

Amendment No. 933

Assembly Amendment to Senate Bill No. 276 First Reprint (BDR 34-643)

Proposed by: Assembly Committee on Education

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"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

CLP/KCR



Date: 6/4/2011

S.B. No. 276—Revises provisions governing safe and respectful learning environments in public schools. (BDR 34-643)



SENATE BILL NO. 276—SENATORS PARKS AND LESLIE

MARCH 18, 2011

Referred to Committee on Education

SUMMARY—Revises provisions governing safe and respectful learning environments in public schools. (BDR 34-643)

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; revising provisions governing safe and respectful learning environments in public schools; requiring the Department of Education to establish and recommend training programs for members of the State Board of Education, boards of trustees of school districts and school district personnel on the prevention of bullying, cyber-bullying, harassment and intimidation in public schools; creating the Bullying Prevention Fund in the State General Fund; requiring the principal of each public school to establish a school safety team; authorizing a parent or legal guardian of a pupil involved in an incident of bullying, cyber-bullying, harassment or intimidation to appeal a disciplinary decision of the principal made against the pupil concerning the incident; revising provisions governing the grounds for disciplinary action against teachers and administrators; requiring the Governor to annually proclaim the first week in October to be “Week of Respect”; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for a safe and respectful learning environment in public schools, which includes, without limitation, a prohibition on bullying, cyber-bullying, harassment and intimidation in public schools, the provision of training to school personnel and the reporting of incidents of bullying, cyber-bullying, harassment and intimidation in public schools. (NRS 388.121-388.139)

Sections 1-3 of this bill revise the components of the annual reports of accountability prepared by the State Board of Education and the boards of trustees of school districts to include reports on incidents resulting in suspension or expulsion for bullying, cyber-bullying, harassment and intimidation.

Section 7 of this bill requires the Department of Education, **to the extent money is available**, to develop an informational pamphlet to assist pupils and the parents or legal guardians of pupils in resolving incidents of bullying, cyber-bullying, harassment and intimidation.

Section 8 of this bill requires the Department to establish a program of training on the prevention of bullying, cyber-bullying, harassment and intimidation for members of the State Board and to recommend a program of training for members of the boards of trustees of

school districts and school district personnel. **Section 8** also: (1) requires each member of the State Board and authorizes each member of a board of trustees to complete the training program; and (2) authorizes the board of trustees of the school district to allow school district personnel to attend the program during regular school hours.

Section 9 of this bill creates the Bullying Prevention Fund in the State General Fund to be administered by the Superintendent of Public Instruction. **Section 9** also authorizes school districts to apply to the State Board for a grant of money from the Fund, which must be used to establish programs, provide training and implement procedures that create a school environment which is free from bullying, cyber-bullying, harassment and intimidation.

Section 11 of this bill requires the principal of each public school or his or her designee to: (1) establish a school safety team; (2) conduct investigations of reported incidents of bullying, cyber-bullying, harassment and intimidation; and (3) collaborate with the board of trustees of the school district and the school safety team to prevent, identify and address reported incidents of bullying, cyber-bullying, harassment and intimidation. **Section 12** of this bill prescribes the qualifications and duties of the school safety team.

Section 13 of this bill requires the principal of each public school to submit to the board of trustees of the school district a report on the number of incidents of bullying, cyber-bullying, harassment and intimidation occurring at the school or involving a pupil enrolled at the school during the previous school semester. **Section 13** also requires the board of trustees to submit to the Department a compilation of the reports.

Section 14 of this bill requires a teacher or other staff member of a school who witnesses a violation of the prohibition on bullying, cyber-bullying, harassment and intimidation occurring at the school or who receives information of such a violation to verbally report the violation to the principal or the principal's designee. **Section 14** also requires the principal or the principal's designee to initiate an investigation of the reported violation and provides that a parent or legal guardian of a pupil involved in the reported violation may appeal a disciplinary decision of the principal or the principal's 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.

Section 17 of this bill requires the board of trustees of each school district, 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, to establish a policy for the procedures which must be followed by an employee of the school district when reporting a violation of the prohibition of bullying, cyber-bullying, harassment and intimidation to a school police officer or local law enforcement agency.

Section 28 of this bill revises the grounds for which a teacher or administrator may be demoted, suspended, dismissed or not reemployed to include an intentional failure to report a violation of the prohibition of bullying, cyber-bullying, harassment and intimidation.

Existing law sets forth certain days of observance in this State to commemorate certain persons or occasions or to publicize information regarding certain important topics. (Chapter 236 of NRS) **Section 32** of this bill requires the Governor to annually proclaim the first week in October to be "Week of Respect."

WHEREAS, Bullying is an aggressive behavior that is associated with violent behaviors such as carrying weapons, fighting, vandalism, theft and suicide; and

WHEREAS, Recent studies showed that 32 percent of children reported being bullied at school and 4 percent of children reported being cyber-bullied during the school year; and

WHEREAS, Children who are bullied are more likely than children who are not bullied to be depressed, lonely and anxious, to have low self-esteem and to contemplate suicide; and

WHEREAS, Research has shown that bullying can be a sign of other antisocial or violent behavior and children who bully other children are more likely to be truant from school or to drop out of school; and

WHEREAS, Acts of bullying create a school environment that negatively impacts the ability of children to learn not only for the children who are the victims of such acts but also for the children who witness those acts; and

WHEREAS, Improving the methods and procedures by which acts of bullying, cyber-bullying, harassment and intimidation are prevented, reported, investigated and responded to by the State Board of Education, the school districts in this State and the individual schools will help identify such acts and allow children who are the victims of such acts to receive help in dealing with the emotional and physical impacts of bullying, cyber-bullying, harassment and intimidation; now therefore,

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

Section 1. NRS 385.3469 is hereby amended to read as follows:

385.3469 1. The State Board shall prepare an annual report of accountability that includes, without limitation:

(a) Information on the achievement of all pupils based upon the results of the examinations administered pursuant to NRS 389.015 and 389.550, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(b) Except as otherwise provided in subsection 2, pupil achievement, reported separately by gender and reported separately for the following groups of pupils:

(1) Pupils who are economically disadvantaged, as defined by the State Board;

(2) Pupils from major racial and ethnic groups, as defined by the State Board;

(3) Pupils with disabilities;

(4) Pupils who are limited English proficient; and

(5) Pupils who are migratory children, as defined by the State Board.

