Quick Reference Guide to Student-Level Changes of Discipline Laws

GENERAL EDUCATION STUDENTS

VIOLATIONS OF CONDUCT RULES THAT **DO NOT** INVOLVE BATTERY OF EMPLOYEE, SALE/DISTRIBUTION OF CONTROLLED SUBSTANCES, POSSESSION OF FIREARM OR DANGEROUS WEAPON, OR HABITUAL DISCIPLINARY PROBLEM (NRS 392.467)

	AGE	LIMITS ON DAYS	WHO MAY IMPLEMENT	LEVEL OF BOARD INVOLVEMENT
SUSPENSION	11+	None.	Board policy determines.	Board may authorize individuals or group to make and implement disciplinary decisions.
EXPULSION	11+	None.	Board policy determines.	Board may authorize individuals or group to make and implement disciplinary decisions.
PERMANENT EXPULSION	School may request exception from Board in extraordinary circumstances to permanently expel student under age of 11.*	None.	Board policy determines.	Board may authorize individuals or group to make and implement disciplinary decisions. Board action required to approve if school requests exception to permanently expel student under age 11.

^{*}Statute permits school to request exception under NRS 392.466; NRS 392.467 contains a cross-reference to NRS 392.466 for this exception.

SPECIAL EDUCATION STUDENTS

VIOLATIONS OF CONDUCT RULES THAT **DO NOT** INVOLVE BATTERY OF EMPLOYEE, SALE/DISTRIBUTION OF CONTROLLED SUBSTANCES, POSSESSION OF FIREARM OR DANGEROUS WEAPON, OR HABITUAL DISCIPLINARY PROBLEM (NRS 392.467)

	AGE	LIMITS ON DAYS	WHO MAY IMPLEMENT	LEVEL OF BOARD INVOLVEMENT
SUSPENSION	11+	1-5 days per occurrence.	Requires Board action.	Suspension and permanent expulsion require Board review of circumstances and determination that action is in compliance with IDEA.
				Statute does not provide authority for non- permanent expulsion.
				Board action required to approve if school requests exception to permanently expel student under age 11.
PERMANENT EXPULSION	11+	None.	Requires Board action.	Suspension and permanent expulsion require Board review of circumstances and determination that action is in compliance with IDEA.
	School may request exception from Board in extraordinary circumstances			Statute does not provide authority for non- permanent expulsion.
	to permanently expel student under age of 11.*			Board action required to approve if school requests exception to permanently expel student under age 11.

^{*}Statute permits school to request exception under NRS 392.466; NRS 392.467 contains a cross-reference to NRS 392.466 for this exception.

GENERAL EDUCATION STUDENTS

BATTERY OF AN EMPLOYEE, SALE/DISTRIBUTION OF CONTROLLED SUBSTANCES, POSSESSION OF FIREARM OR DANGEROUS WEAPON, OR HABITUAL DISCIPLINARY PROBLEM (NRS 392.466)

MANDATORY ADDITIONAL DISTRICT **DISTRICT SUPERINTENDENT** DISCIPLINE IN AGF DISCIPLINE LEVEL OF BOARD INVOLVEMENT REQUIREMENTS **AUTHORITY** NRS **BATTERY OF AN** No 11+* Suspension and permanent expulsion require Board review of May suspend or School must meet with Superintendent may for good cause in **EMPLOYEE** expel student and parent and a particular case allow a modification circumstances and approval in accordance with the procedural school shall provide plan of to a suspension or expulsion if policy adopted by the Board. action based on restorative modification set forth in writing. iustice. The level of Board involvement for non-permanent expulsion is Superintendent shall allow modification not specifically addressed in statute but caution would suggest if superintendent determines that a Board review and approval for non-permanent expulsion as well. plan of action based on restorative justice may be used successfully. Board action required to approve if school requests exception to permanently expel student under age 11. 11+* **SALE OR** No Superintendent may for good cause in Suspension and permanent expulsion require Board review of May suspend or School must meet with DISTRIBUTION expel student and parent and a particular case allow a modification circumstances and approval in accordance with the procedural OF CONTROLLED school shall provide plan of to a suspension or expulsion if policy adopted by the Board. **SUBSTANCES** action based on restorative modification set forth in writing. The level of Board involvement for non-permanent expulsion is justice. not specifically addressed in statute but caution would suggest Superintendent shall allow modification if superintendent determines that a plar Board review and approval for non-permanent expulsion as well. of action based on restorative justice Board action required to approve if school requests exception to may be used successfully. permanently expel student under age 11. POSSESSION OF Yes First offense, one-Suspension and permanent expulsion require Board review of Any None. Superintendent may for good cause in FIREARM OR age vear expulsion a particular case allow a modification circumstances and approval in accordance with the procedural **DANGEROUS** to a suspension or expulsion if policy adopted by the Board. Second offense. WEAPON modification set forth in writing. permanent expulsion The level of Board involvement for non-permanent expulsion is Superintendent shall allow not specifically addressed in statute but caution would suggest modification if superintendent Board review and approval for non-permanent expulsion as well. determines that a plan of action based on restorative justice may be used Board action required to approve if school requests exception to successfully. permanently expel student under age 11. HABITUAL 11+* No May suspend or May suspend or expel Superintendent may for good cause in Suspension and permanent expulsion require Board review of DISCIPLINARY only if school has made a particular case allow a modification circumstances and approval in accordance with the procedural expel **PROBLEM** reasonable effort to to a suspension or expulsion if policy adopted by the Board. complete plan of action modification set forth in writing. based on restorative The level of Board involvement for non-permanent expulsion is

