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FIRST REPRINT

A.B. 371

ASSEMBLY BILL NO. 371—ASSEMBLYMEN BRITTNEY MILLER, MONROE-MORENO, GONZÁLEZ; ANDERSON, BENITEZ-THOMPSON, COHEN, CONSIDINE, DURAN, FLORES, FRIERSON, GORELOW, JAUREGUI, MARTINEZ, MARZOLA, C.H. MILLER, NGUYEN, ORENTLICHER, PETERS, SUMMERS-ARMSTRONG, THOMAS, TORRES, WATTS AND YEAGER

MARCH 22, 2021

JOINT SPONSORS: SENATORS DENIS, DONATE, D. HARRIS, NEAL AND SPEARMAN

Referred to Committee on Education

SUMMARY—Enacts provisions governing discrimination based on race. (BDR 34-697)

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.

AN ACT relating to education; establishing provisions relating to discrimination based on race; including discrimination based on race in existing law relating to bullying and cyber-bullying; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Office for a Safe and Respectful Learning Environment
2 within the Department of Education. (NRS 388.1323) Existing law prohibits
3 bullying and cyber-bullying on the premises of a school, at an activity sponsored by
4 a school or on any school bus. (NRS 388.135) Existing law establishes various
5 provisions relating to the protocol for addressing incidents of bullying and cyber-
6 bullying. (NRS 388.135-388.137) Under existing law, a principal, administrator or
7 other person in charge of a school must investigate a report of an incident of
8 bullying or cyber-bullying and take various actions to address the incident. (NRS
9 388.1351) This bill extends those provisions to additionally prohibit and address
10 incidents of discrimination based on race.

11 **Section 4** of this bill defines the term “discrimination based on race.” **Section**
12 **20** of this bill prohibits discrimination based on race in addition to bullying or
13 cyber-bullying on the premises of any school, at an activity sponsored by a school



14 or on a school bus. **Section 5** of this bill authorizes a pupil or parent or legal
15 guardian of a pupil who witnesses an incident of discrimination based on race to
16 report the incident to an administrator. **Section 5** requires a board of trustees of a
17 school district and a governing body of a charter school to categorize an incident of
18 discrimination based on race as a racially motivated or hate incident. **Section 21** of
19 this bill adds to the list of information required to be included in a report submitted
20 to the direct supervisor of a principal or the Office the number of reports
21 concerning incidents of discrimination based on race. **Section 21** requires the
22 Office, in consultation with the direct supervisor, after reviewing the reports, to
23 make recommendations for intervention or training to address discrimination based
24 on race, bullying or cyber-bullying. **Section 6** of this bill requires the board of
25 trustees of a school district or the governing body of a charter school to develop
26 restorative practices for both victims and perpetrators of discrimination based on
27 race.

28 Existing law requires the State Board of Education to adopt regulations to
29 establishing a statewide performance evaluation system for employees. (NRS
30 391.465) **Section 25** of this bill requires an evaluation to include whether an
31 employee knowingly and willfully violated the provisions of NRS 388.1351.

32 Existing law requires annual reports of accountability to include information
33 related to bullying and cyber-bullying. (NRS 385A.250, 385A.460) Existing law
34 prohibits a pupil publication from being used to engage in bullying or cyber-
35 bullying. (NRS 388.077) Existing law establishes various provisions related to the
36 provision of a safe and respectful learning environment that is free from bullying
37 and cyber-bullying. (NRS 388.132, 388.1321, 388.1323, 388.1325, 388.1327,
38 388.133, 388.1341-388.1344, 388.13535, 388.139, 388.1395) Under existing law, a
39 department of juvenile services or court that determines that a child has unlawfully
40 engaged in bullying or cyber-bullying must provide certain information to a court
41 or the school district in which the child is enrolled, as appropriate. (NRS 62C.400,
42 62E.030) Existing also requires the Governor annually to proclaim a "Week of
43 Respect" that includes providing information relating to bullying and cyber-
44 bullying. (NRS 236.073) **Sections 1, 2, 7, 9, 10, 12-19, 22-24 and 26-28** of this bill
45 add discrimination based on race to those provisions.

46 **Sections 8-11** of this bill make conforming changes to indicate the proper
47 placement of **sections 4-6** in the Nevada Revised Statutes.

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

1 **Section 1.** NRS 385A.250 is hereby amended to read as
2 follows:

3 385A.250 1. The annual report of accountability prepared
4 pursuant to NRS 385A.070 must include information on the
5 discipline of pupils, including, without limitation:

6 (a) Records of incidents involving weapons or violence for each
7 school in the district, including, without limitation, each charter
8 school sponsored by the district.

9 (b) Records of incidents involving the use or possession of
10 alcoholic beverages or controlled substances for each school in the
11 district, including, without limitation, each charter school sponsored
12 by the district.



1 (c) Records of the suspension or expulsion, or both, of pupils
2 required or authorized pursuant to NRS 392.466 and 392.467.

3 (d) The number of pupils who are deemed habitual disciplinary
4 problems pursuant to NRS 392.4655, for each school in the district
5 and the district as a whole, including, without limitation, each
6 charter school sponsored by the district.

7 (e) For each school in the district and the district as a whole,
8 including, without limitation, each charter school sponsored by the
9 district ~~H~~, *and categorized by types of incidents and the*
10 *demographics identified in subsection 1 of section 4 of this act:*

11 (1) The number of reported violations of NRS 388.135
12 occurring at a school or otherwise involving a pupil enrolled at a
13 school, regardless of the outcome of the investigation conducted
14 pursuant to NRS 388.1351;

15 (2) The number of incidents determined to be *discrimination*
16 *based on race*, bullying or cyber-bullying after an investigation is
17 conducted pursuant to NRS 388.1351;

18 (3) The number of incidents resulting in suspension or
19 expulsion, or both, for *discrimination based on race*, bullying or
20 cyber-bullying; and

21 (4) Any actions taken to reduce the number of incidents of
22 *discrimination based on race*, bullying or cyber-bullying including,
23 without limitation, training that was offered or other policies,
24 practices and programs that were implemented.

