



Nevada School Discipline Sources Cited

Excerpted from Nevada Compilation of School
Discipline Laws and Regulations

Prepared: January 12, 2016

Nevada State Codes Cited

[Nevada Revised Laws](#)

Title 5. Juvenile Justice

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

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

Title 15. Crimes and Punishments

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

Hazing

[NRS 200.605.](#) Penalties; definition

Pornography Involving Minors

[NRS 200.725.](#) Preparing, advertising or distributing materials depicting pornography involving minor unlawful; penalty

[NRS 200.737.](#) Use of electronic communication device by minor to possess, transmit or distribute sexual images of minor; penalties

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

Weapons: Dangerous Weapons and Firearms

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

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

Periods of Observance

[NRS 236.073.](#) Week of Respect

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

[Chapter 280. Metropolitan Police Departments](#)

Administration and Powers

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

Title 34. Education

Chapter 385. State Administrative Organization

Statewide System of Accountability

Annual Reports of Accountability Information; Plans to Improve Achievement of Pupils

- [NRS 385.3481.](#) District accountability report: Attendance, truancy and transiency of pupils.
[NRS 385.3483.](#) District accountability report: Discipline of pupils
[NRS 385.3583.](#) State accountability report: Attendance, truancy and transiency of pupils.
[NRS 385.3584.](#) State accountability report: Discipline of pupils

Chapter 388. System of Public Instruction

General Provisions

- [NRS 388.121.](#) Definitions
[NRS 388.122.](#) “Bullying” defined
[NRS 388.123.](#) “Cyber-bullying” defined
[NRS 388.124.](#) “Electronic communication” defined
[NRS 388.132.](#) Legislative declaration concerning safe and respectful learning environment
[NRS 388.1325.](#) Bullying Prevention Account: Creation; acceptance of gifts and grants; credit of interest and income; authorized uses by school district that receives grant
[NRS 388.1327.](#) Regulations

Policies; Informational Pamphlet; Program of Training

- [NRS 388.133.](#) Policy by department concerning safe and respectful learning environment
[NRS 388.134.](#) Policy by school districts for provision of safe and respectful learning environment and policy for ethical, safe and secure use of computers; provision of training to board of trustees and school personnel; posting of policies on Internet website; annual review and update of policies
[NRS 388.1341.](#) Development of informational pamphlet by Department; annual review and update; posting on Internet website; development of tutorial
[NRS 388.1342.](#) Establishment of programs of training by Department; completion of program by members of State Board of Education and boards of trustees; completion of program by administrators in prevention of violence and suicide; annual review and update

School Safety Team

- [NRS 388.1343.](#) Establishment by principal of each school; duties of principal
[NRS 388.1344.](#) Membership; chair; duties

Prohibition of Bullying and Cyber-Bullying; Reports of Violations

- [NRS 388.135.](#) Bullying and cyber-bullying prohibited
[NRS 388.1351.](#) Staff member required to report violation to principal; time period for initiation and completion of investigation; authorization for parent to appeal disciplinary decision
[NRS 388.1352.](#) Establishment of policy by school districts for employees to report violations to law enforcement
[NRS 388.136.](#) School officials prohibited from interfering with disclosure of violations
[NRS 388.137.](#) Immunity for reporting of violations; exceptions; recommendation for disciplinary action if person who made report acted with malice, intentional misconduct, gross negligence or violation of law

Rules of Behavior; Week of Respect

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

NRS 388.145. Requirements for delivery of information during annual “Week of Respect” Use of Aversive Intervention, Physical Restraint and Mechanical Restraint on Pupils with Disabilities

- [NRS 388.521.](#) Definitions
- [NRS 388.5215.](#) “Aversive intervention” defined
- [NRS 388.522.](#) “Chemical restraint” defined
- [NRS 388.5225.](#) “Corporal punishment” defined
- [NRS 388.523.](#) “Electric shock” defined
- [NRS 388.5235.](#) “Emergency” defined
- [NRS 388.525.](#) “Mechanical restraint” defined
- [NRS 388.5255.](#) “Physical restraint” defined
- [NRS 388.526.](#) “Verbal and mental abuse” defined
- [NRS 388.5265.](#) Aversive intervention prohibited
- [NRS 388.527.](#) Physical restraint and mechanical restraint prohibited; exceptions
- [NRS 388.5275.](#) Conditions under which physical restraint may be used; report required; requirements if pupil has three or five reports of use of restraint in 1 school year
- [NRS 388.528.](#) Conditions under which mechanical restraint may be used; report required; requirements if pupil has three or five reports of use of restraint in 1 school year
- [NRS 388.5285.](#) Mandatory education and training for staff
- [NRS 388.529.](#) Disciplinary action against person for intentional violation
- [NRS 388.5295.](#) Report of violation; corrective plan required; appointment of administrator to oversee school under certain circumstances
- [NRS 388.531.](#) Retaliation for reporting violation prohibited
- [NRS 388.5315.](#) Reporting of denial of rights; investigation and resolution of disputes by Department
- [NRS 388.5317.](#) Annual report by school districts on use of restraint and violations; compilation of reports by Department; submission of compilation to Legislature

