

ASSEMBLY BILL NO. 15—COMMITTEE ON EDUCATION

PREFILED JANUARY 7, 1999

(ON BEHALF OF LEGISLATIVE COMMISSION'S STUDY OF
SPECIAL EDUCATION AND STUDENT DISCIPLINE)

Referred to Committee on Education

SUMMARY—Makes various changes regarding truancy, discipline and transportation of pupils.
(BDR 34-319)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: 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 governing the programs of accountability of school districts; making various changes regarding truancy and the discipline of pupils who are habitual truants; providing that an enrolled pupil who is 17 years of age but less than 18 years of age is subject to the truancy statutes; expanding the circumstances under which a school district may permit children to be transported on school buses and vehicles; expanding the circumstances under which probation officers may serve as juvenile court masters; revising the actions that a juvenile court must take against a pupil who is found to be a habitual truant; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 385.347 is hereby amended to read as follows:
2 385.347 1. The board of trustees of each school district in this state,
3 in cooperation with associations recognized by the state board as
4 representing licensed personnel in education in the district, shall adopt a
5 program providing for the accountability of the school district to the
6 residents of the district and to the state board for the quality of the schools
7 and the educational achievement of the pupils in the district, including,
8 without limitation, pupils enrolled in charter schools in the school district.
9 2. The board of trustees of each school district shall, on or before
10 March 31 of each year, report to the residents of the district concerning:
11 (a) The educational goals and objectives of the school district.

(b) Pupil achievement for grades 4, 8, 10 and 11 for each school in the district and the district as a whole, including, without limitation, each charter school in the district. Unless otherwise directed by the department, the board of trustees of the district shall base its report on the results of the examinations administered pursuant to NRS 389.015 and shall compare the results of those examinations for the current school year with those of previous school years. The report must include, for each school in the district, including, without limitation, each charter school in the district, and each grade in which the examinations were administered:

(1) The number of pupils who took the examinations;

(2) An explanation of instances in which a school was exempt from administering or a pupil was exempt from taking an examination; and

(3) A record of attendance for the period in which the examinations were administered, including an explanation of any difference in the number of pupils who took the examinations and the number of pupils in attendance in that period.

In addition, the board shall also report the results of other examinations of pupil achievement administered to pupils in the school district in grades other than 4, 8, 10 and 11. The results of these examinations for the current school year must be compared with those of previous school years.

(c) The ratio of pupils to teachers in kindergarten and at each grade level for each elementary school in the district and the district as a whole, including, without limitation, each charter school in the district, the average class size for each required course of study for each secondary school in the district and the district as a whole, including, without limitation, each charter school in the district, and other data concerning licensed and unlicensed employees of the school district.

(d) A comparison of the types of classes that each teacher has been assigned to teach with the qualifications and licensure of the teacher, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(e) The total expenditure per pupil for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(f) The curriculum used by the school district, including:

(1) Any special programs for pupils at an individual school; and

(2) The curriculum used by each charter school in the district.

(g) ~~{The annual rate}~~ **Records** of the attendance and truancy of pupils in all grades, including, without limitation, the average daily attendance of pupils, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(h) The annual rate of pupils who drop out of school in grades 9 to 12, inclusive, for each such grade, for each school in the district and for the district as a whole ~~H~~, *excluding pupils who:*

(1) Provide proof to the school district of successful completion of the examinations of general educational development.

(2) Are enrolled in courses that are approved by the department as meeting the requirements for an adult standard diploma.

(3) Withdraw from school to attend another school.

(i) Records of attendance of teachers who provide instruction, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(j) Efforts made by the school district and by each school in the district, including, without limitation, each charter school in the district, to increase:

(1) Communication with the parents of pupils in the district; and

(2) The participation of parents in the educational process and activities relating to the school district and each school, including, without limitation, the existence of parent organizations and school advisory committees.

(k) Records of incidents involving weapons or violence for each school in the district, including, without limitation, each charter school in the district.

(l) 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 in the district.

(m) Records of the suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467.