25 (f) For each high school in the district, including, without
26 limitation, each charter school sponsored by the district that operates
27 as a high school, and for high schools in the district as a whole:

28 (1) The number and percentage of pupils whose violations of
29 the code of honor relating to cheating prescribed pursuant to NRS
30 392.461 or any other code of honor applicable to pupils enrolled in
31 high school were reported to the principal of the high school,
32 reported by the type of violation;

33 (2) The consequences, if any, to the pupil whose violation is
34 reported pursuant to subparagraph (1), reported by the type of
35 consequence;

36 (3) The number of any such violations of a code of honor in a
37 previous school year by a pupil whose violation is reported pursuant
38 to subparagraph (1), reported by the type of violation; and

39 (4) The process used by the high school to address violations
40 of a code of honor which are reported to the principal.

41 2. The information included pursuant to subsection 1 must
42 allow such information to be disaggregated by:

43 (a) Pupils who are economically disadvantaged;

44 (b) Pupils from major racial and ethnic groups;

45 (c) Pupils with disabilities;



- 1 (d) Pupils who are English learners;
- 2 (e) Pupils who are migratory children;
- 3 (f) Gender;
- 4 (g) Pupils who are homeless;
- 5 (h) Pupils in foster care; and
- 6 (i) Pupils whose parent or guardian is a member of the Armed
- 7 Forces of the United States, a reserve component thereof or the
- 8 National Guard.

9 3. As used in this section:

- 10 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.
- 11 (b) "Cyber-bullying" has the meaning ascribed to it in
- 12 NRS 388.123.

13 (c) *"Discrimination based on race" has the meaning ascribed*

14 *to it in section 4 of this act.*

15 **Sec. 2.** NRS 385A.460 is hereby amended to read as follows:

16 385A.460 1. The annual report of accountability prepared by

17 the State Board pursuant to NRS 385A.400 must include

18 information on the discipline of pupils, including, without

19 limitation:

20 (a) Incidents involving weapons or violence, reported for each

21 school district, including, without limitation, each charter school in

22 the district, and for this State as a whole.

23 (b) Incidents involving the use or possession of alcoholic

24 beverages or controlled substances, reported for each school district,

25 including, without limitation, each charter school in the district, and

26 for this State as a whole.

27 (c) The suspension and expulsion of pupils required or

28 authorized pursuant to NRS 392.466 and 392.467, reported for each

29 school district, including, without limitation, each charter school in

30 the district, and for this State as a whole.

31 (d) The number of pupils who are deemed habitual disciplinary

32 problems pursuant to NRS 392.4655, reported for each school

33 district, including, without limitation, each charter school in the

34 district, and for this State as a whole.

35 (e) For each school district, including, without limitation, each

36 charter school in the district, and for this State as a whole ~~[-]~~, *and*

37 *categorized by types of incidents and the demographics identified*

38 *in subsection 1 of section 4 of this act:*

39 (1) The number of reported violations of NRS 388.135

40 occurring at a school or otherwise involving a pupil enrolled at a

41 school, regardless of the outcome of the investigation conducted

42 pursuant to NRS 388.1351;

43 (2) The number of incidents determined to be *discrimination*

44 *based on race*, bullying or cyber-bullying after an investigation is

45 conducted pursuant to NRS 388.1351;



1 (3) The number of incidents resulting in suspension or
2 expulsion for *discrimination based on race*, bullying or cyber-
3 bullying; and

4 (4) Any actions taken to reduce the number of incidents of
5 *discrimination based on race*, bullying or cyber-bullying, including,
6 without limitation, training that was offered or other policies,
7 practices and programs that were implemented.

8 (f) For each high school in each school district, including,
9 without limitation, each charter school that operates as a high
10 school, and for the high schools in this State as a whole:

11 (1) The number and percentage of pupils whose violations of
12 the code of honor relating to cheating prescribed pursuant to NRS
13 392.461 or any other code of honor applicable to pupils enrolled in
14 high school were reported to the principal of the high school,
15 reported by the type of violation;

16 (2) The consequences, if any, to the pupil whose violation is
17 reported pursuant to subparagraph (1), reported by the type of
18 consequence;

19 (3) The number of any such violations of a code of honor in a
20 previous school year by a pupil whose violation is reported pursuant
21 to subparagraph (1), reported by the type of violation; and

22 (4) The process used by the high school to address violations
23 of a code of honor which are reported to the principal.

24 2. As used in this section:

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

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

28 (c) "*Discrimination based on race*" has the meaning ascribed
29 to it in section 4 of this act.

30 **Sec. 3.** Chapter 388 of NRS is hereby amended by adding
31 thereto the provisions set forth as sections 4, 5 and 6 of this act.

32 **Sec. 4.** "*Discrimination based on race*" means any single or
33 repeated or pervasive act or acts, whether targeted to a specific
34 person or targeted in general to any demographic identified in
35 subsection 1:

36 1. *Regarding the race, color, culture, religion, language,*
37 *ethnicity or national origin of a person that causes harm or*
38 *creates a hostile work or learning environment, which may*
39 *include, without limitation, jokes, threats, physical altercations or*
40 *intimidation; and*

41 2. *That occurs in person, online or in any other setting*
42 *including, without limitation, in a course of distance education.*

43 **Sec. 5.** 1. *A pupil or the parent or legal guardian of a pupil*
44 *who witnesses an incident of discrimination based on race may*
45 *report the incident to an administrator or his or her designee.*



1 **2. A governing body shall categorize an incident of**
2 **discrimination based on race as a racially motivated or hate**
3 **incident on the appropriate system to track pupil information used**
4 **by a school.**

5 **Sec. 6. A governing body shall develop restorative practices**
6 **in accordance with the provisions of NRS 388.133 for both victims**
7 **and perpetrators of discrimination based on race.**

8 **Sec. 7.** NRS 388.077 is hereby amended to read as follows:

9 388.077 1. Each pupil of a public school, including, without
10 limitation, each pupil of a university school for profoundly gifted
11 pupils, is entitled to express himself or herself in a manner
12 consistent with the rights guaranteed by the First and Fourteenth
13 Amendments to the United States Constitution.

