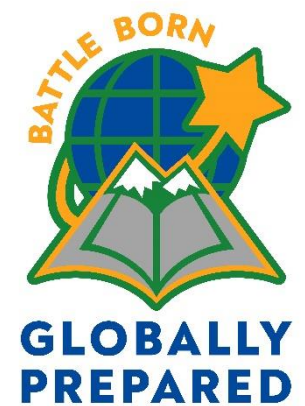


Nevada Department of Education

Standardized Definitions

for Student Discipline Offenses and Sanctions



Background

The passage of [Assembly Bill \(AB\) 490](#) in 2019 amended Chapter 385A of Nevada Revised Statutes (NRS) by adding a new section regarding the collection and reporting of student discipline data. Section 2 of [NRS 385A.840](#) requires the Nevada Department of Education (NDE) to “establish standard definitions of an offense for which a pupil may be disciplined and any related sanctions.” In addition, NDE is required to:

- develop guidance on methods and procedures for collecting student discipline data, and
- provide training and professional development relating to reporting and analysis of that data, including the ability to generate, interpret, and utilize a report on student discipline data in the development of a responsive plan of action

The 2021 Session of the Nevada Legislature saw the passage of a host of additional bills that further impacted student discipline laws. Those statutory changes have been incorporated here, as appropriate. Most notably, [AB 67 \(2021\)](#) defined suspension, expulsion, and permanent expulsion in state law, while other bills provided additional limitations and/or requirements regarding the application of disciplinary sanctions. A number of bills require further regulatory work on the part of NDE as well. As such, it is anticipated that efforts to align the definitions for behavior offenses and sanctions will continue to be an organic and evolving process as NDE works to collaborate with our LEA partners in developing common processes and understanding, with the ultimate goal being the collecting, reporting, and understanding of student discipline data that is both meaningful and useful.

Local Education Agencies (LEAs) were invited to nominate individuals to serve on a workgroup tasked with establishing those standard discipline definitions during the summer of 2020. The resulting AB 490 Workgroup, consisting of those representatives, met for six consecutive weeks from July through August of that year. NDE staff began by surveying LEA partners for information and artifacts, documents, and other materials regarding existing discipline definitions and policies. The AB 490 Workgroup then consolidated the original bank of 97 discipline offense types to a combined list of 34 offenses across 9 general categories:

- | | |
|---|-------------------------------|
| 1. ATTENDANCE RELATED BEHAVIORS | 6. SUBSTANCE USE BEHAVIORS |
| 2. VIOLATIONS OF SCHOOL RULES | 7. THREAT BEHAVIORS |
| 3. DISRUPTIONS OF CLASS/SCHOOL ACTIVITIES | 8. VIOLENT BEHAVIORS |
| 4. PROHIBITED BEHAVIORS – GENERAL | 9. WEAPONS INVOLVED BEHAVIORS |
| 5. BULLYING BEHAVIORS | |

The AB 490 Workgroup also recommended including information for each consolidated definition regarding previously used event types, as applicable, as well as guidance on decision processes for ruling out other potential behavior types. Where available, federal definitions were also considered and included. A list of behavior types that have been [eliminated](#) is also include, with notes regarding the rationale of the Workgroup in choosing to eliminate them. The final section of this document provides standard definitions for discipline [sanctions](#), as captured in state law.

AB 490 (2019) Workgroup Members

The Department wishes to thank the following individuals who volunteered their time and efforts as members of the AB 490 Workgroup during numerous school years:

Shannon Brown (Douglas CSD)	ShawnMarie Lumos (Storey CSD)
Amanda Campbell (White Pine CSD)	Tammy Malich (Clark CSD)
Jill Dayne (Somerset Academy)	Christopher McAnany (Elko CSD)
Frances Hall (Clark CSD)	Lynn McCann (SLAM Academy)
Will Jensen (Humboldt CSD)	Ricky Medina (Carson City SD)
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Rachel Knight (Churchill CSD)	Crystal Sasser (Mineral CSD)
Kyle Konold (Delta Academy)	Trish Shaffer (Washoe CSD)
Joe Kovach (Quest Academy)	John Stern (Lander CSD)
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Contact Information

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A Systematic Approach to Student Behavior

Research on student behavior has consistently demonstrated the importance of taking a systematic approach to proactively teaching expectations for student behavior, so that students know how to be successful across a variety of academic settings and contexts, and then applying differentiated supports when student behaviors do not align with those expectations. Nevada is committed to the use of a Multi-Tiered System of Supports (MTSS) as a framework for applying the evidence-based processes stemming from implementation science across all student interventions and supports (see [NRS 388.885](#)). More information on MTSS can be found on NDE's [website](#), including an introductory [MTSS Guidance Document](#).

When student behavior is addressed through the systematic, intentional approach that an MTSS framework provides for, student discipline issues decline dramatically. A core component of Nevada's MTSS framework is the use of data, on an ongoing and regular basis, to not only help identify the needs of the school but to also determine if the strategies and activities the school is implementing are being effective in addressing those needs. This aligns with a number of recent additions to Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) regarding the collection and use of student discipline data.

At the universal, Tier 1 level, expectations for student behavior are clearly and concretely taught to all students, using a variety of instructional methods. Students and educators have a shared understanding of not only what types of behaviors are prohibited, but, perhaps more importantly, what types of behaviors are expected within the school environment; those expectations are often founded upon values such as respect, responsibility, and safety, and are tied to host of positive academic outcomes. The intentional teaching and reinforcing of the actions that students can take to increase their chances of success decreases the need for students to learn, by trial and error, what will or will not be allowed. Standardizing expectations also takes away the guesswork for educators, such that expectations for student behavior are applied equitably and fairly across all school environments. Tier 1 efforts that encourage a positive [school climate](#), seek to prevent [bullying](#) behaviors, and support the development of a [safe](#) and [supportive](#) learning environment work hand in hand in helping students know that their teachers and school administrators both want and expect them to be successful.

When specific issues or student behaviors arise that fall outside of the universally taught expectations, or if the instruction provided to all students isn't sufficient to support all students in meeting those expectations, additional interventions and supports may be applied at a Tier 2 level. Tier 2 interventions and supports provide more targeted instruction and reinforcement of expected behaviors that may be tailored to a particular challenge; for example, if a school sees an increase in student discipline and behavior issues in the cafeteria during lunch time, it may be helpful to revisit and reteach expectations for how students should and should

not behave in that particular setting. Upticks in bullying behaviors that may be associated with a recent trend on social media may also trigger a renewed focus at a Tier 2 level in supporting more appropriate student behaviors for affected student groups. Investment on the part of school administrators and classroom teachers at Tier 1 and Tier 2 strategies to support positive student behavior has been shown, time and again, to decrease the number of individual, student level challenges and the need for Tier 3 interventions and supports. In other words, emphasizing Tier 1 and Tier 2 interventions within an MTSS approach to student discipline will decrease the number of student discipline infractions and the need for individual student disciplinary actions.

If a school has implemented Tier 1 and Tier 2 student behavior interventions with fidelity, when students do struggle with individual disciplinary infractions the school does not have to start over from scratch in trying to determine what the particular cause may be, or what possible responses or interventions should be considered, since that student would have already had the opportunity to receive the instruction and reinforcement of expected behaviors through the universal and targeted strategies and activities included in the school's MTSS framework for student discipline. This is especially important when Restorative Justice/Practices (RJ/P) are added to the requirements for responding to student discipline issues.

As was noted earlier, a number of bills requiring the use of restorative disciplinary practices have passed in recent Sessions of the Nevada Legislature. Per [NRS 392.4644](#), each school district is required to submit to NDE, on an annual basis, a Restorative Discipline Plan; these plans were formerly known as Progressive Discipline Plans, prior to the passage of [Senate Bill \(SB\) 89](#) during the 2019 Legislative Session. This school- and district-wide Restorative Discipline Plan must be developed in accordance with the statewide framework for restorative justice, as defined in regulations, and should therefore capture those strategies and interventions that the school or district will implement at both the universal, Tier 1 and targeted, Tier 2 levels, and not solely those for use at the Tier 3, individual student level. NDE is required to provide and update on an annual basis resources and guidance for implementing restorative discipline, which can be found on the Department's website for [Discipline and Restorative Practices](#).

Other changes to NRS in recent years have added a requirement that each student must be provided an individual plan of action that is based on restorative justice prior to any disciplinary removal of the student, including suspension, expulsion, or a temporary alternative placement as allowed by [NRS 392.4645](#). It is important to note that, per [SB 354 \(2021\)](#), any student who is removed from a classroom or any other premises of a school for more than 2 school days must be offered educational services, appropriate positive behavioral interventions and supports, trauma-informed supports, and a referral for services from the school social worker or school counselor. Per [AB 194 \(2021\)](#), the board of trustees of a school district and the governing body of a charter school must adopt a policy for appealing a suspension or expulsion and provide information about that policy to the student and their parents when a decision to suspend or expel a student is made.

When taken together, it may be helpful to view the numerous changes to state laws and regulations regarding student discipline as a comprehensive, systematic approach, rather than a number of stand-alone measures. The successful implementation of each requirement depends on the ability of a school or district to have access to reliable and consistent data regarding student behavior. Our hope is that, by standardizing the definitions of disciplinary event types and any consequences or sanctions that are imposed as a result of discipline infractions, the student discipline data that is collected, reported, and analyzed in schools and districts throughout the state will become more meaningful and useful in meeting the statutory and regulatory requirements regarding student discipline.

The shift toward restorative approaches to student behavior also requires the ability to accurately examine any disproportionality that may be occurring; this requires state and local education agencies to ensure that all individuals who are responsible for recording student discipline data within the student information system both understand and mean the same thing when they cite a student for a prohibited behavior. In addition, these definitions will be useful in school improvement processes and planning, providing each school and district with vital data on both the strengths and needs of their school communities as they develop and review the annual plan to improve the achievement of students that is required by [NRS 385A.650](#).

How to Use this Document

Standardized Definitions for Student Discipline Offenses and Sanctions

This document provides a full accounting of all relevant information regarding standardized definitions for student behavior event types, including full citations for state or federal definitions where applicable. A companion *Quick Guide* has also been provided as a separate document, which includes all of the information from this full document but does not include the full citations for state or federal definitions.

General Structure of Definitions

Each definition of a student discipline event type has three columns of information:

1. The **first** column includes information that may be **useful to school and district administrators as they begin implementing the standardized definitions**. For example, any label or name for the event type that an LEA has used in recent years is listed in that first column, so that LEAs can easily identify where the events they have used previously fall within the new, aligned definitions. Notes on things that administrators should Rule Out as they are deciding which behavior offense most accurately captures a particular incident are included here as well, in addition to other information on recent legislative changes.
2. The **second** column provides the **state definition** of each type of discipline offense and sanction. Most often this information comes directly from cited state law or regulation; for those event types that are not defined formally, the AB 490 Workgroup developed working definitions based on a combination of similar events and descriptions from LEAs throughout the state.
3. The **third** column includes any **federal definition** for a particular event type; this is provided to assist LEAs in their Office of Civil Rights reporting requirements and demonstrate alignment with state definitions, when possible.