(n) The transiency rate of pupils for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(o) Each source of funding for the school district.

(p) For each high school in the district, including, without limitation, each charter school in the district, the percentage of pupils who graduated from that high school or charter school in the immediately preceding year and enrolled in remedial courses in reading, writing or mathematics at a university or community college within the University and Community College System of Nevada.

(q) The technological facilities and equipment available at each school, including, without limitation, each charter school, and the district's plan to incorporate educational technology at each school.

(r) Such other information as is directed by the superintendent of public instruction.

(s) The number of habitual truants who are reported to a school police officer or law enforcement agency pursuant to paragraph (a) of

1 *subsection 2 of section 3 of this act and the number of habitual truants*
2 *who are referred to an advisory board to review school attendance*
3 *pursuant to paragraph (b) of subsection 2 of section 3 of this act, for*
4 *each school in the district and for the district as a whole.*

5 3. The superintendent of public instruction shall:

6 (a) Prescribe forms for the reports required pursuant to subsection 2 and
7 provide the forms to the respective school districts.

8 (b) Provide statistical information and technical assistance to the school
9 districts to ensure that the reports provide comparable information with
10 respect to each school in each district and among the districts.

11 (c) Consult with a representative of the:

12 (1) Nevada State Education Association;

13 (2) Nevada Association of School Boards;

14 (3) Nevada Association of School Administrators;

15 (4) Nevada Parent Teachers Association;

16 (5) Budget division of the department of administration; and

17 (6) Legislative counsel bureau,

18 concerning the program and consider any advice or recommendations
19 submitted by the representatives with respect to the program.

20 4. On or before April 15 of each year, the board of trustees of each
21 school district shall submit to ~~the advisory~~ *each* board to review school
22 attendance created in the county pursuant to NRS 392.126 the information
23 required in paragraph (g) of subsection 2.

24 **Sec. 2.** Chapter 392 of NRS is hereby amended by adding thereto the
25 provisions set forth as sections 2.5 to 5, inclusive, of this act.

26 **Sec. 2.5.** *Notwithstanding the provisions of NRS 392.040 to the*
27 *contrary, the provisions of sections 3, 4 and 5 of this act apply to all*
28 *pupils who are less than 18 years of age and enrolled in public schools,*
29 *including, without limitation, pupils who are 17 years of age or older but*
30 *less than 18 years of age.*

31 **Sec. 3. 1.** *If a pupil has one or more unapproved absences from*
32 *school, the school in which the pupil is enrolled shall take reasonable*
33 *actions designed, as applicable, to encourage, enable or convince the*
34 *pupil to attend school.*

35 **2.** *If a pupil is a habitual truant pursuant to NRS 392.140, the*
36 *principal of the school shall:*

37 (a) *Report the pupil to a school police officer or to the local law*
38 *enforcement agency for investigation and issuance of a citation, if*
39 *warranted, in accordance with NRS 392.142; or*

40 (b) *If the parent or legal guardian of a pupil has signed a written*
41 *consent pursuant to subsection 4, submit a written referral of the pupil to*
42 *the advisory board to review school attendance in the county in*
43 *accordance with section 4 of this act.*

1 **3. The board of trustees of each school district shall adopt criteria to**
2 **determine whether the principal of a school shall report a pupil to a**
3 **school police officer or law enforcement agency pursuant to paragraph**
4 **(a) of subsection 2 or refer a pupil to an advisory board to review school**
5 **attendance pursuant to paragraph (b) of subsection 2.**

6 **4. If the principal of a school makes an initial determination to**
7 **submit a written referral of a pupil to the advisory board to review school**
8 **attendance, the principal shall notify the parent or legal guardian of the**
9 **pupil and request the parent or legal guardian to sign a written consent**
10 **that authorizes the school and, if applicable, the school district to release**
11 **the records of the pupil to the advisory board to the extent that such**
12 **release is necessary for the advisory board to carry out its duties pursuant**
13 **to sections 4 and 5 of this act. The written consent must comply with the**
14 **applicable requirements of 20 U.S.C. § 1232g(b) and 34 C.F.R. Part 99.**
15 **If the parent or legal guardian refuses to sign the consent, the principal**
16 **shall report the pupil to a school police officer or to a local law**
17 **enforcement agency pursuant to paragraph (a) of subsection 2.**

