from the~~  
2 ~~school in which the pupil is currently enrolled;~~

3 ~~— (1) Except as otherwise provided in subparagraph (2), without the~~  
4 ~~possibility of returning to the school in which the pupil is currently enrolled or~~  
5 ~~another public school within the school district; and~~

6 ~~— (2) With the possibility of enrolling in a program or public school for~~  
7 ~~alternative education for pupils who are expelled or permanently expelled after~~  
8 ~~being permanently expelled.~~

9 ~~— (c) “Pupil with a disability” has the meaning ascribed to it in NRS 388.417.~~

10 ~~— (d) “Restorative approaches” has the meaning ascribed to it in NRS 392.472.~~

11 ~~— (e) “Suspend” or “suspension” has the meaning ascribed to it in NRS~~  
12 ~~392.4607.] (Deleted by amendment.)~~

13 **Sec. 8.** ~~[NRS 388C.150 is hereby amended to read as follows:~~

14 ~~— 388C.150 1. The governing body of a university school for profoundly~~  
15 ~~gifted pupils shall adopt:~~

16 ~~— (a) Written rules of behavior for pupils enrolled in the university school,~~  
17 ~~including, without limitation, prohibited acts; and~~

18 ~~— (b) Appropriate punishments for violations of the rules.~~

19 ~~— 2. If suspension or expulsion of a pupil is used as a punishment for a violation~~  
20 ~~of the rules, the university school for profoundly gifted pupils shall ensure that,~~  
21 ~~before the suspension or expulsion, the pupil has been given notice of the charges~~  
22 ~~against him or her, an explanation of the evidence and an opportunity for a hearing.~~  
23 ~~**Before a pupil is suspended or expelled, the university school shall consider**~~  
24 ~~**whether restorative approaches should be used as an alternative or in addition to**~~  
25 ~~**suspension or expulsion.** If a pupil is suspended or expelled, the pupil or, if the~~  
26 ~~pupil is under 18 years of age, the parent or guardian of the pupil may appeal the~~  
27 ~~suspension or expulsion in accordance with the provisions of NRS 392.4671. The~~  
28 ~~university school shall ensure that a pupil who is suspended or expelled and is~~  
29 ~~appealing the suspension or expulsion or a pupil who is being considered for~~  
30 ~~suspension or expulsion continues to attend school and receives an appropriate~~  
31 ~~education in the least restrictive environment possible as required by NRS~~  
32 ~~392.4673. The provisions of chapter 241 of NRS do not apply to any hearing or~~  
33 ~~proceeding conducted pursuant to this section. Such a hearing or proceeding must~~  
34 ~~be closed to the public.~~

35 ~~— 3. [A pupil who is at least 11 years of age and who poses a continuing danger~~  
36 ~~to persons or property or an ongoing threat of disrupting the academic process, who~~  
37 ~~is selling or distributing any controlled substance or who is found to be in~~  
38 ~~possession of a dangerous weapon as provided in NRS 392.466 may be removed~~  
39 ~~only after the university school for profoundly gifted pupils has made a reasonable~~  
40 ~~effort to complete a plan of action based on restorative justice with the pupil in~~  
41 ~~accordance with the provisions of NRS 392.466 and 392.467.~~

42 ~~— 4.] A pupil with a disability who is at least 11 years of age and who is~~  
43 ~~enrolled in a university school for profoundly gifted pupils may, in accordance with~~  
44 ~~the procedural policy adopted by the governing body of the university school for~~  
45 ~~such matters and only after the governing body or its designee has reviewed the~~  
46 ~~circumstances and determined that the action is in compliance with the Individuals~~  
47 ~~with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:~~

48 ~~— (a) Suspended from the university school pursuant to this section for not more~~  
49 ~~than 5 days for each occurrence of proscribed conduct.~~

50 ~~— (b) Expelled from school pursuant to this section.~~

51 ~~— (c) Permanently expelled from school pursuant to this section.~~

52 ~~— [5.] 4. A copy of the rules of behavior, proscribed punishments and~~  
53 ~~procedures to be followed in imposing punishments must be:~~

~~1 (a) Distributed to each pupil at the beginning of the school year and to each  
2 new pupil who enters the university school for profoundly gifted pupils during the  
3 year.~~

~~4 (b) Available for public inspection at the university school.~~

~~5 [6.] 5. The governing body of a university school for profoundly gifted pupils  
6 may adopt rules relating to the truancy of pupils who are enrolled in the university  
7 school if the rules are at least as restrictive as the provisions governing truancy set  
8 forth in NRS 392.130 to 392.220, inclusive. If the governing body adopts rules  
9 governing truancy, it shall include the rules in the written rules adopted by the  
10 governing body pursuant to subsection 1.~~

~~11 [7.] 6. As used in this section:~~

~~12 (a) "Expel" or "expulsion" has the meaning ascribed to it in NRS 392.4603.~~

~~13 (b) "Permanently expelled" means the disciplinary removal of a pupil from the  
14 school in which the pupil is currently enrolled.~~

~~15 (1) Except as otherwise provided in subparagraph (2), without the  
16 possibility of returning to the school in which the pupil is currently enrolled or  
17 another public school within the school district, and~~

