

ASSEMBLY BILL NO. 459—ASSEMBLYMEN PARKS, LESLIE, WILLIAMS,
BACHE, ANDERSON, ARBERRY, BUCKLEY, CEGAVSKE,
CHOWNING, CLABORN, DE BRAGA, DINI, FREEMAN,
GIUNCHIGLIANI, GOLDWATER, KOIVISTO, MANENDO, MCCLAIN,
MORTENSON, NEIGHBORS, OHRENSCHALL, PARNELL, PERKINS,
PRICE AND SMITH

MARCH 19, 2001

JOINT SPONSORS: SENATORS TITUS, WIENER, RAWSON,
CARE AND COFFIN

Referred to Committee on Education

SUMMARY—Requires adoption of policies to provide safe and respectful learning environments in public schools. (BDR 34-1286)

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

CONTAINS UNFUNDED MANDATE (§ 4)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to education; prohibiting harassment, intimidation, and discrimination in public schools; requiring the department of education to prescribe a policy for public schools to provide a safe and respectful learning environment; requiring the boards of trustees of school districts to adopt local policies and to provide appropriate training for personnel; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 388 of NRS is hereby amended by adding thereto
- 2 the provisions set forth as sections 2, 3 and 4 of this act.
- 3 **Sec. 2. *The legislature declares that:***
- 4 ***1. A learning environment that is safe and respectful is essential for***
- 5 ***the pupils enrolled in the public schools in this state to achieve academic***
- 6 ***success and meet this state's high academic standards;***



- 1 2. *Any form of harassment, intimidation or discrimination in public*
2 *schools seriously interferes with the ability of teachers to teach in the*
3 *classroom and the ability of pupils to learn;*
4 3. *The intended goal of the legislature is to ensure that:*
5 (a) *The public schools in this state provide a safe, respectful and*
6 *neutral learning environment in which persons of differing beliefs,*
7 *characteristics and backgrounds can realize their full academic and*
8 *personal potential; and*
9 (b) *All administrators, principals, teachers and other personnel of the*
10 *school districts and public schools in this state demonstrate appropriate*
11 *behavior on the premises of any public school by treating other persons,*
12 *including, without limitation, pupils, with civility and respect and by*
13 *refusing to tolerate harassment, intimidation or discrimination; and*
14 4. *By declaring its goal that the public schools in this state provide a*
15 *safe, respectful and neutral learning environment, the legislature is not*
16 *advocating or requiring the full acceptance of differing beliefs in a*
17 *manner that would inhibit the freedom of expression, but is requiring*
18 *that pupils with differing beliefs be free from abuse and harassment.*
19 **Sec. 3.** *A member of the board of trustees of a school district, any*
20 *employee of the board of trustees, including, without limitation, an*
21 *administrator, principal, teacher or other staff member, or any pupil*
22 *shall not engage in harassment, intimidation or discrimination on the*
23 *basis of race, color, religion, sex, sexual orientation, age, disability,*
24 *socioeconomic status or national origin on the premises of any public*
25 *school, at an activity sponsored by a public school or on any school bus.*
26 **Sec. 4.** 1. *The department shall prescribe, by regulation, a policy*
27 *for all school districts and public schools to provide a safe and respectful*
28 *learning environment that is free of harassment, intimidation and*
29 *discrimination.*
30 2. *The policy must include, without limitation, a model program of*
31 *education for use by school districts to train administrators, principals,*
32 *teachers and all other personnel employed by the boards of trustees of*
33 *school districts. The model program of education must include, without*
34 *limitation:*
35 (a) *Training in appropriate methods to accept differing beliefs,*
36 *characteristics and backgrounds so that school personnel are able to*
37 *serve as positive and tolerant role models to pupils;*
38 (b) *Training in appropriate methods to facilitate positive human*
39 *relations among pupils without use of harassment, intimidation and*
40 *discrimination so that pupils may realize their full academic and*
41 *personal potential;*
42 (c) *Positive methods to modify the environment of pupils in a manner*
43 *that will promote the acceptance of diversity and facilitate positive*
44 *human relations among pupils; and*
45 (d) *Methods to teach skills to pupils so that the pupils are able to*
46 *replace inappropriate behavior with positive behavior.*
47 3. *The board of trustees of each school district shall:*



- 1 (a) *Adopt the policy prescribed by the department. The board of*
2 *trustees may adopt an expanded policy if the expanded policy complies*
3 *with the policy prescribed by the department.*
4 (b) *Provide for the appropriate training of all administrators,*
5 *principals, teachers and all other personnel employed by the board of*
6 *trustees in accordance with the model program of education prescribed*
7 *by the department. The training must require the participants to use*
8 *techniques and skills such as role playing to accomplish the goals of the*
9 *model program of education.*
10 **Sec. 5.** NRS 391.270 is hereby amended to read as follows:
11 391.270 Every teacher in the public schools shall hold pupils to a strict
12 account of their conduct on and in close proximity to the school grounds,
13 on the play ground, and during any intermission **H** *to ensure a safe and*
14 *respectful learning environment.*
15 **Sec. 6.** NRS 392.463 is hereby amended to read as follows:
16 392.463 1. Each school district shall prescribe written rules of
17 behavior required of and prohibited for pupils attending school within their
18 district and shall prescribe appropriate punishments for violations of the
19 rules. *The written rules of behavior must be consistent with section 3 of*
20 *this act and the policy prescribed by the department pursuant to section 4*
21 *of this act.* If suspension or expulsion is used as a punishment for a
22 violation of the rules, the school district shall follow the procedures in NRS
23 392.467.
24 2. A copy of the rules of behavior, prescribed punishments and
25 procedures to be followed in imposing punishments must be distributed to
26 each pupil at the beginning of the school year and to each new pupil who
27 enters school during the year. Copies must also be made available for
28 inspection at each school located in that district in an area on the grounds
29 of the school which is open to the public.
30 **Sec. 7.** On or before January 1, 2002, the department of education
31 shall prescribe a policy for all school districts and public schools to provide
32 a safe and respectful learning environment pursuant to section 4 of this act.
33 **Sec. 8.** On or before July 1, 2002, the board of trustees of each school
34 district shall adopt the policy prescribed by the department of education, or
35 an expanded policy, to provide a safe and respectful learning environment
36 pursuant to section 4 of this act. The board of trustees of each school
37 district shall ensure that the policy is effective commencing with the 2002-
38 2003 school year.
39 **Sec. 9.** The provisions of subsection 1 of NRS 354.599 do not apply
40 to any additional expenses of a local government that are related to the
41 provisions of this act.
42 **Sec. 10.** 1. This section and sections 1, 2, 3, 5, 7, 8 and 9 of this act
43 become effective on July 1, 2001.
44 2. Section 4 of this act becomes effective on July 1, 2001, for the
45 purpose of adopting regulations and policies, and on July 1, 2002, for all
46 other purposes.
47 3. Section 6 of this act becomes effective on July 1, 2002.