Integration with the Student Information System

To support standardized reporting and analysis, the behavior event types defined in this document will be incorporated into the student discipline tab of the student information system that is used by all public schools in the state. In those instances in which existing behavior event types are not aligned with these standardized definitions, school administrations and classroom teachers are encouraged to use the behavior event type that most closely aligns with the standardized definition, until the necessary changes to the student information system are completed.

Additional information regarding the integration of these standardized definitions with the student information system is provided below:

Disproportionality: One of the key concerns brought by members of the AB 490 Workgroup was the frequency with which student misbehavior and the consequences associated with that misbehavior are identified and applied in what may appear to be random, haphazard ways by school leaders and teachers. As such, the workgroup intentionally sought ways to decrease the level of subjectivity that may be applied when responding to student discipline issues as a result of implicit or explicit biases held by school leaders and teachers. It is hoped that the use of standardized definitions for discipline offenses and sanctions, in conjunction with definitions that support more intentional and equitable application of student discipline measures, will also support a decrease in disproportional disciplinary sanctions. This goal is further in alignment with the requirements of Assembly Bill (AB) 490 from the 2019 Legislative Session, which sought to address some of the factors that have historically contributed to disproportionate responses and outcomes for student discipline infractions across many student groups, including students with disabilities.

Information Required in Narrative Portions: In keeping with the workgroup's goal of decreasing subjective and disproportionate application of student discipline sanctions, there are a number of behavior event types defined in this document that include a note regarding information that must be included in the narrative portion of the student discipline tab in the student information system. These most often include a requirement to cite which rule or expectation for student behavior was violated, as well as what efforts were taken by the school or the classroom teacher to prevent the unwanted behavior, including through explicit instruction regarding expectations and actions to reteach and reinforce expectations for positive student behavior.

Major vs Minor Behaviors: Each student discipline event type defined in this document has also been noted as either a minor behavior event or a major behavior event. Schools that are implementing Positive Behavioral Interventions and Supports will recognize this terminology as a key component of an MTSS framework for student behavior, in that each school determines the number of infractions at a minor level that will trigger the same infraction being considered a major behavior event type. In general, the consequences or sanctions that may be considered as a result of a student discipline infraction are also tied to whether or not the event type is considered a minor or a major behavior; more significant (major) student behavior event types would be expected to be associated with more significant sanctions or consequences. Likewise, a minor behavior event type will not likely trigger the imposition of significant sanctions, such as suspension or expulsion. If, however, a school has determined through its implementation of PBIS or MTSS that a minor behavior may be deemed as a

major behavior after a set number of infractions, that behavior may be coded as a major behavior rather than a minor behavior. If a school administrator has determined that the circumstances and context of the behavior would be more appropriately captured by labeling the event type as a major behavior rather than a minor behavior, or if doing so would lead to more individualized and targeted interventions and supports for the student, they may exercise discretion in how that behavior event is labeled in the student information system.

LIST OF DISCIPLINE OFFENSES (BEHAVIOR TYPES)

1. ATTENDANCE RELATED BEHAVIORS
 - a. EXCESSIVE TARDIES (minor)
 - b. TRUANCY (minor)
 - c. HABITUAL TRUANCY (major)
2. VIOLATIONS OF SCHOOL RULES
 - a. DISREGARD FOR SCHOOL RULES (minor)
 - b. INSUBORDINATION (major)
3. DISRUPTIONS OF CLASS/SCHOOL ACTIVITIES
 - a. INTERFERENCE WITH INSTRUCTION (minor)
 - b. DISRUPTION OF SCHOOL ACTIVITIES (major)
4. PROHIBITED BEHAVIORS – GENERAL
 - a. ARSON (major, or minor)
 - b. BUS/TRANSPORTATION (minor)
 - c. CHEATING/PLAGIARISM (major, or minor)
 - d. DAMAGE TO OR DESTRUCTION OF PROPERTY ON SCHOOL GROUNDS (major, or minor)
 - e. DRESS CODE VIOLATION (minor)
 - f. GANG RELATED BEHAVIOR/ACTIVITY (major)
 - g. HABITUAL DISCIPLINARY PROBLEM (major)
 - h. IMPAIRING HEALTH, SAFETY, OR WELFARE OF OTHERS (major, or minor)
 - i. INAPPROPRIATE LANGUAGE (minor)
 - j. SEXUAL ASSAULT (major)
 - k. SEXUAL MISCONDUCT/HARASSMENT (major)
 - l. TECHNOLOGY VIOLATION (minor)
 - m. THEFT/POSSESSION OF STOLEN PROPERTY
 - n. TRESPASSING (minor or major)
5. BULLYING BEHAVIORS
 - a. BULLYING (minor or major)
 - b. CYBERBULLYING (minor or major)
 - c. DISCRIMINATION BASED ON RACE (minor or major)
6. SUBSTANCE USE BEHAVIORS
 - a. ALCOHOL – POSSESSION/USE OF (minor)
 - b. DRUG PARAPHERNALIA – POSSESSION OF (minor)
 - c. POSSESSION/USE OF A CONTROLLED SUBSTANCE (major)
 - d. TOBACCO VIOLATION (minor)
7. THREAT BEHAVIORS
 - a. THREAT TO SCHOOL (major)
 - b. THREAT TO STAFF (major)
 - c. THREAT TO STUDENT (major)
8. VIOLENT BEHAVIORS
 - a. VIOLENCE/HARM TO STAFF (major)
 - b. VIOLENCE/HARM TO STUDENT (major)
9. WEAPONS INVOLVED BEHAVIORS
 - a. POSSESSION/USE OF A WEAPON (major)

ATTENDANCE RELATED BEHAVIORS

NOTE: Only attendance events that involve disciplinary sanctions should be coded in the Behavior tab of the student information system. Regular attendance events such as missed instruction, single absences, or tardies should not be entered in the Behavior tab; those should be recorded in the Attendance tab of the student information system instead.

EXCESSIVE TARDIES (minor)	State Definition	Federal Definition (as applicable)
<p>Does not include:</p> <ul style="list-style-type: none"> • Tardy/Missed Instruction (this is an attendance code, not a behavior code). 	<p>Violations of a policy regarding attendance adopted by a board of trustees pursuant to NRS 392.122, the Written Rules of Behavior adopted by the school district pursuant to NRS 392.463, or the rules of the school as outlined in the Parent/Student handbook or disseminated by a school in regard to the number of tardies that will result in a student receiving disciplinary sanctions.</p> <p>Decisions on the number of tardies that will result in a student receiving disciplinary sanctions should be based on localized considerations such as the school level, age and/or development of students, and other local considerations (such as layout of the school campus or status as open or closed campus) and may be contextualized by school level or campus based on those considerations as long as there is an effort for standardization across the LEA by grade or school levels.</p>	

TRUANCY (minor)	State Definition	Federal Definition (as applicable)
	<p>NRS 392.130 Conditions under which pupil deemed truant; approval required for absence; notice of unapproved absence to parent; applicability.</p> <p>1. Within the meaning of this chapter, a pupil shall be deemed a truant who is absent from school without the written approval of the pupil’s teacher or the principal of the school, unless the pupil is physically or mentally unable to attend school. The teacher or principal shall give his or her written approval for a pupil to be absent if an emergency exists or upon the request of a parent or legal guardian of the pupil. Before a pupil may attend or otherwise participate in school activities outside the classroom during regular classroom hours, the pupil must receive the approval of the teacher or principal.</p> <p>2. An unapproved absence for at least one period, or the equivalent of one period for the school, of a school day may be deemed a truancy for the purposes of this section.</p> <p>3. If a pupil is physically or mentally unable to attend school, the parent or legal guardian or other person having control or charge of the pupil shall notify the teacher or principal of the school orally or in writing, in accordance with the policy established by the board of trustees of the school district, within 3 days after the pupil returns to school.</p> <p>4. An absence which has not been approved pursuant to subsection 1 or 3 shall be deemed an unapproved absence. In the event of an unapproved absence, the teacher, attendance officer or other school official shall deliver or cause to be delivered a written notice of truancy to the parent, legal guardian or other person having control or charge of the child. The written notice</p>	

TRUANCY (minor)	State Definition	Federal Definition (as applicable)
	<p>must be delivered to the parent, legal guardian or other person who has control of the child. The written notice must inform the parents or legal guardian of such absences in a form specified by the Department.</p> <p>5. The provisions of this section apply to all pupils who are required to attend school pursuant to NRS 392.040.</p> <p>6. As used in this section, “physically or mentally unable to attend” does not include a physical or mental condition for which a pupil is excused pursuant to NRS 392.050.</p> <p>[372:32:1956] — (NRS A 1985, 2168; 1987, 158; 1997, 2835; 1999, 3456; 2007, 1082, 2181)</p>	

HABITUAL TRUANCY (major)	State Definition	Federal Definition (as applicable)
	<p>NRS 392.140 Conditions under which pupil declared habitual truant; applicability.</p> <p>1. Any child who has been declared a truant three or more times within one school year must be declared a habitual truant.</p> <p>2. Any child who has once been declared a habitual truant and who in an immediately succeeding year is absent from school without the written:</p> <p>(a) Approval of the child’s teacher or the principal of the school pursuant to subsection 1 of NRS 392.130; or</p> <p>(b) Notice of his or her parent or legal guardian or other person who has control or charge over the pupil pursuant to subsection 3 of NRS 392.130, É may again be declared a habitual truant.</p> <p>3. The provisions of this section apply to all pupils who are required to attend school pursuant to NRS 392.040.</p>	

HABITUAL TRUANCY (major)	State Definition	Federal Definition (as applicable)
	[373:32:1956] — (NRS A 1997 , 2836 ; 1999 , 3457 ; 2007 , 1083 , 2182)	

VIOLATIONS OF SCHOOL RULES

DISREGARD FOR SCHOOL RULES (minor)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Horseplay/pushing • Unacceptable school behavior • Nuisance item • Inappropriate display of affection (public display of affection) • Throwing substance at vehicle (if NO damage occurred to the vehicle; if damage did occur to the vehicle, code to Damage of or Destruction of Property on School Grounds) <p>Rule out:</p> <ul style="list-style-type: none"> • Other minor or major prohibited behaviors that more accurately capture the actual behavior of the student. <p>Consider (based on age/development of the student):</p> <ul style="list-style-type: none"> • Inappropriate touching • Indecent exposure 	<p>Violations of the Written Rules of Behavior adopted by the school district pursuant to NRS 392.463 and/or violations of the rules of the school as outlined in the Parent/Student handbook, or disseminated by the individual school, teacher, or coach.</p> <p>NOTE: Use of this behavior code requires a citation in the behavior description narrative within the student information system of:</p> <ul style="list-style-type: none"> • the specific rule that was violated 	
INSUBORDINATION (major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • No show – Detention 	<p>Offenses that involve repeatedly and willfully not following written,</p>	

