

*POLICY ON STUDENT DISCIPLINE*

The Lyon County School District Board of Trustees (“Board of Trustees”) recognizes that exclusion from the educational program of the schools, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student in this District and one that cannot be imposed without due process since exclusion deprives a child of the right to an education.

No student shall be deprived of the right to an education in the public schools of this District without notice of the charges against him or her, an explanation of the evidence and an opportunity for hearing, which will be informal or formal, depending upon the length of exclusion being imposed or proposed. However, a student who is found to be in possession of a firearm or dangerous weapon as provided in NRS 392.466 may be removed from the school immediately upon being given an explanation of the reasons for his or her removal and pending proceedings, to be conducted as soon as practicable after removal, for the student’s suspension or expulsion.

For purposes of this policy, “short-term suspension” shall be the temporary exclusion of the student by the school principal from the school, all school programs, and school-sponsored activities for up to ten school days. A “long-term suspension” shall be the exclusion of the student from the school by a panel of three school administrators (“Discipline Panel”) for any period of time beyond ten school days, but no more than one semester. An “expulsion” shall be the exclusion of the student from the school by the Discipline Panel for more than one semester, but not permanently. A “permanent expulsion” shall be the exclusion of the student from the school by the Discipline Panel, without the possibility of returning to any regular school campus. A suspension, expulsion, or permanent expulsion may be appealed in accordance with the procedures outlined in Administrative Guidelines for Suspension and Expulsion. See Board Policy JFCC for right of appeal to the Superintendent of a disciplinary decision imposed for violation of the prohibition on bullying and cyber-bullying.

School administrators shall maintain safe and secure learning and working environments. School administrators and teachers will communicate in writing to all students and parents the expectations of appropriate school conduct. All student behavior will be guided based on these principles. School administrators, teachers, and other staff members will not subject themselves to abuse, annoyance or interruptions of their normal functions by violations of the stated standards. Staff members will hold students to strict account for their conduct on or in close proximity to school grounds, and at such other times and places as the law allows (e.g., at school-sponsored events). Disruption of the delivery of instruction will not be tolerated.

It shall be the policy of the Board of Trustees that the Superintendent shall cause to be formulated administrative guidelines and procedures to provide a basic discipline procedure for all schools in the District.

Reference: NRS 392.461-4675

Revised 2/22/22

**ADMINISTRATIVE GUIDELINES FOR  
SUSPENSION AND EXPULSION**

**I. General Statement**

The law charges every teacher and school administrator with maintaining order and discipline among students and provides that students who do not comply with reasonable rules may be subject to disciplinary action.

These guidelines establish the procedures for implementation of Policy JG in the school district.

Throughout these guidelines, the term “school administrator” generally refers to the school principal or designee. The term “parent” generally refers to the student’s parents or legal guardians.

This Administrative Regulation incorporates amendments to NRS Chapter 392 enacted by the 2019 Legislature under Assembly Bill 168 and by the 2021 Legislature under Assembly Bill 67. These changes generally prohibit the suspension or expulsion of students under the age of 11 (with the exception of general education students or special education students in possession of a firearm or dangerous weapon).

NRS 392 also requires the development of plans of action based on restorative justice for students who are being suspended or expelled. “Restorative justice” means nonpunitive intervention and support provided by the school to a student to improve the behavior of the student and remedy any harm caused by the student.

**II. Definitions**

**Suspension**

“Suspend” or “suspension” means the disciplinary removal of a student from the school in which the student is currently enrolled for not more than one school semester.

**Expulsion**

“Expel” or “expulsion” means the disciplinary removal of a student from the school in which the student is currently enrolled for more than one school semester with the possibility of:

1. Except as otherwise provided in subsection 2, returning to the school in which the student is currently reenrolled or another public school within the school district after the expulsion; and
2. Enrolling in a program or public school for alternative education for students who are expelled or permanently expelled during the period of expulsion.

**Permanent Expulsion**

“Permanently expelled” means the disciplinary removal of a student from the school

in which the student is currently enrolled:

1. Except as otherwise provided in subparagraph (2), without the possibility of returning to the school in which the student is currently enrolled or another public school within the school district; and
2. With the possibility of enrolling in a program or public school for alternative education for students who are expelled or permanently expelled after being permanently expelled.