~~18 (2) With the possibility of enrolling in a program or public school for  
19 alternative education for pupils who are expelled or permanently expelled after  
20 being permanently expelled.~~

~~21 (c) "Pupil with a disability" has the meaning ascribed to it in NRS 388.417.~~

~~22 (d) "Restorative approaches" has the meaning ascribed to it in NRS 392.472.~~

~~23 (e) "Suspend" or "suspension" has the meaning ascribed to it in NRS  
24 392.4607.] (Deleted by amendment.)~~

**Sec. 9.** NRS 389.167 is hereby amended to read as follows:

389.167 1. A pupil enrolled at a public school must be allowed to apply one  
27 or more credits toward the total number of credits required for graduation from high  
28 school if the pupil successfully completes the number of hours in a work-based  
29 learning program required by regulation of the State Board to earn such credits.  
30 Any credits earned for successful completion of a work-based learning program  
31 must be applied toward the pupil's elective course credits and not toward a course  
32 that is required for graduation from high school.

2. The board of trustees of a school district or the governing body of a charter  
34 school may offer a work-based learning program upon application to and with the  
35 approval of the ~~[State Board.]~~ *Superintendent of Public Instruction*. An  
36 application to offer a work-based learning program must include, without  
37 limitation:

38 (a) The fields, trades or occupations in which a work-based learning program  
39 will be offered.

40 (b) The qualifications of a pupil to participate in the work-based learning  
41 program. Such qualifications must allow a majority of pupils to be eligible to  
42 participate in the work-based learning program.

43 (c) A description of the process that will be used by pupils to apply to  
44 participate in a work-based learning program.

45 (d) A description of the manner in which participation in a work-based learning  
46 program and completion of the requirements of a work-based learning program will  
47 be verified.

48 (e) A description of the manner in which the performance of a pupil who  
49 participates in the work-based learning program will be evaluated, which must  
50 include, without limitation, an on-site evaluation of the performance of the pupil.

51 3. Upon approval by the ~~[State Board]~~ *Superintendent of Public Instruction*  
52 of an application to offer a work-based learning program submitted pursuant to  
53 subsection 2, the board of trustees or the governing body shall:

1 (a) Designate an employee of the school district or charter school, as  
2 applicable, to serve as a work-based learning coordinator to coordinate and oversee  
3 work-based learning programs. Such an employee must ensure that each business,  
4 agency or organization that will offer employment and supervision of a pupil as  
5 part of the work-based learning program is suitable for participation in a work-  
6 based learning program.

7 (b) Establish and maintain a list of businesses, agencies and organizations that  
8 have been found suitable by the work-based learning coordinator pursuant to  
9 paragraph (a).

10 4. To receive approval from the ~~{State Board}~~ *Superintendent of Public*  
11 *Instruction* to offer a work-based learning program, the work-based learning  
12 program must include, without limitation, requirements that:

13 (a) A detailed training agreement and training plan be completed for each pupil  
14 participating in the work-based training program for credit that identifies the  
15 specific tasks in which the pupil will participate that will develop competency of  
16 the pupil in the workplace;

17 (b) A pupil participating in the work-based learning program be allowed to  
18 leave the public school in which he or she is enrolled during the school day to  
19 participate in such a program; and

20 (c) Participation by a pupil in the work-based learning program will develop a  
21 broad range of skills and will allow a pupil to focus on his or her chosen career  
22 pathway.

23 5. A school district or charter school may allow a pupil who successfully  
24 completes a work-based learning program to earn dual credit for participation in the  
25 work-based learning program.

26 6. On or before January 15 of each odd-numbered year, the board of trustees  
27 of a school district and the governing body of a charter school that offers a work-  
28 based learning program shall prepare a report concerning the manner in which the  
29 work-based learning program has been carried out and submit the report to the State  
30 Board and the Legislature. The report must include, without limitation:

31 (a) The number of pupils participating in the work-based learning program;  
32 and

33 (b) The types of work-based learning offered through the work-based learning  
34 program.

35 7. The number of pupils participating in the work-based learning program  
36 reported pursuant to paragraph (a) of subsection 6 must be disaggregated on the  
37 basis of the following characteristics:

38 (a) Pupils who are American Indian or Alaska Native, Asian, Black or African  
39 American, Hispanic or Latino, Native Hawaiian or Pacific Islander, white or two or  
40 more races;

41 (b) Gender of pupils;

42 (c) Pupils who are migrants; and

43 (d) Pupils who are members of special populations, as defined in 20 U.S.C. §  
44 2302(48).

