

# 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
<b>SUSPENSION</b>	11+	None.	Board policy determines.	Board may authorize individuals or group to make and implement disciplinary decisions.
<b>EXPULSION</b>	11+	None.	Board policy determines.	Board may authorize individuals or group to make and implement disciplinary decisions.
<b>PERMANENT EXPULSION</b>	11+  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
<b>SUSPENSION</b>	11+	1-5 days per occurrence.	Requires Board action.	Suspension and permanent expulsion require <b>Board review of circumstances and determination</b> that action is in compliance with IDEA.  <b>Statute does not provide authority for non- permanent expulsion.</b>  Board action required to approve if school requests exception to permanently expel student under age 11.
<b>PERMANENT EXPULSION</b>	11+  School may request exception from Board in extraordinary circumstances to permanently expel student under age of 11.*	None.	Requires Board action.	Suspension and permanent expulsion require <b>Board review of circumstances and determination</b> that action is in compliance with IDEA.  <b>Statute does not provide authority for non- permanent expulsion.</b>  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 DISCIPLINE IN NRS	AGE	DISCIPLINE	ADDITIONAL DISTRICT REQUIREMENTS	DISTRICT SUPERINTENDENT AUTHORITY	LEVEL OF BOARD INVOLVEMENT
<b>BATTERY OF AN EMPLOYEE</b>	No	11+*	May suspend or expel	School must meet with student and parent and school shall provide plan of action based on restorative justice.	Superintendent <b>may</b> for good cause in a particular case allow a modification to a suspension or expulsion if modification set forth in writing.  Superintendent <b>shall</b> allow modification if superintendent determines that a plan of action based on restorative justice may be used successfully.	Suspension and permanent expulsion require <b>Board review of circumstances and approval in accordance with the procedural policy adopted by the Board.</b>  The level of Board involvement for non- permanent expulsion is 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.
<b>SALE OR DISTRIBUTION OF CONTROLLED SUBSTANCES</b>	No	11+*	May suspend or expel	School must meet with student and parent and school shall provide plan of action based on restorative justice.	Superintendent <b>may</b> for good cause in a particular case allow a modification to a suspension or expulsion if modification set forth in writing.  Superintendent <b>shall</b> allow modification if superintendent determines that a plan of action based on restorative justice may be used successfully.	Suspension and permanent expulsion require <b>Board review of circumstances and approval in accordance with the procedural policy adopted by the Board.</b>  The level of Board involvement for non- permanent expulsion is 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.
<b>POSSESSION OF FIREARM OR DANGEROUS WEAPON</b>	Yes	Any age	First offense, one-year expulsion  Second offense, permanent expulsion	None.	Superintendent <b>may</b> for good cause in a particular case allow a modification to a suspension or expulsion if modification set forth in writing.  Superintendent <b>shall</b> allow modification if superintendent determines that a plan of action based on restorative justice may be used successfully.	Suspension and permanent expulsion require <b>Board review of circumstances and approval in accordance with the procedural policy adopted by the Board.</b>  The level of Board involvement for non- permanent expulsion is 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.
<b>HABITUAL DISCIPLINARY PROBLEM</b>	No	11+*	May suspend or expel	May suspend or expel only if school has made reasonable effort to complete plan of action based on restorative justice.	Superintendent <b>may</b> for good cause in a particular case allow a modification to a suspension or expulsion if modification set forth in writing.  Superintendent <b>shall</b> allow modification if superintendent determines that a plan of action based on restorative justice may be used successfully.	Suspension and permanent expulsion require <b>Board review of circumstances and approval in accordance with the procedural policy adopted by the Board.</b>  The level of Board involvement for non- permanent expulsion is 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.

\*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
<b>BATTERY OF AN EMPLOYEE</b>	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 <b>Board review of circumstances and determination</b> that action is in compliance with IDEA.  <b>Statute does not provide authority for non- permanent expulsion.</b>  Board action required to approve if school requests exception to permanently expel student under age 11.
<b>SALE OR DISTRIBUTION OF CONTROLLED SUBSTANCES</b>	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 <b>Board review of circumstances and determination</b> that action is in compliance with IDEA.  <b>Statute does not provide authority for non- permanent expulsion.</b>  Board action required to approve if school requests exception to permanently expel student under age 11.
<b>POSSESSION OF FIREARM OR DANGEROUS WEAPON</b>	Yes	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 <b>Board review of circumstances and determination</b> that action is in compliance with IDEA.  <b>Statute does not provide authority for non- permanent expulsion.</b>  Board action required to approve if school requests exception to permanently expel student under age 11.
<b>HABITUAL DISCIPLINARY PROBLEM</b>	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 <b>Board review of circumstances and determination</b> that action is in compliance with IDEA.  <b>Statute does not provide authority for non- permanent expulsion.</b>  Board action required to approve if school requests exception to permanently expel student under age 11.

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