**III. Individual Circumstances**

Actions taken to control and correct undesirable student behavior should take individual circumstances into account. Concern for the safety and educational welfare of all students is a priority.

**IV. Students with Disabilities**

Students with disabilities must be disciplined in accordance with applicable provisions of Part B of the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, state law, and these regulations.

Students with disabilities receiving IEP services who are at least 11 years of age may be suspended from school for not more than five days for each occurrence of misconduct, expelled, or permanently expelled from school only after a designee of the Board of Trustees has reviewed the circumstances and determined that the action is in compliance with the IDEA. In Lyon County School District, the Executive Director of Special Services is the designee responsible for making this determination.

Before any school administrator suspends a student with a disability for any portion of a day, up to a maximum of five days per occurrence of misconduct, or conducts a hearing regarding a proposed expulsion or permanent expulsion, the administrator must contact the Executive Director of Special Services who will determine whether the procedural requirements, if any, under the IDEA have been satisfied. This determination must be made before implementation of the short-term suspension, or before a hearing is conducted regarding a proposed expulsion or permanent expulsion.

**V. Administrative Responsibility**

School administrators are responsible for taking actions as necessary to protect students and school personnel from dangerous or socially detrimental actions of students.

**VI. Prohibited Conduct and Consequences**

Consequences for misconduct vary and will be imposed or recommended by school administrators (including, as applicable, the assistant principal or principal) at his or her discretion depending upon individual circumstances. Consequences may include a verbal reprimand, referral to the school counselor, in-school suspension or other in-school procedures, out-of-school suspension, or expulsion. When appropriate, progressive discipline will be imposed. When city, state or federal laws are alleged to have been violated, referral will also be made to the proper legal authorities. Any offense deemed serious by a school administrator may result in a long-term suspension or expulsion. Under certain circumstances,

suspension, or expulsion or permanent expulsion is mandatory under state law. See Section VII.

1. Damage to school property, vandalism, theft
2. Receiving or possessing stolen property, under circumstances that would cause a reasonable person to know the property was stolen from another
3. Presence in an unauthorized area; leaving school buildings or grounds during school hours without proper clearance
4. Engaging in threatening or intimidating behavior;
5. Willful disobedience, insolence, or insubordination to administrators, teachers, or other school personnel, including but not limited to behavior which defies instructions of district personnel, and the use of impertinent language toward administrators, teachers, or other school personnel
6. Assault, battery, fighting, or inciting others to engage in fighting
7. Possession of or being under the influence of any controlled substance, alcoholic beverage, or intoxicants; sale of any controlled substance or its counterfeit; possession, sale, or use of drug paraphernalia
8. Possession of firearm or dangerous weapon as defined under NRS 392.466(11) – see Section VII for mandatory suspension or expulsion under certain circumstances
9. Possession of knives or weapons that are not defined as dangerous under NRS 392.466(11), including but not limited to pocket knives
10. Bullying or cyberbullying in violation of Board of Trustees Policy JFCC
11. Slander or libel, by spreading false information in writing or verbally about a person and harming his/her reputation
12. Hazing in connection with any school or social activity relating to school
13. Disorderly conduct, including conduct that impairs the health, safety, or welfare of teachers, students, or other persons, or interferes with the maintenance of school discipline, including but not limited to reporting a false fire alarm or bomb threat, possession or use of incendiary device, and gambling
14. Use of firecrackers, snappers, or similar devices, including the discharging, distribution, possession, sale or use of the same
15. Use of profane or vulgar language, oral/written obscenity, or obscene gestures; indecent exposure, including an open indecent or obscene exposure of one's person or the person of another
16. Inappropriate dress and appearance that presents potential health or safety problems or causes school disruptions
17. Inappropriate public displays of affection; sexual activity or misconduct
18. Possession, use, sale, or distribution of tobacco products in violation of Board of Trustees Student Smoking Policy JFCG
19. Harassment of other students, administrators, teachers, or other school personnel, including harassment based on sex, gender identity, race, religion, national origin, disability as defined in Board of Trustees Policy AC
20. Truancy; excessive tardies
21. Engaging in conduct that warrants the reasonable belief that substantial disruption of school operations will likely result
22. Violating the district's internet and public network acceptable use policy as

