

Senate Bill No. 225—Senators Parks, Woodhouse,
Cancela, Spearman; and Farley

Joint Sponsors: Assemblymen Spiegel, Bilbray-Axelrod,
Ohrenschall; Araujo, Brooks, Carlton, Cohen, Swank and
Thompson

CHAPTER.....

AN ACT relating to education; clarifying that the prohibition on bullying and cyber-bullying applies to all public schools in this State, including charter schools; authorizing a private school to comply with anti-bullying provisions; providing that certain requirements relating to reported incidents of bullying or cyber-bullying do not apply to pupils in prekindergarten, certain employees of a school or school district and certain adults; authorizing an administrator of a school to defer an investigation relating to bullying or cyber-bullying in certain circumstances; requiring certain training concerning the needs of persons with diverse gender identities or expressions and the needs of pupils with disabilities or autism spectrum disorders; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Department of Education to prescribe a policy for all school districts and public schools to provide a safe and respectful learning environment and prohibits bullying and cyber-bullying. (NRS 388.133) Existing law also requires the board of trustees of each school district to adopt the policy prescribed by the Department and provide for the training of members of the board of trustees and certain other personnel employed by the board of trustees in accordance with such policies. (NRS 388.134) This bill clarifies that the prohibition on bullying and cyber-bullying applies to all public schools, including, without limitation, charter schools.

Section 4.3 of this bill authorizes a private school and its governing body and administrator to comply with anti-bullying provisions wholly or in part. **Section 4.3** provides that such compliance is wholly voluntary, and no liability attaches to any failure on the part of a private school, governing body or administrator to comply.

Sections 9 and 12 of this bill require the policy prescribed by the Department for schools in this State to provide a safe and respectful learning environment to include training concerning the needs of: (1) persons with diverse gender identities or expressions; and (2) pupils with disabilities and pupils with autism spectrum disorders.

Section 10 of this bill clarifies that all public schools, including charter schools, are required to adopt the policy prescribed by the Department and provide for the training of certain persons who are responsible for the operation of the school and certain employees.

Existing law requires the principal of each public school to establish a school safety team to develop and maintain a school environment which is free from



bullying and cyber-bullying. (NRS 388.1343) **Section 13** of this bill clarifies that all public schools, including charter schools, are required to establish such a team.

Existing law requires certain employees at a school who witness bullying or cyber-bullying or receive information about an incident of bullying or cyber-bullying to report the violation to a principal. Existing law requires a principal who receives such a report to take certain action, and provides that a principal who fails to take the required action is subject to disciplinary action. (NRS 388.1351, 388.1354) **Sections 16 and 18** of this bill clarify that these provisions apply to all public schools, including charter schools.

Existing law prohibits a member of the board of trustees of a school district and any employee of the board of trustees from engaging in bullying or cyber-bullying on the premises of any public school, at an activity sponsored by a public school or on any school bus and requires a principal or his or her designee who receives a report of bullying or cyber-bullying to: (1) conduct an investigation into the report; (2) complete the investigation within a prescribed period of time; and (3) take certain other action relating to the reported incident. (NRS 388.135, 388.1351) **Section 16** of this bill provides a principal or designee with 1 additional school day to complete the investigation if extenuating circumstances prevent him or her from completing the investigation within the prescribed period of time. **Section 4.5** of this bill provides that these requirements are not applicable to a report of bullying or cyber-bullying by: (1) a pupil who is enrolled in prekindergarten under certain circumstances; (2) an employee of a school or school district against another employee of a school or school district; or (3) an adult who is not a pupil or employee of a school or school district against another such adult.

Section 4.5 authorizes the administrator or his or her designee to defer an investigation of an alleged incident of bullying or cyber-bullying if a law enforcement agency is investigating the potential crime. If such an investigation is deferred, **section 4.5** requires the administrator or his or her designee to: (1) develop a plan to protect the safety of each pupil involved in the reported incident; and (2) provide the parents or guardians of each pupil involved in the reported incident with any information available regarding the projected date for completion of the investigation by the law enforcement agency.