18 **Sec. 4. A written referral of a pupil to an advisory board to review**
19 **school attendance must include the dates on which the pupil was truant**
20 **from school and all action taken by the school to assist the pupil to attend**
21 **school. The advisory board may request clarification of any information**
22 **contained in the written referral or any additional information that the**
23 **advisory board considers necessary. The school shall provide written**
24 **notice of the referral to the parents or legal guardian of the pupil. The**
25 **written notice must include, without limitation:**

- 26 **1. The name and address of the pupil referred;**
27 **2. A written explanation of the reason for the referral;**
28 **3. A summary of the provisions of section 5 of this act; and**
29 **4. The address and telephone number of the advisory board to review**
30 **school attendance.**

31 **Sec. 5. 1. If an advisory board to review school attendance receives**
32 **a written referral of a pupil pursuant to section 4 of this act, the advisory**
33 **board shall set a date, time and place for a hearing. The pupil and his**
34 **parents or legal guardian shall attend the hearing held by the advisory**
35 **board. The hearing must be closed to the public. The chairman of an**
36 **advisory board to review school attendance may request that subpoenas**
37 **for a hearing conducted pursuant to this section be issued to:**

38 **(a) The parent or legal guardian of a pupil who has been referred to**
39 **the advisory board or any other person that the advisory board considers**
40 **necessary to the hearing.**

41 **(b) A pupil who has been referred to the advisory board.**

42 **2. If a pupil and his parents or legal guardian do not attend the**
43 **hearing, the chairman of the advisory board shall report the pupil to a**

1 school police officer or to the appropriate local law enforcement agency
2 for investigation and issuance of a citation, if warranted in accordance
3 with NRS 392.142.

4 3. If an advisory board to review school attendance determines that
5 the status of a pupil as a habitual truant can be adequately addressed
6 through participation by the pupil in programs and services available in
7 the community, the advisory board shall order the pupil to participate in
8 such programs and services. If the pupil does not agree to participate in
9 such programs and services, the chairman of the advisory board shall
10 report the pupil to a school police officer or to the appropriate local law
11 enforcement agency for investigation and issuance of a citation, if
12 warranted in accordance with NRS 392.142. If the pupil agrees to
13 participate in such programs and services, the advisory board, the pupil
14 and the parents or legal guardian of the pupil shall enter into a written
15 agreement that:

16 (a) Sets forth the findings of the advisory board;

17 (b) Sets forth the terms and conditions of the pupil's participation in
18 the programs and services designated by the advisory board; and

19 (c) Adequately informs the pupil and his parents or legal guardian
20 that if the pupil or his parents or legal guardian do not comply with the
21 terms of the written agreement, the chairman of the advisory board is
22 legally obligated to report the pupil to a school police officer or to the
23 appropriate local law enforcement agency for investigation and issuance
24 of a citation, if warranted in accordance with NRS 392.142.

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

29 4. The chairman of an advisory board to review school attendance
30 shall report a pupil to a school police officer or to the appropriate local
31 law enforcement agency if:

32 (a) The pupil and his parents or legal guardian fail to attend a
33 hearing set by the advisory board pursuant to subsection 1;

34 (b) The advisory board determines that the status of a pupil as a
35 habitual truant cannot be adequately addressed by requiring the pupil to
36 participate in programs and services available in the community;

37 (c) The pupil does not consent to participation in programs and
38 services pursuant to subsection 3; or

39 (d) The pupil or his parents or legal guardian violates the terms of the
40 written agreement entered into pursuant to subsection 3.