- defined in Board of Trustees Policy EDB
23. Violating the district's policy concerning the use of cellular telephones and other electronic devices as defined in Board of Trustees Policy EDBB
  24. Engaging in gang activity or association in violation of Board of Trustees Policy JFC
  25. Violating school bus rules or other school traffic/transportation rules
  26. Altering or attempting to alter school records such as attendance records, grade records, etc.
  27. Forging or using forged passes, excuses, or other school documents
  28. Cheating; dishonesty; plagiarizing
  29. Actions for which state law mandates discipline as set forth in Section VI of these guidelines
  30. Violating any other rules that the principal has established and has published in the school handbook
  31. Violating any prohibition on student conduct established in any Board of Trustees policy
  32. Engaging in any conduct that is prohibited by city, state or federal law

**VII. Mandatory Suspension or Expulsion**

Nevada law contains specific discipline rules for four categories of misconduct:

1. Battery that results in the bodily injury of an employee of the school;
2. Distribution and/or sale of any controlled substance;
3. Possession of a firearm or dangerous weapon; or
4. Habitual disciplinary problem.

The specific discipline rules are described below, in Sections A, B, and C. Of these four offenses, only possession of a firearm or dangerous weapon carries a mandatory rule for suspension/expulsion. See Section B below.

The Superintendent may, for good cause shown in a particular case, allow a modification to the suspension or expulsion provisions for these four categories of misconduct, if such modification is set forth in writing. The Superintendent shall allow such a modification if the Superintendent determines that a plan of action based on restorative justice may be used successfully.

If a student is suspended for one school semester or expelled, the student must:

1. Enroll in a private school pursuant to Chapter 394 of NRS, or be homeschooled; or
2. Enroll in a program of independent study provided pursuant NRS 389.155 for students who have been suspended or expelled from public school or a program of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, if the student qualifies for enrollment and is accepted for enrollment in accordance with the requirements of the applicable program.

A student may be suspended from school or expelled for these four violations only after the Board of Trustees or its designee has reviewed the circumstances and approved this action in accordance with the procedural policy adopted by the Board. See Section X, Procedures for Long-Term Suspensions, Expulsions, and Permanent Expulsions.

General education students and special education, students may be suspended or expelled only if they are at least 11 years of age, except that they may be suspended or expelled for possession of a firearm or dangerous weapon at any age.

In extraordinary circumstances, a school official may request an exception from the Board of Trustees to permanently expel a general education student or a special education student from school who is 10 years old or younger.

For any proposed suspension of more than 10 days or an expulsion, see Section X, Procedures for Long-Term Suspensions, Expulsions, and Permanent Expulsions.

A. Battery/Controlled Substances.

Pursuant to NRS 392.466(1), a student who is at least 11 years of age found to have committed one or more of the following violations may be expelled from school. The student may, however, be placed in another kind of school during the period of the suspension or expulsion.

1. Battery that results in the bodily injury of an employee of the school.
2. Distribution and/or sale of any controlled substance.

A student who has committed a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school or on any school bus and who is at least 11 years of age shall meet with the school and his or her parent or legal guardian. The school shall provide a plan of action based on restorative justice to the parent or legal guardian.

If school officials determine that a school is unable to retain a student in the school for the safety of any person or because doing so would not be in the best interest of the student, the student may be suspended, expelled or placed in another school. If a student is placed in another school, a school official of the current school of the student shall explain what services will be provided to the student at the new school that the current school is unable to provide to address the specific needs and behaviors of the pupil. School officials at the current school and new school shall create a plan of action based on restorative justice for the student and ensure that any resources required to execute the plan are available at the new school.

B. Firearm/Dangerous Weapon.

Pursuant to NRS 392.466(3), a student found in possession of a firearm or a dangerous

weapon must, for the first occurrence, be expelled from the school for a period of not less than one year, although the student may be placed in another kind of school during the period of expulsion. For a second occurrence of possession of a firearm or a dangerous weapon, the student must be permanently expelled from the school.