(c) A comparison of the achievement of pupils in each group identified in paragraph (b) of subsection 1 of NRS 385.361 with the annual measurable objectives of the State Board.

(d) The percentage of all pupils who were not tested, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(e) Except as otherwise provided in subsection 2, the percentage of pupils who were not tested, reported separately by gender and reported separately for the groups identified in paragraph (b).

(f) The most recent 3-year trend in the achievement of pupils in each subject area tested and each grade level tested pursuant to NRS 389.015 and 389.550, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole, which may include information regarding the trend in the achievement of pupils for more than 3 years, if such information is available.

(g) Information on whether each school district has made adequate yearly progress, including, without limitation, the name of each school district, if any, designated as demonstrating need for improvement pursuant to NRS 385.377 and the number of consecutive years that the school district has carried that designation.

(h) Information on whether each public school, including, without limitation, each charter school, has made:

(1) Adequate yearly progress, including, without limitation, the name of each public school, if any, designated as demonstrating need for improvement

1 pursuant to NRS 385.3623 and the number of consecutive years that the school has
2 carried that designation.

3 (2) Progress based upon the model adopted by the Department pursuant to
4 NRS 385.3595, if applicable for the grade level of pupils enrolled at the school.

5 (i) Information on the results of pupils who participated in the examinations of
6 the National Assessment of Educational Progress required pursuant to NRS
7 389.012.

8 (j) The ratio of pupils to teachers in kindergarten and at each grade level for all
9 elementary schools, reported for each school district, including, without limitation,
10 each charter school in the district, and for this State as a whole, and the average
11 class size for each core academic subject, as set forth in NRS 389.018, for each
12 secondary school, reported for each school district and for this State as a whole.

13 (k) For each school district, including, without limitation, each charter school
14 in the district, and for this State as a whole, information on the professional
15 qualifications of teachers employed by the school districts and charter schools,
16 including, without limitation:

17 (1) The percentage of teachers who are:

18 (I) Providing instruction pursuant to NRS 391.125;

19 (II) Providing instruction pursuant to a waiver of the requirements for
20 licensure for the grade level or subject area in which the teachers are employed; or

21 (III) Otherwise providing instruction without an endorsement for the
22 subject area in which the teachers are employed;

23 (2) The percentage of classes in the core academic subjects, as set forth in
24 NRS 389.018, in this State that are not taught by highly qualified teachers;

25 (3) The percentage of classes in the core academic subjects, as set forth in
26 NRS 389.018, in this State that are not taught by highly qualified teachers, in the
27 aggregate and disaggregated by high-poverty compared to low-poverty schools,
28 which for the purposes of this subparagraph means schools in the top quartile of
29 poverty and the bottom quartile of poverty in this State;

30 (4) For each middle school, junior high school and high school:

31 (I) ~~{On and after July 1, 2005, the}~~ **The** number of persons employed
32 as substitute teachers for 20 consecutive days or more in the same classroom or
33 assignment, designated as long-term substitute teachers, including the total number
34 of days long-term substitute teachers were employed at each school, identified by
35 grade level and subject area; and

36 (II) ~~{On and after July 1, 2006, the}~~ **The** number of persons employed
37 as substitute teachers for less than 20 consecutive days, designated as short-term
38 substitute teachers, including the total number of days short-term substitute teachers
39 were employed at each school, identified by grade level and subject area; and

40 (5) For each elementary school:

41 (I) ~~{On and after July 1, 2005, the}~~ **The** number of persons employed
42 as substitute teachers for 20 consecutive days or more in the same classroom or
43 assignment, designated as long-term substitute teachers, including the total number
44 of days long-term substitute teachers were employed at each school, identified by
45 grade level; and

46 (II) ~~{On and after July 1, 2006, the}~~ **The** number of persons employed
47 as substitute teachers for less than 20 consecutive days, designated as short-term
48 substitute teachers, including the total number of days short-term substitute teachers
49 were employed at each school, identified by grade level.

50 (l) The total expenditure per pupil for each school district in this State,
51 including, without limitation, each charter school in the district. If this State has a
52 financial analysis program that is designed to track educational expenditures and
53 revenues to individual schools, the State Board shall use that statewide program in

1 complying with this paragraph. If a statewide program is not available, the State
2 Board shall use the Department's own financial analysis program in complying
3 with this paragraph.

4 (m) The total statewide expenditure per pupil. If this State has a financial
5 analysis program that is designed to track educational expenditures and revenues to
6 individual schools, the State Board shall use that statewide program in complying
7 with this paragraph. If a statewide program is not available, the State Board shall
8 use the Department's own financial analysis program in complying with this
9 paragraph.

10 (n) For all elementary schools, junior high schools and middle schools, the rate
11 of attendance, reported for each school district, including, without limitation, each
12 charter school in the district, and for this State as a whole.

13 (o) The annual rate of pupils who drop out of school in grade 8 and a separate
14 reporting of the annual rate of pupils who drop out of school in grades 9 to 12,
15 inclusive, reported for each school district, including, without limitation, each
16 charter school in the district, and for this State as a whole. The reporting for pupils
17 in grades 9 to 12, inclusive, excludes pupils who:

18 (1) Provide proof to the school district of successful completion of the
19 examinations of general educational development.

