

SENATE BILL NO. 245—SENATORS NOLAN AND WOODHOUSE

MARCH 12, 2007

Referred to Committee on Human Resources and Education

SUMMARY—Revises provisions governing pupils. (BDR 34-99)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; revising provisions governing the temporary alternative placement of pupils for disruptive behavior; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the principal of each public school to establish a plan that provides for the temporary removal of a pupil from the classroom if, in the judgment of the teacher, the pupil engaged in behavior that seriously interferes with the ability of the teacher to teach and with the ability of the other pupils in the classroom to learn. (NRS 392.4642-392.4648) If such a pupil is removed from the classroom, he must be assigned, to the extent practicable, to a temporary alternative placement that is separated from the other pupils in the classroom. (NRS 392.4645) **Section 2** of this bill authorizes the board of trustees of a school district to adopt a policy that requires parents and legal guardians of pupils who are temporarily removed from the classroom to pay a reasonable fee for the alternative placement. Such a policy must be used only for pupils who would otherwise be suspended or expelled from school and must include a provision for a parent or legal guardian to request a reduction or waiver of the fee for good cause shown, including financial hardship.

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

Section 1. (Deleted by amendment.)

Sec. 2. NRS 392.4645 is hereby amended to read as follows:
392.4645 1. The plan established pursuant to NRS 392.4644 must provide for the temporary removal of a pupil from a classroom if, in the judgment of the teacher, the pupil has engaged in behavior that seriously interferes with the ability of the teacher to teach the



1 other pupils in the classroom and with the ability of the other pupils
2 to learn. The plan must provide that, upon the removal of a pupil
3 from a classroom pursuant to this section, the principal of the school
4 shall provide an explanation of the reason for the removal of the
5 pupil to the pupil and offer the pupil an opportunity to respond to
6 the explanation. Within 24 hours after the removal of a pupil
7 pursuant to this section, the principal of the school shall notify the
8 parent or legal guardian of the pupil of the removal.

9 2. Except as otherwise provided in subsection 3, a pupil who is
10 removed from a classroom pursuant to this section must be assigned
11 to a temporary alternative placement pursuant to which the pupil:

12 (a) Is separated, to the extent practicable, from pupils who are
13 not assigned to a temporary alternative placement;

14 (b) Studies under the supervision of appropriate personnel of the
15 school district; and

16 (c) Is prohibited from engaging in any extracurricular activity
17 sponsored by the school.

18 3. The principal shall not assign a pupil to a temporary
19 alternative placement if the suspension or expulsion of a pupil who
20 is removed from the classroom pursuant to this section is:

21 (a) Required by NRS 392.466; or

22 (b) Authorized by NRS 392.467 and the principal decides to
23 proceed in accordance with that section.

24 ➤ If the principal proceeds in accordance with NRS 392.466 or
25 392.467, the pupil must be removed from school in accordance with
26 those sections and the provisions of NRS 392.4642 to 392.4648,
27 inclusive, do not apply to the pupil.

28 4. *The board of trustees of a school district may adopt a*
29 *policy that requires the parents and legal guardians of pupils who*
30 *are temporarily removed from the classroom pursuant to this*
31 *section to pay a reasonable fee for the alternative placement of the*
32 *pupil. If the board of trustees adopts such a policy, the policy*
33 *must:*

34 (a) *Apply only in those circumstances in which the pupil would*
35 *be suspended or expelled from school if he is not temporarily*
36 *removed pursuant to this section; and*

37 (b) *Include a provision for a parent or legal guardian to*
38 *request and receive a waiver or reduction of the fee for good*
39 *cause, including, without limitation, financial hardship.*

40 **Sec. 3.** This act becomes effective on July 1, 2007.