C. Habitual Disciplinary Problem.

Pursuant to NRS 392.4655, a school administrator shall deem a student enrolled in the school a habitual disciplinary problem if the school has written evidence which documents that in one year the student has:

1. Threatened or extorted, or attempted to threaten or extort, another student or a teacher or other personnel employed by the school two or more times; or
2. A record of five significant suspensions from the school of three days or more for any reason; and
3. The student has not entered into and participated in a plan of behavior.

If a student is suspended, a school official shall develop, in consultation with the student and the parent or legal guardian of the student, a plan of behavior for the student. The parent or legal guardian may choose for the student not to participate in the plan of behavior. If the parent or legal guardian chooses for the student not to participate, the school official shall inform the parent or legal guardian of the consequences of not participating in the plan of behavior.

Pursuant to NRS 392.466(5), if a student deemed a habitual disciplinary problem is at least 11 years of age and if the school has made a reasonable effort to complete a plan of action based on restorative justice with the student, the student may be:

1. Suspended from the school; or
2. Expelled from the school under extraordinary circumstances as determined by the principal of the school.

**VIII. Conduct On and Off Campus**

Violations of the rules listed in this regulation or the violation of any other regulation, policy, or law may result in the student being suspended or expelled when the misconduct occurs:

- A. At any time on school grounds, at the student's assigned school or at any other school, or upon any properties controlled by the District, whether or not school is in session.
- B. Off school grounds at a school activity, function, event, or on the way to and from school or a school activity, function, or event.
- C. Off school grounds but within sufficient proximity to District property that the conduct may have a direct impact on a school campus, a school sponsored activity,

function, or event, or upon the health, welfare, or safety of students or school employees.

- D. Off school grounds by a student who is truant and whose conduct may impact a school campus, a school sponsored activity, function or event, or the health, welfare, or safety of students or school employees.
- E. At any time on or off the school grounds when the conduct has a direct impact on the health, welfare, or safety of students or school employees. This includes conduct off the school grounds that materially and substantially disrupts school activities, or causes school officials to reasonably believe that it will do so.

**IX. Procedures for Short-Term Suspensions (up to 10 school days)**

Students who have been subjected to a short-term (up to 10 school days) out-of-school suspension will be allowed to make up work assigned during that period. It is recognized, however, that no assignments adequately substitute for being present for classroom instructional activities and that many activities by their nature may be impossible to make up. The student is responsible for initiating the request for any available makeup work.

Students who have been subjected to a short-term out-of-school suspension may not attend, practice, or participate in any extra-curricular activities during the suspension. Students who have been subjected to a short-term out-of-school suspension will not be allowed on school premises unless prearranged with a school official.

The following procedures will be used to suspend a student who is at least 11 years of age from school for up to 10 school days.

- A. The school administrator tells the student that he/she is meeting with the student to investigate allegations that the student has violated laws, and/or rules, policies, or regulations of the school district.
- B. The school administrator tells the student the specific laws, rules, policies, and/or regulations that are alleged to have been violated and that if the evidence supports the allegations, there will be consequences up to and including short-term or long-term suspension from school, and expulsion. The school administrator asks the student if the student understands the allegations.
- C. The school administrator explains to the student the evidence the school administrator has regarding the alleged violation(s).
- D. The school administrator asks the student to explain his or her conduct and gives the student an opportunity to present the student's side of the story.
- E. After hearing the student's explanation and evidence, the school administrator determines whether he/she needs more information and, if so, obtains it before making a decision. If no additional information is needed, the school administrator determines



what, if any, violations exist and assigns appropriate consequences.