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

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

Section 1. Chapter 388 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 4.5, inclusive, of this act.

Sec. 2. *“Administrator” means the principal, administrator or other person in charge of a school.*

Sec. 3. *“Governing body” means the board of trustees of a school district or the governing body of a charter school.*

Sec. 4. *“School” means a public school, including, without limitation, a charter school.*

Sec. 4.3. *A private school, as defined in NRS 394.103, and the governing body and administrator of the private school are*



authorized to comply with NRS 388.121 to 388.1395, inclusive, and sections 2 to 4.5, inclusive, of this act, wholly or in part. Any such compliance is wholly voluntary, and no liability attaches to any failure to comply on the part of the private school, governing body or administrator.

Sec. 4.5. *1. If a law enforcement agency is investigating a potential crime involving an alleged violation of NRS 388.135, the administrator or his or her designee may, after providing the notification required by paragraph (a) of subsection 3 of NRS 388.1351, defer the investigation required by that section until the completion of the criminal investigation by the law enforcement agency. If the administrator or his or her designee defers an investigation pursuant to this subsection, the administrator or designee shall:*

(a) Immediately develop a plan to protect the safety of each pupil directly involved in the alleged violation of NRS 388.135; and

(b) To the extent that the law enforcement agency has provided the administrator or designee with information about the projected date for completion of its investigation, provide the parents or guardians of each pupil directly involved in the alleged violation of NRS 388.135 with that information.

2. Except as otherwise provided in this section, the deferral authorized by subsection 1 does not affect the obligations of the administrator or designee pursuant to NRS 388.121 to 388.1395, inclusive, and sections 2 to 4.5, inclusive, of this act.

3. If the administrator or designee determines that a violation of NRS 388.135 was caused by the disability of the pupil who committed the violation:

(a) The provisions of NRS 388.1351 do not apply to the same or similar behavior if the behavior is addressed in the pupil's individualized education program; and

(b) The administrator or designee shall take any measures necessary to protect the safety of the victim of the violation.

4. The provisions of NRS 388.1351 do not apply to a violation of NRS 388.135 committed by:

(a) A pupil who is enrolled in prekindergarten if the behavior is addressed through measures intended to modify the behavior of the pupil.

(b) An employee of a school or school district against another employee of a school or school district.

(c) An adult who is not a pupil or employee of a school or school district against another such adult.



Sec. 5. NRS 388.121 is hereby amended to read as follows:

388.121 As used in NRS 388.121 to 388.1395, inclusive, *and sections 2 to 4.5, inclusive, of this act*, unless the context otherwise requires, the words and terms defined in NRS 388.122, 388.123 and 388.124 *and sections 2, 3 and 4 of this act* have the meanings ascribed to them in those sections.

Sec. 6. NRS 388.132 is hereby amended to read as follows:

388.132 The Legislature declares that:

1. Pupils are the most vital resource to the future of this State;
2. A learning environment that is safe and respectful is essential for the pupils enrolled in the ~~{public}~~ schools in this State and is necessary for those pupils to achieve academic success and meet this State's high academic standards;

3. Every classroom, hallway, locker room, cafeteria, restroom, gymnasium, playground, athletic field, school bus, parking lot and other areas on the premises of a ~~{public}~~ school in this State must be maintained as a safe and respectful learning environment, and no form of bullying or cyber-bullying will be tolerated within the system of public education in this State;

4. Any form of bullying or cyber-bullying seriously interferes with the ability of teachers to teach in the classroom and the ability of pupils to learn;

5. The use of the Internet by pupils in a manner that is ethical, safe and secure is essential to a safe and respectful learning environment and is essential for the successful use of technology;

6. It will ensure that:

(a) The ~~{public}~~ schools in this State provide a safe and respectful learning environment in which persons of differing beliefs, races, colors, national origins, ancestries, religions, gender identities or expressions, sexual orientations, physical or mental disabilities, sexes or any other distinguishing characteristics or backgrounds can realize their full academic and personal potential;