14 2. Any expression described in subsection 1 must not be
15 disruptive of instruction at a public school, including, without
16 limitation, a university school for profoundly gifted pupils, must not
17 be used to engage in **discrimination based on race**, bullying or
18 cyber-bullying or intimidate any person and must not be organized,
19 broadcast or endorsed by a public school, including, without
20 limitation, a university school for profoundly gifted pupils.

21 3. The board of trustees of each school district, the governing
22 body of each charter school and the governing body of each
23 university school for profoundly gifted pupils shall adopt a written
24 policy for pupil publications which:

25 (a) Establishes reasonable provisions governing the time, place
26 and manner for the distribution of pupil publications;

27 (b) Protects the right of expression described in subsection 1 for
28 pupils working on pupil publications as journalists in their
29 determination of the news, opinions, feature content, advertising
30 content and other content of the pupil publications;

31 (c) Prohibits, without limitation, the following:

32 (1) Restricting the publication of any content in pupil
33 publications unless the content would substantially disrupt the
34 ability of the public school to perform its educational mission;

35 (2) Dismissing, suspending, disciplining or retaliating against
36 an employee or other person acting as an adviser for a pupil
37 publication or as an adviser for pupils working as journalists on a
38 pupil publication for acting within the scope of that position,
39 including, without limitation, taking responsible and appropriate
40 action to protect a pupil engaged in conduct protected pursuant to
41 the written policy or refusing to perform an action which violates
42 the written policy; and

43 (3) Expelling, suspending or otherwise disciplining a pupil
44 for engaging in conduct in accordance with the policy, unless such
45 conduct substantially disrupts the ability of the public school to



1 perform its educational mission and the disruption was intentional;
2 and

3 (d) Includes a disclaimer indicating that any content published
4 in a pupil publication is not endorsed by the public school.

5 4. The board of trustees of each school district, the governing
6 body of each charter school and the governing body of each
7 university school for profoundly gifted pupils shall adopt a policy
8 prescribing procedures for the resolution of a complaint by a pupil
9 of the school district, charter school or university school for
10 profoundly gifted pupils that the rights of the pupil described in
11 subsection 1 or 3 have been violated. The policy required by this
12 subsection may be part of a comprehensive discrimination grievance
13 policy of the school district, charter school or university school for
14 profoundly gifted pupils or may be a separate policy.

15 5. As used in this section:

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

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

19 (c) "*Discrimination based on race*" has the meaning ascribed
20 to it in section 4 of this act.

21 **Sec. 8.** NRS 388.121 is hereby amended to read as follows:

22 388.121 As used in NRS 388.121 to 388.1395, inclusive, *and*
23 *sections 4, 5 and 6 of this act*, unless the context otherwise requires,
24 the words and terms defined in NRS 388.1215 to 388.127, inclusive,
25 *and section 4 of this act* have the meanings ascribed to them in
26 those sections.

27 **Sec. 9.** NRS 388.132 is hereby amended to read as follows:

28 388.132 The Legislature declares that:

29 1. Pupils are the most vital resource to the future of this State;

30 2. A learning environment that is safe and respectful is
31 essential for the pupils enrolled in the schools in this State and is
32 necessary for those pupils to achieve academic success and meet
33 this State's high academic standards;

34 3. Every classroom, hallway, locker room, cafeteria, restroom,
35 gymnasium, playground, athletic field, school bus, parking lot and
36 other areas on the premises of a school in this State must be
37 maintained as a safe and respectful learning environment, and no
38 form of *discrimination based on race*, bullying or cyber-bullying
39 will be tolerated within the system of public education in this State;

40 4. Any form of *discrimination based on race*, bullying or
41 cyber-bullying seriously interferes with the ability of teachers to
42 teach in the classroom and the ability of pupils to learn;

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



1 6. It will ensure that:

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

8 (b) All administrators, teachers and other personnel of the
9 school districts and schools in this State demonstrate appropriate
10 and professional behavior on the premises of any school by treating
11 other persons, including, without limitation, pupils, with civility and
12 respect, by refusing to tolerate *discrimination based on race*,
13 bullying and cyber-bullying, and by taking immediate action to
14 protect a victim or target of *discrimination based on race*, bullying
15 or cyber-bullying when witnessing, overhearing or being notified
16 that *discrimination based on race*, bullying or cyber-bullying is
17 occurring or has occurred;

18 (c) The quality of instruction is not negatively impacted by poor
19 attitudes or interactions among administrators, teachers, coaches or
20 other personnel of a school district or school;

21 (d) All persons in a school are entitled to maintain their own
22 beliefs and to respectfully disagree without resorting to
23 *discrimination based on race*, bullying, cyber-bullying or violence;
24 and

25 (e) Any teacher, administrator, coach or other staff member or
26 pupil who tolerates or engages in an act of *discrimination based on*
27 *race*, bullying or cyber-bullying or violates a provision of NRS
28 388.121 to 388.1395, inclusive, *and sections 4, 5 and 6 of this act*
29 regarding a response to *discrimination based on race*, bullying or
30 cyber-bullying against a pupil will be held accountable; and

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

38 **Sec. 10.** NRS 388.1321 is hereby amended to read as follows:

39 388.1321 1. The Legislature hereby declares that the
40 members of a governing body and all administrators and teachers
41 have a duty to create and provide a safe and respectful learning
42 environment for all pupils that is free of *discrimination based on*
43 *race*, bullying and cyber-bullying.