INSUBORDINATION (major)	State Definition	Federal Definition (as applicable)
<ul style="list-style-type: none"> • Resisting Officer <p>Rule out:</p> <ul style="list-style-type: none"> • Other minor or major prohibited behaviors that more accurately capture the actual behavior of the student. <p>Does not include:</p> <ul style="list-style-type: none"> • Behaviors related to attendance (see Attendance Related Behaviors) 	<p>disseminated, known, and/or verbal rules or expectations that have been taught, even after reteaching and prompting.</p> <p>NOTE: Use of this behavior code requires a citation in the behavior description narrative within the student information system of:</p> <ul style="list-style-type: none"> • the specific rule or expectation that was repeatedly and willfully violated, and • a description of efforts that were employed to teach, reteach, and/or prompt the student regarding the specific rule or expectation 	

DISRUPTIONS OF CLASS/SCHOOL ACTIVITIES

INTERFERENCE WITH INSTRUCTION (minor)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Class Disruption <p>Rule out:</p> <ul style="list-style-type: none"> • Does not result in a large scale disturbance. • Other minor or major prohibited behaviors that more accurately capture the actual behavior of the student. 	<p>Disruptive conduct in the classroom which has the effect of disrupting the instruction of other students and which are violations of the Written Rules of Behavior adopted by the school district pursuant to NRS 392.463 and/or violations of the rules of the school as outlined in the Parent/Student handbook or disseminated by the school.</p>	
DISRUPTION OF SCHOOL ACTIVITIES (major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Disturbing the peace • Riot/brawl • False fire alarm • False reporting of weapon <p>Rule out:</p> <ul style="list-style-type: none"> • This event type is for use with large scale disturbances only. • Other major prohibited behaviors that more accurately capture the actual behavior of the student. 	<p>Willfully interfering with or disturbing persons in the general educational activities of the school through violations of the Written Rules of Behavior adopted by the school district pursuant to NRS 392.463 and/or violations of the rules of the school as outlined in the Parent/Student handbook or disseminated by the school.</p>	

PROHIBITED BEHAVIORS - GENERAL

ARSON (major, or minor)	State Definition	Federal Definition (as applicable)
<p>Note:</p> <ul style="list-style-type: none"> This event type should be coded as a MAJOR behavior, unless the developmental stage of the student or a lower severity incident indicate that it would be more appropriately coded as a MINOR event type. 	<p>Intentionally setting fire, or attempting to set fire, or intentionally engaging in malicious conduct which may reasonably be foreseen to set fire to property of another, participating in, or encouraging another person to participate in such conduct.</p> <p>NRS 205.005 “Set fire to” defined. Any person shall be deemed to have “set fire to” a building, structure or any property mentioned in NRS 205.010 to 205.030, inclusive, whenever any part thereof or anything therein shall be scorched, charred or burned.</p> <p>[1911 C&P § 363; RL § 6628; NCL § 10313] — (Substituted in revision for NRS 205.040)</p>	
BUS/TRANSPORTATION (minor)	State Definition	Federal Definition (as applicable)
<p>Rule out:</p> <ul style="list-style-type: none"> Other major prohibited behavior that more appropriately captures the behavior of the student. 	<p>A violation of the transportation policy adopted by the board of trustees pursuant to NRS 392.4636.</p> <p>NRS 392.4636 School transportation policy.</p> <ol style="list-style-type: none"> The board of trustees of each school district shall adopt a policy for school transportation which includes, without limitation: <ol style="list-style-type: none"> Rules regarding the conduct of pupils on school transportation; Responsibilities for the driver of school transportation and any other staff member on school transportation; 	

BUS/TRANSPORTATION (minor)	State Definition	Federal Definition (as applicable)
	<p>(c) Responsibilities for the principal of a public school relating to school transportation; and</p> <p>(d) A process for progressive discipline on school transportation which establishes discipline on the basis of the category and number of offenses committed by a pupil. The process for progressive discipline must include, without limitation, provisions relating to notification of the parent or legal guardian of a pupil, a conference involving the pupil, driver and principal and the exclusion of a pupil from school transportation for severe or repeated offenses by the pupil.</p> <p>2. The plan established pursuant to NRS 392.4644 must include the policy for school transportation adopted by the board of trustees of the school district in which the public school is located pursuant to subsection 1.</p> <p>3. A pupil must not be removed or otherwise excluded from school transportation provided by a school district or public school during the same trip in which the pupil has engaged in behavior which violates the policy for school transportation adopted pursuant to subsection 1.</p> <p>(Added to NRS by 2017, 2004)</p>	

CHEATING/PLAGIARISM (major, or minor)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Altering records • Communicating false information (written or spoken) • Dishonesty • Forgery 	<p>A violation of the Code of Honor related to cheating established pursuant to NRS 392.461. In general, cheating is the improper taking of information from and/or giving of information to another student, individual or other source.</p>	

CHEATING/PLAGIARISM (major, or minor)	State Definition	Federal Definition (as applicable)
<p>Note:</p> <ul style="list-style-type: none"> This event type should be coded as a MAJOR behavior, unless the developmental stage of the student or a lower severity incident indicate that it would be more appropriately coded as a MINOR event type. 	<p>Plagiarism is representing another person’s work or ideas as your own without credit to the proper source and submitting it for any purpose.</p> <p>NRS 392.461 Code of honor relating to cheating; contents; distribution.</p> <ol style="list-style-type: none"> The Department shall prescribe by regulation a written policy that establishes a code of honor for pupils relating to cheating on examinations and course work. The policy must be developed in consultation with the boards of trustees of school districts, the governing bodies of charter schools, educational personnel employed by school districts and charter schools, and local associations and organizations of parents whose children are enrolled in public schools throughout this State. The policy must include, without limitation, a definition of cheating that clearly and concisely informs pupils which acts constitute cheating for purposes of the code of honor. On or before July 1 of each year, the Department shall: <ol style="list-style-type: none"> Provide a copy of the code of honor to the board of trustees of each school district and the governing body of each charter school. Review and amend the code of honor as necessary. Copies of the code of honor must be made available for inspection at each public school located within a school district, including, without limitation, each charter school, in an area on the grounds of the school that is open to the public. 	

CHEATING/PLAGIARISM (major, or minor)	State Definition	Federal Definition (as applicable)
	<p>5. Each classroom teacher shall:</p> <p>(a) Distribute the code of honor to each pupil enrolled in the teacher’s class and to the parent or legal guardian of each pupil enrolled in his or her class at the beginning of each school year or upon a pupil’s enrollment in the teacher’s class, as applicable;</p> <p>(b) Provide the pupil and the parent or legal guardian of the pupil with a reasonable opportunity to sign the code of honor; and</p> <p>(c) If the code of honor is returned with the signatures, retain a copy of the signed code of honor in the pupil’s file.</p> <p>(Added to NRS by 2005, 1661; A 2007, 2916)</p>	

DAMAGE TO OR DESTRUCTION OF PROPERTY ON SCHOOL GROUNDS (major, or minor)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Graffiti • Tampering with motor vehicles • Throwing substance at vehicle (if damage occurred to the vehicle; if damage did not occur to the vehicle then code to Disregard for School Rules, minor) • Vandalism <p>Note:</p> <ul style="list-style-type: none"> • This event type should be coded as a MAJOR behavior, unless the 	<p>Violations of the Written Rules of Behavior adopted by the school district pursuant to NRS 392.463 relating to the willful or malicious destruction of or injury to real or personal property of another.</p>	

DAMAGE TO OR DESTRUCTION OF PROPERTY ON SCHOOL GROUNDS (major, or minor)	State Definition	Federal Definition (as applicable)
developmental stage of the student or a lower severity incident indicate that it would be more appropriately coded as a MINOR event type.		

DRESS CODE VIOLATION (minor)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Non-dress Physical Education (PE) • Indecent exposure (rule out age/development level of the student and other major prohibited behavior that more appropriately captures the behavior of the student) <p>Rule out:</p> <ul style="list-style-type: none"> • repeated = insubordination • more appropriate significant behavior types/offenses 	Violations of the dress code as outlined in the parent student handbook and/or individual school rules. This includes violations of a school uniform policy adopted pursuant to NRS 386.855 .	

GANG RELATED BEHAVIOR/ACTIVITY (major)	State Definition	Federal Definition (as applicable)
	Violations of the policy established by the board of trustees for the prohibition of activities of criminal gangs on school property pursuant to NRS 392.4635 .	

GANG RELATED BEHAVIOR/ACTIVITY (major)	State Definition	Federal Definition (as applicable)
	<p>NRS 392.4635 Policy for prohibition of activities of criminal gangs on school property.</p> <ol style="list-style-type: none"> 1. The board of trustees of each school district shall establish a policy that prohibits the activities of criminal gangs on school property. 2. The policy established pursuant to subsection 1 may include, without limitation: <ol style="list-style-type: none"> (a) The provision of training for the prevention of the activities of criminal gangs on school property. (b) If the policy includes training: <ol style="list-style-type: none"> (1) A designation of the grade levels of the pupils who must receive the training. (2) A designation of the personnel who must receive the training, including, without limitation, personnel who are employed in schools at the grade levels designated pursuant to subparagraph (1). <p>Ê The board of trustees of each school district shall ensure that the training is provided to the pupils and personnel designated in the policy.</p> <ol style="list-style-type: none"> (c) Provisions which prohibit: <ol style="list-style-type: none"> (1) A pupil from wearing any clothing or carrying any symbol on school property that denotes membership in or an affiliation with a criminal gang; and (2) Any activity that encourages participation in a criminal gang or facilitates illegal acts of a criminal gang. (d) Provisions which provide for the suspension or expulsion pursuant to NRS 392.466 and 392.467 of pupils who violate the policy. 	