20 (2) Are enrolled in courses that are approved by the Department as meeting
21 the requirements for an adult standard diploma.

22 (3) Withdraw from school to attend another school.

23 (p) The attendance of teachers who provide instruction, reported for each
24 school district, including, without limitation, each charter school in the district, and
25 for this State as a whole.

26 (q) Incidents involving weapons or violence, reported for each school district,
27 including, without limitation, each charter school in the district, and for this State as
28 a whole.

29 (r) Incidents involving the use or possession of alcoholic beverages or
30 controlled substances, reported for each school district, including, without
31 limitation, each charter school in the district, and for this State as a whole.

32 (s) The suspension and expulsion of pupils required or authorized pursuant to
33 NRS 392.466 and 392.467, reported for each school district, including, without
34 limitation, each charter school in the district, and for this State as a whole.

35 (t) The number of pupils who are deemed habitual disciplinary problems
36 pursuant to NRS 392.4655, reported for each school district, including, without
37 limitation, each charter school in the district, and for this State as a whole.

38 (u) The number of pupils in each grade who are retained in the same grade
39 pursuant to NRS 392.033 or 392.125, reported for each school district, including,
40 without limitation, each charter school in the district, and for this State as a whole.

41 (v) The transiency rate of pupils, reported for each school district, including,
42 without limitation, each charter school in the district, and for this State as a whole.
43 For the purposes of this paragraph, a pupil is not a transient if the pupil is
44 transferred to a different school within the school district as a result of a change in
45 the zone of attendance by the board of trustees of the school district pursuant to
46 NRS 388.040.

47 (w) Each source of funding for this State to be used for the system of public
48 education.

49 (x) A compilation of the programs of remedial study purchased in whole or in
50 part with money received from this State that are used in each school district,
51 including, without limitation, each charter school in the district. The compilation
52 must include:

(1) The amount and sources of money received for programs of remedial study.

(2) An identification of each program of remedial study, listed by subject area.

(y) The percentage of pupils who graduated from a high school or charter school in the immediately preceding year and enrolled in remedial courses in reading, writing or mathematics at a university, state college or community college within the Nevada System of Higher Education, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(z) The technological facilities and equipment available for educational purposes, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(aa) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, the number and percentage of pupils who received:

(1) A standard high school diploma, reported separately for pupils who received the diploma pursuant to:

(I) Paragraph (a) of subsection 1 of NRS 389.805; and

(II) Paragraph (b) of subsection 1 of NRS 389.805.

(2) An adjusted diploma.

(3) A certificate of attendance.

(bb) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, the number and percentage of pupils who failed to pass the high school proficiency examination.

(cc) The number of habitual truants who are reported to a school police officer or local law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144 and the number of habitual truants who are referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

(dd) Information on the paraprofessionals employed at public schools in this State, including, without limitation, the charter schools in this State. The information must include:

(1) The number of paraprofessionals employed, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole; and

(2) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, the number and percentage of all paraprofessionals who do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The reporting requirements of this subparagraph apply to paraprofessionals who are employed in programs supported with Title I money and to paraprofessionals who are not employed in programs supported with Title I money.

(ee) An identification of appropriations made by the Legislature to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.

(ff) A compilation of the special programs available for pupils at individual schools, listed by school and by school district, including, without limitation, each charter school in the district.

(gg) For each school district, including, without limitation, each charter school in the district and for this State as a whole, information on pupils enrolled in career and technical education, including, without limitation:

(1) The number of pupils enrolled in a course of career and technical education;

(2) The number of pupils who completed a course of career and technical education;

(3) The average daily attendance of pupils who are enrolled in a program of career and technical education;

(4) The annual rate of pupils who dropped out of school and were enrolled in a program of career and technical education before dropping out;

(5) The number and percentage of pupils who completed a program of career and technical education and who received a standard high school diploma, an adjusted diploma or a certificate of attendance; and

(6) The number and percentage of pupils who completed a program of career and technical education and who did not receive a high school diploma because the pupils failed to pass the high school proficiency examination.

(hh) The number of incidents resulting in suspension or expulsion for bullying, cyber-bullying, harassment or intimidation, reported for each school district, including, without limitation, each charter school in the district, and for the State as a whole.

2. A separate reporting for a group of pupils must not be made pursuant to this section if the number of pupils in that group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The State Board shall prescribe a mechanism for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

3. The annual report of accountability must:

(a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations adopted pursuant thereto;

(b) Be prepared in a concise manner; and

(c) Be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand.

4. On or before September 1 of each year, the State Board shall:

(a) Provide for public dissemination of the annual report of accountability by posting a copy of the report on the Internet website maintained by the Department; and

(b) Provide written notice that the report is available on the Internet website maintained by the Department. The written notice must be provided to the:

(1) Governor;

(2) Committee;

(3) Bureau;

(4) Board of Regents of the University of Nevada;

(5) Board of trustees of each school district; and

(6) Governing body of each charter school.

5. Upon the request of the Governor, an entity described in paragraph (b) of subsection 4 or a member of the general public, the State Board shall provide a portion or portions of the annual report of accountability.

