

CHAPTER NUMBER.....

AN ACT relating to education; authorizing the board of trustees of a school district to accommodate certain pupils who are physically or mentally unable to attend school in the policy for attendance of pupils at school; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the board of trustees of each school district to prescribe the minimum number of days that a pupil must be in attendance in order to obtain credit or be promoted to the next higher grade. Existing law allows a pupil to be absent for up to 10 days within a school year without jeopardizing credit or promotion if he has the approval of his teacher or principal and has completed all course-work requirements. (NRS 392.122)

This bill allows the board of trustees of a school district to adopt a policy to exempt pupils who are physically or mentally unable to attend school from the 10-day limitation on absences. If the board of trustees of a school district adopts such a policy, a pupil is still required to comply with the minimum number of days of attendance, however, the days on which the pupil is absent because the pupil is physically or mentally unable to attend school must be credited towards the required days of attendance if the pupil has completed course-work requirements.

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 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, must be credited towards the required days of attendance if the pupil has completed course-work requirements. *If the board of trustees of a school district has adopted a policy pursuant to subsection 4, the 10-day limitation on absences does not apply to absences that are excused pursuant to that policy.*

2. ~~{Before}~~ *Except as otherwise provided in subsection 4, 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 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. *The board of trustees of a school district may adopt a policy to exempt pupils who are physically or mentally unable to attend school from the limitations on absences set forth in subsection 1. If a board of trustees adopts a policy pursuant to this subsection:*

(a) A pupil who receives an exemption pursuant to this subsection is not exempt from the minimum number of days of attendance prescribed pursuant to subsection 1.

(b) The days on which a pupil is physically or mentally unable to attend school must be credited towards the required days of attendance if the pupil has completed course-work requirements.

(c) The procedure for review of absences set forth in subsection 2 does not apply to days on which the pupil is absent because the pupil is physically or mentally unable to attend school.

5. 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 upon passage and approval.