45 **Sec. 10.** ~~[NRS 391.690 is hereby amended to read as follows:~~

46 ~~391.690 1. If a postprobationary teacher receives an evaluation designating~~  
47 ~~his or her overall performance as developing or ineffective, the postprobationary~~  
48 ~~teacher must receive one evaluation in the immediately succeeding school year~~  
49 ~~which is based in part upon three observation cycles which must occur in~~  
50 ~~accordance with the observation schedule set forth in subsection 1 of NRS 391.685.~~  
51 ~~If a postprobationary teacher receives evidence from the first two observation~~  
52 ~~cycles during the school year indicating that, unless his or her performance~~  
53 ~~improves, his or her overall performance may be rated as developing or ineffective~~



1 on the evaluation, the postprobationary teacher may request that the third  
 2 observation cycle be conducted by another administrator. If a postprobationary  
 3 teacher requests that his or her third observation cycle be conducted by another  
 4 administrator, that administrator must be:

5 ~~— (a) Employed by the school district or, if the school district has five or fewer~~  
 6 ~~administrators, employed by another school district in this State; and~~

7 ~~— (b) Selected by the postprobationary teacher from a list of three candidates~~  
 8 ~~submitted by the superintendent.~~

9 ~~— 2. If a postprobationary teacher receives an evaluation designating his or her~~  
 10 ~~overall performance as effective, the postprobationary teacher must receive one~~  
 11 ~~evaluation in the immediately succeeding school year. The evaluation must be~~  
 12 ~~based in part upon at least one scheduled observation cycle, which must occur~~  
 13 ~~within 120 days after the first day of instruction of the school year.~~

14 ~~— 3. If a postprobationary teacher receives an evaluation designating his or her~~  
 15 ~~overall performance as highly effective for 2 consecutive school years, the~~  
 16 ~~postprobationary teacher must:~~

17 ~~— (a) Participate in one observation cycle in the school year immediately~~  
 18 ~~following the school year in which the postprobationary teacher receives a second~~  
 19 ~~consecutive evaluation designating his or her performance as highly effective. [;~~  
 20 ~~and] *The postprobationary teacher may receive one evaluation based in part upon*~~  
 21 ~~*the observation cycle conducted pursuant to this paragraph.*~~

22 ~~— (1) Upon request of the postprobationary teachers; or~~  
 23 ~~— (2) At the discretion of the administrator who conducts the observation~~  
 24 ~~cycle.~~

25 ~~— (b) Receive one evaluation in the school year immediately following the school~~  
 26 ~~year in which the postprobationary teacher participated in the observation cycle~~  
 27 ~~pursuant to paragraph (a). The evaluation must be based in part upon at least one~~  
 28 ~~scheduled observation cycle, which must occur within 120 days after the first day~~  
 29 ~~of instruction of that school year. **(Deleted by amendment.)**~~

30 **Sec. 11.** [NRS 391.710 is hereby amended to read as follows:

31 ~~— 391.710 1. If a postprobationary administrator receives an evaluation~~  
 32 ~~designating his or her overall performance as developing or ineffective, the~~  
 33 ~~postprobationary administrator must receive one evaluation in the immediately~~  
 34 ~~succeeding school year which is based in part upon three observation cycles which~~  
 35 ~~must occur in accordance with the observation schedule set forth in subsection 1 of~~  
 36 ~~NRS 391.705. If a postprobationary administrator receives evidence from the first~~  
 37 ~~two observation cycles indicating that, unless his or her performance improves, his~~  
 38 ~~or her overall performance may be rated as developing or ineffective on the~~  
 39 ~~evaluation, the postprobationary administrator may request that the third~~  
 40 ~~observation cycle be conducted by another administrator. If a postprobationary~~  
 41 ~~administrator requests that his or her third observation cycle be conducted by~~  
 42 ~~another administrator, that administrator must be:~~

43 ~~— (a) Employed by the school district or, if the school district has five or fewer~~  
 44 ~~administrators, employed by another school district in this State; and~~

45 ~~— (b) Selected by the postprobationary administrator from a list of three~~  
 46 ~~candidates submitted by the superintendent.~~

47 ~~— 2. If a postprobationary administrator receives an evaluation designating his~~  
 48 ~~or her overall performance as effective, the postprobationary administrator must~~  
 49 ~~receive one evaluation in the immediately succeeding school year. The evaluation~~  
 50 ~~must be based in part upon at least one scheduled observation cycle, which must~~  
 51 ~~occur within 120 days after the first day of instruction of the school year.~~



~~2. If a postprobationary administrator receives an evaluation designating his or her overall performance as highly effective for 2 consecutive school years, the postprobationary administrator must:~~

~~(a) Participate in one observation cycle in the school year immediately following the school year in which the postprobationary administrator receives a second consecutive evaluation designating his or her performance as highly effective. [; and] The postprobationary administrator may receive one evaluation based in part upon the observation cycle conducted pursuant to this paragraph.~~

~~(1) Upon the request of the postprobationary administrator; or~~  
~~(2) At the discretion of the administrator who conducts the observation cycle.~~

~~(b) Receive one evaluation in the school year immediately following the school year in which the postprobationary administrator participated in the observation cycle pursuant to paragraph (a). The evaluation must be based in part upon at least one scheduled observation cycle, which must occur within 120 days after the first day of instruction of that school year. (Deleted by amendment.)~~

**Sec. 12.** NRS 392.040 is hereby amended to read as follows:

392.040 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 ~~[the first day]~~ August 1 of the school year, or if August 1 does not occur during the school year, on or before August 1 preceding ~~[a]~~ the 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 ~~[the first day]~~ August 1 of the school year, or if August 1 does not occur during a school year, on or before August 1 preceding ~~[a]~~ the 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 ~~[the first day]~~ August 1 of the school year, or if August 1 does not occur during a school year, on or before August 1 preceding ~~[a]~~ the school year must:

