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FIRST REPRINT

A.B. 76

ASSEMBLY BILL NO. 76—COMMITTEE ON EDUCATION

(ON BEHALF OF THE WASHOE COUNTY SCHOOL DISTRICT)

FEBRUARY 17, 2005

Referred to Committee on Education

SUMMARY—Authorizes boards of trustees of school districts to accommodate medical absences in policy for attendance of pupils at school. (BDR 34-607)

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.

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.



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

1 **Section 1.** NRS 392.122 is hereby amended to read as follows:
2 392.122 1. The board of trustees of each school district shall
3 prescribe a minimum number of days that a pupil who is enrolled in
4 a school in the district must be in attendance for the pupil to obtain
5 credit or to be promoted to the next higher grade. For the purposes
6 of this subsection, the days on which a pupil is not in attendance
7 because the pupil is absent for up to 10 days within 1 school year
8 with the approval of the teacher or principal of the school pursuant
9 to NRS 392.130, must be credited towards the required days of
10 attendance if the pupil has completed course-work requirements. *If*
11 *the board of trustees of a school district has adopted a policy*
12 *pursuant to subsection 4, the 10-day limitation on absences does*
13 *not apply to absences that are excused pursuant to that policy.*

14 2. ~~{Before}~~ *Except as otherwise provided in subsection 4,*
15 *before* a pupil is denied credit or promotion to the next higher grade
16 for failure to comply with the attendance requirements prescribed
17 pursuant to subsection 1, the principal of the school in which the
18 pupil is enrolled or his designee shall provide written notice of
19 the intended denial to the parent or legal guardian of the pupil. The
20 notice must include a statement indicating that the pupil and his
21 parent or legal guardian may request a review of the absences of the
22 pupil and a statement of the procedure for requesting such a review.
23 Upon the request for a review by the pupil and his parent or legal
24 guardian, the principal or his designee shall review the reason for
25 each absence of the pupil upon which the intended denial of credit
26 or promotion is based. After the review, the principal or his designee
27 shall credit towards the required days of attendance each day of
28 absence for which:

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

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

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

37 4. *The board of trustees of a school district may adopt a*
38 *policy to exempt pupils who are physically or mentally unable to*
39 *attend school from the limitations on absences set forth in*
40 *subsection 1. If a board of trustees adopts a policy pursuant to this*
41 *subsection:*



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

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

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

10 5. A school shall inform the parents or legal guardian of each
11 pupil who is enrolled in the school that the parents or legal guardian
12 and the pupil are required to comply with the provisions governing
13 the attendance and truancy of pupils set forth in NRS 392.040 to
14 392.160, inclusive, and any other rules concerning attendance and
15 truancy adopted by the board of trustees of the school district.

16 Sec. 2. This act becomes effective upon passage and approval.