GANG RELATED BEHAVIOR/ACTIVITY (major)	State Definition	Federal Definition (as applicable)
	<p>3. The board of trustees of each school district may develop the policy required pursuant to subsection 1 in consultation with:</p> <ul style="list-style-type: none"> (a) Local law enforcement agencies; (b) School police officers, if any; (c) Persons who have experience regarding the actions and activities of criminal gangs; (d) Organizations which are dedicated to alleviating criminal gangs or assisting members of criminal gangs who wish to disassociate from the gang; and (e) Any other person deemed necessary by the board of trustees. <p>4. As used in this section, “criminal gang” has the meaning ascribed to it in NRS 213.1263. (Added to NRS by 1995, 1426; A 2009, 1195; 2019, 3572)</p>	

HABITUAL DISCIPLINARY PROBLEM (major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Extortion or threat of extortion • Out-of-district removals (when students are enrolled while pending sanctions from another LEA) <p>Note:</p> <ul style="list-style-type: none"> • “One year” means one school year. • SB 354 (2021) imposed limitations on deeming a student who is 	<p>NRS 392.4655 Conditions under which pupil deemed habitual disciplinary problem; plan of behavior to prevent pupil from being deemed habitual disciplinary problem; appeal by parent or guardian concerning content of plan or action taken pursuant to plan.</p> <p>1. Except as otherwise provided in this section, a principal of a school shall deem a pupil enrolled in the school a habitual disciplinary problem if the school has written evidence which documents that in 1 school year:</p> <ul style="list-style-type: none"> (a) The pupil has threatened or extorted, or attempted to threaten or extort, another pupil or a teacher or other personnel employed by the 	

HABITUAL DISCIPLINARY PROBLEM (major)	State Definition	Federal Definition (as applicable)
<p>homeless or unaccompanied as a habitual disciplinary problem</p> <ul style="list-style-type: none"> AB 67 (2021) amended NRS 392.4655 to define “signification suspension” for the purposes of deeming a student a habitual disciplinary problem as prohibiting the student from attending school for 3 or more consecutive days and the requirement of parent conference or other form of communication prior to the student being allowed to return to school (see section on definitions of Sanctions). 	<p>school two or more times or the pupil has a record of five significant suspensions from the school for any reason; and</p> <p>(b) The pupil has not entered into and participated in a plan of behavior pursuant to subsection 1 6; and</p> <p><i>(c) The behavior of the pupil was not caused by homelessness, as determined in consultation with the local educational agency liaison for homeless pupils designated in accordance with the McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. §§ 11301 et seq., or a contact person at a school, including, without limitation, a school counselor or school social worker.</i></p> <p><i>2. A principal of a school shall presume that the behavior of the pupil was caused by homelessness unless the principal determines the behavior was not caused by homelessness pursuant to subsection 1.</i></p>	

IMPAIRING HEALTH, SAFETY, OR WELFARE OF OTHERS (major, or minor)	State Definition	Federal Definition (as applicable)
<p>Note:</p> <ul style="list-style-type: none"> This event type should be coded as a MAJOR behavior, unless the developmental stage of the student or a lower severity incident indicate that it would be more appropriately coded as a MINOR event type. 	<p>Violations of any regulation adopted by the board of trustees for sanitation in the public schools and for the prevention of the spread of contagious and infectious diseases pursuant to NRS 392.430.</p> <p>NRS 392.430 Sanitation and prevention of diseases: Authority of board of trustees of school districts and governing bodies of charter schools.</p> <p>1. Except as otherwise provided in subsection 2, the board of trustees of a school district may:</p>	

IMPAIRING HEALTH, SAFETY, OR WELFARE OF OTHERS (major, or minor)	State Definition	Federal Definition (as applicable)
	<p>(a) Adopt and enforce regulations that are necessary for sanitation in the public schools and for the prevention of the spread of contagious and infectious diseases therein.</p> <p>(b) Spend money available in the school district to enforce the regulations among indigent children.</p> <p>2. The governing body of a charter school may:</p> <p>(a) Adopt and enforce rules that are necessary for sanitation in the charter school and for the prevention of contagious and infectious diseases; and</p> <p>(b) Spend money to enforce the rules among indigent children.</p> <p>[403:32:1956] — (NRS A 1997, 1875)</p>	

INAPPROPRIATE LANGUAGE (minor)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Foul language • Disrespect/swearing • Inappropriate behavior/language • Profanity • Obscene language and gestures • Unacceptable language • Verbal abuse <p>Rule out:</p> <ul style="list-style-type: none"> • Other major prohibited behavior that more appropriately captures the behavior of the student. 	<p>Violations of the Written Rules of Behavior adopted by the school district pursuant to NRS 392.463 relating to spoken language or other communications.</p>	

SEXUAL ASSAULT (major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Sexual offense 	<p>NRS 200.366 Sexual assault: Definition; penalties; exclusions.</p> <p>1. A person is guilty of sexual assault if he or she:</p> <p style="padding-left: 40px;">(a) Subjects another person to sexual penetration, or forces another person to make a sexual penetration on himself or herself or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his or her conduct; or</p> <p style="padding-left: 40px;">(b) Commits a sexual penetration upon a child under the age of 14 years or causes a child under the age of 14 years to make a sexual penetration on himself or herself or another, or on a beast.</p> <p>NRS 62F.100 “Sexual offense” defined. As used in NRS 62F.100 to 62F.150, inclusive, unless the context otherwise requires, “sexual offense” means:</p> <ol style="list-style-type: none"> 1. Sexual assault pursuant to NRS 200.366; 2. Battery with intent to commit sexual assault pursuant to NRS 200.400; 3. An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive; 4. Open or gross lewdness pursuant to NRS 201.210, if punishable as a felony; 5. Indecent or obscene exposure pursuant to NRS 201.220, if punishable as a felony; 6. Lewdness with a child pursuant to NRS 201.230; 7. Sexual penetration of a dead human body pursuant to NRS 201.450; 8. Luring a child or person with mental illness pursuant to NRS 201.560, if punishable as a felony; 	<p>Rape</p> <p>Refers to forced sexual intercourse (vaginal, anal, or oral penetration). This includes sodomy and penetration with a foreign object. Both male and female students can be victims of rape. Rape is not defined as a physical attack or fight.</p> <p>Sexual Assault</p> <p>Is an incident that includes threatened rape, fondling, indecent liberties, or child molestation. Both male and female students can be victims of sexual assault. Classification of these incidents should take into consideration the age and developmentally appropriate behavior of the offender(s).</p>

SEXUAL ASSAULT (major)	State Definition	Federal Definition (as applicable)
	<p>or</p> <p>9. An attempt to commit an offense listed in this section, if punishable as a felony. (Added to NRS by 2003, 1077; A 2003, 1380)</p> <p>NRS 62A.320 “Sexually motivated act” defined. “Sexually motivated act” means an unlawful act that is determined to be sexually motivated pursuant to NRS 62F.010.</p> <p>NRS 62F.010 District attorney may request hearing after adjudication of delinquency in certain circumstances to determine whether unlawful act was sexually motivated; evidence; juvenile court to enter finding.</p> <p>1. If a child is adjudicated delinquent for an unlawful act that, if committed by an adult, would have constituted kidnapping in the first or second degree, false imprisonment, burglary or invasion of the home, the juvenile court shall, at the request of the district attorney, conduct a separate hearing to determine whether the act was sexually motivated.</p> <p>2. At the hearing, only evidence concerning the question of whether the unlawful act was sexually motivated may be presented.</p> <p>3. After hearing the evidence, the juvenile court shall determine whether the unlawful act was sexually motivated and shall enter its finding in the record.</p> <p>4. For the purposes of this section, an unlawful act is “sexually motivated” if one of the purposes for which the child committed the unlawful act was the sexual gratification of the child. (Added to NRS by 2003, 1077)</p>	

SEXUAL MISCONDUCT/HARASSMENT (major)	State Definition	Federal Definition (as applicable)
<p>May include:</p> <ul style="list-style-type: none"> • Inappropriate touching • Indecent exposure <p>Rule out:</p> <ul style="list-style-type: none"> • Age/development level of the student; younger student behaviors may alternatively be captured in Disregard for School Rules, minor, as appropriate. • Other major prohibited behavior that more appropriately captures the behavior of the student. 	<p>Violations of the Written Rules of Behavior adopted by the school district pursuant to NRS 392.463 relating to behavior or harassment that is sexual in nature. Examples may include but are not limited to: unwelcome sexual advances or propositions; using electronic devices or technology to record or transmit nudity or sexual acts; unwanted touching; threatening to harm someone sexually; consensual sexual activity between two (2) or more students; and inappropriate or suggestive sexual behavior involving one or more students.</p> <p>NRS 200.571 Harassment: Definition; penalties.</p> <p>1. A person is guilty of harassment if:</p> <p>(a) Without lawful authority, the person knowingly threatens:</p> <p>(1) To cause bodily injury in the future to the person threatened or to any other person;</p> <p>(2) To cause physical damage to the property of another person;</p> <p>(3) To subject the person threatened or any other person to physical confinement or restraint; or</p> <p>(4) To do any act which is intended to substantially harm the person threatened or any other person with respect to his or her physical or mental health or safety; and</p>	<p>Harassment Or Bullying On The Basis Of Sex Includes sexual harassment or bullying and gender-based harassment or bullying. Sexual harassment or bullying is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Gender-based harassment or bullying is nonsexual intimidation or abusive behavior toward a student based on the student's actual or perceived sex, including harassment based on gender identity, gender expression, and nonconformity with gender stereotypes. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. The conduct can be carried out by school employees, other students, and non-employee third parties. Both male and female students can be victims of harassment or bullying on the basis of sex, and the harasser or bully and the victim can be of the same sex. Bullying on the basis of sex constitutes sexual harassment.</p> <p>Harassment Or Bullying On The Basis Of Sexual Orientation Refers to intimidation or abusive behavior toward a student based on actual or perceived sexual orientation. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. The conduct can be carried out by school employees, other</p>

SEXUAL MISCONDUCT/HARASSMENT (major)	State Definition	Federal Definition (as applicable)
	<p>(b) The person by words or conduct places the person receiving the threat in reasonable fear that the threat will be carried out.</p> <p>2. Except where the provisions of subsection 2, 3 or 4 of NRS 200.575 are applicable, a person who is guilty of harassment:</p> <p>(a) For the first offense, is guilty of a misdemeanor.</p> <p>(b) For the second or any subsequent offense, is guilty of a gross misdemeanor.</p> <p>3. The penalties provided in this section do not preclude the victim from seeking any other legal remedy available.</p> <p>(Added to NRS by 1989, 897; A 1993, 510; 2001, 2785; 2019, 1818)</p>	<p>students, and non-employee third parties. Bullying on the basis of sexual orientation constitutes sexual orientation harassment.</p>

TECHNOLOGY VIOLATION (minor)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Acceptable use policy • Cell phone use violations • electronic device violation • Inappropriate use of technology violation • Internet violation • Personal communication device 	<p>Violations of the policy concerning use and possession of electronic devices adopted by the board of trustees pursuant to NRS 392.4637.</p> <p>NRS 392.4637 Policy concerning use and possession of pagers, cellular telephones and other electronic devices.</p> <p>1. The board of trustees of each school district shall adopt a policy concerning the use and possession by pupils of a pager, cellular telephone or any other similar electronic device used for communication while on the premises of a public school or while at an activity sponsored by a public school.</p>	