41 5. If a chairman of an advisory board makes such a report to a
42 school police officer or local law enforcement agency, the chairman
43 shall:

1 (a) Submit to the school police officer or law enforcement agency, as
2 applicable, written documentation of all efforts made by the advisory
3 board to address the status of the pupil as a habitual truant; and

4 (b) Make recommendations to the school police officer or law
5 enforcement agency, as applicable, regarding the appropriate disposition
6 of the case.

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

14 7. The board of trustees of each school district shall adopt policies
15 and rules to protect the confidentiality of the deliberations, findings and
16 determinations made by an advisory board and information concerning a
17 pupil and the family of a pupil. An advisory board shall not disclose
18 information concerning the records of a pupil or services provided to a
19 pupil or his family unless the disclosure is specifically authorized by
20 statute or by the policies and rules of the board of trustees and is
21 necessary for the advisory board to carry out its duties.

22 **Sec. 5.5.** NRS 392.122 is hereby amended to read as follows:

23 392.122 1. The board of trustees of each school district shall
24 prescribe a minimum number of days that a pupil who is enrolled in a
25 school in the district must be in attendance for the pupil to be promoted to
26 the next higher grade. *For the purposes of this subsection, the days on
27 which a pupil is not in attendance because the pupil is:*

28 (a) *Physically or mentally unable to attend school; or*

29 (b) *Absent for up to 10 days within 1 school year with the approval of
30 the teacher or principal of the school pursuant to NRS 392.130,
31 must be credited towards the required days of attendance.*

32 2. A school shall inform the parents or legal guardian of each pupil
33 who is enrolled in the school that the parents or legal guardian and the pupil
34 are required to comply with the provisions governing the attendance and
35 truancy of pupils set forth in NRS 392.040 to 392.160, inclusive, and any
36 other rules concerning attendance and truancy adopted by the board of
37 trustees of the school district.

38 **Sec. 6.** NRS 392.126 is hereby amended to read as follows:

39 392.126 1. There is hereby created in each county at least one
40 advisory board to review school attendance. The membership of each such
41 board may consist of:

1 (a) One probation officer in the county who works on cases relating to
2 juveniles, appointed by the judge or judges of the juvenile court of the
3 county;

4 (b) One representative of a law enforcement agency in the county who
5 works on cases relating to juveniles, appointed by the judge or judges of
6 the juvenile court of the county;

7 (c) One representative of the district attorney for the county, appointed
8 by the district attorney;

9 (d) One parent or legal guardian of a pupil who is enrolled in a public
10 school in the county, *or his designee or alternate who is also a parent or*
11 *legal guardian*, appointed by the president of the board of trustees of the
12 school district;

13 (e) One member of the board of trustees of the school district, appointed
14 by the president of the board of trustees;

15 (f) One school counselor or school teacher employed by the school
16 district, appointed by an organization or association that represents licensed
17 educational personnel in the school district;

18 (g) One deputy sheriff in the county, appointed by the sheriff of the
19 county; and

20 (h) One representative of the local office of the division of child and
21 family services of the department of human resources, appointed by the
22 executive head of that office.

23 2. The members of each such board shall elect a chairman from among
24 their membership.

25 3. Each member of such a board must be appointed for a term of 2
26 years. A vacancy in the membership of the board must be filled in the same
27 manner as the original appointment for the remainder of the unexpired
28 term.

29 4. Each member of such a board serves without compensation, except
30 that, for each day or portion of a day during which a member of the board
31 attends a meeting of the board or is otherwise engaged in the business of
32 the board, he is entitled to receive the per diem allowance and travel
33 expenses provided for state officers and employees generally. The board of
34 trustees of the school district shall pay the per diem allowance and travel
35 expenses from the general fund of the school district.

36 **Sec. 7.** NRS 392.127 is hereby amended to read as follows:

37 392.127 The board of trustees of each school district shall provide
38 administrative support to ~~the~~ *each* advisory board to review school
39 attendance created ~~for~~ *in* its county pursuant to NRS 392.126.