- F. Before any school official suspends a student with a disability receiving IEP services for any portion of a day (up to a maximum of five days per occurrence of misconduct), the administrator must contact the Executive Director of Special Services who will determine whether procedural requirements, if any, under the IDEA have been satisfied. This determination must be made before implementation of the suspension.
- G. If suspension is appropriate (for ten consecutive school days or less), the administrator notifies the student that the student will be suspended for (number of days) commencing (starting date). A special education student receiving IEP services may be suspended for up to five days maximum per occurrence of misconduct.
- H. On the same day that the suspension is issued, the school administrator notifies the student and, if the student is under 18 years of age, the student's parent or legal guardian via telephone call that the student has been suspended, including the terms (a description of the act committed by the student and the date on which the act was committed), effective date, and duration of the suspension. The terms of the suspension and the current process to exercise the right to appeal the suspension shall be confirmed in writing through correspondence from the school administrator to the student and, if the student is under 18 years of age, the student's parent or legal guardian.

If the suspension is for 3-10 days, the correspondence must also include:

- 1. An explanation that if the student receives five significant suspensions of three or more days on his or her record during the current school year and has not entered into and participated in a plan of behavior, the student will be deemed a habitual disciplinary problem;
  - 2. An explanation that a student who is deemed a habitual disciplinary problem may be suspended from school; or expelled from school under extraordinary circumstances as determined by the principal of the school;
  - 3. If the student has a disability and is receiving IEP services, an explanation of the effect of NRS 392.466(10), including that if it is determined that the student's behavior is not a manifestation of the student's disability, he or she may be suspended or expelled from school in the same manner as a student without a disability;
  - 4. A summary of the provisions in NRS 392.4655(5) concerning the development of a behavior plan.
- I. The student or, if the student is under 18 years of age, the parent or legal guardian of a student suspended for up to 10 school days may appeal the decision of the school administrator by contacting the Deputy Superintendent in writing within five (5) days of the issuance of the suspension.

The request for an appeal may be filed based on one or more of the following grounds:

- 1. A procedural error that significantly impacted the outcome of the investigation. The request for an appeal must include a statement of the alleged procedural error.

2. New evidence which was unknown or unavailable during the original investigation and that could substantially impact the original findings or sanction. The request for an appeal must include a summary of new evidence, why it was unavailable at the time of the investigation and its potential impact.

The Deputy Superintendent will schedule a hearing on an appeal of a suspension within five (5) days of receipt of the written request for an appeal. The appeal of a suspension for up to 10 school days will be conducted in an in-person or virtual hearing chaired by a Lyon County School District school administrator who did not issue the original suspension. The student or, if the student is under 18 years of age, the parent or legal guardian and a Lyon County School District school counselor shall be invited to the appeal hearing. During the hearing, the student or, if the student is under 18 years of age, the parent or legal guardian shall present any relevant information concerning the incident and alleged misconduct which formed the basis of the disciplinary action, as well as present any concerns regarding the student's meeting with the school administrator who issued the suspension. The school administrator chairing the appeal hearing, in consultation with the school counselor, shall then determine whether the disciplinary action taken by the school administrator who issued the suspension will be upheld or overturned. The Deputy Superintendent will notify the student or, if the student is under 18 years of age, the parent or legal guardian of the appeal decision within two school days of the appeal hearing. The appeal decision is final.

A student at any age who is found to be in possession of a firearm or dangerous weapon as provided in NRS 392.466 may be removed from the school immediately upon being given an explanation of the reasons for his or her removal and pending proceedings, to be conducted as soon as practicable after removal, for the student's suspension or expulsion. (NRS 392.467(2).)

X. **Procedures for Long-Term Suspensions (more than 10 school days, up to one semester), Expulsions (more than one semester), and Permanent Expulsions**

Students who have been subjected to a **long-term suspension, expulsion, or permanent expulsion** may not attend, practice, or participate in any extra-curricular activities during the suspension. Students who have been subjected to a long-term suspension, expulsion, or permanent expulsion will not be allowed on school premises unless prearranged with a school official.

The following procedures will be implemented for **long-term suspensions** for more than ten consecutive school days (up to one semester), **expulsions** (more than one semester), and **permanent expulsions** (no possibility of returning to a regular campus). Except for a general education student or special education student in possession of a firearm or dangerous weapon, students must be at least 11 years old to be subjected to a long-term suspension or expulsion. The term "expulsion" generally refers to either an "expulsion" or a "permanent expulsion."

The timelines are general guidelines, subject to modification under individual circumstances.