(a) If the child has not completed kindergarten, ~~[undergo an assessment by the school district or charter school, as applicable, pursuant to subsection 7 to determine whether the child is prepared developmentally to be admitted to the first grade. If the school district or charter school, as applicable, determines that the child is prepared developmentally, the child must be admitted to the first grade at the beginning of that school year. If the school district or charter school, as applicable, determines that the child is not so prepared, he or she must]~~ 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 ~~[the first day of]~~ August 1 of the school year, or if August 1 does not occur during a school year, on or before August 1 preceding ~~[a]~~ the 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 ~~[the first day of]~~ August 1 of the school year, or if August 1 does not occur during a school year, on or before August 1 preceding ~~[a]~~ the school year may elect for the

1 child not to attend kindergarten or the first grade during that year. The parents,  
 2 custodial parent, guardian or other person who makes such an election shall file  
 3 with the board of trustees of the appropriate school district a waiver in a form  
 4 prescribed by the board.

5 5. Whenever a child who is 6 years of age is enrolled in a public school, each  
 6 parent, custodial parent, guardian or other person in the State of Nevada having  
 7 control or charge of the child shall send the child to the public school during all the  
 8 time the school is in session. If the board of trustees of a school district has adopted  
 9 a policy prescribing a minimum number of days of attendance for pupils enrolled in  
 10 kindergarten or first grade pursuant to NRS 392.122, the school district shall  
 11 provide to each parent and legal guardian of a pupil who elects to enroll his or her  
 12 child in kindergarten or first grade a written document containing a copy of that  
 13 policy and a copy of the policy of the school district concerning the withdrawal of  
 14 pupils from kindergarten or first grade. Before the child's first day of attendance at  
 15 a school, the parent or legal guardian shall sign a statement on a form provided by  
 16 the school district acknowledging that he or she has read and understands the policy  
 17 concerning attendance and the policy concerning withdrawal of pupils from  
 18 kindergarten or first grade. The parent or legal guardian shall comply with the  
 19 applicable requirements for attendance. This requirement for attendance does not  
 20 apply to any child under the age of 7 years who has not yet been enrolled or has  
 21 been formally withdrawn from enrollment in public school.

22 6. A child who is 7 years of age on or before ~~the first day of~~ August 1 of the  
 23 school year, or if August 1 does not occur during a school year, on or before  
 24 August 1 preceding ~~the~~ school year must:

25 (a) If the child has completed kindergarten and the first grade, be admitted to  
 26 the second grade at the beginning of that school year.

27 (b) If the child has completed kindergarten, be admitted to the first grade.

28 (c) If the parents, custodial parent, guardian or other person in the State of  
 29 Nevada having control or charge of the child waived the child's attendance from  
 30 kindergarten pursuant to subsection 4, ~~child has not completed first grade,~~  
 31 undergo an assessment by the ~~school~~ district ~~for charter school, as applicable,~~  
 32 pursuant to subsection 7 to determine whether the child is prepared  
 33 developmentally to be admitted to the first ~~second~~ grade. If the ~~school~~ district  
 34 ~~for charter school, as applicable,~~ determines that the child is prepared  
 35 developmentally, the child must be admitted to the first ~~second~~ grade at the  
 36 beginning of that school year. If the ~~school~~ district ~~for charter school, as~~  
 37 ~~applicable,~~ determines that the child is not so prepared, he or she must be admitted  
 38 to kindergarten. ~~the first grade at the beginning of that school year.~~

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

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

43 (a) ~~Who is 6 years of age on or before August 1 preceding a school year and~~  
 44 ~~who has not completed kindergarten, to determine whether the child is prepared~~  
 45 ~~developmentally to be admitted to the first grade; or~~

46 ~~—(b) Who is 7 years of age on or before~~ the first day August 1 of the ~~next~~  
 47 school year, or if August 1 does not occur during a school year, on or before  
 48 August 1 preceding ~~the~~ school year ; and

49 (b) Whose parents waived the child's attendance from kindergarten pursuant to  
 50 subsection 4,

51 ↳ ~~who has not completed first grade,~~ to determine whether the child is prepared  
 52 developmentally to be admitted to the first ~~second~~ grade.

1 ~~6~~ The results of the test must be made available to the parents, custodial parent,  
2 guardian or other person within the State of Nevada having control or charge of the  
3 child.

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

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

14 (a) The grade, other than kindergarten, the child was attending or would be  
15 attending had he or she remained a resident of the other state, regardless of the  
16 child's age.

17 (b) Kindergarten, if the child was enrolled in kindergarten in another state in  
18 accordance with the laws of that state, regardless of the child's age.

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

20 (a) A kindergarten established by the board of trustees of a school district  
21 pursuant to NRS 388.060;

22 (b) A kindergarten established by the governing body of a charter school; and

23 (c) An authorized program of instruction for kindergarten offered in a child's  
24 home pursuant to NRS 388.060.

25 **Sec. 12.3. NRS 392.040 is hereby amended to read as follows:**

26 392.040 1. Except as otherwise provided by law, each parent, custodial  
27 parent, guardian or other person in the State of Nevada having control or charge of  
28 any child between the ages of ~~7~~ 6 and 18 years shall send the child to a public  
29 school during all the time the public school is in session in the school district in  
30 which the child resides unless the child has graduated from high school.