40 **Sec. 8.** NRS 392.128 is hereby amended to read as follows:

41 392.128 1. Each advisory board to review school attendance created
42 pursuant to NRS 392.126 shall:

1 (a) Review the records of the ~~rate-of~~ attendance and truancy of pupils
2 submitted to the advisory board to review school attendance by the board
3 of trustees of the school district pursuant to subsection 4 of NRS 385.347;

4 (b) Identify factors that contribute to the ~~rate-of~~ truancy of pupils in
5 the school district;

6 (c) Establish programs to reduce the ~~rate-of~~ truancy of pupils in the
7 school district;

8 (d) At least annually, evaluate the effectiveness of those programs;

9 (e) Establish a procedure for schools and school districts for the
10 reporting of the status of pupils as habitual truants ; and ~~the issuance of~~
11 ~~citations pursuant to NRS 392.142; and~~

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

15 2. *The chairman of an advisory board may divide the advisory board*
16 *into subcommittees. The advisory board may delegate one or more of the*
17 *duties of the advisory board to a subcommittee of the advisory board,*
18 *including, without limitation, holding hearings pursuant to section 5 of*
19 *this act. If the chairman of an advisory board divides the advisory board*
20 *into subcommittees, the chairman shall notify the board of trustees of the*
21 *school district of this action. Upon receipt of such a notice, the board of*
22 *trustees shall establish rules and procedures for each such subcommittee.*
23 *A subcommittee shall abide by the applicable rules and procedures when*
24 *it takes action or makes decisions.*

25 3. An advisory board to review school attendance created in a county
26 pursuant to NRS 392.126 may use money appropriated by the legislature
27 and any other money made available to the advisory board for the use of
28 programs to reduce the truancy of pupils in the school district. The advisory
29 board to review school attendance shall, on a quarterly basis, provide to the
30 board of trustees of the school district an accounting of the money used by
31 the advisory board to review school attendance to reduce the ~~rate-of~~
32 truancy of pupils in the school district.

33 **Sec. 9.** NRS 392.130 is hereby amended to read as follows:

34 392.130 1. Within the meaning of this chapter, a pupil shall be
35 deemed a truant who is absent from school without the written approval of
36 his teacher or the principal of the school, unless the pupil is physically or
37 mentally unable to attend school. The teacher or principal shall give his
38 written approval for a pupil to be absent if an emergency exists or upon the
39 request of a parent or legal guardian of the pupil. Before a pupil may attend
40 or otherwise participate in school activities outside the classroom during
41 regular classroom hours, he must receive the approval of the teacher or
42 principal.

1 2. ~~[Absence for any part]~~ *An unapproved absence for at least one*
2 *period, or the equivalent of one period for the school,* of a *school* day
3 ~~[shall]~~ *may* be deemed a truancy for the purposes of this section.

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

9 4. An absence which has not been approved pursuant to subsection 1 or
10 3 shall be deemed an unapproved absence. In the event of an unapproved
11 absence, the teacher, attendance officer or other school official shall deliver
12 or cause to be delivered a written notice of truancy to the parent, legal
13 guardian or other person having control or charge of the child. The written
14 notice must be delivered to the parent, legal guardian or other person who
15 has control of the child. The written notice must inform the parents or legal
16 guardian of such absences in a form specified by the department.

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

20 6. *Notwithstanding the provisions of NRS 392.040 to the contrary,*
21 *the provisions of this section apply to all pupils who are less than 18*
22 *years of age and enrolled in public schools, including, without limitation,*
23 *pupils who are 17 years of age or older but less than 18 years of age.*

24 **Sec. 10.** NRS 392.140 is hereby amended to read as follows:

25 392.140 1. Any child who has been declared a truant three or more
26 times within one school year must be declared a habitual truant.

27 2. Any child who has once been declared a habitual truant and who in
28 an immediately succeeding year is absent from school without the written:

29 (a) Approval of his teacher or the principal of the school pursuant to
30 subsection 1 of NRS 392.130; or

31 (b) Notice of his parent or legal guardian or other person who has
32 control or charge over the pupil pursuant to subsection 3 of NRS
33 392.130,
34 may again be declared a habitual truant.