(b) All administrators, ~~{principals,}~~ teachers and other personnel of the school districts and ~~{public}~~ schools in this State demonstrate appropriate and professional behavior on the premises of any ~~{public}~~ school by treating other persons, including, without limitation, pupils, with civility and respect, by refusing to tolerate bullying and cyber-bullying, and by taking immediate action to protect a victim or target of bullying or cyber-bullying when witnessing, overhearing or being notified that bullying or cyber-bullying is occurring or has occurred;



(c) The quality of instruction is not negatively impacted by poor attitudes or interactions among administrators, ~~{principals,}~~ teachers, coaches or other personnel of a school district ~~{}~~ *or school;*

(d) All persons in ~~{public schools}~~ *a school* are entitled to maintain their own beliefs and to respectfully disagree without resorting to bullying, cyber-bullying or violence; and

(e) Any teacher, administrator, ~~{principal,}~~ coach or other staff member or pupil who tolerates or engages in an act of bullying or cyber-bullying or violates a provision of NRS 388.121 to 388.1395, inclusive, *and sections 2 to 4.5, inclusive, of this act* regarding a response to bullying or cyber-bullying *against a pupil* will be held accountable; and

7. By declaring this mandate that the ~~{public}~~ schools in this State provide a safe and respectful learning environment, the Legislature is not advocating or requiring the acceptance of differing beliefs in a manner that would inhibit the freedom of expression, but is requiring that pupils be free from physical, emotional or mental abuse while ~~{in the care of the State}~~ *at school* and that pupils be provided with an environment that allows them to learn.

Sec. 7. NRS 388.1321 is hereby amended to read as follows:

388.1321 1. The Legislature hereby declares that the members of a ~~{board of trustees}~~ *governing body* and all administrators and teachers ~~{of a school district}~~ have a duty to create and provide a safe and respectful learning environment for all pupils that is free of bullying and cyber-bullying.

2. A parent or guardian of a pupil ~~{of the public school system of this State}~~ may petition a court of competent jurisdiction for a writ of mandamus to compel the performance of any duty imposed by the provisions of NRS 388.121 to 388.1395, inclusive ~~{}~~ , *and sections 2 to 4.5, inclusive, of this act.*

3. Nothing in this section shall be deemed to preclude a parent or guardian of a pupil ~~{of the public school system of this State}~~ from seeking any remedy available at law or in equity.

Sec. 8. NRS 388.1323 is hereby amended to read as follows:

388.1323 1. The Office for a Safe and Respectful Learning Environment is hereby created within the Department.

2. The Superintendent of Public Instruction shall appoint a Director of the Office, who shall serve at the pleasure of the Superintendent.

3. The Director of the Office shall ensure that the Office:

(a) Maintains a 24-hour, toll-free statewide hotline and Internet website by which any person can report a violation of the provisions of NRS 388.121 to 388.1395, inclusive, *and sections 2 to 4.5,*



inclusive, of this act and obtain information about anti-bullying efforts and organizations; and

(b) Provides outreach and anti-bullying education and training for pupils, parents and guardians, teachers, administrators, ~~{principals,}~~ coaches and other staff members and the members of a ~~{board of trustees of a school district,}~~ *governing body*. The outreach and training must include, without limitation:

(1) Training regarding methods, procedures and practice for recognizing bullying and cyber-bullying behaviors;

(2) Training regarding effective intervention and remediation strategies regarding bullying and cyber-bullying;

(3) Training regarding methods for reporting violations of NRS 388.135; and

(4) Information on and referral to available resources regarding suicide prevention and the relationship between bullying or cyber-bullying and suicide.

4. The Director of the Office shall establish procedures by which the Office may receive reports of bullying and cyber-bullying and complaints regarding violations of the provisions of NRS 388.121 to 388.1395, inclusive ~~{H}~~, *and sections 2 to 4.5, inclusive, of this act.*

5. The Director of the Office or his or her designee shall investigate any complaint that a teacher, administrator, ~~{principal,}~~ coach or other staff member or member of a ~~{board of trustees of a school district,}~~ *governing body* has violated a provision of NRS 388.121 to 388.1395, inclusive ~~{H}~~, *and sections 2 to 4.5, inclusive, of this act.* If a complaint alleges criminal conduct or an investigation leads the Director of the Office or his or her designee to suspect criminal conduct, the Director of the Office may request assistance from the Investigation Division of the Department of Public Safety.