31 2. A child who is 5 years of age on or before August 1 of the school year, or if  
32 August 1 does not occur during the school year, on or before August 1 preceding  
33 the school year, may be admitted to kindergarten at the beginning of that school  
34 year, and the child's enrollment must be counted for purposes of apportionment. If  
35 a child is not 5 years of age on or before August 1 of the school year, or if August 1  
36 does not occur during the school year, on or before August 1 preceding the school  
37 year, the child must not be admitted to kindergarten.

38 3. Except as otherwise provided in subsection 4, a child who is 6 years of age  
39 on or before August 1 of the school year, or if August 1 does not occur during the  
40 school year, on or before August 1 preceding the school year must:

41 (a) If the child has not completed kindergarten, be admitted to kindergarten at  
42 the beginning of that school year; or

43 (b) If the child has completed kindergarten, be admitted to the first grade at the  
44 beginning of that school year,

45 and the child's enrollment must be counted for purposes of apportionment. If a  
46 child is not 6 years of age on or before August 1 of the school year, or if August 1  
47 does not occur during the school year, on or before August 1 preceding the school  
48 year, the child must not be admitted to the first grade until the beginning of the  
49 school year following the child's sixth birthday.

50 4. The parents, custodial parent, guardian or other person within the State of  
51 Nevada having control or charge of a child who is ~~6~~ 5 years of age on or before  
52 August 1 of the school year, or if August 1 does not occur during the school year,  
53 on or before August 1 preceding the school year may elect for the child not to

1 attend kindergarten ~~for the first grade~~ during that year. The parents, custodial  
2 parent, guardian or other person who makes such an election shall file with the  
3 board of trustees of the appropriate school district a waiver in a form prescribed by  
4 the board.

5 5. Whenever a child who is 6 years of age is enrolled in a public school, each  
6 parent, custodial parent, guardian or other person in the State of Nevada having  
7 control or charge of the child shall send the child to the public school during all the  
8 time the school is in session. If the board of trustees of a school district has adopted  
9 a policy prescribing a minimum number of days of attendance for pupils enrolled in  
10 kindergarten or first grade pursuant to NRS 392.122, the school district shall  
11 provide to each parent and legal guardian of a pupil who elects to enroll his or her  
12 child in kindergarten or first grade a written document containing a copy of that  
13 policy and a copy of the policy of the school district concerning the withdrawal of  
14 pupils from kindergarten or first grade. Before the child's first day of attendance at  
15 a school, the parent or legal guardian shall sign a statement on a form provided by  
16 the school district acknowledging that he or she has read and understands the policy  
17 concerning attendance and the policy concerning withdrawal of pupils from  
18 kindergarten or first grade. The parent or legal guardian shall comply with the  
19 applicable requirements for attendance. This requirement for attendance does not  
20 apply to any child under the age of ~~7~~ 6 years who has not yet been enrolled or has  
21 been formally withdrawn from enrollment in public school.

22 6. ~~[A child who is 7 years of age on or before August 1 of the school year, or~~  
23 ~~if August 1 does not occur during the school year, on or before August 1 preceding~~  
24 ~~the school year must:~~

25 ~~— (a) If the child has completed kindergarten and the first grade, be admitted to~~  
26 ~~the second grade.~~

27 ~~— (b) If the child has completed kindergarten, be admitted to the first grade.~~

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

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

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

40 ~~— (a) Who is 7 years of age on or before August 1 of the school year, or if August~~  
41 ~~1 does not occur during the school year, on or before August 1 preceding the school~~  
42 ~~year; and~~

43 ~~— (b) Whose parents waived the child's attendance from kindergarten pursuant to~~  
44 ~~subsection 4,~~

45 ~~— to determine whether the child is prepared developmentally to be admitted to the~~  
46 ~~first grade. The results of the test must be made available to the parents, custodial~~  
47 ~~parent, guardian or other person within the State of Nevada having control or~~  
48 ~~charge of the child.~~

49 ~~— 8.~~ Except as otherwise provided in subsection ~~(9),~~ 7, a child who becomes a  
50 resident of this State after completing kindergarten or beginning first grade in  
51 another state in accordance with the laws of that state may be admitted to the grade  
52 the child was attending or would be attending had he or she remained a resident of  
53 the other state regardless of his or her age, unless the board of trustees of the school

1 district determines that the requirements of this section are being deliberately  
 2 circumvented.

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

6 (a) The grade, other than kindergarten, the child was attending or would be  
 7 attending had he or she remained a resident of the other state, regardless of the  
 8 child's age.

9 (b) Kindergarten, if the child was enrolled in kindergarten in another state in  
 10 accordance with the laws of that state, regardless of the child's age.

11 ~~¶ 8.~~ As used in this section, "kindergarten" includes:

12 (a) A kindergarten established by the board of trustees of a school district  
 13 pursuant to NRS 388.060;

14 (b) A kindergarten established by the governing body of a charter school; and

15 (c) An authorized program of instruction for kindergarten offered in a child's  
 16 home pursuant to NRS 388.060.

