

MEMBERS PRESENT: Chairman Craddock  
Vice Chairman Foley  
Mr. Beyer  
Mr. Coulter  
Mr. Horn  
Mr. Malone  
Mr. Rackley  
Mr. Vergiels

MEMBERS ABSENT: Mrs. Hayes (excused)

GUESTS PRESENT: Please see attached Guest List

Chairman Craddock called the meeting to order at 3:40 p.m. in Room 214.

AB 249 PROVIDES IN CERTAIN CASES FOR DISCIPLINE OF PUPILS OF PUBLIC SCHOOLS BY MONETARY PENALTY INSTEAD OF SUSPENSION.

Dr. Leonard Dalton, Superintendent, Washoe County School District, introduced the group with him: Maurice Petre; Dick Wright, Director of Instruction; Chuck Gaw, Security Officer; Deborah Agosti, District Attorney's Office; and Frank Sullivan, Probation Department.

Dr. Dalton began by reading his letter into the record. It is attached as EXHIBIT A. He then asked Ms. Agosti to read and discuss a proposed amendment, which is attached as EXHIBIT B.

Ms. Agosti said: "This bill was designed to bring the truancy problem under control, which is pretty epidemic in Washoe County, without suspending a child. Suspending a child for being truant is rewarding them. This would make the Juvenile Court a court of last resort for only the most hardened children who totally refuse to attend school. The courts take up a lot of time and give a child a record. She said the fine for truancy would involve the parents without having to bring them into court for failure to prevent truancy."

Ms. Foley question 1 (b) regarding possession of narcotics; would a student only be cited for possession?

Ms. Agosti said: "They did not intend for the citation to be the only sanction. Nor should the bill be read that the fine is the only sanction for truancy. This should be a supplemental administrative sanction that the school can enforce, but in no way limiting the authority of the court over the child. She said it has been their policy in Washoe County to file on every child no matter what quantity of controlled substances he holds."

Ms. Foley asked if presently the school district could only suspend in these instances.

Mr. Petre, Associate Superintendent, responded: "We presently have a regulation in Washoe County School District that stipulates that any youngster who is involved in any kind of narcotics the first time must agree to counseling for a given period of time or else the suspension process. In this counseling, we hope to involve the parents as well. The suspension in lieu of that counseling is for a ten day period. Our greatest concern is for that youngster that is first involved in any kind of narcotics, beyond that we involve Probation and the District Attorney's office."

Dr. Dalton said: "It is important to note that what we are seeking is additional alternatives of entities. Suspension is obviously not a very good tool to use because these students belong in school and we need to do whatever we can to keep them there."

Mr. Malone mentioned in Clark County some schools have quads where the students may smoke. He also said that this could become a "rich kids' bill." Ten dollars is not much to some families. They might easily pay the \$10 to have a day off.

Dr. Dalton responded: "We are asking for permissive legislation; the schools would not have to adopt all of the regulations such as for tobacco."

Ms. Agosti replied: "The money aspect was discussed a lot. In the second part of the proposed amendment to Chapter 62, no dollar limit has been imposed. If the matter has to be referred to the court, the fine can be increased. For the child who cannot pay, the matter could be handled such as with traffic offenders, where they spend an afternoon on the work program."

Mr. Malone said he agreed. He said in Clark County most students are bused and for punishment they keep the kids after school and the parents have to come get them. Once the parents are involved some way, truancy does go down. Handicapping a parent's time sometimes is more effective than a monetary fine.

In response to Mr. Coulter's question if this had been done in other school districts, Dr. Dalton said that he had done it in Utah. He said he had two high schools in his jurisdiction and the Justice in one school area let them do it and the other Justice would not. He said the first school was "clean as a whistle" and the other school "was a mess." He said this can have a very positive effect on the school.

Dr. Dalton said it is much more effective if the principal does not do the collecting. The student and parent need to go somewhere else to pay the fine. He said if they choose to defy the principal on attendance, they will defy him on payment as well.

Ms. Foley asked if the fine in Utah was \$10. Dr. Dalton responded that it was \$5 first offense, \$10 second, and they never got to the third \$20 fine.

Mr. Petre said: "I want to point out the frustration that we have felt and feel now in Washoe County School District in that we have what we think is a very clean system within the district. This is in knowing who the students are and secondly in notifying the parents of those students. A weekly report goes out to every parent that indicates to the parent if their youngster has been absent, excused or unexcused. The frustration comes in in that once we've gotten to that step, we look at the numbers we have, and although they are not increasing, we're not doing much to restrict those numbers. The frustration is in the gap between what the school can do and when the Probation or DA's office can take over. Suspension is most often used to get the parent to the school, not just to get the child out of the school. This has not been effective and, therefore, we have met as a group to look for a solution. This legislation is a result of those meetings."

Mr. Beyer asked if Washoe County was aware of the attendance policy from Clark County that has raised some concern. He said their figures show it is effective.