Sec. 8.5. NRS 388.1327 is hereby amended to read as follows:

388.1327 The State Board shall adopt regulations:

1. Establishing the process whereby school districts may apply to the ~~{State Board}~~ *Department* for a grant of money from the Bullying Prevention Account pursuant to NRS 388.1325.

2. As are necessary to carry out the provisions of NRS 388.121 to 388.1395, inclusive ~~{H}~~, *and sections 2 to 4.5, inclusive, of this act.*

Sec. 9. NRS 388.133 is hereby amended to read as follows:

388.133 1. The Department shall, in consultation with the ~~{boards of trustees of school districts,}~~ *governing bodies*, educational personnel, local associations and organizations of



parents whose children are enrolled in ~~public~~ schools throughout this State, and individual parents and legal guardians whose children are enrolled in ~~public~~ schools throughout this State, prescribe by regulation a policy for all school districts and ~~public~~ schools to provide a safe and respectful learning environment that is free of bullying and cyber-bullying.

2. The policy must include, without limitation:

(a) Requirements and methods for reporting violations of NRS 388.135, including, without limitation, violations among teachers and violations between teachers and administrators, ~~principals,~~ coaches and other personnel of a school district ~~and~~ or school;

(b) *Requirements and methods for addressing the rights and needs of persons with diverse gender identities or expressions; and*

(c) A policy for use by school districts *and schools* to train members of the ~~board of trustees~~ *governing body* and all administrators, ~~principals,~~ teachers and all other personnel employed by the ~~board of trustees of a school district.~~ *governing body*. The policy must include, without limitation:

(1) Training in the appropriate methods to facilitate positive human relations among pupils by eliminating the use of bullying and cyber-bullying so that pupils may realize their full academic and personal potential;

(2) Training in methods to prevent, identify and report incidents of bullying and cyber-bullying;

(3) *Training concerning the needs of persons with diverse gender identities or expressions;*

(4) *Training concerning the needs of pupils with disabilities and pupils with autism spectrum disorder;*

(5) Methods to promote a positive learning environment;

~~(4)~~ (6) Methods to improve the school environment in a manner that will facilitate positive human relations among pupils; and

~~(5)~~ (7) Methods to teach skills to pupils so that the pupils are able to replace inappropriate behavior with positive behavior.

Sec. 10. NRS 388.134 is hereby amended to read as follows:

388.134 ~~The board of trustees of each school district.~~ *Each governing body* shall:

1. Adopt the policy prescribed pursuant to NRS 388.133 and the policy prescribed pursuant to subsection 2 of NRS 389.520. The ~~board of trustees~~ *governing body* may adopt an expanded policy for one or both of the policies if each expanded policy complies with the policy prescribed pursuant to NRS 388.133 or pursuant to subsection 2 of NRS 389.520, as applicable.



2. Provide for the appropriate training of members of the ~~{board of trustees}~~ **governing body** and all administrators, ~~{principals,}~~ teachers and all other personnel employed by the ~~{board of trustees}~~ **governing body** in accordance with the policies prescribed pursuant to NRS 388.133 and pursuant to subsection 2 of NRS 389.520. For members of the ~~{board of trustees}~~ **governing body** who have not previously ~~{been elected or appointed to the board of trustees}~~ **served on the governing body** or for employees of the school district **or school** who have not previously been employed by the district ~~{}~~ **or school**, the training required by this subsection must be provided within 180 days after the member begins his or her ~~{term of office}~~ **service** or after the employee begins his or her employment, as applicable.

3. Post the policies adopted pursuant to subsection 1 on the Internet website maintained by the school district ~~{}~~ **or school**.

