

(REPRINTED WITH ADOPTED AMENDMENTS)  
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SENATE BILL NO. 115—COMMITTEE ON HUMAN  
RESOURCES AND FACILITIES

(ON BEHALF OF NEVADA ASSOCIATION OF SCHOOL BOARDS)

FEBRUARY 13, 2001

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Referred to Committee on Human Resources and Facilities

SUMMARY—Revises provisions governing suspension and expulsion of pupils.  
(BDR 34-381)

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.

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AN ACT relating to pupils; revising provisions governing the suspension and expulsion of pupils for possession of a dangerous weapon; 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 392.466 is hereby amended to read as follows:  
2     392.466 1. Except as otherwise provided in this section, any pupil  
3     who commits a battery which results in the bodily injury of an employee of  
4     the school ~~H~~ ***or who*** sells or distributes any controlled substance ~~for is~~  
5     ~~found in possession of a dangerous weapon,~~ while on the premises of any  
6     public school, at an activity sponsored by a public school or on any school  
7     bus must, for the first occurrence, be suspended or expelled from that  
8     school, although he may be placed in another kind of school, for at least a  
9     period equal to one semester for that school. For a second occurrence, the  
10    pupil must:  
11    (a) Be permanently expelled from that school; and  
12    (b) Receive equivalent instruction authorized by the state board  
13    pursuant to subsection 1 of NRS 392.070.  
14    2. Except as otherwise provided in this section, any pupil who is found  
15    in possession of a firearm ***or a dangerous weapon*** while on the premises of  
16    any public school, at an activity sponsored by a public school or on any  
17    school bus must, for the first occurrence, be expelled from the school for a  
18    period of not less than 1 year, although he may be placed in another kind of



1 school for a period not to exceed the period of the expulsion. For a second  
2 occurrence, the pupil must:

3 (a) Be permanently expelled from the school; and  
4 (b) Receive equivalent instruction authorized by the state board  
5 pursuant to subsection 1 of NRS 392.070.

6 The superintendent of schools of a school district may, *for good cause*  
7 *shown* in a particular case in that school district, allow an exception to the  
8 expulsion requirement of this subsection.

9 3. Except as otherwise provided in this section, if a pupil is deemed a  
10 habitual disciplinary problem pursuant to NRS 392.4655, the pupil must be  
11 suspended or expelled from the school for a period equal to at least one  
12 semester for that school. For the period of his suspension or expulsion, the  
13 pupil must receive equivalent instruction authorized by the state board  
14 pursuant to subsection 1 of NRS 392.070.

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

19 5. Any pupil in grades 1 to 6, inclusive, except a pupil who has been  
20 found to have possessed a firearm in violation of subsection 2, may be  
21 suspended from school or permanently expelled from school pursuant to  
22 this section only after the board of trustees of the school district has  
23 reviewed the circumstances and approved this action in accordance with  
24 the procedural policy adopted by the board for such issues.

25 6. A pupil who is participating in a program of special education  
26 pursuant to NRS 388.520, other than a pupil who is gifted and talented,  
27 may, in accordance with the procedural policy adopted by the board of  
28 trustees of the school district for such matters, be:

29 (a) Suspended from school pursuant to this section for not more than 10  
30 days. Such a suspension may be imposed pursuant to this paragraph for  
31 each occurrence of conduct proscribed by subsection 1.

32 (b) Suspended from school for more than 10 days or permanently  
33 expelled from school pursuant to this section only after the board of  
34 trustees of the school district has reviewed the circumstances and  
35 determined that the action is in compliance with the Individuals with  
36 Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.

37 7. As used in this section:

38 (a) "Battery" has the meaning ascribed to it in paragraph (a) of  
39 subsection 1 of NRS 200.481.

40 (b) "Dangerous weapon" includes, without limitation, a blackjack, slung  
41 shot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku,  
42 switchblade knife or trefoil, as defined in NRS 202.350, a butterfly knife or  
43 any other knife described in NRS 202.350, or any other object which is  
44 used, or threatened to be used, in such a manner and under such  
45 circumstances as to pose a threat of, or cause, bodily injury to a person.

46 (c) "Firearm" includes, without limitation, any pistol, revolver, shotgun,  
47 explosive substance or device, and any other item included within the  
48 definition of a "firearm" in 18 U.S.C. § 921, as that section existed on  
49 July 1, 1995.



1     **Sec. 2.**   This act becomes effective on July 1, 2001.



\* S B 1 1 5 R 1 \*