- A. If the school administrator determines that a **long-term suspension** or **expulsion** is an appropriate consequence for a violation of laws, rules, policies, and/or regulations, the school administrator must notify the Superintendent within two days, or as soon as practicable, of imposing a short-term suspension.
- B. Students with disabilities receiving IEP services may not be suspended for more than five days per occurrence of misconduct. Students with disabilities receiving IEP services may be expelled or permanently expelled. Before any hearing is scheduled to propose the expulsion or permanent expulsion of a student with a disability, the administrator must contact the Executive Director of Special Services who will determine whether procedural requirements, if any, under the IDEA have been satisfied. This determination must be made before scheduling any hearing.
- C. The Superintendent or his or her designee will designate a panel of three impartial school district administrators (the "Discipline Panel") to conduct a hearing on the proposed long-term suspension expulsion.
- D. The hearing will generally be scheduled no later than the conclusion of the short-term suspension, unless individual circumstances require an extended timeline.
- E. Three calendar days in advance of the scheduled hearing, the school administrator will send or hand-deliver to the student (if 18 years of age or older) and his or her parents or guardians a written notice that includes the following:
  1. A statement of the laws, rules, policies, and/or regulations allegedly violated by the student and the disciplinary action proposed by the school administrator;
  2. Notification that the school district will convene a hearing before imposing any additional suspension(beyond any short-term suspension already imposed) or expulsion;
  3. Notification of the date, time, and location for the scheduled hearing;
  4. Notification of the student's right to be represented at the hearing by an advocate of his or her choosing, including legal counsel;
  5. Notification of the student's right to present evidence and witnesses in his or her own behalf and to cross-examine witnesses against the student who are available and present at the hearing;
  6. Notification of witnesses the school intends to present;
  7. Notification of written evidence the school intends to present and copies of any such evidence;

8. Notification of the current process to exercise the right to appeal the long-term suspension or expulsion; and
  9. A copy of this administrative regulation.
- F. The Discipline Panel will not be required to observe the strict rules of evidence observed by the courts, and shall be allowed to take such evidence, including oral and written evidence and impeaching evidence, as the Discipline Panel deems appropriate.
  - G. Neither the school administrator nor the student or his or her parent shall discuss the merits of the case with any member of the Discipline Panel prior or subsequent to the hearing.
  - H. The District will record the hearing, and the District's recording is the official recording of the proceeding. The student, or if the student is under 18 years of age, the parent or legal guardian may obtain a copy upon request.
  - I. All hearings shall be closed to the public. (NRS 392.467(4).)
  - J. At the conclusion of the hearing, the Discipline Panel shall issue a written decision stating its findings with respect to the alleged violation(s) of laws, rules, policies, and/or regulations and the disciplinary consequences, if any, to be imposed. Generally, when feasible, the written decision will be provided to the student and, if the student is under 18 years of age, the parent or legal guardian prior to the conclusion of any short-term suspension that has been imposed.
  - K. The decision of the hearing committee may be appealed by the student or, if the student is under 18 years of age, the parent or legal guardian of a student suspended for more than 10 school days or expelled. The request for an appeal may be filed based on one or more of the following grounds:
    1. A procedural error that significantly impacted the outcome of the investigation. The request for an appeal must include a statement of the alleged procedural error.
    2. New evidence which was unknown or unavailable during the original investigation and that could substantially impact the original findings or sanction. The request for an appeal must include a summary of new evidence, why it was unavailable at the time of the investigation and its potential impact.

The student or, if the student is under 18 years of age, the parent or legal guardian may appeal the decision of the hearing committee by contacting the Deputy Superintendent in writing within five (5) days of the issuance of the decision of the hearing committee. The Deputy Superintendent will schedule a hearing on the appeal of a long-term suspension or expulsion within five (5) days of receipt of the written request for an appeal.