Dr. Dalton said he was aware of it but his personal philosophy is not to kick a kid out of school because he has missed school. He said: "This then allows you to give students credit for 'chair warming.' We would rather see an investment be made before they go, not in making work up later. He said this is difficult to have them earn the right to go because it takes a lot of extra teacher time. Then you can give students credit for what they can do rather than for warming a chair. I do have a problem with any attendance policy that threatens to kick a child out of school because he has missed school. "

Ms. Agosti said: "Waiting until a child has done something six times and coming down on him as a suspension, gives a child six opportunities to be truant. This is five too many. Our program would work after one truancy. When a child is out of school, they are on the streets and the chances are good that he is committing burglaries and getting into other types of trouble." She asked that Mr. Sullivan tell what happened when they "swept the streets" in the past.

Mr. Sullivan said: "In 1973 we ran what we called "Clean Sweep" picking up all juveniles on the street between 9:00 a.m. and 2:00 p.m. Daylight crime was knocked off by 33% in Washoe County. In December, 1980, we did the very same thing. We didn't do that good but it went down 28% in the City of Reno. The City of Sparks did not have a daylight burglary for a two week period. This bill would be twofold. It is a form of crime prevention but its not written into it and secondly, it is the first time in my 20 years I've seen the school district make an attempt to go after the truants. I heartily support this. It will not work everywhere. I don't know about Lovelock. It ought to work all over. It is a way of getting a lot of young people under control. Let the administrators gain control of their schools."

Mr. Beyer said he still prefers the preventive approach rather than fining after the fact.

Dr. Dalton said that it still does not make sense to suspend a straight A student who has to be away for family business.

Chairman Craddock said in reading this bill it appears that it would not interfere with what Clark County is doing and could be used in conjunction with their program.

Mr. Gaw and Ms. Agosti said they were concerned about the report from Clark County that said they suspended 1700 students, those students being out on the street.

Mr. Malone brought up the fact that some of these 1700 were in other schools such as Sunset School. The report does not show that fact.

Dr. Dalton said that you have to affect students two ways, either by taking away some of their time or some of their money. He would like to have this alternative legislation for this reason. He said they are also looking at inhouse suspensions.

Ms. Foley asked if this program was for elementary as well and Dr. Dalton responded that this would give the Board of Education the latitude to go whichever way they wanted. Ms. Foley asked Dr. Dalton's preference on this. He replied that he would like to go into the elementary grades to fine parents before they help students develop a habitual truancy problem.

After discussion it was determined that on line 16 of the proposed amendment the words "of not more than \$10" should be deleted and insert "as determined by the Board."

Mr. Sullivan said he has worked on programs with fines and with work programs. He said sometimes the work is more acceptable and sometimes the fine is. The latitude in this case should work well, to inflict the most actual punishment.

Dr. Dalton proposed a further change in line 15 to change "may assess" to "may issue citations". Also to add in a new person to assess and collect fines, such as a 'traffic master'. The fines could go towards funding this new office/procedure.

Ms. Foley asked if there was a clerk in Juvenile Court where fines are paid. Ms. Agosti said there is a 'traffic master' where the juvenile and the parent must report.

Ms. Foley asked if this one man could handle the truanancies. Mr. Sullivan said he handles 6000 traffic and there should only be up to 700 truanancies, and these are habitual truanancies.

Ms. Agosti said the fine should be imposed by a school district employee as it is school district policy rather than juvenile policy. Then if the child ignores this person, then go to the juvenile court.

Dr. Dalton said that was a good compromise, as long as they did not have to pay at the school.

John Hawkins, State School Boards Association, said the school boards in the state would appreciate any attempt on the part of the legislature to help them work in the area of student discipline. He said the program presented seems to have a lot of merit.

Joe Fisher, Nevada State Education Association, said he found this an interesting approach, and many school districts have so many variations that the permissive nature of the bill is a good feature.

Motion by Mr. Rackley, seconded by Mr. Malone to AMEND AB 249 per the discussions today. Motion carried unanimously. (The committee will meet again on the floor if necessary to review the amendment and vote do pass.)

SB 445 EXEMPTS CERTAIN SCHOOL BUSES FROM STATE SAFETY STANDARDS IF FEDERAL SAFETY STANDARDS ARE MET.

Mr. Beyer explained the amendment from the subcommittee was to use "specifications" instead of "safety standards," to strike the word "primary" on page 2, line 1; to strike the word "school" and insert "extra curricular" on line 2 and to eliminate the limit of 60 miles. Where 392.410 is used twice, it should be 392.400.

Chairman Craddock adjourned the meeting at 4:40 p.m.

Respectfully submitted,

Dorothy Mobley,  
Committee Secretary

61ST SESSION NEVADA LEGISLATURE

EDUCATION COMMITTEE

ATTACHED TO MINUTES OF 5/26/81

ITEM AB 249 PROVIDES IN CERTAIN CASES FOR DISCIPLINE OF PUPILS OF  
PUBLIC SCHOOLS BY MONETARY PENALTY INSTEAD OF SUSPENSION.

