

Amendment No. 585

Assembly Amendment to Assembly Bill No. 202

(BDR 34-561)

Proposed by: Committee on Education**Amendment Box:** Replaces Amendment No. 333.**Resolves Conflicts with:** N/A**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
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Amend sec. 2, page 2, line 16, by deleting:

“model program of education” and inserting *“policy”*.

Amend sec. 2, page 2, lines 18 and 19, by deleting:

“model program of education” and inserting *“policy”*.

Amend sec. 2, page 3, by deleting lines 1 through 8.

Amend sec. 3, page 3, line 16, by deleting:

“model program of education” and inserting *“policy”*.

Amend sec. 3, page 3, by deleting lines 18 through 26 and inserting:

“3. On or before September 1 of each year, submit a report to the Superintendent of Public Instruction that includes a description of each violation of NRS 388.135 occurring in the

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Date: 4/22/2005

A.B. No. 202—Revises provisions governing safe and respectful learning environment in public schools.

immediately preceding school year that resulted in personnel action against an employee or suspension or expulsion of a pupil, if any.”.

Amend sec. 4, page 3, by deleting lines 30 through 37 and inserting:

“2. On or before October 1 of each year, submit the written compilation to the Attorney General.”.

Amend sec. 5, page 3, by deleting lines 39 through 42 and inserting:

“interfere with or prevent the disclosure of”.

Amend sec. 5, page 4, by deleting lines 1 through 13 and inserting:

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

Amend sec. 5, page 4, line 14, by deleting “(1)” and inserting “(a)”.

Amend sec. 5, page 4, line 16, by deleting “(2)” and inserting “(b)”.

Amend sec. 6, page 4, by deleting lines 19 and 20 and inserting:

“NRS 388.135 unless the person who made the report acted with malice,”.

Amend the bill as a whole by renumbering section 8 as section 9 and adding a new section designated sec. 8, following sec. 7, to read as follows:

“Sec. 8. NRS 388.132 is hereby amended to read as follows:

388.132 The Legislature declares that:

1. A learning environment that is safe and respectful is essential for the pupils enrolled in the public schools in this State to achieve academic success and meet this State’s high academic standards;

2. Any form of harassment or intimidation in public schools seriously interferes with the ability of teachers to teach in the classroom and the ability of pupils to learn;

3. The intended goal of the Legislature is to ensure that:

(a) The public schools in this State provide a safe and respectful learning environment in which persons of differing beliefs, characteristics and backgrounds can realize their full academic and personal potential; ~~and~~

(b) All administrators, principals, teachers and other personnel of the school districts and public schools in this State demonstrate appropriate behavior on the premises of any public school by treating other persons, including, without limitation, pupils, with civility and respect and by refusing to tolerate harassment or intimidation; and

(c) All persons in public schools are entitled to maintain their own beliefs and to respectfully disagree without resorting to violence, harassment or intimidation; and

4. By declaring its goal 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 with differing beliefs be free from abuse and harassment.”.

Amend the bill as a whole by deleting sec. 9.

Amend sec. 10, page 5, line 17, after “act.” by inserting:

“In prescribing the policy, the Department shall consider policies currently in use in school districts in this State.”.

Amend sec. 11, page 5, line 24, by deleting:

“5, 6, 7” and inserting:

“5 to 8, inclusive,”.

Amend sec. 11, page 5, line 29, by deleting “4, 8” and inserting “4”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law includes a declaration by the Legislature that a safe and respectful learning environment is essential for pupils in public schools. (NRS 388.132) Existing law prohibits a member of the board of trustees of a school district, an employee of a school district or a pupil from engaging in harassment or intimidation on the premises of any public school, at an activity sponsored by a public school or on a school bus. (NRS 388.135)

This bill requires the Department of Education to adopt a policy for all school districts and public schools to provide a safe and respectful learning environment. The policy must include requirements and methods for reporting harassment or intimidation, as well as a policy for training school personnel.

This bill requires each school district to adopt the policy prescribed by the Department or to adopt an expanded policy that complies with the Department's policy. Each school district must provide training to school personnel in accordance with the policy.

This bill prohibits a member of the board of trustees of a school district or an employee of a school district from using his official authority or influence to interfere with or prevent the disclosure of harassment or intimidation. In addition, this bill limits the authority of a person to bring a cause of action against a pupil, school employee or school volunteer who reports harassment or intimidation.