6. 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) *“Harassment” has the meaning ascribed to it in NRS 388.125.*

(d) *“Highly qualified” has the meaning ascribed to it in 20 U.S.C. § 7801(23).*

~~(b)(1)~~ (e) *“Intimidation” has the meaning ascribed to it in NRS 388.129.*

(f) *“Paraprofessional” has the meaning ascribed to it in NRS 391.008.*

1 **Sec. 2.** NRS 385.34692 is hereby amended to read as follows:

2 385.34692 1. The State Board shall prepare a summary of the annual report
3 of accountability prepared pursuant to NRS 385.3469 that includes, without
4 limitation, a summary of the following information for each school district, each
5 charter school and the State as a whole:

6 (a) Demographic information of pupils, including, without limitation, the
7 number and percentage of pupils:

8 (1) Who are economically disadvantaged, as defined by the State Board;
9 (2) Who are from major racial or ethnic groups, as defined by the State
10 Board;

11 (3) With disabilities;
12 (4) Who are limited English proficient; and
13 (5) Who are migratory children, as defined by the State Board;

14 (b) The average daily attendance of pupils, reported separately for the groups
15 identified in paragraph (a);

16 (c) The transiency rate of pupils;

17 (d) The percentage of pupils who are habitual truants;

18 (e) The percentage of pupils who are deemed habitual disciplinary problems
19 pursuant to NRS 392.4655;

20 (f) The number of incidents resulting in suspension or expulsion for:

21 (1) Violence to other pupils or to school personnel;

22 (2) Possession of a weapon;

23 (3) Distribution of a controlled substance;

24 (4) Possession or use of a controlled substance; ~~and~~

25 (5) Possession or use of alcohol; *and*

26 ***(6) Bullying, cyber-bullying, harassment or intimidation;***

27 (g) For kindergarten through grade 8, the number and percentage of pupils who
28 are retained in the same grade;

29 (h) For grades 9 to 12, inclusive, the number and percentage of pupils who are
30 deficient in the number of credits required for promotion to the next grade or
31 graduation from high school;

32 (i) The pupil-teacher ratio for kindergarten and grades 1 to 8, inclusive;

33 (j) The average class size for the subject area of mathematics, English, science
34 and social studies in schools where pupils rotate to different teachers for different
35 subjects;

36 (k) The number and percentage of pupils who graduated from high school;

37 (l) The number and percentage of pupils who received a:

38 (1) Standard diploma;

39 (2) Adult diploma;

40 (3) Adjusted diploma; and

41 (4) Certificate of attendance;

42 (m) The number and percentage of pupils who graduated from high school and
43 enrolled in remedial courses at the Nevada System of Higher Education;

44 (n) Per pupil expenditures;

45 (o) Information on the professional qualifications of teachers;

46 (p) The average daily attendance of teachers and licensure information;

47 (q) Information on the adequate yearly progress of the schools and school
48 districts;

49 (r) Pupil achievement based upon the:

50 (1) Examinations administered pursuant to NRS 389.550, including,
51 without limitation, whether public schools have made progress based upon the
52 model adopted by the Department pursuant to NRS 385.3595; and

53 (2) High school proficiency examination;

(s) To the extent practicable, pupil achievement based upon the examinations administered pursuant to NRS 389.015 for grades 4, 7 and 10; and

(t) Other information required by the Superintendent of Public Instruction in consultation with the Bureau.

2. The summary prepared pursuant to subsection 1 must:

(a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations adopted pursuant thereto;

(b) Be prepared in a concise manner; and

(c) Be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents will likely understand.

3. On or before September 7 of each year, the State Board shall:

(a) Provide for public dissemination of the summary prepared pursuant to subsection 1 by posting the summary on the Internet website maintained by the Department; and

(b) Submit a copy of the summary in an electronic format to the:

(1) Governor;

(2) Committee;

(3) Bureau;

(4) Board of Regents of the University of Nevada;

(5) Board of trustees of each school district; and

(6) Governing body of each charter school.

4. The board of trustees of each school district and the governing body of each charter school shall ensure that the parents and guardians of pupils enrolled in the school district or charter school, as applicable, have sufficient information concerning the availability of the summary prepared by the State Board pursuant to subsection 1, including, without limitation, information that describes how to access the summary on the Internet website maintained by the Department. Upon the request of a parent or guardian of a pupil, the Department shall provide the parent or guardian with a written copy of the summary.

5. The Department shall, in consultation with the Bureau and the school districts, prescribe a form for the summary required by this section.

6. 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) *“Harassment” has the meaning ascribed to it in NRS 388.125.*

(d) *“Intimidation” has the meaning ascribed to it in NRS 388.129.*

Sec. 3. NRS 385.347 is hereby amended to read as follows:

385.347 1. The board of trustees of each school district in this State, in cooperation with associations recognized by the State Board as representing licensed educational personnel in the district, shall adopt a program providing for the accountability of the school district to the residents of the district and to the State Board for the quality of the schools and the educational achievement of the pupils in the district, including, without limitation, pupils enrolled in charter schools in the school district. The board of trustees of each school district shall report the information required by subsection 2 for each charter school that is located within the school district, regardless of the sponsor of the charter school. The information for charter schools must be reported separately and must denote the charter schools sponsored by the school district, the charter schools sponsored by the State Board and the charter schools sponsored by a college or university within the Nevada System of Higher Education.

2. The board of trustees of each school district shall, on or before August 15 of each year, prepare an annual report of accountability concerning:

(a) The educational goals and objectives of the school district.

(b) Pupil achievement for each school in the district and the district as a whole, including, without limitation, each charter school in the district. The board of trustees of the district shall base its report on the results of the examinations administered pursuant to NRS 389.015 and 389.550 and shall compare the results of those examinations for the current school year with those of previous school years. The report must include, for each school in the district, including, without limitation, each charter school in the district, and each grade in which the examinations were administered:

(1) The number of pupils who took the examinations.

(2) A record of attendance for the period in which the examinations were administered, including an explanation of any difference in the number of pupils who took the examinations and the number of pupils who are enrolled in the school.

(3) Except as otherwise provided in this paragraph, pupil achievement, reported separately by gender and reported separately for the following groups of pupils:

(I) Pupils who are economically disadvantaged, as defined by the State Board;

(II) Pupils from major racial and ethnic groups, as defined by the State Board;

(III) Pupils with disabilities;

(IV) Pupils who are limited English proficient; and

(V) Pupils who are migratory children, as defined by the State Board.