44 2. A parent or guardian of a pupil may petition a court of
45 competent jurisdiction for a writ of mandamus to compel the



1 performance of any duty imposed by the provisions of NRS 388.121
2 to 388.1395, inclusive ~~4~~, *and sections 4, 5 and 6 of this act.*

3 3. Nothing in this section shall be deemed to preclude a parent
4 or guardian of a pupil from seeking any remedy available at law or
5 in equity.

6 **Sec. 11.** NRS 388.1322 is hereby amended to read as follows:

7 388.1322 A private school, as defined in NRS 394.103, and the
8 governing body and administrator of the private school are
9 authorized to comply with NRS 388.121 to 388.1395, inclusive, *and*
10 *sections 4, 5 and 6 of this act* wholly or in part. Any such
11 compliance is wholly voluntary, and no liability attaches to any
12 failure to comply on the part of the private school, governing body
13 or administrator.

14 **Sec. 12.** NRS 388.1323 is hereby amended to read as follows:

15 388.1323 1. The Office for a Safe and Respectful Learning
16 Environment is hereby created within the Department.

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

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

21 (a) Maintains a 24-hour, toll-free statewide hotline and Internet
22 website by which any person can report a violation of the provisions
23 of NRS 388.121 to 388.1395, inclusive, *and sections 4, 5 and 6 of*
24 *this act* and obtain information about *antidiscrimination and* anti-
25 bullying efforts and organizations; and

26 (b) Provides outreach and *antidiscrimination and* anti-bullying
27 education and training for pupils, parents and guardians, teachers,
28 administrators, coaches and other staff members and the members of
29 a governing body. The outreach and training must include, without
30 limitation:

31 (1) Training regarding methods, procedures and practice for
32 recognizing *discrimination based on race*, bullying and cyber-
33 bullying behaviors;

34 (2) Training regarding effective intervention and remediation
35 strategies regarding *discrimination based on race*, bullying and
36 cyber-bullying;

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

39 (4) Information on and referral to available resources
40 regarding suicide prevention and the relationship between
41 *discrimination based on race*, bullying or cyber-bullying and
42 suicide, including, without limitation, resources for pupils who are
43 members of groups at a high risk of suicide. Such groups include,
44 without limitation, the groups described in subsection 3 of
45 NRS 388.256.



1 4. The Director of the Office shall establish procedures by
2 which the Office may receive reports of *discrimination based on*
3 *race*, bullying and cyber-bullying and complaints regarding
4 violations of the provisions of NRS 388.121 to 388.1395, inclusive
5 **[H]**, *and sections 4, 5 and 6 of this act.*

6 5. The Director of the Office or his or her designee shall
7 investigate any complaint that a teacher, administrator, coach or
8 other staff member or member of a governing body has violated a
9 provision of NRS 388.121 to 388.1395, inclusive **[H]**, *and sections*
10 *4, 5 and 6 of this act.* If a complaint alleges criminal conduct or an
11 investigation leads the Director of the Office or his or her designee
12 to suspect criminal conduct, the Director of the Office may request
13 assistance from the Investigation Division of the Department of
14 Public Safety.

15 **Sec. 13.** NRS 388.1325 is hereby amended to read as follows:

16 388.1325 1. The *Discrimination and Bullying Prevention*
17 Account is hereby created in the State General Fund, to be
18 administered by the Director of the Office for a Safe and Respectful
19 Learning Environment appointed pursuant to NRS 388.1323. The
20 Director of the Office may accept gifts and grants from any source
21 for deposit into the Account. The interest and income earned on the
22 money in the Account must be credited to the Account.

23 2. In accordance with the regulations adopted by the State
24 Board pursuant to NRS 388.1327, a school district that applies for
25 and receives a grant of money from the *Discrimination and*
26 *Bullying Prevention Account* shall use the money for one or more of
27 the following purposes:

28 (a) The establishment of programs to create a school
29 environment that is free from *discrimination based on race,*
30 *bullying and cyber-bullying;*

31 (b) The provision of training on the policies adopted by the
32 school district pursuant to NRS 388.134 and the provisions of NRS
33 388.121 to 388.1395, inclusive **[H]**, *and sections 4, 5 and 6 of this*
34 *act;* or

35 (c) The development and implementation of procedures by
36 which the public schools of the school district and the pupils
37 enrolled in those schools can discuss the policies adopted pursuant
38 to NRS 388.134 and the provisions of NRS 388.121 to 388.1395,
39 inclusive **[H]**, *and sections 4, 5 and 6 of this act.*

40 **Sec. 14.** NRS 388.1327 is hereby amended to read as follows:

41 388.1327 The State Board shall adopt regulations:

42 1. Establishing the process whereby school districts may apply
43 to the Department for a grant of money from the *Discrimination*
44 *and Bullying Prevention Account* pursuant to NRS 388.1325.



1 2. As are necessary to carry out the provisions of NRS 388.121
2 to 388.1395, inclusive ~~4~~, *and sections 4, 5 and 6 of this act.*

3 **Sec. 15.** NRS 388.133 is hereby amended to read as follows:

4 388.133 1. The Department shall, in consultation with the
5 governing bodies, educational personnel, local associations and
6 organizations of parents whose children are enrolled in schools
7 throughout this State, and individual parents and legal guardians
8 whose children are enrolled in schools throughout this State,
9 prescribe by regulation a policy for all school districts and schools
10 to provide a safe and respectful learning environment that is free of
11 *discrimination based on race*, bullying and cyber-bullying.

