

Joint Sponsor: Assemblywoman Giunchigliani

CHAPTER.....

AN ACT relating to education; providing that a pupil must be in attendance for a minimum number of days to obtain credit or to be promoted to the next higher grade; requiring each school to provide notice to the parent or legal guardian of a pupil before the pupil is denied credit or promotion to the next higher grade; providing that a pupil and his parent or legal guardian may request a review of a decision to deny credit or promotion to the next higher grade; and providing other matters properly relating thereto.

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

Section 1. NRS 392.122 is hereby amended to read as follows:

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

~~—(a) Physically or mentally unable to attend school; or~~

~~—(b) Absent]~~ *absent* for up to 10 days within 1 school year with the approval of the teacher or principal of the school pursuant to NRS 392.130 , ~~[and only if he has completed course work requirements,]~~ must be credited towards the required days of attendance ~~[:]~~ *if the pupil has completed course-work requirements.*

2. *Before a pupil is denied credit or promotion to the next higher grade for failure to comply with the attendance requirements prescribed pursuant to subsection 1, the principal of the school in which the pupil is enrolled or his designee shall provide written notice of the intended denial to the parent or legal guardian of the pupil. The notice must include a statement indicating that the pupil and his parent or legal guardian may request a review of the absences of the pupil and a statement of the procedure for requesting such a review. Upon the request for a review by the pupil and his parent or legal guardian, the principal or his designee shall review the reason for each absence of the pupil upon which the intended denial of credit or promotion is based. After the review, the principal or his designee shall credit towards the required days of attendance each day of absence for which:*

(a) There is evidence or a written affirmation by the parent or legal guardian of the pupil that the pupil was physically or mentally unable to attend school on the day of the absence; and

(b) The pupil has completed course-work requirements.

3. A pupil and his parent or legal guardian may appeal a decision of a principal or his designee pursuant to subsection 2 to the board of trustees of the school district in which the pupil is enrolled.

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

Sec. 2. This act becomes effective on July 1, 2003.