
ASSEMBLY BILL NO. 134—ASSEMBLYMEN ANGLE, CARPENTER,
GRADY, HETTRICK, HOLCOMB AND MUNFORD

FEBRUARY 24, 2005

JOINT SPONSORS: SENATORS WASHINGTON, NOLAN, BEERS,
CEGAVSKE, SCHNEIDER AND TIFFANY

Referred to Committee on Education

SUMMARY—Makes various changes relating to treatment of
pupils. (BDR 34-210)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to education; prohibiting an employee of the
Department of Education or a school district from
requiring a pupil to obtain a prescription for a controlled
substance as a condition to attending school or being
evaluated for special educational services; and providing
other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides various requirements concerning pupils, including
2 requirements applicable to pupils, requirements for the protection of pupils and
3 requirements concerning employees who interact with pupils. (Chapter 392 of
4 NRS)

5 This bill specifically prohibits an employee of the Department of Education or
6 a school district from requiring a pupil or a parent or legal guardian of a pupil to
7 obtain a prescription for the pupil for a substance controlled under the federal
8 Controlled Substances Act, 21 U.S.C. §§ 801 et seq., as a condition to the pupil
9 enrolling in public school, attending class or being evaluated for or receiving
10 special educational services.

11 This bill also specifies that teachers and other educational personnel are not
12 prohibited from consulting with a parent or legal guardian of a pupil concerning the
13 academic performance of the pupil, the behavior of the pupil or the need for the
14 pupil to be evaluated for special educational services.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 392 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *An employee of the Department or a school district shall*
4 *not require a pupil or a parent or legal guardian of a pupil to*
5 *obtain a prescription for the pupil for a substance controlled*
6 *under the federal Controlled Substances Act, 21 U.S.C. §§ 801 et*
7 *seq., as a condition to the pupil enrolling in a public school,*
8 *attending a class in a public school, being evaluated for placement*
9 *in a program of special education pursuant to NRS 388.470 or*
10 *receiving special educational services pursuant to NRS 388.440 to*
11 *388.520, inclusive.*

12 2. *This section does not prohibit a teacher or other*
13 *educational personnel from consulting or sharing classroom-*
14 *based observations with a parent or legal guardian of a pupil*
15 *concerning:*

16 (a) *The academic performance of the pupil;*

17 (b) *The behavior of the pupil in the classroom or on school*
18 *grounds; or*

19 (c) *The need for the pupil to be evaluated for placement in a*
20 *program of special education pursuant to NRS 388.470.*

21 **Sec. 2.** This act becomes effective on July 1, 2005.