MOTION: (  ) DO PASS (  ) AMEND (  ) INDEFINITELY POSTPONE (  ) RECONSIDER

Moved by Mr. Rackley Seconded by Mr. Malone

AMENDMENT: Per discussion on 5/26 to be worked out before voting DO PASS

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

AMENDMENT: \_\_\_\_\_

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
Beyer	<u>xx</u>	_____	_____	_____	_____	_____
Coulter	<u>absent</u>	_____	_____	_____	_____	_____
Foley	<u>xx</u>	_____	_____	_____	_____	_____
Hayes	<u>absent</u>	_____	_____	_____	_____	_____
Horn	<u>absent</u>	_____	_____	_____	_____	_____
Malone	<u>xx</u>	_____	_____	_____	_____	_____
Rackley	<u>xx</u>	_____	_____	_____	_____	_____
Vergiels	<u>absent</u>	_____	_____	_____	_____	_____
Craddock	<u>xx</u>	_____	_____	_____	_____	_____
TALLY:	<u>5</u>	<u>0</u>	_____	_____	_____	_____

ORIGINAL MOTION: (  ) Passed (  ) Defeated (  ) Withdrawn  
 AMENDMENT: (  ) Passed (  ) Defeated (  ) Withdrawn  
 AMENDMENT: (  ) Passed (  ) Defeated (  ) Withdrawn



WASHOE COUNTY SCHOOL DISTRICT

425 EAST NINTH STREET  
RENO, NEVADA 89520

Exhibit A

Telephone (702) 322-7041

Leonard F. Dalton, Ed.D., Superintendent

BOARD OF TRUSTEES

Jerry Carr Whitehead, J.D., Vice President  
Lloyd Diedrichsen, D.D.S., Member  
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Robert McQueen, Ph.D., Member

May 26, 1981

The Honorable Robert Craddock  
Assemblyman, Nevada State Legislature  
Carson City, Nevada 89710

Dear Assemblyman Craddock:

We appreciate the opportunity to meet with the Education Committee to discuss discipline problems in the schools.

Since the only serious tool available to schools is the suspension and since suspensions once again put students on the streets and further removed from the education they need, we respectfully request that the committee consider for adoption at this or future legislative sessions the additions of punitive alternatives that will keep students in school.

If amendments can be made to measures such as AB 249 to include the assessment of fines to parents of children cited by school officials for possession of tobacco, alcohol, narcotics, assaults, defiance of authority as well as truancy and vehicle violations a majority of the suspensions would be eliminated and some degree of peace and tranquility can be returned to the schools.

It would be essential that some other agency than the schools assess the fines issued by the school to students in a manner similar to traffic violations. The revenue gained could go to pay for the cost of operating such a body as well as to pay for a supervisor of a Saturday work detail for those who cannot or chose not to pay the fine.

The present system of suspensions and regular court referrals will need to be retained for those who refuse the offering of the work detail or pay the fine, but the number of suspensions and court referrals should be substantially reduced.



The Honorable Robert Craddock  
Assemblyman, Nevada State  
Legislature

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May 26, 1981

Due to the lateness of the Legislative Session, it is understandable that this action may not be possible.

Corrective action of school discipline concerns is a problem nationwide and it behooves all of us to prevent Nevada schools from becoming the armed camps found in some eastern schools.

Your continuing cooperation and concern is appreciated.

Sincerely,

  
Leonard F. Dalton  
Superintendent

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PROPOSAL OF AMENDMENTS TO A.B. 249

SECTION 1. Chapter 392 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The board of trustees of a school district may by regulation provide a procedure for issuing a citation to a pupil who:

- (a) is deemed to be truant within the meaning of NRS 392.130,
- (b) is found to be in possession of alcohol, tobacco and/or narcotics on campus,
- (c) commits an assault or act of defiance on campus,
- (d) parks a bicycle or motor vehicle in violation of a regulation adopted by the school district.

2. A citation issued pursuant to this section must be reviewed by the principal of the school attended by the pupil, or by any designee of the principal, and the principal or his designee may assess against the pupil an administrative penalty of not more than \$10.

3. A pupil who pays an administrative penalty pursuant to this section may not be suspended from school for the violation for which the penalty is assessed.

4. A complaint against a pupil who fails to pay an administrative penalty may be made by the school district to the probation officer of the appropriate county, as provided in NRS 62.128.

5. The principal, or his designee, shall each month deposit all money received under this section in the county treasury for credit to the county school district fund.

PROPOSAL OF ADDITION TO NRS CHAPTER 62

Whenever any child is found to be truant as defined in NRS 62.040(1)(b)(1), the judge, or his duly authorized

1 representative may, in his discretion, do one, some or all of  
2 the following:

- 3 1. Impose a fine against the child or his  
4 parents.
- 5 2. Order the child to be placed on a work detail in  
6 order to repay any fine imposed against the  
7 child.
- 8 3. Order the child placed on probation.

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ASSEMBLY

AGENDA FOR COMMITTEE ON..... EDUCATION.....

Date TUE, MAY 26th..... Time 3:30 P.M. Room 214.....

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

DISCUSSION WITH WASHOE COUNTY SCHOOL DISTRICT ON  
STUDENT DISCIPLINE MEASURES.

\*Please do not ask for counsel unless necessary.