4. Ensure that the parents and legal guardians of pupils enrolled in the school district **or school** have sufficient information concerning the availability of the policies, including, without limitation, information that describes how to access the policies on the Internet website maintained by the school district ~~{}~~ **or school**. Upon the request of a parent or legal guardian, the school district **or school** shall provide the parent or legal guardian with a written copy of the policies.

5. Review the policies adopted pursuant to subsection 1 on an annual basis and update the policies if necessary. If the ~~{board of trustees of a school district}~~ **governing body** updates the policies, the ~~{board of trustees}~~ **governing body** must submit a copy of the updated policies to the Department within 30 days after the update.

Sec. 11. NRS 388.1341 is hereby amended to read as follows:

388.1341 1. The Department, in consultation with persons who possess knowledge and expertise in bullying and cyber-bullying, shall, to the extent money is available, develop an informational pamphlet to assist pupils and the parents or legal guardians of pupils enrolled in ~~{the public}~~ schools in this State in resolving incidents of bullying or cyber-bullying. If developed, the pamphlet must include, without limitation:

(a) A summary of the policy prescribed by the Department pursuant to NRS 388.133 and the provisions of NRS 388.121 to 388.1395, inclusive ~~{}~~, **and sections 2 to 4.5, inclusive, of this act;**

(b) A description of practices which have proven effective in preventing and resolving violations of NRS 388.135 in schools, which must include, without limitation, methods to identify and assist pupils who are at risk for bullying and cyber-bullying; and



(c) An explanation that the parent or legal guardian of a pupil who is involved in a reported violation of NRS 388.135 may request an appeal of a disciplinary decision made against the pupil as a result of the violation, in accordance with the policy governing disciplinary action adopted by ~~the board of trustees of the school district.~~ **a governing body.**

2. If the Department develops a pamphlet pursuant to subsection 1, the Department shall review the pamphlet on an annual basis and make such revisions to the pamphlet as the Department determines are necessary to ensure the pamphlet contains current information.

3. If the Department develops a pamphlet pursuant to subsection 1, the Department shall post a copy of the pamphlet on the Internet website maintained by the Department.

4. To the extent the money is available, the Department shall develop a tutorial which must be made available on the Internet website maintained by the Department that includes, without limitation, the information contained in the pamphlet developed pursuant to subsection 1, if such a pamphlet is developed by the Department.

Sec. 12. NRS 388.1342 is hereby amended to read as follows:

388.1342 1. The Department, in consultation with persons who possess knowledge and expertise in bullying and cyber-bullying, shall ~~+~~ **establish a program of training:**

(a) ~~Establish a program of training on~~ **On** methods to prevent, identify and report incidents of bullying and cyber-bullying for members of the State Board.

(b) ~~Establish a program of training on~~ **On** methods to prevent, identify and report incidents of bullying and cyber-bullying for **the** members of ~~the boards of trustees of school districts.~~ **a governing body.**

(c) ~~Establish a program of training for~~ **For** school district and ~~charter~~ school personnel to assist those persons with carrying out their powers and duties pursuant to NRS 388.121 to 388.1395, inclusive ~~+~~, **and sections 2 to 4.5, inclusive, of this act.**

(d) ~~Establish a program of training for~~ **For** administrators in the prevention of violence and suicide associated with bullying and cyber-bullying and appropriate methods to respond to incidents of violence or suicide.

(e) For school district and school personnel concerning the needs of persons with diverse gender identities or expressions.



(f) For school district and school personnel concerning the needs of pupils with disabilities and pupils with autism spectrum disorder.

2. Each member of the State Board shall, within 1 year after the member is elected or appointed to the State Board, complete the program of training on bullying and cyber-bullying established pursuant to paragraph (a) of subsection 1 and undergo the training at least one additional time while the person is a member of the State Board.