12 2. The policy must include, without limitation:

13 (a) Requirements and methods for reporting violations of NRS
14 388.135, including, without limitation, violations among teachers
15 and violations between teachers and administrators, coaches and
16 other personnel of a school district or school;

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

19 (c) Requirements and methods for restorative disciplinary
20 practices; and

21 (d) A policy for use by school districts and schools to train
22 members of the governing body and all administrators, teachers and
23 all other personnel employed by the governing body. The policy
24 must include, without limitation:

25 (1) Training in the appropriate methods to facilitate positive
26 human relations among pupils by eliminating the use of
27 *discrimination based on race*, bullying and cyber-bullying so that
28 pupils may realize their full academic and personal potential;

29 (2) Training in methods to prevent, identify and report
30 incidents of *discrimination based on race*, bullying and
31 cyber-bullying;

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

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

36 (5) Methods to promote a positive learning environment;

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

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

41 **Sec. 16.** NRS 388.1341 is hereby amended to read as follows:

42 388.1341 1. The Department, in consultation with persons
43 who possess knowledge and expertise in *discrimination based on*
44 *race*, bullying and cyber-bullying, shall, to the extent money is
45 available, develop an informational pamphlet to assist pupils and the



1 parents or legal guardians of pupils enrolled in schools in this State
2 in resolving incidents of *discrimination based on race*, bullying or
3 cyber-bullying. If developed, the pamphlet must include, without
4 limitation:

5 (a) A summary of the policy prescribed by the Department
6 pursuant to NRS 388.133 and the provisions of NRS 388.121 to
7 388.1395, inclusive ~~§~~, *and sections 4, 5 and 6 of this act*;

8 (b) A description of practices which have proven effective in
9 preventing and resolving violations of NRS 388.135 in schools,
10 which must include, without limitation, methods to identify and
11 assist pupils who are at risk for *discrimination based on race*,
12 bullying and cyber-bullying; and

13 (c) An explanation that the parent or legal guardian of a pupil
14 who is involved in a reported violation of NRS 388.135 may request
15 an appeal of a disciplinary decision made against the pupil as a
16 result of the violation, in accordance with the policy governing
17 disciplinary action adopted by a governing body.

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

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

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

32 **Sec. 17.** NRS 388.1342 is hereby amended to read as follows:

33 388.1342 1. The Department, in consultation with persons
34 who possess knowledge and expertise in *discrimination based on*
35 *race*, bullying and cyber-bullying, shall establish a program of
36 training:

37 (a) On methods to prevent, identify and report incidents of
38 *discrimination based on race*, bullying and cyber-bullying for
39 members of the State Board.

40 (b) On methods to prevent, identify and report incidents of
41 *discrimination based on race*, bullying and cyber-bullying for the
42 members of a governing body.

43 (c) For school district and school personnel to assist those
44 persons with carrying out their powers and duties pursuant to



1 NRS 388.121 to 388.1395, inclusive **H**, and sections 4, 5 and 6 of
2 *this act*.

3 (d) For school district and school personnel in the prevention of
4 violence and suicide, including, without limitation, violence and
5 suicide associated with *discrimination based on race*, bullying and
6 cyber-bullying, and appropriate methods to respond to incidents of
7 violence or suicide. Such training must include, without limitation,
8 instruction concerning the identification of:

9 (1) Appropriate mental health services at the school and in
10 the community in which the school is located and how and when to
11 refer pupils and their families for such services; and

12 (2) Other persons and organizations in the community in
13 which the school is located, including, without limitation, religious
14 and other nonprofit organizations, that may be able to assist with the
15 response to a suicide.

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

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

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

26 3. Except as otherwise provided in NRS 388.134, each member
27 of a governing body shall, within 1 year after the member begins his
28 or her service on the governing body, complete the program of
29 training on *discrimination based on race*, bullying and cyber-
30 bullying established pursuant to paragraph (b) of subsection 1 and
31 undergo the training at least one additional time while the person is
32 a member of the governing body.

33 4. Each administrator of a school shall complete the program
34 of training established pursuant to paragraphs (d), (e) and (f) of
35 subsection 1:

36 (a) Within 90 days after becoming an administrator;

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

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

41 5. Each program of training established pursuant to subsection
42 1 must, to the extent money is available, be made available on the
43 Internet website maintained by the Department or through another
44 provider on the Internet.



1 6. The governing body may allow school personnel to attend
2 the program established pursuant to paragraph (c), (d), (e) or (f) of
3 subsection 1 during regular school hours.

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

7 **Sec. 18.** NRS 388.1343 is hereby amended to read as follows:

8 388.1343 The administrator of each school or his or her
9 designee shall:

10 1. Establish a school safety team to develop, foster and
11 maintain a school environment which is free from *discrimination*
12 *based on race*, bullying and cyber-bullying;

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

15 3. Collaborate with the governing body and the school safety
16 team to prevent, identify and address reported violations of NRS
17 388.135 at the school.

18 **Sec. 19.** NRS 388.1344 is hereby amended to read as follows:

19 388.1344 1. Each school safety team established pursuant to
20 NRS 388.1343 must consist of the administrator of the school or his
21 or her designee and the following persons appointed by the
22 administrator:

23 (a) A school counselor, school psychologist or social worker if
24 the school employs a person in such a position full-time;

25 (b) At least one teacher who teaches at the school;

26 (c) At least one parent or legal guardian of a pupil enrolled in
27 the school;

28 (d) A school police officer or school resource officer if the
29 school employs a person in such a position full-time;

30 (e) For a middle school, junior high school or high school, one
31 pupil enrolled in the school; and

32 (f) Any other persons appointed by the administrator.

33 2. The administrator of the school or his or her designee shall
34 serve as the chair of the school safety team.

35 3. The school safety team shall:

36 (a) Meet at least two times each year;

37 (b) Identify and address patterns of *discrimination based on*
38 *race*, bullying or cyber-bullying;

39 (c) Review and strengthen school policies to prevent and
40 address *discrimination based on race*, bullying or cyber-bullying;

41 (d) Provide information to school personnel, pupils enrolled in
42 the school and parents and legal guardians of pupils enrolled in the
43 school on methods to address bullying and cyber-bullying; ~~and~~

44 (e) *To the extent practicable, work with members of the*
45 *community with expertise in cultural competency; and*



1 (f) To the extent money is available, participate in any training
2 conducted by the school district or school regarding bullying and
3 cyber-bullying.