TECHNOLOGY VIOLATION (minor)	State Definition	Federal Definition (as applicable)
	<p>2. The policy adopted pursuant to subsection 1 must:</p> <p>(a) Prescribe appropriate measures for disciplining a pupil who violates the policy.</p> <p>(b) Be included within each copy of the rules of behavior for pupils that the school district provides to pupils pursuant to NRS 392.463.</p> <p>(Added to NRS by 2003, 493)</p>	

THEFT/POSSESSION OF STOLEN PROPERTY (major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Burglary • Larceny • Robbery • Stealing • theft private property • theft personal property <p>Rule out:</p> <ul style="list-style-type: none"> • Age/development level of the student; younger student behaviors may alternatively be captured in Disregard for School Rules, minor, as appropriate. • Other major prohibited behavior that more appropriately captures the behavior of the student. 	<p>Stealing or taking the property of another individual, or being in the possession of property that has been stolen, based on statutory definitions for such actions, and which is a violation of the Written Rules of Behavior adopted by the school district pursuant to NRS 392.463; a violation of the rules of the school as outlined in the Parent/Student handbook; or disseminated by the individual school, teacher, or coach.</p> <p>See also:</p> <ul style="list-style-type: none"> • NRS 205.0832 Actions which constitute theft. • NRS 205.060 Residential burglary, burglary of a business, burglary of a motor vehicle and burglary of a structure: Definitions; penalties; venue. [Effective July 1, 2020.] • NRS 200.380 Definition; penalty. (Robbery) 	<p>Robbery</p> <p>Is taking or attempting to take anything of value that is owned by another person or organization, under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. A key difference between robbery and theft/larceny is that robbery involves threat or assault.</p>

THEFT/POSSESSION OF STOLEN PROPERTY (major)	State Definition	Federal Definition (as applicable)
	<ul style="list-style-type: none"> • NRS 205.220 Grand larceny: Definition. [Effective July 1, 2020.] 	

TRESPASSING (minor or major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Presence in unauthorized area <p>Rule out:</p> <ul style="list-style-type: none"> • Age/development level of the student; younger student behaviors may alternatively be captured in Disregard for School Rules, minor, as appropriate. • Other major prohibited behavior that more appropriately captures the behavior of the student. 	<p>Trespassing or presence in an unauthorized area by a student and which is a violation of the Written Rules of Behavior adopted by the school district pursuant to NRS 392.463; a violation of the rules of the school as outlined in the Parent/Student handbook; or disseminated by the individual school, teacher, or coach; and which includes previous or repeated communication to the student that the area is off-limits to students.</p> <p>See also:</p> <ul style="list-style-type: none"> • NRS 207.200 Unlawful trespass upon land; warning against trespassing. 	

BULLYING BEHAVIORS

BULLYING (minor or major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> ● Harassment ● Hazing ● Intimidation ● Libel/Slander ● Retaliation ● Stalking <p>Note:</p> <ul style="list-style-type: none"> ● Per subsection 7 of NRS 388.1351, if an investigation into a report of discrimination based on race, bullying, or cyberbullying determines that no violation occurred, then “information concerning the incident must not be included in the record of the reported aggressor.” ● However, because of federal reporting requirements regarding bullying and cyberbullying, NDE’s Infinite Campus Governing Board has determined that information regarding the incident must stay in the record of the reported aggressor through the end of the school year in which the report of bullying or cyberbullying was first 	<p><u>NRS 388.122</u> “Bullying” defined.</p> <p>1. “Bullying” means written, verbal or electronic expressions or physical acts or gestures, or any combination thereof, that are directed at a person or group of persons, or a single severe and willful act or expression that is directed at a person or group of persons, and:</p> <p>(a) Have the effect of:</p> <p>(1) Physically harming a person or damaging the property of a person; or</p> <p>(2) Placing a person in reasonable fear of physical harm to the person or damage to the property of the person;</p> <p>(b) Interfere with the rights of a person by:</p> <p>(1) Creating an intimidating or hostile educational environment for the person; or</p> <p>(2) Substantially interfering with the academic performance of a pupil or the ability of the person to participate in or benefit from services, activities or privileges provided by a school; or</p> <p>(c) Are acts or conduct described in paragraph (a) or (b) and are based upon the:</p> <p>(1) Actual or perceived race, color, national origin, ancestry, religion, gender identity or expression, sexual orientation, physical or mental disability of a person, sex or any other distinguishing characteristic or background of a person; or</p> <p>(2) Association of a person with another person having one or more of those actual or perceived characteristics.</p> <p>2. The term includes, without limitation:</p>	<p>Harassment Or Bullying On The Basis Of Disability</p> <p>Refers to intimidation or abusive behavior toward a student based on actual or perceived disability. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating. The conduct can be carried out by school employees, other students, and non-employee third parties. Bullying on the basis of disability constitutes disability harassment.</p> <p>Harassment Or Bullying On The Basis Of Race, Color, Or National Origin</p> <p>Refers to intimidation or abusive behavior toward a student based on actual or perceived race, color, or national origin. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. The conduct can be carried out by school employees, other students, and non-employee third parties. Bullying on the basis of race, color, or national origin constitutes racial harassment.</p> <p>Harassment Or Bullying On The Basis Of Religion</p> <p>Refers to intimidation or abusive behavior toward a student based on actual or perceived religion. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. The conduct</p>

BULLYING (minor or major)	State Definition	Federal Definition (as applicable)
<p>made. Once the federal reporting requirements have been met, the information regarding the incident must be removed from the record of the reported aggressor.</p>	<p>(a) Repeated or pervasive taunting, name-calling, belittling, mocking or use of put-downs or demeaning humor regarding the actual or perceived race, color, national origin, ancestry, religion, gender identity or expression, sexual orientation, physical or mental disability of a person, sex or any other distinguishing characteristic or background of a person;</p> <p>(b) Behavior that is intended to harm another person by damaging or manipulating his or her relationships with others by conduct that includes, without limitation, spreading false rumors;</p> <p>(c) Repeated or pervasive nonverbal threats or intimidation such as the use of aggressive, menacing or disrespectful gestures;</p> <p>(d) Threats of harm to a person, to his or her possessions or to other persons, whether such threats are transmitted verbally, electronically or in writing;</p> <p>(e) Blackmail, extortion or demands for protection money or involuntary loans or donations;</p> <p>(f) Blocking access to any property or facility of a school;</p> <p>(g) Stalking; and</p> <p>(h) Physically harmful contact with or injury to another person or his or her property.</p> <p>(Added to NRS by 2009, 687; A 2011, 2245; 2013, 1655, 2138; 2015, 411)</p> <p>NRS 200.571 Harassment: Definition; penalties.</p> <p>1. A person is guilty of harassment if:</p> <p>(a) Without lawful authority, the person knowingly threatens:</p> <p>(1) To cause bodily injury in the future to the person threatened or to any other person;</p>	<p>can be carried out by school employees, other students, and non-employee third parties. Bullying on the basis of religion constitutes religious harassment.</p>

BULLYING (minor or major)	State Definition	Federal Definition (as applicable)
	<p>(2) To cause physical damage to the property of another person;</p> <p>(3) To subject the person threatened or any other person to physical confinement or restraint; or</p> <p>(4) To do any act which is intended to substantially harm the person threatened or any other person with respect to his or her physical or mental health or safety; and</p> <p>(b) The person by words or conduct places the person receiving the threat in reasonable fear that the threat will be carried out.</p> <p><u>NRS 200.605</u> Penalties; definition.</p> <p>1. A person who engages in hazing is guilty of:</p> <p>(a) A misdemeanor, if no substantial bodily harm results.</p> <p>(b) A gross misdemeanor, if substantial bodily harm results.</p> <p>2. Consent of a victim of hazing is not a valid defense to a prosecution conducted pursuant to this section.</p> <p>3. For the purposes of this section, an activity shall be deemed to be “forced” if initiation into or affiliation with a student organization, academic association or athletic team is directly or indirectly conditioned upon participation in the activity.</p> <p>4. As used in this section, “hazing” means an activity in which a person intentionally or recklessly endangers the physical health of another person for the purpose of initiation into or affiliation with a student organization, academic association or athletic team at a high school, college or university in this state. The term:</p> <p>(a) Includes, without limitation, any physical brutality or brutal treatment, including, without limitation, whipping, beating, branding, forced</p>	

BULLYING (minor or major)	State Definition	Federal Definition (as applicable)
	<p>calisthenics, exposure to the elements or forced consumption of food, liquor, drugs or other substances.</p> <p>(b) Does not include any athletic, curricular, extracurricular or quasi-military practice, conditioning or competition that is sponsored or approved by the high school, college or university.</p> <p>(Added to NRS by 1999, 1065)</p> <p>NRS 200.575 Stalking: Definitions; penalties; entry of finding in judgment of conviction or admonishment of rights.</p> <p>1. A person who, without lawful authority, willfully or maliciously engages in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, commits the crime of stalking.</p>	

CYBERBULLYING (minor or major)	State Definition	Federal Definition (as applicable)
<p>Includes the following when the behavior is perpetrated via electronic means:</p> <ul style="list-style-type: none"> • Harassment • Hazing • Intimidation • Libel/Slander • Retaliation 	<p>NRS 388.123 “Cyber-bullying” defined. “Cyber-bullying” means bullying through the use of electronic communication. The term includes the use of electronic communication to transmit or distribute a sexual image of a minor. As used in this section, “sexual image” has the meaning ascribed to it in NRS 200.737.</p> <p>(Added to NRS by 2009, 687; A 2011, 1062)</p>	

CYBERBULLYING (minor or major)	State Definition	Federal Definition (as applicable)
<ul style="list-style-type: none"> Stalking <p>Note:</p> <ul style="list-style-type: none"> See definition for “BULLYING” above regarding the removal of information in the record of the reported aggressor if an investigation determines that cyberbullying did not occur. 	<p>See also additional definitions, above (BULLYING):</p> <ul style="list-style-type: none"> NRS 200.571 Harassment: Definition; penalties. NRS 200.605 Penalties; definition. (Hazing) NRS 200.575 Stalking: Definitions; penalties; entry of finding in judgment of conviction or admonishment of rights. 	