3. Except as otherwise provided in NRS 388.134, each member of a ~~{board of trustees of a school district}~~ **governing body** shall, within 1 year after the member ~~is elected or appointed to the board of trustees.~~ **begins his or her service on the governing body**, complete the program of training on bullying and cyber-bullying established pursuant to paragraph (b) of subsection 1 and undergo the training at least one additional time while the person is a member of the ~~{board of trustees.}~~ **governing body.**

4. Each administrator of a ~~{public}~~ school shall complete the program of training established pursuant to ~~{paragraph}~~ **paragraphs (d), (e) and (f)** of subsection 1:

(a) Within 90 days after becoming an administrator;

(b) Except as otherwise provided in paragraph (c), at least once every 3 years thereafter; and

(c) At least once during any school year within which the program of training is revised or updated.

5. Each program of training established pursuant to subsection 1 must, to the extent money is available, be made available on the Internet website maintained by the Department or through another provider on the Internet.

6. The ~~{board of trustees of a school district}~~ **governing body** may allow school ~~{district}~~ personnel to attend the program established pursuant to paragraph (c) , ~~{or}~~ (d) , (e) or (f) of subsection 1 during regular school hours.

7. The Department shall review each program of training established pursuant to subsection 1 on an annual basis to ensure that the program contains current information.

Sec. 13. NRS 388.1343 is hereby amended to read as follows:

388.1343 The ~~{principal}~~ **administrator** of each ~~{public}~~ school or his or her designee shall:

1. Establish a school safety team to develop, foster and maintain a school environment which is free from bullying and cyber-bullying;



2. Conduct investigations of violations of NRS 388.135 occurring at the school; and

3. Collaborate with the ~~{board of trustees of the school district}~~ **governing body** and the school safety team to prevent, identify and address reported violations of NRS 388.135 at the school.

Sec. 14. NRS 388.1344 is hereby amended to read as follows:

388.1344 1. Each school safety team established pursuant to NRS 388.1343 must consist of the ~~{principal}~~ **administrator of the school** or his or her designee and the following persons appointed by the ~~{principal}~~ **administrator**:

- (a) A school counselor;
- (b) At least one teacher who teaches at the school;
- (c) At least one parent or legal guardian of a pupil enrolled in the school; and
- (d) Any other persons appointed by the ~~{principal}~~ **administrator**.

2. The ~~{principal}~~ **administrator of the school** or his or her designee shall serve as the chair of the school safety team.

3. The school safety team shall:

- (a) Meet at least two times each year;
- (b) Identify and address patterns of bullying or cyber-bullying;
- (c) Review and strengthen school policies to prevent and address bullying or cyber-bullying;
- (d) Provide information to school personnel, pupils enrolled in the school and parents and legal guardians of pupils enrolled in the school on methods to address bullying and cyber-bullying; and
- (e) To the extent money is available, participate in any training conducted by the school district **or school** regarding bullying and cyber-bullying.

Sec. 15. NRS 388.135 is hereby amended to read as follows:

388.135 A member of ~~{the board of trustees of a school district}~~ **a governing body**, any employee of ~~{the board of trustees}~~ **a governing body**, including, without limitation, an administrator, ~~{principal}~~ teacher or other staff member, a member of a club or organization which uses the facilities of any ~~{public}~~ school, regardless of whether the club or organization has any connection to the school, or any pupil shall not engage in bullying or cyber-bullying on the premises of any ~~{public}~~ school, at an activity sponsored by a ~~{public}~~ school or on any school bus.

Sec. 16. NRS 388.1351 is hereby amended to read as follows:

388.1351 1. ~~{A}~~ **Except as otherwise provided in section 4.5 of this act, a** teacher, administrator, ~~{principal}~~ coach or other staff member who witnesses a violation of NRS 388.135 or receives



information that a violation of NRS 388.135 has occurred shall report the violation to the ~~principal~~ **administrator** or his or her designee as soon as practicable, but not later than a time during the same day on which the teacher, administrator, ~~principal,~~ coach or other staff member witnessed the violation or received information regarding the occurrence of a violation.