Programs to Prevent Criminal Activity; Operation of Alternative Programs

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

Miscellaneous Provisions

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

Chapter 389. Examinations, Courses, Standards, and Graduation

General Provisions

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

Chapter 391. Personnel

Employment and Salaries of Teachers, Paraprofessionals and Other Employees; Police Services

[NRS 391.100.](#) Employment of personnel by trustees; certain teachers and paraprofessionals required to possess qualifications prescribed by federal law; school district prohibited from requiring licensed employees on approved leave to submit fingerprints as condition of return to employment; exception; school police officers; contract for police services

Power, Duties and Supervision of Personnel

[NRS 391.275.](#) Jurisdiction of school police officers

Chapter 392. Pupils

General Provisions

[NRS 392.017.](#) Regulations concerning school choice for pupils enrolled in persistently dangerous school and for pupils who are victims of violent offense while at school

Compulsory and Excused Attendance; Retention

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

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

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

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

[NRS 392.146.](#) Contents of written referral to advisory board; notice to parents or guardian

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

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

[NRS 392.149.](#) Issuance of citation to habitual truant; applicability

[NRS 392.150.](#) Appointment of attendance officer authorized; procedures to monitor attendance and truancy; consideration of employment of attendance clerk

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

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

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

Behavior and Discipline – General Provisions

- [NRS 392.461.](#) Code of honor relating to cheating; contents; distribution
- [NRS 392.463.](#) Adoption of plan to ensure public schools are safe and free of controlled substances; written rules of behavior and punishments; distribution of plan and rules to pupils; availability for inspection
- [NRS 392.4633.](#) Corporal punishment prohibited; report of violation; forwarding of complaint if determined to be substantiated
- [NRS 392.4635.](#) Policy for prohibition of activities of criminal gangs on school property
- [NRS 392.4637.](#) Policy concerning use and possession of pagers, cellular telephones and other electronic devices
- [NRS 392.4638.](#) Board of trustees authorized to adopt policy for pupils to report unlawful activity being conducted on school property, activity sponsored by public school or on school bus
- [NRS 392.464.](#) Adoption and enforcement by trustees of disciplinary measures for pupil in possession of alcoholic beverage or controlled substance on premises of school

Temporary Alternative Placement

- [NRS 392.4644.](#) Plan for progressive discipline and on-site review of disciplinary decisions; annual review and revision of plan; posting and availability of plan; written reports by superintendent of schools, board of trustees and Superintendent of Public Instruction concerning compliance with section
- [NRS 392.4645.](#) Removal of pupil from classroom: Notice; assignment to temporary alternative placement; exceptions
- [NRS 392.4646.](#) Removal of pupil from classroom: Conference; recommendation of principal
- [NRS 392.4647.](#) Establishment of committee to review temporary alternative placement of pupils
- [NRS 392.4648.](#) Powers and duties of committee to review temporary alternative placement of pupils

Habitual Disciplinary Problem; Suspension and Expulsion

- [NRS 392.4655.](#) Conditions under which pupil deemed habitual disciplinary problem; plan of behavior to prevent pupil from being deemed habitual disciplinary problem
- [NRS 392.4657.](#) Conditions under which pupil deemed suspended
- [NRS 392.466.](#) Suspension or expulsion of pupil for battery on employee of school, possession of firearm or dangerous weapon, sale or distribution of controlled substance or status as habitual disciplinary problem; limitations for pupils with disabilities
- [NRS 392.467.](#) Suspension or expulsion of pupil: Procedure; limitation
- [NRS 392.4675.](#) Certain suspended or expelled pupils ineligible to attend public school; authority for school district or charter school to enroll ineligible pupil in alternative programs, independent study, distance education or charter school designated for pupils with disciplinary problems

Miscellaneous Provisions

- [NRS 392.850.](#) Provision of information to certain employees regarding unlawful conduct of pupil; immunity from liability under certain circumstances; confidentiality of information
- [NRS 392.855.](#) Policy for procedures to be followed by peace officers in arresting pupil on school grounds during school hours

Unlawful Acts

- [NRS 392.910.](#) Disturbance of school; assaulting pupil or school employee; interference with persons peaceably assembled within school; penalties

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

Chapter 453. Controlled Substances

Offenses and Penalties

[NRS 453.3345.](#) Additional penalty for commission of certain violations at or near school, school bus stop, recreational facilities for minors or public park

Assembly Bill No. 120

Section 2

Assembly Bill No. 121

Section 1

Senate Bill No. 338

Section 1.3

Section 1.5

Section 1.7

Section 2

Section 3

Section 4

Section 5

Section 6

Section 6.5

Senate Bill No. 504

Section 4

Nevada Regulations

Chapter 388. System of Public Instruction

Administration of Programs for Pupils with Disabilities and Gifted and Talented Pupils

[NAC 388.265.](#) Suspension, expulsion or exclusion of pupil with disability

Alternative Programs for Pupils at Risk of Dropping Out of School

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

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

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