4 *4. To the extent practicable, the school safety team must*
5 *consist of members who are representative of the demographic*
6 *groups identified in subsection 1 of section 4 of this act.*

7 **Sec. 20.** NRS 388.135 is hereby amended to read as follows:

8 388.135 A member of a governing body, any employee of a
9 governing body, including, without limitation, an administrator,
10 teacher or other staff member, a member of a club or organization
11 which uses the facilities of any school, regardless of whether the
12 club or organization has any connection to the school, or any pupil
13 shall not engage in *discrimination based on race*, bullying or cyber-
14 bullying on the premises of any school, at an activity sponsored by a
15 school or on any school bus.

16 **Sec. 21.** NRS 388.1351 is hereby amended to read as follows:

17 388.1351 1. Except as otherwise provided in NRS
18 388.13535, a teacher, administrator, coach or other staff member
19 who witnesses a violation of NRS 388.135 or receives information
20 that a violation of NRS 388.135 has occurred shall report the
21 violation to the administrator or his or her designee as soon as
22 practicable, but not later than a time during the same day on which
23 the teacher, administrator, coach or other staff member witnessed
24 the violation or received information regarding the occurrence of a
25 violation.

26 2. Except as otherwise provided in this subsection, upon
27 receiving a report required by subsection 1, the administrator or
28 designee shall immediately take any necessary action to stop the
29 *discrimination based on race*, bullying or cyber-bullying and
30 ensure the safety and well-being of the reported victim or victims of
31 the *discrimination based on race*, bullying or cyber-bullying and
32 shall begin an investigation into the report. If the administrator or
33 designee does not have access to the reported victim of the alleged
34 violation of NRS 388.135, the administrator or designee may wait
35 until the next school day when he or she has such access to take the
36 action required by this subsection.

37 3. The investigation conducted pursuant to subsection 2 must
38 include, without limitation:

39 (a) Except as otherwise provided in subsection 4, notification
40 provided by telephone, electronic mail or other electronic means or
41 provided in person, of the parents or guardians of all pupils directly
42 involved in the reported *discrimination based on race*, bullying or
43 cyber-bullying, as applicable, either as a reported aggressor or a
44 reported victim of the *discrimination based on race*, bullying or
45 cyber-bullying. The notification must be provided:



1 (1) If the *discrimination based on race*, bullying or cyber-
2 bullying is reported before the end of school hours on a school day,
3 before the school's administrative office closes on the day on which
4 the *discrimination based on race*, bullying or cyber-bullying is
5 reported; or

6 (2) If the *discrimination based on race*, bullying or cyber-
7 bullying was reported on a day that is not a school day, or after
8 school hours on a school day, before the school's administrative
9 office closes on the school day following the day on which the
10 *discrimination based on race*, bullying or cyber-bullying is
11 reported.

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

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

20 5. Except as otherwise provided in this subsection, an
21 investigation required by this section must be completed not later
22 than 2 school days after the administrator or designee receives a
23 report required by subsection 1. If extenuating circumstances
24 prevent the administrator or designee from completing the
25 investigation required by this section within 2 school days after
26 making a good faith effort, 1 additional school day may be used to
27 complete the investigation. The time for completing an investigation
28 into a report of cyber-bullying may also be extended to not more
29 than 5 school days after the report is received with the consent of
30 each reported victim of the cyber-bullying or, if a reported victim is
31 under 18 years of age and is not emancipated, the parent or guardian
32 of the reported victim.

33 6. An administrator or designee who conducts an investigation
34 required by this section shall complete a written report of the
35 findings and conclusions of the investigation. If a violation is found
36 to have occurred:

37 (a) The report must include recommendations concerning the
38 imposition of disciplinary action or other measures to be imposed as
39 a result of the violation, in accordance with the policy governing
40 disciplinary action adopted by the governing body. Subject to the
41 provisions of the Family Educational Rights and Privacy Act of
42 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant
43 thereto, the report must be made available, not later than 24 hours
44 after the completion of the written report, to all parents or guardians



1 who must be notified pursuant to paragraph (a) of subsection 3 as
2 part of the investigation; and

3 (b) Any action taken after the completion of the investigation to
4 address the *discrimination based on race*, bullying or cyber-
5 bullying must be *based on restorative disciplinary practices and*
6 carried out in a manner that causes the least possible disruption for
7 the victim or victims. When necessary, the administrator or his or
8 her designee shall give priority to ensuring the safety and well-being
9 of the victim or victims over any interest of the perpetrator or
10 perpetrators when determining the actions to take.

11 7. If a violation is found not to have occurred, information
12 concerning the incident must not be included in the record of the
13 reported aggressor.

14 8. Not later than 10 school days after receiving a report
15 required by subsection 1, the administrator or designee shall meet
16 with each reported victim of the *discrimination based on race*,
17 bullying or cyber-bullying to inquire about the well-being of the
18 reported victim and to ensure that the reported *discrimination based*
19 *on race*, bullying or cyber-bullying, as applicable, is not continuing.

20 9. To the extent that information is available, the administrator
21 or his or her designee shall provide a list of any resources that may
22 be available in the community to assist a pupil to each parent or
23 guardian of a pupil to whom notice was provided pursuant to this
24 section as soon as practicable. Such a list may include, without
25 limitation, resources available at no charge or at a reduced cost and
26 may be provided in person or by electronic or regular mail. If such a
27 list is provided, the administrator, his or her designee, or any
28 employee of the school or the school district is not responsible for
29 providing such resources to the pupil or ensuring the pupil receives
30 such resources.

31 10. The parent or guardian of a pupil involved in the reported
32 violation of NRS 388.135 may appeal a disciplinary decision of the
33 administrator or his or her designee, made against the pupil as a
34 result of the violation, in accordance with the policy governing
35 disciplinary action adopted by the governing body. Not later than 30
36 days after receiving a response provided in accordance with such a
37 policy, the parent or guardian may submit a complaint to the
38 Department. The Department shall consider and respond to the
39 complaint pursuant to procedures and standards prescribed in
40 regulations adopted by the Department.

