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ASSEMBLY COMMITTEE ON EDUCATION



WORK SESSION DOCUMENT

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G 1/4

ASSEMBLY EDUCATION

DATE: 3/12/03 ROOM: 3143 EXHIBIT G

SUBMITTED BY: CAROL STONEFIELD

TAB

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G 2/4

Sponsor: Assembly Committee on Education

Nevada Revised Statutes 392.4644 requires the principal of each public school to establish a progressive discipline plan. Assembly Bill 218 proposes that the plan shall be developed with the participation of teachers at the school as well as parents or guardians of pupils at the school. On or before October 1 of each year the principal shall review the plan in consultation with teachers at the school. The plan shall be revised based upon the review.

Assembly Bill 218 provides that, if the principal fails to carry out the plan by October 1 of each year, the board of trustees shall withhold his salary for each day after October 1 that the plan is not in place. The principal may request that the teachers grant him an extension, which may be granted by a majority of teachers. The board of trustees, for good cause, may grant an extension in order for the principal to comply. If the teachers grant an extension, the board shall not withhold the principal's salary.

Proponents:

1. Compliance with Assembly Bill 521 (Chapter 591, *Statutes of Nevada 1999*) does not occur in all schools in the Clark County School District. The question is whether the plan that is in writing is being implemented. Some principals ignore the requirements of Assembly Bill 521. Teachers do not complain or go over the head of the principal for fear of reprisal.

Opponents:

Principals are supervised by the regional assistant superintendents. Chapter 391 of the Nevada Revised Statutes and collective bargaining agreements adequately address this issue. All principals in the district are provided guidelines and training. The provisions of subsection 4 of the bill would generate division and dissension. The sole responsibility for discipline should not lie with the principal. Classroom teachers should implement a fair and firm discipline policy. Problems should be handled at the local level.

Fiscal Impact: None

Proposed Amendments:

1. The deadline should be moved from October 1 to December 1.
2. The number of alternates should be increased from 1 to 2.
3. The discipline committee has to publish its membership and documents.

PROPOSED AMENDMENT TO ASSEMBLY BILL 218

*Relating to the Provisions Governing the Plan Required of Each Public School for the
Progressive Discipline and On-Site Review
of the Disciplinary Decisions Regarding Pupils*

1. Amend Section 1, subsection 1, page 2, line 2, by inserting immediately after the line the following"

(e) Conform with the plan to be adopted by the school district board of trustees as provided in subsection 5.

2. Amend Section 1, subsection 2, page 2, to read as follows:

2. After the input and participation of teachers and parents and guardians of pupils is received pursuant to paragraph (a) of subsection 1, the principal, ~~and~~ the teachers, and support personnel who are employed at the school shall adopt the plan without any further review except as required by subsection 3.

3. Amend Section 1, subsection 3, page 2, to read as follows:

3. On or before October 1 of each year, the principal of each public school shall review the plan in consultation with the teachers and support personnel who are employed at the school. Based upon the review, the principal shall make revisions to the plan as recommended by the employees of the school, if necessary. The plan shall be posted in a public place and made available for public inspection at the administrative office of the school on or before October 1 of each year. The plan shall be submitted to the district superintendent by October 1 of each year.

4. Amend Section 1, subsection 4, page 2, by deleting all of the subsection and inserting in lieu thereof the following:

** By November 1 of each year, the superintendent of a school district must compile the plans from each school in the district. He must report to the district board of trustees the names of the school principals who are not in compliance with the reporting requirements.*

5. The board of trustees of the school district shall design, implement and enforce a district plan for progressive discipline of pupils and on-site review of disciplinary decisions. The board plan shall include provisions for withholding a designated portion of a principal's salary or other compensation of the principal for each day after October 1 during which the plan is not established, reviewed, and implemented. That portion of compensation withheld shall be placed in escrow until such time as the plan is filed with the superintendent. When the plan is filed with the superintendent to his satisfaction, the salary and other compensation withheld pursuant to this section shall be released to the principal. The board of trustees shall file the plan with the superintendent of public instruction.

6. The superintendent of public instruction shall report annually to the director of the Legislative Counsel Bureau the compliance with this requirement.