

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—Makes various changes concerning harassment and intimidation in public schools. (BDR 34-1286)

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

CONTAINS UNFUNDED MANDATE § (7)
(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 and intimidation in public schools; requiring each school district to provide a publication which contains a copy of the provisions of this act to pupils and their parents; 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 to 7, inclusive, of this act.
- 3 **Sec. 2.** *As used in sections 2 to 7, inclusive, of this act, unless the*
- 4 *context otherwise requires, the words and terms defined in sections 3 and*
- 5 *4 of this act have the meanings ascribed to them in those sections.*
- 6 **Sec. 3.** *“Harassment” means a willful act or course of conduct that*
- 7 *is not otherwise authorized by law and is:*
- 8 *1. Highly offensive to a reasonable person; and*



* A B 4 5 9 R 3 *

- 1 2. *Intended to cause and actually causes another person to suffer*
2 *serious emotional distress.*
- 3 **Sec. 4.** *“Intimidation” means a willful act or course of conduct that*
4 *is not otherwise authorized by law and:*
- 5 1. *Is highly offensive to a reasonable person; and*
6 2. *Poses a threat of immediate harm or actually inflicts harm to*
7 *another person or to the property of another person.*
- 8 **Sec. 5.** *The legislature declares that:*
- 9 1. *A learning environment that is safe and respectful is essential for*
10 *the pupils enrolled in the public schools in this state to achieve academic*
11 *success and meet this state’s high academic standards;*
- 12 2. *Any form of harassment or intimidation in public schools*
13 *seriously interferes with the ability of teachers to teach in the classroom*
14 *and the ability of pupils to learn;*
- 15 3. *The intended goal of the legislature is to ensure that:*
- 16 (a) *The public schools in this state provide a safe and respectful*
17 *learning environment in which persons of differing beliefs,*
18 *characteristics and backgrounds can realize their full academic and*
19 *personal potential; and*
- 20 (b) *All administrators, principals, teachers and other personnel of the*
21 *school districts and public schools in this state demonstrate appropriate*
22 *behavior on the premises of any public school by treating other persons,*
23 *including, without limitation, pupils, with civility and respect and by*
24 *refusing to tolerate harassment or intimidation; and*
- 25 4. *By declaring its goal that the public schools in this state provide a*
26 *safe and respectful learning environment, the legislature is not*
27 *advocating or requiring the acceptance of differing beliefs in a manner*
28 *that would inhibit the freedom of expression, but is requiring that pupils*
29 *with differing beliefs be free from abuse and harassment.*
- 30 **Sec. 6.** *A member of the board of trustees of a school district, any*
31 *employee of the board of trustees, including, without limitation, an*
32 *administrator, principal, teacher or other staff member, or any pupil*
33 *shall not engage in harassment or intimidation on the premises of any*
34 *public school, at an activity sponsored by a public school or on any*
35 *school bus.*
- 36 **Sec. 7.** *Each school district shall create a publication entitled*
37 *“Harassment and Intimidation Is Prohibited in Public Schools” which*
38 *contains a copy of the provisions of sections 2 to 6, inclusive, of this act*
39 *and provide a copy:*
- 40 1. *With each copy of the rules of behavior for pupils that the school*
41 *district provides to pupils pursuant to NRS 392.463; and*
- 42 2. *To the parents of each pupil at the beginning of the school year*
43 *and to the parents of each new pupil who enters school during the year.*
- 44 **Sec. 8.** *The provisions of subsection 1 of NRS 354.599 do not apply*
45 *to any additional expenses of a local government that are related to the*
46 *provisions of this act.*