41 11. If a violation of NRS 388.135 is found to have occurred,
42 the parent or guardian of a pupil who is a victim of *discrimination*
43 *based on race*, bullying or cyber-bullying may request that the
44 board of trustees of the school district in which the pupil is enrolled
45 to assign the pupil to a different school in the school district. Upon



1 receiving such a request, the board of trustees shall, in consultation
2 with the parent or guardian of the pupil, assign the pupil to a
3 different school.

4 12. A principal or his or her designee shall submit a monthly
5 report to the direct supervisor of the principal that includes for the
6 school the number of:

7 (a) Reports received pursuant to subsection 1 ~~(f)~~ **concerning**
8 **incidents of bullying or cyber-bullying;**

9 (b) **Reports received pursuant to subsection 1 concerning**
10 **incidents of discrimination based on race;**

11 (c) Times in which a violation of NRS 388.135 is found to have
12 occurred; and

13 ~~(e)~~ (d) Times in which no violation of NRS 388.135 is found
14 to have occurred.

15 13. A direct supervisor who receives a monthly report pursuant
16 to subsection 12 shall, each calendar quarter, submit a report to the
17 Office for a Safe and Respectful Learning Environment that
18 includes, for the schools for which the direct supervisor has received
19 a monthly report in the calendar quarter ~~(f)~~ **and categorized by types**
20 **of incidents and the demographics identified in subsection 1 of**
21 **section 4 of this act, the:**

22 (a) Total number of reports received pursuant to subsection 1 ~~(f)~~
23 **concerning bullying or cyber-bullying;**

24 (b) **Total number of reports received pursuant to subsection 1**
25 **concerning incidents of discrimination based on race;**

26 (c) Number of times in which a violation of NRS 388.135 is
27 found to have occurred; and

28 ~~(e)~~ (d) Number of times in which no violation of NRS
29 388.135 is found to have occurred.

30 14. **The Office for a Safe and Respectful Learning**
31 **Environment, in consultation with the direct supervisor of a**
32 **principal, shall, after reviewing a report submitted pursuant to**
33 **subsection 12 or 13, as applicable, make any recommendations**
34 **based on identified trends and patterns the Office determines to be**
35 **appropriate regarding interventions or training to address**
36 **discrimination based on race, bullying and cyber-bullying at the**
37 **school.**

38 15. School hours and school days are determined for the
39 purposes of this section by the schedule established by the
40 governing body for the school.

41 ~~(15)~~ 16. The provisions of this section must not be construed
42 to place any limit on the time within which an investigation
43 concerning any alleged act that constitutes sexual assault must be
44 completed.



1 **Sec. 22.** NRS 388.13535 is hereby amended to read as
2 follows:

3 388.13535 1. If a law enforcement agency is investigating a
4 potential crime involving an alleged violation of NRS 388.135, the
5 administrator or his or her designee may, after providing the
6 notification required by paragraph (a) of subsection 3 of NRS
7 388.1351, defer the investigation required by that section until the
8 completion of the criminal investigation by the law enforcement
9 agency. If the administrator or his or her designee defers an
10 investigation pursuant to this subsection, the administrator or
11 designee shall:

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

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

20 2. Except as otherwise provided in this section, the deferral
21 authorized by subsection 1 does not affect the obligations of the
22 administrator or designee pursuant to NRS 388.121 to 388.1395,
23 inclusive ~~[]~~, *and sections 4, 5 and 6 of this act.*

24 3. Any plan developed pursuant to subsection 1 must be carried
25 out in a manner that causes the least possible disruption for the
26 reported victim or victims of *discrimination based on race*, bullying
27 or cyber-bullying. When necessary, the administrator or his or her
28 designee shall give priority to protecting the reported victim or
29 victims over any interest of the reported perpetrator or perpetrators
30 when determining how to carry out the plan.

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

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

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

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

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

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



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

3 **Sec. 23.** NRS 388.139 is hereby amended to read as follows:

4 388.139 Each school district shall include the text of the
5 provisions of NRS 388.121 to 388.1395, inclusive, *and sections 4, 5*
6 *and 6 of this act* and the policies adopted by the board of trustees of
7 the school district pursuant to NRS 388.134 under the heading
8 [~~“Bullying”~~] *“Discrimination Based on Race, Bullying* and Cyber-
9 *Bullying Is Prohibited in Public Schools,”* within each copy of the
10 rules of behavior for pupils that the school district provides to pupils
11 pursuant to NRS 392.463.

12 **Sec. 24.** NRS 388.1395 is hereby amended to read as follows:

13 388.1395 The governing body of each school shall determine
14 the most effective manner for the delivery of information to the
15 pupils of the school during the “Week of Respect” proclaimed by
16 the Governor each year pursuant to NRS 236.073. The information
17 delivered during the “Week of Respect” must focus on:

18 1. Methods to prevent, identify and report incidents of
19 *discrimination based on race*, bullying and cyber-bullying;

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

22 3. Methods to facilitate positive human relations among pupils
23 by eliminating the use of *discrimination based on race*, bullying
24 and cyber-bullying.

25 **Sec. 25.** NRS 391.465 is hereby amended to read as follows:

26 391.465 1. The State Board shall, based upon the
27 recommendations of the Teachers and Leaders Council of Nevada
28 submitted pursuant to NRS 391.460, adopt regulations establishing a
29 statewide performance evaluation system which incorporates
30 multiple measures of an employee’s performance. Except as
31 otherwise provided in subsection 3, the State Board shall prescribe
32 the tools to be used by a school district for obtaining such measures.

33 2. The statewide performance evaluation system must:

34 (a) Require that an employee’s overall performance is
35 determined to be:

36 (1) Highly effective;

37 (2) Effective;

38 (3) Developing; or

39 (4) Ineffective.

40 (b) Include the criteria for making each designation identified in
41 paragraph (a), which must include, without limitation, consideration
42 of whether the classes for which the employee is responsible exceed
43 the applicable recommended ratios of pupils per licensed teacher
44 prescribed by the State Board pursuant to NRS 388.890 and, if so,
45 the degree to which the ratios affect:



1 (1) The ability of the employee to carry out his or her
2 professional responsibilities; and

3 (2) The instructional practices of the employee.