35 3. *Notwithstanding the provisions of NRS 392.040 to the contrary,*
36 *the provisions of this section apply to all pupils who are less than 18*
37 *years of age and enrolled in public schools, including, without limitation,*
38 *pupils who are 17 years of age or older but less than 18 years of age.*

39 **Sec. 11.** NRS 392.142 is hereby amended to read as follows:

40 392.142 1. ~~[The principal of a school shall report to the appropriate~~
41 ~~local law enforcement agency the name of any pupil enrolled in that school~~
42 ~~who is a habitual truant.~~

1 ~~—2.1~~ Upon receipt of ~~{such}~~ a report ~~{,}~~ *pursuant to section 3 or 5 of this*
2 *act*, if it appears after investigation that ~~{the}~~ *a* pupil is a habitual truant, the
3 *school police officer or* law enforcement agency *to whom the report is*
4 *made* shall prepare manually or electronically a citation directing the pupil
5 to appear in the proper juvenile court.

6 ~~{3.1}~~ 2. A copy of the citation must be delivered to the pupil and to the
7 parent, guardian or any other person who has control or charge of the pupil
8 by:

9 (a) The local law enforcement agency;

10 (b) A school police officer employed by the board of trustees of the
11 school district; or

12 (c) An attendance officer appointed by the board of trustees of the
13 school district.

14 ~~{4.1}~~ 3. The citation must be in the form prescribed for misdemeanor
15 citations in NRS 171.1773.

16 *4. Notwithstanding the provisions of NRS 392.040 to the contrary,*
17 *the provisions of this section apply to all pupils who are less than 18*
18 *years of age and enrolled in public schools, including, without limitation,*
19 *pupils who are 17 years of age or older but less than 18 years of age.*

20 **Sec. 11.3.** NRS 392.160 is hereby amended to read as follows:

21 392.160 1. Any peace officer, the attendance officer or any other
22 school officer shall, during school hours, take into custody without warrant:

23 (a) Any child between the ages of 7 and 17 years; and

24 (b) Any child who has arrived at the age of 6 years but not at the age of
25 7 years and is enrolled in a public school,
26 who has been reported to him by the teacher, superintendent of schools or
27 other school officer as an absentee from instruction upon which he is
28 lawfully required to attend.

29 2. *Any peace officer, the attendance officer or any other school*
30 *officer shall, during school hours, take into custody without warrant any*
31 *child who is 17 years of age or older but less than 18 years of age if:*

32 (a) *The child is enrolled in a public school; and*

33 (b) *A teacher, superintendent of schools or other school officer has*
34 *reported the child as absent from instruction.*

35 3. Except as otherwise provided in subsection ~~{3.1}~~ 4:

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

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

42 ~~{3.1}~~ 4. The board of trustees of a school district or the governing body
43 of a charter school may enter into an agreement with a counseling agency to

1 permit delivery of the child to the agency. For the purposes of this
2 subsection, "counseling agency" means an agency designated by the school
3 district in which the child is enrolled to provide counseling for the child
4 and the parent, guardian or other person having control or charge of the
5 child.

6 **Sec. 11.7.** NRS 392.360 is hereby amended to read as follows:

7 392.360 1. A board of trustees of a school district may permit school
8 buses or vehicles belonging to the school district to be used for the
9 transportation of public school pupils to and from:

10 (a) Interscholastic contests;

11 (b) School festivals; or

12 (c) Other activities properly a part of a school program.

13 2. *In addition to the use of school buses and vehicles authorized*
14 *pursuant to subsection 1, the board of trustees of a school district may*
15 *permit school buses and vehicles belonging to the school district to be*
16 *used for the transportation of children to and from:*

17 (a) *Programs for the supervision of children before and after school;*
18 *and*

19 (b) *Other programs or activities that the board of trustees deems*
20 *appropriate,*
21 *regardless of whether such programs or activities are part of a school*
22 *program.*

23 3. The use of school buses or vehicles belonging to the school district
24 for the purposes enumerated in ~~subsection 1~~ *subsections 1 and 2* is
25 governed by regulations made by the board of trustees, which must not
26 conflict with regulations of the state board . ~~of education.~~ Proper
27 supervision for each vehicle so used must be furnished by school
28 authorities, and each school bus must be operated by a driver qualified
29 under the provisions of NRS 392.300 to 392.410, inclusive.