(4) A comparison of the achievement of pupils in each group identified in paragraph (b) of subsection 1 of NRS 385.361 with the annual measurable objectives of the State Board.

(5) The percentage of pupils who were not tested.

(6) Except as otherwise provided in this paragraph, the percentage of pupils who were not tested, reported separately by gender and reported separately for the groups identified in subparagraph (3).

(7) The most recent 3-year trend in pupil achievement in each subject area tested and each grade level tested pursuant to NRS 389.015 and 389.550, which may include information regarding the trend in the achievement of pupils for more than 3 years, if such information is available.

(8) Information that compares the results of pupils in the school district, including, without limitation, pupils enrolled in charter schools in the district, with the results of pupils throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(9) For each school in the district, including, without limitation, each charter school in the district, information that compares the results of pupils in the school with the results of pupils throughout the school district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(10) Information on whether each school in the district, including, without limitation, each charter school in the district, has made progress based upon the model adopted by the Department pursuant to NRS 385.3595.

➤ A separate reporting for a group of pupils must not be made pursuant to this paragraph if the number of pupils in that group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The State Board shall prescribe the mechanism for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

(c) The ratio of pupils to teachers in kindergarten and at each grade level for each elementary school in the district and the district as a whole, including, without limitation, each charter school in the district, and the average class size for each core academic subject, as set forth in NRS 389.018, for each secondary school in the district and the district as a whole, including, without limitation, each charter school in the district.

(d) Information on the professional qualifications of teachers employed by each school in the district and the district as a whole, including, without limitation, each charter school in the district. The information must include, without limitation:

(1) The percentage of teachers who are:

(I) Providing instruction pursuant to NRS 391.125;

(II) Providing instruction pursuant to a waiver of the requirements for licensure for the grade level or subject area in which the teachers are employed; or

(III) Otherwise providing instruction without an endorsement for the subject area in which the teachers are employed;

(2) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, that are not taught by highly qualified teachers;

(3) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, that are not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools, which for the purposes of this subparagraph means schools in the top quartile of poverty and the bottom quartile of poverty in this State;

(4) For each middle school, junior high school and high school:

(I) ~~{On and after July 1, 2005, the}~~ **The** number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level and subject area; and

(II) ~~{On and after July 1, 2006, the}~~ **The** number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, identified by grade level and subject area; and

(5) For each elementary school:

(I) ~~{On and after July 1, 2005, the}~~ **The** number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level; and

(II) ~~{On and after July 1, 2006, the}~~ **The** number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, identified by grade level.

(e) The total expenditure per pupil for each school in the district and the district as a whole, including, without limitation, each charter school in the district. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, each school district shall use that statewide program in complying with this paragraph. If a statewide program is not available, each school district shall use its own financial analysis program in complying with this paragraph.

(f) The curriculum used by the school district, including:

(1) Any special programs for pupils at an individual school; and

(2) The curriculum used by each charter school in the district.

(g) Records of the attendance and truancy of pupils in all grades, including, without limitation:

(1) The average daily attendance of pupils, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(2) For each elementary school, middle school and junior high school in the district, including, without limitation, each charter school in the district that provides instruction to pupils enrolled in a grade level other than high school, information that compares the attendance of the pupils enrolled in the school with the attendance of pupils throughout the district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(h) The annual rate of pupils who drop out of school in grade 8 and a separate reporting of the annual rate of pupils who drop out of school in grades 9 to 12, inclusive, for each such grade, for each school in the district and for the district as a whole. The reporting for pupils in grades 9 to 12, inclusive, excludes pupils who:

(1) Provide proof to the school district of successful completion of the examinations of general educational development.

(2) Are enrolled in courses that are approved by the Department as meeting the requirements for an adult standard diploma.

(3) Withdraw from school to attend another school.

(i) Records of attendance of teachers who provide instruction, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(j) Efforts made by the school district and by each school in the district, including, without limitation, each charter school in the district, to increase:

(1) Communication with the parents of pupils in the district; and

(2) The participation of parents in the educational process and activities relating to the school district and each school, including, without limitation, the existence of parent organizations and school advisory committees.

(k) Records of incidents involving weapons or violence for each school in the district, including, without limitation, each charter school in the district.

(l) Records of incidents involving the use or possession of alcoholic beverages or controlled substances for each school in the district, including, without limitation, each charter school in the district.

(m) Records of the suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467.

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

(o) The number of pupils in each grade who are retained in the same grade pursuant to NRS 392.033 or 392.125, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(p) The transiency rate of pupils for each school in the district and the district as a whole, including, without limitation, each charter school in the district. For the purposes of this paragraph, a pupil is not transient if the pupil is transferred to a different school within the school district as a result of a change in the zone of attendance by the board of trustees of the school district pursuant to NRS 388.040.

(q) Each source of funding for the school district.

(r) A compilation of the programs of remedial study that are purchased in whole or in part with money received from this State, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district. The compilation must include:

(1) The amount and sources of money received for programs of remedial study for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(2) An identification of each program of remedial study, listed by subject area.

(s) For each high school in the district, including, without limitation, each charter school in the district, the percentage of pupils who graduated from that high school or charter school in the immediately preceding year and enrolled in remedial courses in reading, writing or mathematics at a university, state college or community college within the Nevada System of Higher Education.

(t) The technological facilities and equipment available at each school, including, without limitation, each charter school, and the district's plan to incorporate educational technology at each school.

(u) For each school in the district and the district as a whole, including, without limitation, each charter school in the district, the number and percentage of pupils who received:

(1) A standard high school diploma, reported separately for pupils who received the diploma pursuant to:

(I) Paragraph (a) of subsection 1 of NRS 389.805; and

(II) Paragraph (b) of subsection 1 of NRS 389.805.

(2) An adjusted diploma.

(3) A certificate of attendance.

(v) For each school in the district and the district as a whole, including, without limitation, each charter school in the district, the number and percentage of pupils who failed to pass the high school proficiency examination.