17 **Sec. 12.5. NRS 392.160 is hereby amended to read as follows:**

18 392.160 1. Any peace officer, the attendance officer or any other school  
 19 officer shall, during school hours, take into custody without warrant:

20 (a) Any child between the ages of ~~¶ 6~~ 6 and 18 years; and

21 (b) Any child who has arrived at the age of ~~¶ 5~~ 5 years but not at the age of ~~¶ 7~~  
 22 6 years and is enrolled in a public school,

23 who has been reported to the officer by the teacher, superintendent of schools or  
 24 other school officer as an absentee from instruction upon which the child is  
 25 lawfully required to attend.

26 2. Except as otherwise provided in subsection 3:

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

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

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

38 **Sec. 13. NRS 392.464 is hereby amended to read as follows:**

39 ~~— 392.464 — 1. The board of trustees of each school district shall establish a~~  
 40 ~~plan to provide for the restorative discipline of pupils and on site review of~~  
 41 ~~disciplinary decisions. The plan must:~~

42 ~~— (a) Be developed with the input and participation of teachers, school~~  
 43 ~~administrators and other educational personnel and support personnel who are~~  
 44 ~~employed by the school district, pupils who are enrolled in schools within the~~  
 45 ~~school district and the parents and guardians of pupils who are enrolled in schools~~  
 46 ~~within the school district.~~

47 ~~— (b) Be consistent with the written rules of behavior prescribed in accordance~~  
 48 ~~with NRS 392.463.~~

49 ~~— (c) Include, without limitation, provisions designed to address the specific~~  
 50 ~~disciplinary needs and concerns of each school within the school district.~~

51 ~~— (d) Provide restorative disciplinary practices which include, without limitation:~~

52 ~~— (1) Holding a pupil accountable for his or her behavior;~~

53 ~~— (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.~~  
~~(c) 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 in accordance with the statewide framework for restorative [justice] approaches developed pursuant to NRS 388.1333, including, without limitation, by addressing the occurrences of the suspension, expulsion or removal of pupils from school that disproportionately affect pupils who belong to a group of pupils listed in subsection 2 of NRS 385A.250.~~  
~~(i) 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) Determine whether and to what extent the occurrences of the suspension, expulsion or removal of pupils from school disproportionately affect pupils who belong to a group of pupils listed in subsection 2 of NRS 385A.250;~~  
~~(c) 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;~~  
~~(d) 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~~  
~~(e) 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, including, without limitation, addressing the occurrences of the suspension, expulsion or removal of pupils from school that disproportionately affect pupils who belong to a group of pupils listed in subsection 2 of NRS 385A.250; and~~  
~~(b) Post a copy of the report on the Internet website maintained by the school district.~~  
~~4. As used in this section, "restorative [justice]" *approaches* has the meaning ascribed to it in NRS 392.472. (Deleted by amendment.)~~

**Sec. 14.** [NRS 392.466 is hereby amended to read as follows:

~~392.466 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 or, if the pupil is an~~

1 unaccompanied pupil, the pupil.] The pupil may be suspended or expelled from the  
2 school, in which case the pupil shall:

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

5 ~~— (b) Enroll in a program of independent study provided pursuant to NRS~~  
6 ~~389.155 for pupils who have been suspended or expelled from public school or a~~  
7 ~~program of distance education provided pursuant to NRS 388.820 to 388.874,~~  
8 ~~inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in~~  
9 ~~accordance with the requirements of the applicable program.~~

10 ~~→ Before a pupil is suspended or expelled from the school, the school shall~~  
11 ~~consider the use of restorative approaches as an alternative or in addition to~~  
12 ~~suspension or expulsion.~~

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

16 ~~— (a) The employee feels any disciplinary actions taken [pursuant to such plan]~~  
17 ~~are inappropriate; and~~

18 ~~— (b) For a pupil with a disability who committed the battery, the board of~~  
19 ~~trustees of the school district or its designee has reviewed the circumstances and~~  
20 ~~determined that such an appeal is in compliance with the Individuals with~~  
21 ~~Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.~~

22 ~~3. Except as otherwise provided in this section, any pupil of any age,~~  
23 ~~including, without limitation, a pupil with a disability, who is found in possession~~  
24 ~~of a firearm or a dangerous weapon while on the premises of any public school, at~~  
25 ~~an activity sponsored by a public school or on any school bus must, for the first~~  
26 ~~occurrence, be expelled from the school for a period of not less than 1 year,~~  
27 ~~although the pupil may be placed in another kind of school for a period not to~~  
28 ~~exceed the period of the expulsion. For a second occurrence, the pupil must be~~  
29 ~~permanently expelled from the school.~~

30 ~~4. If, after a meeting conducted pursuant to subsection 1, a school~~  
31 ~~concludes that it is unable to retain a pupil in the school [pursuant to subsection 1]~~  
32 ~~for the safety of any person or because doing so would not be in the best interest of~~  
33 ~~the pupil, the pupil may be suspended, expelled or placed in another school. If a~~  
34 ~~pupil is placed in another school, the current school of the pupil shall explain what~~  
35 ~~services will be provided to the pupil at the new school that the current school is~~  
36 ~~unable to provide to address the specific needs and behaviors of the pupil. The~~  
37 ~~school district of the current school of the pupil shall coordinate with the new~~  
38 ~~school to [create a plan of action based on restorative justice for the pupil]~~  
39 ~~determine if any restorative approaches should be implemented and to ensure that~~  
40 ~~any resources required to [execute] implement the [plan of action based on]~~  
41 ~~restorative [justice] approaches are available at the new school.~~