30 ~~3.~~ 4. A driver shall not operate a vehicle for the purposes enumerated
31 in ~~subsection 1~~ *subsections 1 and 2* for more than 10 hours in a 15-hour
32 period. The time spent operating, inspecting, loading, unloading, repairing
33 and servicing the vehicle and waiting for passengers must be included in
34 determining the 15-hour period. After 10 hours of operating a vehicle, the
35 driver must rest for 10 hours before he again operates a vehicle for such
36 purposes.

37 ~~4.~~ 5. Before January 1, 1984, the state board ~~of education~~ shall
38 adopt regulations to carry out the provisions of subsection ~~3.~~ 4.

39 **Sec. 12.** NRS 62.090 is hereby amended to read as follows:

40 62.090 1. The judge, in his discretion, may appoint any person
41 qualified by previous experience, training and demonstrated interest in the
42 welfare of children as master. The master, upon the order of the judge in
43 proceedings arising under the provisions of this chapter, may swear

1 witnesses and take evidence. No probation officer may act as master unless
2 the proceeding concerns ~~only a minor~~ **a:**

3 **(a) Minor** traffic offense ~~or~~ **;** **or**

4 **(b) Child who is alleged to be a habitual truant.**

5 2. Each master who is first appointed after July 1, 1981, shall attend
6 instruction at the National College of Juvenile and Family Law in Reno,
7 Nevada, in a course designed for the training of new judges of the juvenile
8 courts on the first occasion when such instruction is offered after he is
9 appointed.

10 3. The compensation of a master in juvenile sessions may not be taxed
11 against the parties, but when fixed by the judge must be paid out of
12 appropriations made for the expenses of the district court.

13 4. The judge may direct that the facts in any juvenile court proceeding,
14 from the inception of the matter, be found by the master in the same manner
15 as in the district court. Within 10 days after the evidence before him is
16 closed, the master shall file with the judge all papers relating to the case,
17 written findings of fact and recommendations.

18 5. Notice in writing of the master's findings and recommendations,
19 together with the notice of right of appeal as provided in this section, must
20 be given by the master, or someone designated by him, to the parent,
21 guardian or custodian, if any, of the child, to the child's attorney, to the
22 district attorney, and to any other person concerned. A hearing by the court
23 must be allowed if a person entitled to notice files with the court a request
24 for a hearing and the request is filed within 5 days after the giving of the
25 notice. The findings and recommendations of the master, upon approval by
26 the court evidenced by signature, constitute a decree of the court.

27 **Sec. 13.** NRS 62.130 is hereby amended to read as follows:

28 62.130 1. A petition alleging that a child is delinquent or a petition
29 for revocation may be signed by any person, including the district attorney,
30 who has knowledge of the facts alleged, or is informed of them and
31 believes that they are true.

32 2. A petition alleging that a child is in need of supervision may be
33 signed only by:

34 (a) A representative of a public or private agency licensed or authorized
35 to provide care or supervision of children;

36 (b) A representative of a public or private agency providing social
37 service for families; or

38 (c) A school **police** officer ~~or~~ **or other school officer**, law enforcement
39 officer or probation officer.

40 3. The district attorney shall prepare and sign every petition alleging
41 delinquency or need of supervision, and shall represent the petitioner in all
42 proceedings.

1 4. The petition must be entitled, "In the Matter of, a child,"
2 and must be verified by the person who signs it.