justice.

Superintendent shall allow

modification if superintendent

determines that a plan of action based

not specifically addressed in statute but caution would suggest

Board review and approval for non-permanent expulsion as well.

Board action required to approve if school requests exception to

permanently expel student under age 11.

on restorative justice may be used successfully.

*School may request exception from Board in extraordinary circumstances to permanently expel student under age of 11.

SPECIAL EDUCATION STUDENTS

BATTERY OF AN EMPLOYEE, SALE/DISTRIBUTION OF CONTROLLED SUBSTANCES, POSSESSION OF FIREARM OR DANGEROUS WEAPON, OR HABITUAL DISCIPLINARY PROBLEM (NRS 392.466)

	MANDATORY DISCIPLINE IN NRS	AGE	DISCIPLINE LIMITS FOR SPECIAL EDUCATION STUDENTS	ADDITIONAL DISTRICT REQUIREMENTS	DISTRICT SUPERINTENDENT AUTHORITY	LEVEL OF BOARD INVOLVEMENT
BATTERY OF AN EMPLOYEE	No	11+*	Discipline is limited to suspensions of 1-5 days per occurrence or permanent expulsion. Statute does not provide authority for non-permanent expulsion. Age 11+ limit for all four categories of misconduct (no exception for possession of firearm or dangerous weapon).	Same as general education students.	Same as general education students.	Suspension and permanent expulsion require Board review of circumstances and determination that action is in compliance with IDEA. Statute does not provide authority for non- permanent expulsion. Board action required to approve if school requests exception to permanently expel student under age 11.
SALE OR DISTRIBUTION OF CONTROLLED SUBSTANCES	No	11+*	Discipline is limited to suspensions of 1-5 days per occurrence or permanent expulsion. Statute does not provide authority for non-permanent expulsion. Age 11+ limit for all four categories of misconduct (no exception for possession of firearm or dangerous weapon).	Same as general education students.	Same as general education students.	Suspension and permanent expulsion require Board review of circumstances and determination that action is in compliance with IDEA. Statute does not provide authority for non- permanent expulsion. Board action required to approve if school requests exception to permanently expel student under age 11.
POSSESSION OF FIREARM OR DANGEROUS WEAPON	Yes	11+*	Discipline is limited to suspensions of 1-5 days per occurrence or permanent expulsion. Statute does not provide authority for nonpermanent expulsion. Age 11+ limit for all four categories of misconduct (no exception for possession of firearm or dangerous weapon).	Same as general education students.	Same as general education students.	Suspension and permanent expulsion require Board review of circumstances and determination that action is in compliance with IDEA. Statute does not provide authority for non- permanent expulsion. Board action required to approve if school requests exception to permanently expel student under age 11.
HABITUAL DISCIPLINARY PROBLEM	No	11+*	Discipline is limited to suspensions of 1-5 days per occurrence or permanent expulsion. Statute does not provide authority for non-permanent expulsion. Age 11+ limit for all four categories of misconduct (no exception for possession of firearm or dangerous weapon).	Same as general education students.	Same as general education students.	Suspension and permanent expulsion require Board review of circumstances and determination that action is in compliance with IDEA. Statute does not provide authority for non- permanent expulsion. Board action required to approve if school requests exception to permanently expel student under age 11.

^{*}School may request exception from Board in extraordinary circumstances to permanently expel student under age of 11.