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

47 ~~— (a) Suspended from the school; or~~

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

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

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



1 ~~— (b) Enroll in a program of independent study provided pursuant to NRS~~  
2 ~~389.155 for pupils who have been suspended or expelled from public school or a~~  
3 ~~program of distance education provided pursuant to NRS 388.820 to 388.874,~~  
4 ~~inclusive, if the pupil qualifies for enrollment and is accepted for enrollment in~~  
5 ~~accordance with the requirements of the applicable program.~~

6 ~~— 7. The superintendent of schools of a school district may, for good cause~~  
7 ~~shown in a particular case in that school district, allow a modification to a~~  
8 ~~suspension or expulsion pursuant to subsections 1 to 5, inclusive, if such~~  
9 ~~modification is set forth in writing. The superintendent shall allow such a~~  
10 ~~modification if the superintendent determines that [a plan of action based on]~~  
11 ~~restorative [justice] *approaches* may be used successfully [.] *as an alternative to*~~  
12 ~~*the suspension or expulsion.*~~

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

17 ~~— 9. Except as otherwise provided in this subsection and subsection 3, a pupil~~  
18 ~~who is less than 11 years of age must not be permanently expelled from school. In~~  
19 ~~extraordinary circumstances, a school may request an exception to this subsection~~  
20 ~~from the board of trustees of the school district. A pupil who is at least 11 years of~~  
21 ~~age may be suspended, expelled or permanently expelled from school pursuant to~~  
22 ~~this section only after the board of trustees of the school district or its designee has~~  
23 ~~reviewed the circumstances and approved this action in accordance with the~~  
24 ~~procedural policy adopted by the board for such issues.~~

25 ~~— 10. Except as otherwise provided in subsection 3, a pupil with a disability~~  
26 ~~who is at least 11 years of age may, in accordance with the procedural policy~~  
27 ~~adopted by the board of trustees of the school district for such matters and only~~  
28 ~~after the board of trustees of the school district or its designee has reviewed the~~  
29 ~~circumstances and determined that the action is in compliance with the Individuals~~  
30 ~~with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., be:~~

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

34 ~~— (b) Expelled from school pursuant to this section.~~

35 ~~— (c) Permanently expelled from school pursuant to this section.~~

36 ~~— 11. A homeless pupil or a pupil in foster care who is at least 11 years of age~~  
37 ~~may be suspended or expelled from school pursuant to this section only if a~~  
38 ~~determination is made that the behavior that led to the consideration for suspension~~  
39 ~~or expulsion was not caused by homelessness or being in foster care. The person~~  
40 ~~responsible for making a determination of whether or not the behavior was caused~~  
41 ~~by homelessness or being in foster care shall presume that the behavior was caused~~  
42 ~~by homelessness or being in foster care unless the person determines that the~~  
43 ~~behavior was not caused by homelessness or being in foster care pursuant to this~~  
44 ~~subsection. A determination that the behavior was not caused by homelessness must~~  
45 ~~be made in consultation with the local educational agency liaison for homeless~~  
46 ~~pupils designated in accordance with the McKinney-Vento Homeless Assistance~~  
47 ~~Act of 1987, 42 U.S.C. §§ 11301 et seq., or a contact person at a school, including,~~  
48 ~~without limitation, a school counselor or school social worker. A determination that~~  
49 ~~the behavior was not caused by being in foster care must be made in consultation~~  
50 ~~with an advocate for pupils in foster care at the school in which the pupil is enrolled~~  
51 ~~or the school counselor of the pupil.~~



~~12. The provisions of chapter 241 of NRS do not apply to any hearing or proceeding conducted pursuant to this section. Such hearings or proceedings must be closed to the public.~~

~~13. 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) "Foster care" has the meaning ascribed to it in 45 C.F.R. § 1355.20.~~

~~(e) "Homeless pupil" has the meaning ascribed to the term "homeless children and youths" in 42 U.S.C. § 11434a(2).~~

~~(f) "Permanently expelled" means the disciplinary removal of a pupil from the school in which the pupil is currently enrolled.~~

~~(1) Except as otherwise provided in subparagraph (2), without the possibility of returning to the school in which the pupil is currently enrolled or another public school within the school district; and~~

~~(2) With the possibility of enrolling in a program or public school for alternative education for pupils who are expelled or permanently expelled after being permanently expelled.~~

~~(g) "Restorative [justice] approaches" has the meaning ascribed to it in NRS 392.472.~~

~~(h) "Unaccompanied pupil" has the meaning ascribed to the term "unaccompanied youth" in 42 U.S.C. § 11434a(6).~~

~~14. 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.] **(Deleted by amendment.)**~~

**Sec. 15. [NRS 392.472 is hereby amended to read as follows:**

~~392.472 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], *before* removing a pupil from a classroom or other premises of the public school or suspending or expelling a pupil from school [.] *consider the use of restorative approaches as an alternative or in addition to removing a pupil from a classroom or other premises of the public school or suspending or expelling a pupil.*~~

~~2. The Department shall develop one or more examples of [a plan of action which] *disciplinary practices in which restorative approaches are used as an alternative or in addition to removing a pupil from a classroom or other premises of the public school or suspending or expelling a pupil from school. Such disciplinary practices* may include, without limitation:~~