3 5. The petition must set forth specifically:

4 (a) The facts which bring the child within the jurisdiction of the court as
5 indicated in NRS 62.040, and the date when delinquency occurred or need
6 of supervision arose . ~~and~~

7 (b) The name, date of birth and address of the residence of the child . ~~and~~

8 (c) The names and address of the residence of his parents, guardian or
9 custodian, and spouse if any. If neither of his parents, guardian or custodian
10 resides or can be found within the state, or if their addresses are unknown,
11 the petition must state the name of any known adult relative residing within
12 the state, or if there is none, the known adult relative residing nearest to the
13 court . ~~and~~

14 (d) Whether the child is in custody, and if so, the place of detention and
15 the time he was taken into custody.

16 6. When any of the facts required by subsection 5 are not known, the
17 petition must so state.

18 **Sec. 14.** NRS 62.224 is hereby amended to read as follows:

19 62.224 1. In addition to any other action authorized pursuant to the
20 provisions of this chapter, if a child is found to be in need of supervision
21 because he is a habitual truant, the court shall:

22 (a) The first time the child is found to be in need of supervision because
23 he is a habitual truant:

24 (1) Order the child to ~~pay~~ :

25 *(I) Pay* a fine of not more than \$100 pursuant to paragraph (l) of
26 subsection 1 of NRS 62.211 and the administrative assessment required by
27 NRS 62.223; ~~and~~ *or*

28 *(II) Perform not less than 8 hours but not more than 16 hours of*
29 *community service in compliance with the provisions of subsection 3;*
30 *and*

31 (2) If the child is 14 years of age or older, order the suspension of the
32 child's driver's license for 30 days. If the child does not possess a driver's
33 license, the court shall prohibit the child from applying for a driver's
34 license for 30 days:

35 (I) Immediately following the date of the order if the child is
36 eligible to apply for a driver's license; or

37 (II) After the date he becomes eligible to apply for a driver's
38 license if the child is not eligible to apply for a driver's license.

39 (b) The second or any subsequent time the child is found to be in need
40 of supervision because he is a habitual truant:

41 (1) Order the child to: to:

1 (I) Pay a fine of not more than \$200 pursuant to paragraph (l) of
2 subsection 1 of NRS 62.211 and the administrative assessment required by
3 NRS 62.223;

4 (II) Perform not more than 10 hours of community service in
5 compliance with the provisions of subsection 3; or

6 (III) Comply with the requirements set forth in both sub-
7 subparagraphs (I) and (II); and

8 (2) If the child is 14 years of age or older, order the suspension of the
9 child's driver's license for 60 days. If the child does not possess a driver's
10 license, the court shall prohibit the child from applying for a driver's
11 license for 60 days:

12 (I) Immediately following the date of the order if the child is
13 eligible to apply for a driver's license; or

14 (II) After the date he becomes eligible to apply for a driver's
15 license if the child is not eligible to apply for a driver's license.

16 2. The ~~juvenile~~ court may suspend the payment of a fine ordered
17 pursuant to paragraph (a) of subsection 1 if the child attends school for 60
18 consecutive school days after the imposition of the fine, or has a valid
19 excuse acceptable to his teacher or the principal for any absence from
20 school within that period.

21 3. The community service ordered pursuant to *paragraph (a) or (b) of*
22 subsection 1 must be performed:

23 (a) For and under the supervising authority of a county, city, town or
24 other political subdivision or agency of this state or a charitable
25 organization that renders service to the community or its residents; and

26 (b) At the child's school of attendance, if practicable.

27 4. If the court issues an order suspending a child's driver's license
28 pursuant to subsection 1, the ~~judge~~ *court* shall require the child to
29 surrender to the court all driver's licenses then held by the child.

30 **Sec. 15.** The amendatory provisions of section 14 of this act do not
31 apply to children who are found in need of supervision because they are
32 habitual truants, if all acts of truancy were committed before July 1, 1999.

33 **Sec. 16.** 1. This section and sections 1 to 10, inclusive, and 12 to 15,
34 inclusive, of this act become effective on July 1, 1999.

35 2. Section 11 of this act becomes effective at 12:01 a.m. on July 1,
36 1999.