2. ~~Upon~~ **Except as otherwise provided in this subsection, upon** receiving a report required by subsection 1, the ~~principal~~ **administrator** or designee shall immediately take any necessary action to stop the bullying or cyber-bullying and ensure the safety and well-being of the reported victim or victims of the bullying or cyber-bullying and shall begin an investigation into the report. **If the administrator or designee does not have access to the reported victim of the alleged violation of NRS 388.135, the administrator or designee may wait until the next school day when he or she has such access to take the action required by this subsection.**

3. The investigation **required by subsection 2** must include, without limitation:

(a) Except as otherwise provided in subsection ~~3,~~ **4**, notification provided by telephone, electronic mail or other electronic means or provided in person, of the parents or guardians of all pupils directly involved in the reported bullying or cyber-bullying, as applicable, either as a reported aggressor or a reported victim of the bullying or cyber-bullying. The notification must be provided not later than:

(1) If the bullying or cyber-bullying is reported before the end of school hours on a school day, 6 p.m. on the day on which the bullying or cyber-bullying is reported; or

(2) If the bullying or cyber-bullying was reported on a day that is not a school day, or after school hours on a school day, 6 p.m. on the school day following the day on which the bullying or cyber-bullying is reported.

(b) Interviews with all pupils whose parents or guardians must be notified pursuant to paragraph (a) and with all such parents and guardians.

~~3,~~ **4.** If the contact information for the parent or guardian of a pupil in the records of the school is not correct, a good faith effort to notify the parent or guardian shall be deemed sufficient to meet the requirement for notification pursuant to paragraph (a) of subsection ~~2,~~ **3.**

~~4,~~ **5.** Except as otherwise provided in this subsection, an investigation required by this section must be completed not later than 2 school days after the ~~principal~~ **administrator** or designee



receives a report required by subsection 1. If *extenuating circumstances prevent* the ~~{principal}~~ *administrator* or designee ~~{is not able to complete the interviews required by paragraph (b) of subsection 2}~~ *from completing the investigation required by this subsection* within 2 school days after making a good faith effort, ~~{because any of the persons to be interviewed is not available,}~~ 1 additional school day may be used to complete the investigation.

~~{5. — A principal}~~

6. *An administrator* or designee who conducts an investigation required by this section shall complete a written report of the findings and conclusions of the investigation. If a violation is found to have occurred, the report must include recommendations concerning the imposition of disciplinary action or other measures to be imposed as a result of the violation, in accordance with the policy governing disciplinary action adopted by the ~~{board of trustees of the school district,}~~ *governing body*. Subject to the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, the report must be made available, not later than 24 hours after the completion of the written report, to all parents or guardians who must be notified pursuant to paragraph (a) of subsection ~~{2}~~ 3 as part of the investigation.

~~{6.}~~ *If a violation is found not to have occurred, information concerning the incident must not be included in the record of the reported aggressor.*

7. Not later than 10 school days after receiving a report required by subsection 1, the ~~{principal}~~ *administrator* or designee shall meet with each reported victim of the bullying or cyber-bullying to inquire about the well-being of the reported victim and to ensure that the reported bullying or cyber-bullying, as applicable, is not continuing.

~~{7.}~~ 8. To the extent that information is available, the ~~{principal}~~ *administrator* or his or her designee shall provide a list of any resources that may be available in the community to assist a pupil to each parent or guardian of a pupil to whom notice was provided pursuant to this section as soon as practicable. Such a list may include, without limitation, resources available at no charge or at a reduced cost ~~{}~~ *and may be provided in person or by electronic or regular mail*. If such a list is provided, the ~~{principal,}~~ *administrator*, his or her designee, or any employee of the school or the school district is not responsible for providing such resources to the pupil or ensuring the pupil receives such resources.



~~18.~~ 9. The parent or guardian of a pupil involved in the reported violation of NRS 388.135 may appeal a disciplinary decision of the ~~principal~~ **administrator** or his or her designee, made against the pupil as a result of the violation, in accordance with the policy governing disciplinary action adopted by the ~~board of trustees of the school district~~ **governing body**. Not later than 30 days after receiving a response provided in accordance with such a policy, the parent or guardian may submit a complaint to the Department. The Department shall consider and respond to the complaint pursuant to procedures and standards prescribed in the regulations adopted by the Department.

