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ASSEMBLY BILL NO. 435—ASSEMBLYMEN WHEELER,  
ELLISON; HARDY, KRAMER, LEAVITT AND TITUS

MARCH 25, 2019

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Referred to Committee on Education

**SUMMARY**—Requires certain children committed to a facility for the detention of children to be enrolled in a program of distance education in certain circumstances. (BDR 5-995)

**FISCAL NOTE:** Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

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

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AN ACT relating to juvenile justice; requiring certain children committed to a facility for the detention of children to be enrolled in a program of distance education in certain circumstances; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law authorizes the board of trustees of a school district, with the  
2 approval of the juvenile court and the board of county commissioners, to employ  
3 necessary legally qualified teachers for the instruction of children detained in a  
4 facility for the detention of children. (NRS 388.550) **Section 1** of this bill provides  
5 that if a child who is committed to a facility for the detention of children commits  
6 an assault or battery upon such a teacher, the child is prohibited from participating  
7 in person in a program of education and instead is required to be enrolled in a  
8 program of distance education.

9 Existing law provides that only courses of instruction approved by the State  
10 Board of Education may be given in a local, regional or state facility for the  
11 detention of children, an alternative program or a juvenile forestry camp. (NRS  
12 388.560) **Section 2** of this bill additionally provides that only courses of distance  
13 education that are contained on the list of approved courses published by the  
14 Department of Education may be given in any such facility, alternative program or  
15 juvenile forestry camp.

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

1       **Section 1.** Chapter 62B of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3       1. *Notwithstanding any other provision of law, if a child who*  
4 *is committed to a facility for the detention of children commits an*  
5 *assault or battery upon a teacher who provides instruction to*  
6 *children committed to the facility as part of a program of*  
7 *education, the child is prohibited from participating in person in*  
8 *the program of education and instead must be enrolled in a*  
9 *program of distance education comprised of one or more courses*  
10 *of distance education that satisfy the requirements of NRS 388.820*  
11 *to 388.874, inclusive.*

12       2. *As used in this section:*

13       (a) *“Course of distance education” has the meaning ascribed*  
14 *to it in NRS 388.823.*

15       (b) *“Distance education” has the meaning ascribed to it in*  
16 *NRS 388.826, except that for the purposes of this section, the*  
17 *person supervising or providing the instruction and the child*  
18 *receiving the instruction must be separated geographically for the*  
19 *entire time during which the instruction is delivered.*

20       (c) *“Program of distance education” has the meaning ascribed*  
21 *to it in NRS 388.829.*

22       **Sec. 2.** NRS 388.560 is hereby amended to read as follows:

23       388.560 Only courses of instruction approved by the State  
24 Board *or courses of distance education that are included on the*  
25 *list of courses published by the Department pursuant to NRS*  
26 *388.834* may be given in such local, regional or state facilities for  
27 the detention of children, alternative programs or juvenile forestry  
28 camps. Necessary textbooks, equipment and supplies must be  
29 furnished by the school district.

30       **Sec. 3.** This act becomes effective upon passage and approval.

