

**PROPOSED REGULATION OF THE
DEPARTMENT OF EDUCATION**

LCB FILE NO. R079-18I

**The following document is the initial draft regulation proposed
by the agency submitted on 04/23/2018**

REQUESTED AMENDMENT TO NAC 388

(LCB File No. _____)

Section 1. Chapter 388 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Section 2. Definitions. As used in this regulation, the “Program” means the hotline, Internet website, mobile telephone application and text messaging application pursuant to NRS 388.1455 and Senate Bill 212 (2017).

Section 3. Under the following circumstances, reports received by the Program will be considered as reports where the individual has chosen not to remain anonymous:

- a) the individual has self-reported information which could affect their own safety or well-being and included their own name and/or contact information with the report after being notified that such information is not required;
- b) the individual has reported information which could affect the safety or well-being of another person or persons, included their own name and/or contact information with the report after being notified that such information is not required, and the reporting party’s name and/or contact information is necessary for school officials to fulfill their obligations under NRS 388.1351 (2);
or
- c) the individual has deliberately reported false information that has harmful intent or consequences.

Section 4. Pursuant to NRS 388.1454(2), information reported to the Program about dangerous, violent or unlawful activities, or the threat of such activities, by persons who do not wish to remain anonymous must:

- a) be protected by methods and procedures to ensure the confidentiality of the information that is reported;
- b) be forwarded to the member(s) of the team appointed pursuant to Section 4 of Senate Bill 212 (2017) such that the team shall take appropriate action in accordance with the training he or she has received pursuant to NRS 388.1455 and LCB File R111-15 to respond to the activity or threat; and
- c) if deemed appropriate by the Program support center, be forwarded to a law enforcement agency pursuant to Section 5, subsection 9 of Senate Bill 212.

Section 5. All information, including the identity of a person who does not wish to remain anonymous, forwarded pursuant to NRS 388.1455 must remain confidential as required by NRS 388.1455(1).

Section 6. The requirements and limitations of the confidentiality of the academic and health information of persons who report information to the Program is governed by all applicable state and federal laws regarding student information, including, without limitation NRS 388.1455(1), NRS 392.029, and the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 CFR Part 99.