10. School hours and school days are determined for the purposes of this section by the schedule established by the governing body for the school.

Sec. 17. NRS 388.1352 is hereby amended to read as follows:

388.1352 ~~The board of trustees of each school district,~~ **A governing body**, in conjunction with the school police officers of the school district, if any, and the local law enforcement agencies that have jurisdiction over the school district ~~or school~~, shall establish a policy for the procedures which must be followed by an employee of the school district **or school** when reporting a violation of NRS 388.135 to a school police officer or local law enforcement agency.

Sec. 18. NRS 388.1354 is hereby amended to read as follows:

388.1354 If an administrator ~~principal~~ or ~~the~~ **his or her** designee ~~of an administrator or principal of a school~~ knowingly and willfully fails to comply with the provisions of NRS 388.1351, the superintendent of the school district ~~or governing body~~, **as applicable, or the designee of either:**

1. Shall take disciplinary action against the employee by written admonishment, demotion, suspension, dismissal or refusal to reemploy; and

2. If the employee is the holder of a license issued pursuant to chapter 391 of NRS, may recommend to the ~~board of trustees of the school district~~ **governing body** that the ~~board~~ **governing body** submit a recommendation to the State Board for the suspension or revocation of the license.

Sec. 19. NRS 388.136 is hereby amended to read as follows:

388.136 1. A school official shall not directly or indirectly interfere with or prevent the disclosure of information concerning a violation of NRS 388.135.

2. As used in this section, "school official" means:

(a) A member of ~~the board of trustees of a school district;~~ **a governing body;** or



(b) A licensed or unlicensed employee of a school district ~~H~~ or school.

Sec. 20. NRS 388.137 is hereby amended to read as follows:

388.137 1. No cause of action may be brought against a pupil or an employee or volunteer of a school who reports a violation of NRS 388.135 unless the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law.

2. If ~~the principal~~ *an administrator* determines that a report of a violation of NRS 388.135 is false and that the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law, the ~~principal~~ *administrator* may recommend the imposition of disciplinary action or other measures against the person in accordance with the policy governing disciplinary action adopted by the ~~board of trustees of the school district~~ *governing body*.

Sec. 21. NRS 388.1395 is hereby amended to read as follows:

388.1395 The ~~board of trustees of each school district and the~~ governing body of each ~~charter~~ school shall determine the most effective manner for the delivery of information to the pupils of ~~each public~~ *the* school during the “Week of Respect” proclaimed by the Governor each year pursuant to NRS 236.073. The information delivered during the “Week of Respect” must focus on:

1. Methods to prevent, identify and report incidents of bullying and cyber-bullying;

2. Methods to improve the school environment in a manner that will facilitate positive human relations among pupils; and

3. Methods to facilitate positive human relations among pupils by eliminating the use of bullying and cyber-bullying.

Sec. 22. (Deleted by amendment.)

Sec. 23. NRS 236.073 is hereby amended to read as follows:

236.073 1. The Governor shall annually proclaim the first week in October to be “Week of Respect.”

2. The proclamation may call upon:

(a) News media, educators and appropriate government offices to bring to the attention of the residents of Nevada factual information regarding bullying and cyber-bullying, including, without limitation:

(1) Statistical information regarding the number of pupils who are bullied or cyber-bullied each year;

(2) The methods to identify and assist pupils who are at risk of bullying or cyber-bullying; and

(3) The methods to prevent bullying and cyber-bullying; and



(b) ~~School districts~~ *Governing bodies* to provide instruction on the ways in which pupils can prevent bullying and cyber-bullying during the Week of Respect and throughout the school year that is appropriate for the grade level of pupils who receive the instruction.

3. As used in this section:

(a) "Bullying" has the meaning ascribed to it in NRS 388.122.

(b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

(c) *"Governing body" has the meaning ascribed to it in section 3 of this act.*

Sec. 24. This act becomes effective on July 1, 2017.