(w) The number of habitual truants who are reported to a school police officer or law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144 and the number of habitual truants who are referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144, for each school in the district and for the district as a whole.

(x) The amount and sources of money received for the training and professional development of teachers and other educational personnel for each school in the district and for the district as a whole, including, without limitation, each charter school in the district.

(y) Whether the school district has made adequate yearly progress. If the school district has been designated as demonstrating need for improvement pursuant to NRS 385.377, the report must include a statement indicating the number of consecutive years the school district has carried that designation.

(z) Information on whether each public school in the district, including, without limitation, each charter school in the district, has made adequate yearly progress, including, without limitation:

(1) The number and percentage of schools in the district, if any, that have been designated as needing improvement pursuant to NRS 385.3623; and

(2) The name of each school, if any, in the district that has been designated as needing improvement pursuant to NRS 385.3623 and the number of consecutive years that the school has carried that designation.

(aa) Information on the paraprofessionals employed by each public school in the district, including, without limitation, each charter school in the district. The information must include:

(1) The number of paraprofessionals employed at the school; and

(2) The number and percentage of all paraprofessionals who do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The reporting requirements of this subparagraph apply to paraprofessionals who are employed in positions

1 supported with Title I money and to paraprofessionals who are not employed in
2 positions supported with Title I money.

3 (bb) For each high school in the district, including, without limitation, each
4 charter school that operates as a high school, information that provides a
5 comparison of the rate of graduation of pupils enrolled in the high school with the
6 rate of graduation of pupils throughout the district and throughout this State. The
7 information required by this paragraph must be provided in consultation with the
8 Department to ensure the accuracy of the comparison.

9 (cc) An identification of the appropriations made by the Legislature that are
10 available to the school district or the schools within the district and programs
11 approved by the Legislature to improve the academic achievement of pupils.

12 (dd) For each school in the district and the district as a whole, including,
13 without limitation, each charter school in the district, information on pupils enrolled
14 in career and technical education, including, without limitation:

15 (1) The number of pupils enrolled in a course of career and technical
16 education;

17 (2) The number of pupils who completed a course of career and technical
18 education;

19 (3) The average daily attendance of pupils who are enrolled in a program
20 of career and technical education;

21 (4) The annual rate of pupils who dropped out of school and were enrolled
22 in a program of career and technical education before dropping out;

23 (5) The number and percentage of pupils who completed a program of
24 career and technical education and who received a standard high school diploma, an
25 adjusted diploma or a certificate of attendance; and

26 (6) The number and percentage of pupils who completed a program of
27 career and technical education and who did not receive a high school diploma
28 because the pupils failed to pass the high school proficiency examination.

29 (ee) *The number of incidents resulting in suspension or expulsion for*
30 *bullying, cyber-bullying, harassment or intimidation, for each school in the*
31 *district and the district as a whole, including, without limitation, each charter*
32 *school in the district.*

33 (ff) Such other information as is directed by the Superintendent of Public
34 Instruction.

35 3. The records of attendance maintained by a school for purposes of
36 paragraph (i) of subsection 2 must include the number of teachers who are in
37 attendance at school and the number of teachers who are absent from school. A
38 teacher shall be deemed in attendance if the teacher is excused from being present
39 in the classroom by the school in which the teacher is employed for one of the
40 following reasons:

41 (a) Acquisition of knowledge or skills relating to the professional development
42 of the teacher; or

43 (b) Assignment of the teacher to perform duties for cocurricular or
44 extracurricular activities of pupils.

45 4. The annual report of accountability prepared pursuant to subsection 2 must:

46 (a) Comply with 20 U.S.C. § 6311(h)(2) and the regulations adopted pursuant
47 thereto; and

48 (b) Be presented in an understandable and uniform format and, to the extent
49 practicable, provided in a language that parents can understand.

50 5. The Superintendent of Public Instruction shall:

51 (a) Prescribe forms for the reports required pursuant to subsection 2 and
52 provide the forms to the respective school districts.

(b) Provide statistical information and technical assistance to the school districts to ensure that the reports provide comparable information with respect to each school in each district and among the districts throughout this State.

(c) Consult with a representative of the:

- (1) Nevada State Education Association;
- (2) Nevada Association of School Boards;
- (3) Nevada Association of School Administrators;
- (4) Nevada Parent Teacher Association;
- (5) Budget Division of the Department of Administration; and
- (6) Legislative Counsel Bureau,

concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

6. The Superintendent of Public Instruction may consult with representatives of parent groups other than the Nevada Parent Teacher Association concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

7. On or before August 15 of each year, the board of trustees of each school district shall submit to each advisory board to review school attendance created in the county pursuant to NRS 392.126 the information required in paragraph (g) of subsection 2.

8. On or before August 15 of each year, the board of trustees of each school district shall:

(a) Provide written notice that the report required pursuant to subsection 2 is available on the Internet website maintained by the school district, if any, or otherwise provide written notice of the availability of the report. The written notice must be provided to the:

- (1) Governor;
- (2) State Board;
- (3) Department;
- (4) Committee; and
- (5) Bureau.

(b) Provide for public dissemination of the annual report of accountability prepared pursuant to subsection 2 in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) by posting a copy of the report on the Internet website maintained by the school district, if any. If a school district does not maintain a website, the district shall otherwise provide for public dissemination of the annual report by providing a copy of the report to the schools in the school district, including, without limitation, each charter school in the district, the residents of the district, and the parents and guardians of pupils enrolled in schools in the district, including, without limitation, each charter school in the district.

9. Upon the request of the Governor, an entity described in paragraph (a) of subsection 8 or a member of the general public, the board of trustees of a school district shall provide a portion or portions of the report required pursuant to subsection 2.