~~(a) [Positive behavioral interventions and support;~~

~~(b) A] *The development of a plan for behavioral intervention;*~~

~~1 [(e)] (b) A referral to a team of student support;~~  
~~2 [(d)] (c) A referral to an individualized education program team;~~  
~~3 [(e)] (d) A referral to appropriate community-based services; [and~~  
~~4 (f)] (e) A conference with the principal of the school or his or her designee and~~  
~~5 any other appropriate personnel [ ]; and~~

~~6 (f) Any other method for implementing restorative approaches;~~

~~7 3. [The Department may approve a plan of action based on restorative justice~~  
~~8 that meets the requirements of this section submitted by a public school.~~

~~9 4.] The Department, in consultation with the Office for a Safe and Respectful~~  
~~10 Learning Environment, shall post on its Internet website a guidance document that~~  
~~11 includes, without limitation:~~

~~12 (a) A description of the statewide framework for restorative [justice]~~  
~~13 approaches developed pursuant to NRS 388.1333 and the requirements of this~~  
~~14 section and NRS 392.462;~~

~~15 (b) A timeline for implementation of the requirements of this section and NRS~~  
~~16 392.462 by a public school;~~

~~17 (c) One or more models of restorative [justice] approaches and best practices~~  
~~18 relating to restorative [justice.] approaches;~~

~~19 (d) A curriculum for professional development relating to restorative [justice]~~  
~~20 approaches and references for one or more consultants or presenters qualified to~~  
~~21 provide additional information or training relating to restorative [justice;]~~  
~~22 approaches; and~~

~~23 (e) One or more examples of [a plan of action based on restorative justice]~~  
~~24 disciplinary practices developed pursuant to subsection 2.~~

~~25 [5.] 4. As used in this section:~~

~~26 (a) "Individualized education program team" has the meaning ascribed to it in~~  
~~27 20 U.S.C. § 1414(d)(1)(B);~~

~~28 (b) "Restorative justice" means nonpunitive intervention and support provided~~  
~~29 by the school to a pupil to improve the behavior of the pupil and remedy any harm~~  
~~30 caused by the pupil.] approaches";~~

~~31 (1) Means a relationship focused student discipline model that, without~~  
~~32 limitation:~~

~~33 (I) Is preventative and proactive;~~

~~34 (II) Emphasizes building strong relationships and setting clear~~  
~~35 behavioral expectations that contribute to the well being of the school~~  
~~36 community;~~

~~37 (III) In response to behavior that violates the clear behavioral~~  
~~38 expectations that contribute to the well being of the school community, focuses~~  
~~39 on accountability for any harm done by such behavior; and~~

~~40 (IV) Addresses ways to repair the relationships affected by the~~  
~~41 problem behavior with the voluntary participation of any person who was~~  
~~42 harmed.~~

~~43 (2) May include, without limitation, conflict resolution, mediation, peer~~  
~~44 mediation, circle processes, restorative conferences, social emotional learning,~~  
~~45 trauma informed care, positive behavioral intervention supports, rehabilitation~~  
~~46 and de-escalation techniques.] (Deleted by amendment.)~~

**Sec. 15.3. NRS 422A.333 is hereby amended to read as follows:**

422A.333 1. A recipient who has control or charge of a child who is not less  
 than ~~[7]~~ 6 years of age, but is less than 12 years of age, must comply with the  
 provisions of NRS 392.040 with respect to that child.

2. If the head of a household that is receiving benefits pursuant to the program  
 to provide Temporary Assistance for Needy Families has control or charge of a  
 child who is not less than ~~[7]~~ 6 years of age, but is less than 12 years of age, the

1 head of the household shall take every reasonable action to ensure that the child is  
2 not at risk of failing to advance to the next grade level in school.

3 3. If the head of a household that is receiving benefits pursuant to the program  
4 to provide Temporary Assistance for Needy Families has control or charge of a  
5 child who is not less than ~~7~~ 6 years of age, but is less than 12 years of age and:

6 (a) The head of the household does not comply with the provisions of NRS  
7 392.040 with respect to that child; or

8 (b) That child is at risk of failing to advance to the next grade level in school,  
9 the Division shall require the head of the household to review with the Division  
10 the personal responsibility plan signed by the head of household pursuant to NRS  
11 422A.535 and revise the plan as necessary to assist the head of the household in  
12 complying with the provisions of NRS 392.040 and helping the child to improve his  
13 or her academic performance.

14 **Sec. 15.5. A child who is 6 years of age or older on or before August 1,**  
15 **2024, and enrolls in public school for the first time must:**

16 **1. If the child has not completed kindergarten, be admitted to**  
17 **kindergarten at the beginning of the 2024-2025 school year; or**

18 **2. If the child has completed kindergarten, be admitted to the first grade**  
19 **at the beginning of the 2024-2025 school year.**

20 **Sec. 16. 1. This section and sections 1 to 12, inclusive, 13, 14 and 15 of**  
21 **this act becomes effective on July 1, 2023.**

22 **2. Sections 12.3, 12.5, 15.3 and 15.5 of this act become effective on July 1,**  
23 **2024.**