The Deputy Superintendent will immediately contact the Superintendent. The appeal of a long-term suspension or an expulsion will be conducted by the Superintendent or designee in an in-person or virtual hearing within five (5) days of receipt of the request for an appeal. During the hearing, the student or, if the student is under 18 years of age, the parent or legal guardian shall present any relevant information concerning the incident and alleged misconduct which formed the basis of the disciplinary action, as well as present any concerns regarding the impartial hearing proceedings. Following the hearing, the Superintendent or designee will review the recording of the hearing and the final decision of the Discipline Panel. The Superintendent or designee will review adherence to the requirements for procedural safeguards listed above. The Superintendent or designee will review the evidentiary basis for the decision of the Discipline Panel. After reviewing the evidentiary basis for the decision and the extent to which the hearing procedures were adhered to, the Superintendent or designee shall then determine whether the disciplinary decision of the Discipline Panel will be upheld or overturned. The Superintendent or designee will notify the student or, if the student is under 18 years of age, the parent or legal guardian of the decision of the Superintendent or designee within two school days of the appeal hearing. The decision of the Superintendent or designee is final.

- L. If the long-term suspension or expulsion is for misconduct related to battery on an employee, sale/distribution of controlled substances, possession of a firearm/dangerous weapon, or habitual discipline problem, the Board of Trustees or designee must review the circumstances and approve the action in accordance with the procedural policy adopted by the Board. Contact the Office of the Superintendent to arrange this review.

**XI. Students Under Suspension or Expulsion From Other Schools**

Except as otherwise provided in NRS 392.4675, Lyon County School District Schools will not accept students who are under suspension or expulsion from other schools until such suspension or expulsion has been completed.

**XII. Exception to Policy JG.**

An exception to this policy will be made with respect to student-athletes who test positive for alcohol, tobacco, or controlled substances pursuant to LCSD Policy JFCJ (Random Drug Testing of Student Athletes). Students testing positive as a result of Policy JFCJ will be regulated in accordance with that policy.

**XIII. Temporary Alternative Placement**

If a student's behavior severely and consistently interferes with teaching and learning, he/she may be removed from class (or other school premise) temporarily in accordance with NRS 392.4645.

The student who interferes with the teacher teaching or the students learning may be removed from class temporarily. While out of class, the student must be supervised and working on schoolwork (in another classroom or in the office). The principal (or designee) will meet with the student and notify parents within 24 hours of the student's removal from class. Within three days, there will be a conference including the administrator, student, parents, teacher,

counselor and Case Manager (if applicable). After the conference, the principal will decide whether the student should return to class. If the recommendation is that the student returns to class, and the referring teacher disagrees with that decision, the principal will call a meeting of the Progressive Discipline Committee (consisting of two elected teachers and an elected staff member; if the referring teacher or staff member is a member of the committee, the elected alternates should take their place at the review meeting) and inform the parents that the committee will be meeting to discuss the student's placement. The Committee will review the circumstances for the student's removal and assess the best placement. The committee shall direct that the student be: (1) returned to the classroom (or other premise) from which he/she was removed; (2) assigned to another classroom (or other premise); (3) assigned to an alternative educational program; or (4) referred to an Administrative Panel for possible suspension or expulsion. The committee may take other appropriate disciplinary action against the student should it deem necessary.

**XIV. Transportation (NRS 392.4636)**

The Board recognizes that parents of pupils who are transported to school by District buses are responsible for the supervision of such pupils until such time as the pupil boards the bus in the morning and after the pupil leaves the bus at the end of the school day. The responsibility of the School District commences when the pupil boards the bus and ends when the pupil is delivered to the regular bus stop at the close of the school day. The Board shall require pupils to conduct themselves in the bus in a manner consistent with established standards for classroom behavior. In cases when a pupil does not conduct themselves properly on a bus, the Transportation Supervisor or designee shall so inform the building principal, who will inform the parents immediately of the misconduct and request their cooperation in changing the pupil's behavior.

Pupils who become a serious disciplinary problem on the school bus may have their riding privileges suspended. In such cases, the parents of the pupils involved become responsible for seeing that their children get to and from school safely, except as provided in IDEA for a student with a disability whose IEP includes transportation as a related service.