10. 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) *"Harassment" has the meaning ascribed to it in NRS 388.125.*
- (d) "Highly qualified" has the meaning ascribed to it in 20 U.S.C. § 7801(23).
- ~~(e)~~ (e) *"Intimidation" has the meaning ascribed to it in NRS 388.129.*
- (f) "Paraprofessional" has the meaning ascribed to it in NRS 391.008.

1 **Sec. 4.** Chapter 388 of NRS is hereby amended by adding thereto the
2 provisions set forth as sections 5 to 18, inclusive, of this act.

3 **Sec. 5.** (Deleted by amendment.)

4 **Sec. 6.** (Deleted by amendment.)

5 **Sec. 7.** 1. *The Department, in consultation with persons who possess*
6 *knowledge and expertise in bullying, cyber-bullying, harassment and intimidation*
7 *in public schools, shall , to the extent money is available, develop an*
8 *informational pamphlet to assist pupils and the parents or legal guardians of*
9 *pupils enrolled in the public schools in this State in resolving incidents of*
10 *bullying, cyber-bullying, harassment or intimidation. ~~THE~~ If developed, the*
11 *pamphlet must include, without limitation:*

12 (a) *A summary of the policy prescribed by the Department pursuant to NRS*
13 *388.133 and the provisions of NRS 388.121 to 388.139, inclusive, and sections 5*
14 *to 18, inclusive, of this act;*

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

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

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

28 3. ~~THE~~ *If the Department develops a pamphlet pursuant to subsection 1,*
29 *the Department shall post a copy of the pamphlet on the Internet website*
30 *maintained by the Department.*

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

36 **Sec. 8.** 1. *The Department, in consultation with persons who possess*
37 *knowledge and expertise in bullying, cyber-bullying, harassment and intimidation*
38 *in public schools, shall:*

39 (a) *Establish a program of training on methods to prevent, identify and*
40 *report incidences of bullying, cyber-bullying, harassment and intimidation in*
41 *public schools for members of the State Board.*

42 (b) *Recommend a program of training on methods to prevent, identify and*
43 *report incidences of bullying, cyber-bullying, harassment and intimidation in*
44 *public schools for members of the boards of trustees of school districts.*

45 (c) *Recommend a program of training for school district personnel to assist*
46 *those persons with carrying out their powers and duties pursuant to NRS 388.121*
47 *to 388.139, inclusive, and sections 5 to 18, inclusive, of this act.*

48 2. *Each member of the State Board shall, within 1 year after the member is*
49 *elected or appointed to the State Board, complete the program of training on*
50 *bullying, cyber-bullying, harassment and intimidation in public schools*
51 *established pursuant to paragraph (a) of subsection 1 and undergo the training at*
52 *least one additional time while the person is a member of the State Board.*

3. Each member of a board of trustees of a school district may complete the program of training on bullying, cyber-bullying, harassment and intimidation in public schools recommended pursuant to paragraph (b) of subsection 1 and may undergo the training at least one additional time while the person is a member of the board of trustees.

4. Each program of training established and recommended 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.

5. The board of trustees of a school district may allow school district personnel to attend the program recommended pursuant to paragraph (c) of subsection 1 during regular school hours.

6. The Department shall review each program of training established and recommended pursuant to subsection 1 on an annual basis to ensure that the program contains current information concerning the prevention of bullying, cyber-bullying, harassment and intimidation.

Sec. 9. 1. The Bullying Prevention Fund is hereby created in the State General Fund, to be administered by the Superintendent of Public Instruction. The Superintendent of Public Instruction may accept gifts and grants from any source for deposit into the Fund. The interest and income earned on the money in the Fund must be credited to the Fund.

2. In accordance with the regulations adopted by the State Board pursuant to section 18 of this act, a school district that applies for and receives a grant of money from the Bullying Prevention Fund shall use the money for one or more of the following purposes:

(a) The establishment of programs to create a school environment that is free from bullying, cyber-bullying, harassment and intimidation;

(b) The provision of training on the policies adopted by the school district pursuant to NRS 388.134 and the provisions of NRS 388.121 to 388.139, inclusive, and sections 5 to 18, inclusive, of this act; or

(c) The development and implementation of procedures by which the public schools of the school district and the pupils enrolled in those schools can discuss the policies adopted pursuant to NRS 388.134 and the provisions of NRS 388.121 to 388.139, inclusive, and sections 5 to 18, inclusive, of this act.

Sec. 10. (Deleted by amendment.)

Sec. 11. The principal 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, cyber-bullying, harassment and intimidation;

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 and the school safety team to prevent, identify and address reported violations of NRS 388.135 at the school.

Sec. 12. 1. Each school safety team established pursuant to section 11 of this act must consist of the principal or his or her designee and the following persons appointed by the principal:

(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.

2. *The principal 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, cyber-bullying, harassment or intimidation at the school;*

(c) *Review and strengthen school policies to prevent and address bullying, cyber-bullying, harassment or intimidation;*

(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, cyber-bullying, harassment and intimidation; and*

(e) *To the extent money is available, participate in any training conducted by the school district regarding bullying, cyber-bullying, harassment and intimidation.*

Sec. 13. *1. On or before January 1 and June 30 of each year, the principal of each public school shall submit to the board of trustees of the school district a report on the violations of NRS 388.135 which are reported during the previous school semester. The report must include, without limitation:*

(a) *The number of violations of NRS 388.135 occurring at the school or otherwise involving a pupil enrolled at the school which are reported during that period; and*

(b) *Any actions taken at the school to reduce the number of incidences of bullying, cyber-bullying, harassment and intimidation, including, without limitation, training that was offered or other policies, practices and programs that were implemented.*

2. *The board of trustees of each school district shall review and compile the reports submitted pursuant to subsection 1 and, on or before August 1, submit a compilation of the reports to the Department.*

Sec. 14. *1. A teacher 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 verbally report the violation to the principal or his or her designee on the day on which the teacher or other staff member witnessed the violation or received information regarding the occurrence of a violation.*

2. *The principal or his or her designee shall initiate an investigation not later than 1 day after receiving notice of the violation pursuant to subsection 1. The investigation must be completed within 10 days after the date on which the investigation is initiated and, if a violation is found to have occurred, 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.*

3. *The parent or legal guardian of a pupil involved in the reported violation of NRS 388.135 may appeal a disciplinary decision of the principal 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.*

Sec. 15. (Deleted by amendment.)