DISCRIMINATION BASED ON RACE (minor or major)	State Definition	Federal Definition (as applicable)
<p>Note:</p> <ul style="list-style-type: none"> The passage of AB 371 (2021) added “discrimination based on race” throughout all relevant portions of NRS 388 that previously applied to bullying and cyberbullying. <p>Note:</p> <ul style="list-style-type: none"> See definition for “BULLYING” above regarding the removal of information in the record of the reported aggressor if an investigation determines that discrimination based on race did not occur. 	<p>NRS 388.1235 “Discrimination based on race” defined. <i>“Discrimination based on race” means any single or repeated or pervasive act or acts, whether targeted to a specific person or targeted in general to any demographic identified in subsection 1:</i></p> <ol style="list-style-type: none"> <i>Regarding the race, color, culture, religion, language, ethnicity or national origin of a person that causes harm or creates a hostile work or learning environment, which may include, without limitation, jokes, threats, physical altercations or intimidation; and</i> <i>That occurs in person, online or in any other setting including, without</i> 	

DISCRIMINATION BASED ON RACE (minor or major)	State Definition	Federal Definition (as applicable)
	<i>limitation, in a course of distance education.</i>	

SUBSTANCE USE BEHAVIORS

ALCOHOL – POSSESSION/USE OF (minor)	State Definition	Federal Definition (as applicable)
<p>May include:</p> <ul style="list-style-type: none"> NIAA Substance Abuse Violation (if the violation pertains to alcohol) 	<p>A violation of the plan to ensure that public schools are safe and free of controlled substances as adopted by the school district pursuant to NRS 392.463, through the possession or use of an alcoholic beverage.</p> <p>See also: NRS 392.464 Adoption and enforcement by trustees of disciplinary measures for pupil in possession of alcoholic beverage or controlled substance on premises of school.</p> <p>1. The board of trustees of each school district shall adopt and enforce measures for disciplining any pupil who is found in possession of an alcoholic beverage or a controlled substance, while on the premises of any public school in its district.</p> <p>2. As used in this section, “alcoholic beverage” has the meaning ascribed to it in NRS 202.015.</p> <p>(Added to NRS by 1985, 1649; A 1987, 482, 1550, 1576)</p>	
DRUG PARAPHERNALIA – POSSESSION OF (minor)	State Definition	Federal Definition (as applicable)
<p>This does <u>NOT</u> include:</p> <ul style="list-style-type: none"> Possession of a controlled substance 	<p>A violation of the plan to ensure that public schools are safe and free of controlled substances as adopted by the school district pursuant to NRS 392.463,</p>	

DRUG PARAPHERNALIA – POSSESSION OF (minor)	State Definition	Federal Definition (as applicable)
<p>Note:</p> <ul style="list-style-type: none"> If the student is in possession of controlled substances in addition to drug paraphernalia, code the behavior as “POSSESSION/USE OF A CONTROLLED SUBSTANCE (major).” 	<p>through the possession or use of drug paraphernalia.</p>	

POSSESSION/USE OF A CONTROLLED SUBSTANCE (major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> Over the counter medication misuse <p>May include:</p> <ul style="list-style-type: none"> NIAA Substance Abuse Violation (if the violation pertains to a controlled substance) <p>Rule out:</p> <ul style="list-style-type: none"> ALCOHOL – POSSESSION/USE OF If the violation does not involve a controlled substance, consider coding as TOBACCO VIOLATION. <p>Note:</p> <ul style="list-style-type: none"> Sale/distribution of a controlled substance is a law enforcement and not a student discipline event 	<p>A violation of the plan to ensure that public schools are safe and free of controlled substances as adopted by the school district pursuant to NRS 392.463, through the possession or use of a controlled substance.</p> <p>NRS 392.463 Adoption of plan to ensure public schools are safe and free of controlled substances; written rules of behavior and punishments; distribution of plan and rules to pupils; availability for inspection.</p> <ol style="list-style-type: none"> Each school district shall adopt a plan to ensure that the public schools within the school district are safe and free of controlled substances. The plan must comply with the Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101 et seq. Each school district shall prescribe written rules of behavior required of and prohibited for pupils attending school within their district and shall prescribe appropriate punishments for 	<p>Drug offenses The use, possession, sale, or solicitation of drugs as identified in 21 U.S.C. Section 812(c). These offenses do not include the use, possession, sale, or solicitation of alcohol or tobacco.</p>

POSSESSION/USE OF A CONTROLLED SUBSTANCE (major)	State Definition	Federal Definition (as applicable)
<p>(see section on Behavior event types to be eliminate).</p>	<p>violations of the rules. If suspension or expulsion is used as a punishment for a violation of the rules, the school district shall follow the procedures in NRS 392.467.</p> <p>3. A copy of the plan adopted pursuant to subsection 1 and the rules of behavior, prescribed punishments and procedures to be followed in imposing punishments prescribed pursuant to subsection 2 must be distributed to each pupil at the beginning of the school year and to each new pupil who enters school during the year. Copies must also be made available for inspection at each school located in that district in an area on the grounds of the school which is open to the public.</p> <p>(Added to NRS by 1985, 350; A 2003, 19th Special Session, 80)</p> <p>See also: NRS 392.464 Adoption and enforcement by trustees of disciplinary measures for pupil in possession of alcoholic beverage or controlled substance on premises of school.</p> <p>1. The board of trustees of each school district shall adopt and enforce measures for disciplining any pupil who is found in possession of an alcoholic beverage or a controlled substance, while on the premises of any public school in its district.</p> <p>2. As used in this section, “alcoholic beverage” has the meaning ascribed to it in NRS 202.015.</p> <p>(Added to NRS by 1985, 1649; A 1987, 482, 1550, 1576)</p>	

TOBACCO VIOLATION (minor)	State Definition	Federal Definition (as applicable)
Includes: <ul style="list-style-type: none"> • Vaping (must rule out presence of a controlled substance) May include: <ul style="list-style-type: none"> • NIAA Substance Abuse Violation (if the violation pertains to a tobacco product) 	A violation of the plan to ensure that public schools are safe and free of controlled substances as adopted by the school district pursuant to NRS 392.463 , through the possession or use of tobacco or tobacco related products.	

THREAT BEHAVIORS

THREAT TO SCHOOL (major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Bomb threat • Threat of a school shooting <p>Rule out:</p> <ul style="list-style-type: none"> • Age/development level of the student; younger student behaviors may alternatively be captured in Disregard for School Rules, minor, as appropriate. • Other major prohibited behavior that more appropriately captures the behavior of the student. <p>Note:</p> <ul style="list-style-type: none"> • Consider requesting that a suicide/homicide assessment and/or a threat inquiry assessment be performed in association with this behavior event type. 	<p>A statement of an intention to inflict pain, injury, death, damage, or other hostile action against a specific school or the occupants of a specific school.</p> <p>Bomb threat means willfully conveying by mail, written notes, telephone, texting, internet, radio, or any other means of communication, any bomb threat, knowing it to be false.</p>	
THREAT TO STAFF (major)	State Definition	Federal Definition (as applicable)
<p>Rule out:</p> <ul style="list-style-type: none"> • Age/development level of the student; younger student behaviors may alternatively be 	<p>NRS 392.915 Threatening to cause bodily harm or death to pupil or school employee by means of oral, written or electronic communication; penalties.</p> <p>1. A person shall not, through the use of any means of oral, written or electronic</p>	<p>Threat Refers to an act where there was no physical contact between the offender and victim but the victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats</p>

THREAT TO STAFF (major)	State Definition	Federal Definition (as applicable)
<p>captured in Disregard for School Rules, minor, as appropriate.</p> <ul style="list-style-type: none"> Other major prohibited behavior that more appropriately captures the behavior of the student. <p>Note:</p> <ul style="list-style-type: none"> Consider requesting that a suicide/homicide assessment and/or a threat inquiry assessment be performed in association with this behavior event type. 	<p>communication, including, without limitation, through the use of cyber-bullying, knowingly threaten to cause bodily harm or death to a pupil or employee of a school district or charter school with the intent to:</p> <ol style="list-style-type: none"> (a) Intimidate, harass, frighten, alarm or distress a pupil or employee of a school district or charter school; (b) Cause panic or civil unrest; or (c) Interfere with the operation of a public school, including, without limitation, a charter school. <p>2. Unless a greater penalty is provided by specific statute, a person who violates the provisions of subsection 1 is guilty of:</p> <ol style="list-style-type: none"> (a) A misdemeanor, unless the provisions of paragraph (b) apply to the circumstances. (b) A gross misdemeanor, if the threat causes: <ol style="list-style-type: none"> (1) Any pupil or employee of a school district or charter school who is the subject of the threat to be intimidated, harassed, frightened, alarmed or distressed; (2) Panic or civil unrest; or (3) Interference with the operation of a public school, including, without limitation, a charter school. <p>3. As used in this section:</p> <ol style="list-style-type: none"> (a) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123. (b) "Oral, written or electronic communication" includes, without limitation, any of the following: <ol style="list-style-type: none"> (1) A letter, note or any other type of written correspondence. (2) An item of mail or a package delivered by any person or postal or delivery service. 	<p>(e.g., brandishing a weapon), and verbal threats of physical harm which are made in person. Threats made over the telephone or threatening letters are excluded.</p> <p>Threat Of Physical Attack With A Weapon Includes displaying, brandishing, or discharging a weapon, but with no actual physical contact of any person. A threat is made in person. Threats made over the telephone or threatening letters are excluded. A threat of physical attack using words that refer to a weapon would not be considered a threat with a weapon.</p> <p>Threat Of Physical Attack Without A Weapon Refers to a threat without any display, brandishment, or discharge of a weapon, and with no actual physical contact of any person. A threat is made in person. Threats made over the telephone or threatening letters are excluded. A threat of physical attack using words that refer to a weapon would be considered a threat without a weapon.</p>

THREAT TO STAFF (major)	State Definition	Federal Definition (as applicable)
	<p>(3) A telegraph or wire service, or any other similar means of communication.</p> <p>(4) A telephone, cellular phone, satellite phone, page or facsimile machine, or any other similar means of communication.</p> <p>(5) A radio, television, cable, closed-circuit, wire, wireless, satellite or other audio or video broadcast or transmission, or any other similar means of communication.</p> <p>(6) An audio or video recording or reproduction, or any other similar means of communication.</p> <p>(7) An item of electronic mail, a modem or computer network, or the Internet, or any other similar means of communication.</p> <p>(Added to NRS by 2001 Special Session, 184; A 2009, 690)</p>	

