

CLARK COUNTY SCHOOL DISTRICT REGULATION

R-5114.1

DISCIPLINE: SUSPENSION

I. Implementation

The Education Services Division is responsible for developing and implementing procedures for student suspension and will specify the procedures in the *Clark County School District Pre-Kindergarten–12 Student Code of Conduct* in accordance with Board of School Trustees policies and Nevada Revised Statutes (NRS) 392.467.

Significant suspensions as defined by Assembly Bill 67 of the 81st Session (2021) of the Nevada Legislature prescribes that the school in which the student is enrolled (a) prohibits the students from attending a school for three or more consecutive days, and (b) requires a conference or other form of communication with the parent/guardian of the student before the student is allowed to return to school.

II. Procedures

Suspension is the disciplinary removal of a student from school for any of the applicable offenses outlined in the *Clark County School District Pre-Kindergarten–12 Student Code of Conduct*. When circumstances permit, students who must be removed from a classroom or playground should remain at school to engage in restorative practices and participate in as much of the educational program as possible. The primary purpose of a suspension is to provide the student, the student's parent/guardian, and the school the time needed for resolving a problem. The parent/guardian must be notified in writing of each suspension. Reasonable effort must be made to contact the parent/guardian regarding the impending suspension before the student leaves the school.

- A. Since the time and actions needed to resolve problems depend on individual circumstances, the duration of a suspension shall in all cases be related to a course of action designed to resolve the problem. The duration shall be specified in advance only when known factors preclude immediate resolution. The student shall be readmitted as soon as the school has reasonable assurance that the problem has been resolved or significantly improved.
- B. The school may impose appropriate requirements relating to parent/guardian contacts, the student's future behavior at a school, and school work to be done during suspension as outlined in District regulations.
- C. A Notice of Suspension is generated by the principal, assistant principal, or student success coordinator when a student is being placed on suspension, including in cases of a more serious nature or when circumstances may warrant further action, such as an academic center referral or an expulsion recommendation. Within three school days of suspension, a conference with

the student; parent/guardian; and principal, assistant principal, or student success coordinator is to be held. If a recommendation to attend an academic center or expulsion is made, a suspension will remain in effect until the final disposition of the academic center or expulsion recommendation. No student who is participating in a program of special education or receiving services pursuant to Section 504 of the Rehabilitation Act of 1973 shall be placed on a suspension for more than five school days per occurrence dependent on the student's status. Students receiving, and students who have been identified as qualifying for, special education and/or 504 services shall be disciplined in accordance with the provisions of Part B of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973.

- D. Students suspended are not allowed on a school campus or at any school-sponsored activity for any reason without the express prior permission of the principal. When a student is placed on a suspension for any offense, the appropriate administrator will read the following statement to the student and will verify that act by making a notation on the Notice of Suspension:

“As the duly appointed representative of the owner of school district property, I hereby warn you that should you come on this or any school district property during the term of this suspension without the express prior permission of the principal, you will be trespassing upon this property as defined by NRS 207.200 and may be subject to arrest for a misdemeanor.”

- E. Before suspending a student experiencing homelessness or residing in foster care from a classroom or any other premises of a public school for more than one school day, the principal of the school must consult with the appropriate personnel to determine if the student's situation led to the behavior incident in alignment with Senate Bill 354 of the 81st Session (2021) of the Nevada Legislature.

III. Appeal Process

In accordance with Assembly Bill 194 of the 81st Session (2021) of the Nevada Legislature, information on the right to appeal a suspension must be provided to the parent/guardian of the student on the same day a suspension is issued. The parent/guardian of the student, or the student if he/she is 18 years of age or older, must attend the suspension conference with the assistant principal or student success coordinator prior to filing an appeal with the principal. If the principal issued the suspension, the parent/guardian of the student, or the student if he/she is 18 years of age or older, must attend the suspension conference with the principal prior to filing an appeal with the site's supervisor. If applicable, a conference with the teacher or staff member who reported the behavior offense, will also occur within three days of the student removal.

IV. Hearing Process

The principal of a school shall serve as the Board of School Trustees designee for suspension hearings. The length of a suspension following an appeal may not be increased.

Cross References: Regulation 5113, Attendance Enforcement
Regulation 5141.1, Discipline: Control of Dangerous and Antisocial Behavior

Legal References: NRS Chapter 392, Pupils
NRS Chapter 207, Miscellaneous Crimes
Assembly Bill 67 of the 81st Session of the Nevada Legislature
Assembly Bill 194 of the 81st Session of the Nevada Legislature
Senate Bill 354 of the 81st Session of the Nevada Legislature

Review Responsibility: Education Services Division

Adopted: [5114.1: 8/13/64]
Revised: (8/9/76; 5/12/77; 8/13/81; 1/8/91; 11/23/93; 6/16/16;)
Pol Gov Rev: 6/28/01
Revised: (8/26/04; 5/13/21, 6/9/22)