# Quick Reference Guide to Student-Level Discipline Laws

## (Effective July 1, 2021)

### GENERAL EDUCATION STUDENTS

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

	AGE	LENGTH OF REMOVAL	WHO MAY IMPLEMENT	LEVEL OF BOARD INVOLVEMENT
<b>SUSPENSION</b>	11+	Up to one school semester.	Board policy determines.	Board or its designee may authorize suspension and expulsion.
<b>EXPULSION</b>	11+	More than one school semester, with possibility of enrolling in program or public school for alternative education for pupils who are expelled or permanently expelled, during period of expulsion.	Board policy determines.	Board or its designee may authorize suspension and expulsion.
<b>PERMANENT EXPULSION</b>	11+  School may request exception from Board in extraordinary circumstances to permanently expel student under age 11.	Removal without possibility of return to any school within the district, except with possibility of enrolling in program or public school for alternative education for pupils who are expelled or permanently expelled.	Board policy determines.	Board or its designee may authorize suspension and expulsion.  Board action required to approve if school requests exception to permanently expel student under age 11.

### SPECIAL EDUCATION STUDENTS

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

	AGE	LENGTH OF REMOVAL	WHO MAY IMPLEMENT	LEVEL OF BOARD INVOLVEMENT
<b>SUSPENSION</b>	11+	Limited to 1-5 days per occurrence of proscribed conduct.	Board policy determines.	Before suspension, expulsion, or permanent expulsion, Board or its designee must review circumstances and determine that the disciplinary action is in compliance with IDEA.  Board action required to approve if school requests exception to permanently expel student under age 11.
<b>EXPULSION</b>	11+	More than one school semester, with possibility of enrolling in program or public school for alternative education for pupils who are expelled or permanently expelled, during period of expulsion.	Board policy determines.	
<b>PERMANENT EXPULSION</b>	11+  School may request exception from Board in extraordinary circumstances to permanently expel student under age 11.	Removal without possibility of return to any school within the district, except with possibility of enrolling in program or public school for alternative education for pupils who are expelled or permanently expelled.	Board policy determines.	

**GENERAL EDUCATION STUDENTS**

**BATTERY ON 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 REQUIREMENTS	DISTRICT SUPERINTENDENT AUTHORITY	LEVEL OF BOARD INVOLVEMENT
BATTERY ON EMPLOYEE	No	11+*	May suspend or expel.	School must meet with student and parent and school shall provide plan of action based on restorative justice.  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.	Before suspension, expulsion, or permanent expulsion, Board or its designee must review and approve in accordance with procedural policy adopted by the Board.  Board action required to approve if school requests exception to permanently expel student under age 11.
SALE OR DISTRIBUTION OF CONTROLLED SUBSTANCES	No	11+*	May suspend or expel.			
POSSESSION OF FIREARM OR DANGEROUS WEAPON	Yes	Any age	1 <sup>st</sup> offense, one year expulsion  2 <sup>nd</sup> offense, permanent expulsion			
HABITUAL DISCIPLINARY PROBLEM	No	11+*	May suspend or expel.			

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

**SPECIAL EDUCATION STUDENTS**

**BATTERY ON 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 FOR SPECIAL EDUCATION STUDENTS	ADDITIONAL REQUIREMENTS	DISTRICT SUPERINTENDENT AUTHORITY	LEVEL OF BOARD INVOLVEMENT
BATTERY ON EMPLOYEE	No	11+*	Discipline is limited to suspensions of 1-5 days per occurrence of proscribed conduct, or expulsion, or permanent expulsion.	Same as general education students.	Same as general education students.	Before suspension, expulsion, or permanent expulsion, Board or its designee must review and approve in accordance with procedural policy adopted by the Board.  Before suspension, expulsion, or permanent expulsion, Board or its designee must review circumstances and determine that the disciplinary action is in compliance with IDEA.  Board action required to approve if school requests exception to permanently expel student under age 11.
SALE OR DISTRIBUTION OF CONTROLLED SUBSTANCES	No	11+*				
POSSESSION OF FIREARM OR DANGEROUS WEAPON	Yes  1 <sup>st</sup> offense, one year expulsion  2 <sup>nd</sup> offense, permanent expulsion	Any age				
HABITUAL DISCIPLINARY PROBLEM	No	11+*				

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