THREAT TO STUDENT (major)	State Definition	Federal Definition (as applicable)
<p>Rule out:</p> <ul style="list-style-type: none"> Age/development level of the student; younger student behaviors may alternatively be captured in Disregard for School Rules, minor, as appropriate. Other major prohibited behavior that more appropriately captures the behavior of the student. <p>Note:</p> <ul style="list-style-type: none"> Consider requesting that a suicide/homicide assessment and/or a threat inquiry assessment be performed in 	<p>NRS 392.915 Threatening to cause bodily harm or death to pupil or school employee by means of oral, written or electronic communication; penalties.</p> <p>1. A person shall not, through the use of any means of oral, written or electronic communication, including, without limitation, through the use of cyber-bullying, knowingly threaten to cause bodily harm or death to a pupil or employee of a school district or charter school with the intent to:</p> <p>(a) Intimidate, harass, frighten, alarm or distress a pupil or employee of a school district or charter school;</p> <p>(b) Cause panic or civil unrest; or</p>	<p>Threat</p> <p>Refers to an act where there was no physical contact between the offender and victim but the victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats (e.g., brandishing a weapon), and verbal threats of physical harm which are made in person. Threats made over the telephone or threatening letters are excluded.</p> <p>Threat Of Physical Attack With A Weapon</p> <p>Includes displaying, brandishing, or discharging a weapon, but with no actual physical contact of any person. A threat is made in person. Threats made over the telephone or threatening letters are excluded. A threat of physical attack using</p>

THREAT TO STUDENT (major)	State Definition	Federal Definition (as applicable)
<p>association with this behavior event type.</p>	<p>(c) Interfere with the operation of a public school, including, without limitation, a charter school.</p> <p>2. Unless a greater penalty is provided by specific statute, a person who violates the provisions of subsection 1 is guilty of:</p> <p>(a) A misdemeanor, unless the provisions of paragraph (b) apply to the circumstances.</p> <p>(b) A gross misdemeanor, if the threat causes:</p> <p>(1) Any pupil or employee of a school district or charter school who is the subject of the threat to be intimidated, harassed, frightened, alarmed or distressed;</p> <p>(2) Panic or civil unrest; or</p> <p>(3) Interference with the operation of a public school, including, without limitation, a charter school.</p> <p>3. As used in this section:</p> <p>(a) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.</p> <p>(b) "Oral, written or electronic communication" includes, without limitation, any of the following:</p> <p>(1) A letter, note or any other type of written correspondence.</p> <p>(2) An item of mail or a package delivered by any person or postal or delivery service.</p> <p>(3) A telegraph or wire service, or any other similar means of communication.</p> <p>(4) A telephone, cellular phone, satellite phone, page or facsimile machine, or any other similar means of communication.</p> <p>(5) A radio, television, cable, closed-circuit, wire, wireless, satellite or other audio or video broadcast or transmission, or any other similar means of communication.</p>	<p>words that refer to a weapon would not be considered a threat with a weapon.</p> <p>Threat Of Physical Attack Without A Weapon</p> <p>Refers to a threat without any display, brandishment, or discharge of a weapon, and with no actual physical contact of any person. A threat is made in person. Threats made over the telephone or threatening letters are excluded. A threat of physical attack using words that refer to a weapon would be considered a threat without a weapon.</p>

THREAT TO STUDENT (major)	State Definition	Federal Definition (as applicable)
	<p>(6) An audio or video recording or reproduction, or any other similar means of communication.</p> <p>(7) An item of electronic mail, a modem or computer network, or the Internet, or any other similar means of communication.</p> <p>(Added to NRS by 2001 Special Session, 184; A 2009, 690)</p>	

VIOLENT BEHAVIORS

VIOLENCE/HARM TO STAFF (major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Assault to staff • Battery to staff <p>Rule out:</p> <ul style="list-style-type: none"> • Age/development level of the student; younger student behaviors may alternatively be captured in Disregard for School Rules, minor, as appropriate • Other major prohibited behavior that more appropriately captures the behavior of the student. <p>Note:</p> <ul style="list-style-type: none"> • Consider requesting that a suicide/homicide assessment and/or a threat inquiry assessment be performed in association with this behavior event type. 	<p>NRS 200.481 Battery: Definitions; penalties.</p> <p>1. As used in this section:</p> <p>(a) “Battery” means any willful and unlawful use of force or violence upon the person of another.</p> <p>NRS 392.910 Assaulting pupil or school employee; interference with persons peaceably assembled within school; penalties.</p> <p>1. It is unlawful for any person to assault any pupil or school employee:</p> <p>(a) Within the building or grounds of the school;</p> <p>(b) On a bus, van or any other motor vehicle owned, leased or chartered by a school district to transport pupils or school employees; or</p> <p>(c) At a location where the pupil or school employee is involved in an activity sponsored by a public school.</p> <p>Ê Except under circumstances described in paragraph (c) or (d) of subsection 2 of NRS 200.471 with respect to school employees or in NRS 200.571, any person who violates this subsection is guilty of a misdemeanor.</p> <p>2. It is unlawful for any person maliciously in any manner to interfere with or disturb any persons peaceably assembled within a building of a public school for school district purposes. Any person who violates this subsection is guilty of a misdemeanor.</p> <p>3. For the purposes of this section:</p> <p>(a) “Assault” has the meaning ascribed to it in NRS 200.471.</p>	

VIOLENCE/HARM TO STAFF (major)	State Definition	Federal Definition (as applicable)
	<p>(b) “Maliciously” has the meaning ascribed to it in NRS 193.0175.</p> <p>(c) “School employee” means any licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281.</p> <p>[408:32:1956] — (NRS A 1967, 566; 1979, 1617; 1993, 239; 2001 Special Session, 185; 2003, 2; 2015, 428)</p> <p>NRS 200.471 Assault: Definitions; penalties. [Effective January 1, 2020.]</p> <p>1. As used in this section:</p> <p>(a) “Assault” means:</p> <p>(1) Unlawfully attempting to use physical force against another person; or</p> <p>(2) Intentionally placing another person in reasonable apprehension of immediate bodily harm.</p>	

VIOLENCE/HARM TO STUDENTS (major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Fighting • Hitting • Instigation/promotion of fighting or violence • Assault to students • Battery to students <p>Rule out:</p> <ul style="list-style-type: none"> • Age/development level of the student; younger student behaviors may alternatively be 	<p>NRS 200.481 Battery: Definitions; penalties.</p> <p>1. As used in this section:</p> <p>(a) “Battery” means any willful and unlawful use of force or violence upon the person of another.</p> <p>NRS 392.910 Assaulting pupil or school employee; interference with persons peaceably assembled within school; penalties.</p> <p>1. It is unlawful for any person to assault any pupil or school employee:</p> <p>(a) Within the building or grounds of the school;</p>	<p>Physical Attack Or Fight</p> <p>Refers to an actual and intentional touching or striking of another person against his/her will, or the intentional causing of bodily harm to an individual. Physical attack or fight does not include rape.</p>

VIOLENCE/HARM TO STUDENTS (major)	State Definition	Federal Definition (as applicable)
<p>captured in Disregard for School Rules, minor, as appropriate</p> <ul style="list-style-type: none"> Other major prohibited behavior that more appropriately captures the behavior of the student. <p>Note:</p> <ul style="list-style-type: none"> Consider requesting that a suicide/homicide assessment and/or a threat inquiry assessment be performed in association with this behavior event type. 	<p>(b) On a bus, van or any other motor vehicle owned, leased or chartered by a school district to transport pupils or school employees; or</p> <p>(c) At a location where the pupil or school employee is involved in an activity sponsored by a public school.</p> <p>È Except under circumstances described in paragraph (c) or (d) of subsection 2 of NRS 200.471 with respect to school employees or in NRS 200.571, any person who violates this subsection is guilty of a misdemeanor.</p> <p>2. It is unlawful for any person maliciously in any manner to interfere with or disturb any persons peaceably assembled within a building of a public school for school district purposes. Any person who violates this subsection is guilty of a misdemeanor.</p> <p>3. For the purposes of this section:</p> <p>(a) "Assault" has the meaning ascribed to it in NRS 200.471.</p> <p>(b) "Maliciously" has the meaning ascribed to it in NRS 193.0175.</p> <p>(c) "School employee" means any licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281.</p> <p>[408:32:1956] — (NRS A 1967, 566; 1979, 1617; 1993, 239; 2001 Special Session, 185; 2003, 2; 2015, 428)</p>	

WEAPONS INVOLVED BEHAVIORS

POSSESSION/USE OF A WEAPON (major)	State Definition	Federal Definition (as applicable)
<p>Includes:</p> <ul style="list-style-type: none"> • Air/pellet/paint gun • Combustibles • Explosive device • Firearm • Fireworks • Incendiary device/bomb • Knives <p>See also:</p> <ul style="list-style-type: none"> • NRS 392.4634 – Prohibition against disciplining certain pupils for simulating firearm or dangerous weapon or wearing clothing or accessories that depict firearm or dangerous weapon; exceptions; prohibition against adoption of conflicting policy, ordinance or regulation. <p>Rule out:</p> <ul style="list-style-type: none"> • Age/development level of the student; younger student behaviors may alternatively be captured in Disregard for School Rules, minor, as appropriate 	<p>A pupil who is found in possession of a firearm or a dangerous weapon while on the premises of any public school, at an activity sponsored by a public school or on any school bus, where dangerous weapon and firearm are defined as (see NRS 392.466):</p> <p>(b) “Dangerous weapon” includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku or trefoil, as defined in NRS 202.350, a butterfly knife or any other knife described in NRS 202.350, a switchblade knife as defined in NRS 202.265, or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person. (see NRS 392.466)</p> <p>(c) “Firearm” includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a “firearm” in 18 U.S.C. § 921, as that section existed on July 1, 1995. (see NRS 392.466)</p>	<p>Firearm Or Explosive Device Refers to any weapon that is designed to (or may readily be converted to) expel a projectile by the action of an explosive. This includes guns, bombs, grenades, mines, rockets, missiles, pipe bombs, or similar devices designed to explode and capable of causing bodily harm or property damage.</p> <p>Threat Of Physical Attack With A Weapon Includes displaying, brandishing, or discharging a weapon, but with no actual physical contact of any person. A threat is made in person. Threats made over the telephone or threatening letters are excluded. A threat of physical attack using words that refer to a weapon would not be considered a threat with a weapon.</p> <p>Weapon Is any instrument or object used with the intent to threaten, injure, or kill. This includes look-alikes if they are used to threaten others.</p> <p>Dangerous weapon A weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury; such a term does not include a pocket knife with a blade of less than 2 ½ inches in length. (18 USC section 930(g)(2))</p> <p>Firearm A firearm is defined in Title 18 USC §921, Definitions as follows: A. any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; B. the frame or receiver of any such weapon; C. any firearm muffler or firearm silencer; or</p>

POSSESSION/USE OF A WEAPON (major)	State Definition	Federal Definition (as applicable)
<ul style="list-style-type: none"> Other major prohibited behavior that more appropriately captures the behavior of the student. <p>Note:</p> <ul style="list-style-type: none"> Consider requesting that a suicide/homicide assessment and/or a threat inquiry assessment be performed in association with this behavior event type. 		<p>D. any destructive device. Such term does not include an antique firearm.</p> <p>Shotgun For this file specification, shotgun is either a shotgun or a “short-barreled shotgun.” A. The term “shotgun” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger. B. The term “short-barreled shotgun” means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification or otherwise) if such a weapon as modified has an overall length of less than twenty-six inches.</p> <p>Rifle For this file specification, rifle is either a rifle or a “short-barreled rifle.” A. The term “rifle” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger. B. The term “short-barreled rifle” means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches.</p> <p>Destructive device</p>

POSSESSION/USE OF A WEAPON (major)	State Definition	Federal Definition (as applicable)
		<p>The term “destructive device” used in part (D) of the definition of “firearm” means</p> <p>A. any explosive, incendiary, or poison gas—</p> <ul style="list-style-type: none"> i. bomb, ii. grenade, iii. rocket having a propellant charge of more than four ounces, iv. missile having an explosive or incendiary charge of more than one-quarter ounce, v. mine, or vi. device similar to any of the devices described in the preceding clauses; <p>B. any type of weapon (other than a shotgun or a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and</p> <p>C. any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled. The term “destructive device” shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684 (2), 4685, or 4686 of title 10; or any other device which the Attorney General finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use</p>

POSSESSION/USE OF A WEAPON (major)	State Definition	Federal Definition (as applicable)
		solely for sporting, recreational or cultural purposes.