4 (c) Except as otherwise provided in subsections 2 and 3 of NRS
5 391.695 and subsections 2 and 3 of NRS 391.715, require that pupil
6 growth, as determined pursuant to NRS 391.480, account for 15
7 percent of the evaluation of a teacher or administrator who provides
8 direct instructional services to pupils at a school in a school district.

9 (d) Include an evaluation of whether the teacher, or
10 administrator who provides primarily administrative services at the
11 school level or administrator at the district level who provides direct
12 supervision of the principal of a school, and who does not provide
13 primarily direct instructional services to pupils, regardless of
14 whether the probationary administrator is licensed as a teacher or
15 administrator, including, without limitation, a principal and vice
16 principal or licensed educational employee, other than a teacher or
17 administrator, employs practices and strategies to involve and
18 engage the parents and families of pupils.

19 (e) Include a process for peer observations of teachers by
20 qualified educational personnel which is designed to provide
21 assistance to teachers in meeting the standards of effective teaching,
22 and includes, without limitation, conducting observations,
23 participating in conferences before and after observations of the
24 teacher and providing information and resources to the teacher about
25 strategies for effective teaching. The regulations must include the
26 criteria for school districts to determine which educational personnel
27 are qualified to conduct peer observations pursuant to the process.

28 *(f) If an employee knowingly and willfully failed to comply*
29 *with the provisions of NRS 388.1351, indicate any disciplinary*
30 *actions taken against the employee pursuant to NRS 388.1354.*

31 3. A school district may apply to the State Board to use a
32 performance evaluation system and tools that are different than the
33 evaluation system and tools prescribed pursuant to subsection 1. The
34 application must be in the form prescribed by the State Board and
35 must include, without limitation, a description of the evaluation
36 system and tools proposed to be used by the school district. The
37 State Board may approve the use of the proposed evaluation system
38 and tools if it determines that the proposed evaluation system and
39 tools apply standards and indicators that are equivalent to those
40 prescribed by the State Board.

41 4. An administrator at the district level who provides direct
42 supervision of the principal of a school and who also serves as the
43 superintendent of schools of a school district must not be evaluated
44 using the statewide performance evaluation system.



1 **Sec. 26.** NRS 62C.400 is hereby amended to read as follows:

2 62C.400 1. If a department of juvenile services determines
3 that a child who is currently enrolled in school unlawfully engaged
4 in *discrimination based on race*, bullying or cyber-bullying, the
5 department shall provide the information specified in subsection 2 to
6 the juvenile court in the judicial district in which the child resides
7 and to the school district in which the child is currently enrolled.

8 2. The information required to be provided pursuant to
9 subsection 1 must include:

10 (a) The name of the child;

11 (b) The name of the person who was the subject of the
12 *discrimination based on race*, bullying or cyber-bullying; and

13 (c) A description of any *discrimination based on race*, bullying
14 or cyber-bullying committed by the child against the other person.

15 3. As used in this section:

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

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

19 (c) *"Discrimination based on race" has the meaning ascribed*
20 *to it in section 4 of this act.*

21 **Sec. 27.** NRS 62E.030 is hereby amended to read as follows:

22 62E.030 1. If a court determines that a child who is currently
23 enrolled in school unlawfully caused or attempted to cause serious
24 bodily injury to another person, the court shall provide the
25 information specified in subsection 2 to the school district in which
26 the child is currently enrolled.

27 2. The information required to be provided pursuant to
28 subsection 1 must include:

29 (a) The name of the child;

30 (b) A description of any injury sustained by the other person;

31 (c) A description of any weapon used by the child; and

32 (d) A description of any threats made by the child against the
33 other person before, during or after the incident in which the child
34 injured or attempted to injure the person.

35 3. If a court determines that a child who is currently enrolled in
36 school unlawfully engaged in *discrimination based on race*,
37 bullying or cyber-bullying, the court shall provide the information
38 specified in subsection 4 to the school district in which the child is
39 currently enrolled.

40 4. The information required to be provided pursuant to
41 subsection 3 must include:

42 (a) The name of the child;

43 (b) The name of the person who was the subject of the
44 *discrimination based on race*, bullying or cyber-bullying; and



1 (c) A description of any *discrimination based on race*, bullying
2 or cyber-bullying committed by the child against the other person.

3 5. As used in this section:

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

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

7 (c) *"Discrimination based on race" has the meaning ascribed*
8 *to it in section 4 of this act.*

9 **Sec. 28.** NRS 236.073 is hereby amended to read as follows:

10 236.073 1. The Governor shall annually proclaim the first
11 week in October to be "Week of Respect."

12 2. The proclamation may call upon:

13 (a) News media, educators and appropriate government offices
14 to bring to the attention of the residents of Nevada factual
15 information regarding *discrimination based on race*, bullying and
16 cyber-bullying, including, without limitation:

17 (1) Statistical information regarding the number of pupils
18 who *experience discrimination based on race or* are bullied or
19 cyber-bullied each year;

20 (2) The methods to identify and assist pupils who are at risk
21 of *discrimination based on race*, bullying or cyber-bullying; and

22 (3) The methods to prevent *discrimination based on race*,
23 bullying and cyber-bullying; and

24 (b) Governing bodies to provide instruction on the ways in
25 which pupils can prevent *discrimination based on race*, bullying
26 and cyber-bullying during the Week of Respect and throughout the
27 school year that is appropriate for the grade level of pupils who
28 receive the instruction.

29 3. As used in this section:

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

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

33 (c) *"Discrimination based on race" has the meaning ascribed*
34 *to it in section 4 of this act.*

35 (d) "Governing body" has the meaning ascribed to it in
36 NRS 388.126.

37 **Sec. 29.** This act becomes effective on July 1, 2021.