BEHAVIOR EVENT TYPES TO BE ELIMINATED

The following event types have been eliminated from the available options for student discipline offenses and should no longer be used as stand-alone discipline offenses:

ELIMINATED OFFENSE	NOTES:
Absent	This information should be recorded in the Attendance tab of the student information system.
Aggressive behavior	This should be coded based on the actual behavior of the student, e.g. Violations of School Rules, Disruption of Class/School Activities, Inappropriate Language, Threat to Staff/Student, etc..
Assault	This has been added to Violence/Harm to Staff and Violence/Harm to Students.
Battery	This has been added to Violence/Harm to Staff and Violence/Harm to Students.
Defiance	This term is subjective and does not support accurate collection of data; coding of discipline offenses must be based on the actual behavior of the student and not the perception of the educator or administrator. See Disregard for School Rules, Insubordination, Disruption of Class/School Activities or other offense types that more accurately capture the specific behavior for which the student is receiving a disciplinary sanction.
Disrespect	This term is subjective and does not support accurate collection of data; coding of discipline offenses must be based on the actual behavior of the student and not the perception of the educator or administrator. See Disregard for School Rules, Insubordination, Disruption of Class/School Activities or other offense types that more accurately capture the specific behavior for which the student is receiving a disciplinary sanction.
English in the Classroom	This is not an appropriate event for student discipline sanctions.
Immoral Conduct	This is not an appropriate event for student discipline sanctions.
Information Only	This information should be recorded in the Notes section of the student information system.
Leftover student	This information should be recorded in the Notes section of the student information system.
Retaliation	This has been added to the Bullying/Cyberbullying offenses.
Sale/Distribution of a Controlled Substance	This is a law enforcement event and not a student discipline event.
Stalking	This has been added to the Bullying/Cyberbullying offenses.

ELIMINATED OFFENSE	NOTES:
Traffic Violation	This is a law enforcement event and not a student discipline event.
Verbal Confrontation	This should be coded based on the actual behavior of the student and the intent of the words which were spoken, e.g., Inappropriate Language, Threat to Staff/Student, etc.

SANCTIONS

SUSPENSION	State Definition	Federal Definition (as applicable)
<p>AB 67 (2021) added new language to NRS 392 to define suspend or suspension.</p> <p>Note:</p> <ul style="list-style-type: none"> Upon approval of proposed draft regulation R020-22, suspension will be defined as “the disciplinary removal of a pupil from the school in which the pupil is currently enrolled for more than 2 school days and not more than one school semester.” 	<p>NRS 392.4607 “Suspend” or “suspension” defined. <i>“Suspend” or “suspension” means the disciplinary removal of a pupil from the school in which the pupil is currently enrolled for not more than one school semester.</i></p>	<p>Out-Of-School Suspension For students with disabilities served under IDEA: Out-of-school suspension is an instance in which a child is temporarily removed from his/her regular school for at least half a day for disciplinary purposes to another setting (e.g., home, behavior center). Out-of-school suspensions include both removals in which no individualized family service plan (IFSP) or individualized education plan (IEP) services are provided because the removal is 10 days or less as well as removals in which the child continues to receive services according to his/her IFSP or IEP. For students without disabilities and students with disabilities served solely under Section 504 of the Rehabilitation Act: Out-of-school suspension is an instance in which a child is temporarily removed from his/her regular school for at least half a day (but less than the remainder of the school year) for disciplinary purposes to another setting (e.g., home, behavior center). Out-of-school suspensions include removals in which no educational services are provided, and removals in which educational services are provided (e.g., school-provided at home instruction or tutoring).</p>
SIGNIFICANT SUSPENSION	State Definition	Federal Definition (as applicable)
<p>AB 67 (2021) added new language to NRS 392.4655 for the purposes of deeming a student a habitual disciplinary problem (see definition of Habitual Disciplinary Problem, above).</p>	<p>Section 22 of AB 67 (2021) amended NRS 392.4655 to define significant suspension for the purposes of deeming a student as a habitual disciplinary problem as:</p>	

SIGNIFICANT SUSPENSION	State Definition	Federal Definition (as applicable)
	<p>10. As used in this section, “significant suspension” means the school in which the pupil is enrolled:</p> <p>(a) Prohibits the pupil from attending school for 3 or more consecutive days; and</p> <p>(b) Requires a conference or some other form of communication with the parent or legal guardian of the pupil before the pupil is allowed to return to school.</p>	

EXPULSION	State Definition	Federal Definition (as applicable)
<p>AB 67 (2021) added new language to NRS 392 to define expel or expulsion.</p>	<p><u>NRS 392.4603</u> “Expel” or “expulsion” defined. “Expel” or “expulsion” means the disciplinary removal of a pupil from the school in which the pupil is currently enrolled for more than one school semester with the possibility of:</p> <p>1. Except as otherwise provided in subsection 2, returning to the school in which the pupil is currently enrolled or another public school within the school district after the expulsion; and</p> <p>2. Enrolling in a program or public school for alternative education for pupils who are expelled or permanently expelled during the period of expulsion.</p>	<p>Expulsion Under Zero Tolerance Policies Refers to an action taken by the local educational agency of removing a child from his/her regular school for the remainder of the school year or longer because of zero-tolerance policies. A zero tolerance policy is a policy that results in mandatory expulsion of any student who commits one or more specified offenses (e.g., offenses involving guns, or other weapons, or violence, or similar factors, or combinations of these factors). A policy is considered "zero tolerance" even if there are some exceptions to the mandatory aspect of the expulsion, such as allowing the chief administering officer of a local educational agency to modify the expulsion on a case-by-case basis.</p> <p>Expulsion With Educational Services Refers to an action taken by the local educational agency of removing a child from his/her regular school for disciplinary purposes, and providing educational services to the child (e.g., school-provided at home instruction or tutoring; transfer</p>

EXPULSION	State Definition	Federal Definition (as applicable)
		<p>to an alternative school) for the remainder of the school year (or longer) in accordance with local educational agency policy. Expulsion with educational services also includes removals resulting from violations of the Gun Free Schools Act that are modified to less than 365 days.</p> <p>Transfer To An Alternative School For Disciplinary Reasons Is a subset of expulsion with educational services.</p> <p>Expulsion Without Educational Services Refers to an action taken by the local educational agency of removing a child from his/her regular school for disciplinary purposes, and not providing educational services to the child for the remainder of the school year or longer in accordance with local educational agency policy. Expulsion without services also includes removals resulting from violations of the Gun Free Schools Act that are modified to less than 365 days.</p>

PERMANENTLY EXPELLED	State Definition	Federal Definition (as applicable)
<p>AB 67 (2021) added new language to NRS 392.466 to define permanent expulsion.</p> <p>Note:</p> <ul style="list-style-type: none"> Students who are 10 years old or younger can only be permanently expelled for possession of a dangerous weapon (subsection 3 of NRS 392.466) and only if the board of trustees grants an exception to the prohibition on permanently expelling a student 	<p>NRS 392.466 (effective July 1, 2022):</p> <p><i>(f) “Permanently expelled” means the disciplinary removal of a pupil from the school in which the pupil is currently enrolled:</i></p> <p><i>(1) Except as otherwise provided in subparagraph (2), without the possibility of returning to the school in which the pupil is currently enrolled or another public school within the school district; and</i></p> <p><i>(2) With the possibility of enrolling in a program or public school for</i></p>	

PERMANENTLY EXPELLED	State Definition	Federal Definition (as applicable)
<p>who is 10 years old or younger (see subsection 9 of NRS 392.466, effective July 1, 2022).</p>	<p><i>alternative education for pupils who are expelled or permanently expelled after being permanently expelled.</i></p> <p>NRS 392.467 Suspension or expulsion of pupil: Procedure; limitations.</p> <p>1. Except as otherwise provided in subsections 5 and 6 and NRS 392.466, the board of trustees of a school district <i>or its designee</i> may authorize the suspension or expulsion of any pupil who is at least 11 years of age from any public school within the school district. Except as otherwise provided in <i>this subsection and subsection 3</i> of NRS 392.466, a pupil who is {not more} <i>less</i> than {10} <i>11</i> years of age must not be permanently expelled from school. <i>In extraordinary circumstances, a school may request an exception to the prohibition set forth in this subsection against permanently expelling a pupil who is less than 11 years of age from school from the board of trustees of the school district.</i></p>	

PLAN OF ACTION BASED ON RESTORATIVE JUSTICE	State Definition	Federal Definition (as applicable)
<p>SB 354 (2021) added the requirement for plan of action based on restorative justice prior to ANY removal of a student from a</p>	<p>NRS 392.472 Requirement to provide plan of action before expelling pupil;</p>	

PLAN OF ACTION BASED ON RESTORATIVE JUSTICE	State Definition	Federal Definition (as applicable)
<p>classroom or other premises of a school, in addition to any suspension or expulsion.</p>	<p>example plans of action; approval of plans of action; guidance document; regulations.</p> <p>1. Except as otherwise provided in NRS 392.466 and to the extent practicable, a public school shall provide a plan of action based on restorative justice before <i>removing a pupil from a classroom or other premises of the public school or suspending or expelling a pupil from school.</i></p> <p>2. The Department shall develop one or more examples of a plan of action which may include, without limitation:</p> <ul style="list-style-type: none"> (a) Positive behavioral interventions and support; (b) A plan for behavioral intervention; (c) A referral to a team of student support; (d) A referral to an individualized education program team; (e) A referral to appropriate community-based services; and (f) A conference with the principal of the school or his or her designee and any other appropriate personnel. 	