Sec. 16. (Deleted by amendment.)

Sec. 17. *The board of trustees of each school district, 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, shall establish a policy for the procedures which must be followed by an employee of*

1 *the school district when reporting a violation of NRS 388.135 to a school police*
2 *officer or local law enforcement agency.*

3 **Sec. 18.** *The State Board shall adopt regulations:*

4 1. *Establishing the process whereby school districts may apply to the State*
5 *Board for a grant of money from the Bullying Prevention Fund pursuant to*
6 *section 9 of this act.*

7 2. *As are necessary to carry out the provisions of NRS 388.121 to 388.139,*
8 *inclusive, and sections 5 to 18, inclusive, of this act.*

9 **Sec. 19.** NRS 388.121 is hereby amended to read as follows:

10 388.121 As used in NRS 388.121 to 388.139, inclusive, *and sections 5 to 18,*
11 *inclusive, of this act*, unless the context otherwise requires, the words and terms
12 defined in NRS 388.122 to 388.129, inclusive, have the meanings ascribed to them
13 in those sections.

14 **Sec. 20.** NRS 388.122 is hereby amended to read as follows:

15 388.122 "Bullying" means a willful act *which is written, verbal or physical,*
16 *or a* course of conduct on the part of one or more ~~{pupil}~~ *persons* which is not
17 authorized by law and which exposes a ~~{pupil}~~ *person one time or* repeatedly and
18 over time to one or more negative actions which is highly offensive to a reasonable
19 person and ~~{is}~~ :

20 1. *Is intended to cause* ~~{and}~~ *or* actually causes the ~~{pupil}~~ *person* to suffer
21 harm or serious emotional distress ~~{;}~~ ;

22 2. *Places the person in reasonable fear of harm or serious emotional*
23 *distress; or*

24 3. *Creates an environment which is hostile to a pupil by interfering with the*
25 *education of the pupil.*

26 **Sec. 21.** NRS 388.125 is hereby amended to read as follows:

27 388.125 "Harassment" means a willful act *which is written, verbal or*
28 *physical,* or *a* course of conduct that is not otherwise authorized by law ~~{and is:~~

29 ~~1. Highly}, is highly~~ offensive to a reasonable person ~~{;}~~ and

30 ~~{2. Intended}~~ :

31 1. *Is intended to cause* ~~{and}~~ *or* actually causes another person to suffer
32 serious emotional distress ~~{;}~~ ;

33 2. *Places a person in reasonable fear of harm or serious emotional distress;*
34 *or*

35 3. *Creates an environment which is hostile to a pupil by interfering with the*
36 *education of the pupil.*

37 **Sec. 22.** NRS 388.129 is hereby amended to read as follows:

38 388.129 "Intimidation" means a willful act *which is written, verbal or*
39 *physical,* or *a* course of conduct that is not otherwise authorized by law ~~{and:~~

40 ~~1. Is}, is~~ highly offensive to a reasonable person ~~{;}~~ and

41 ~~{2. Poses}~~ :

42 1. *Poses* a threat of immediate harm or actually inflicts harm to another
43 person or to the property of another person ~~{;}~~ ;

44 2. *Places a person in reasonable fear of harm or serious emotional distress;*
45 *or*

46 3. *Creates an environment which is hostile to a pupil by interfering with the*
47 *education of the pupil.*

48 **Sec. 23.** (Deleted by amendment.)

49 **Sec. 24.** NRS 388.134 is hereby amended to read as follows:

50 388.134 The board of trustees of each school district shall:

51 1. Adopt the policy prescribed pursuant to NRS 388.133 and the policy
52 prescribed pursuant to subsection 2 of NRS 389.520. The board of trustees may
53 adopt an expanded policy for one or both of the policies if each expanded policy

1 complies with the policy prescribed pursuant to NRS 388.133 or pursuant to
2 subsection 2 of NRS 389.520, as applicable.

3 2. Provide for the appropriate training of all administrators, principals,
4 teachers and all other personnel employed by the board of trustees in accordance
5 with the policies prescribed pursuant to NRS 388.133 and pursuant to subsection 2
6 of NRS 389.520.

7 3. ~~{On or before September 1 of each year, submit a report to the~~
8 ~~Superintendent of Public Instruction that includes a description of each violation of~~
9 ~~NRS 388.135 occurring in the immediately preceding school year that resulted in~~
10 ~~personnel action against an employee or suspension or expulsion of a pupil, if any.}~~
11 *Post the policies adopted pursuant to subsection 1 on the Internet website*
12 *maintained by the school district.*

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

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

23 **Sec. 25.** NRS 388.1345 is hereby amended to read as follows:

24 388.1345 The Superintendent of Public Instruction shall:

25 1. Compile the reports submitted pursuant to ~~{NRS 388.134}~~ *section 13 of*
26 *this act* and prepare a written report of the compilation.

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

29 **Sec. 26.** NRS 388.139 is hereby amended to read as follows:

30 388.139 Each school district shall include the text of the provisions of NRS
31 388.121 to 388.135, inclusive, *and sections 5 to 18, inclusive, of this act* and the
32 policies adopted by the board of trustees of the school district pursuant to NRS
33 388.134 under the heading "Bullying, Cyber-Bullying, Harassment and
34 Intimidation Is Prohibited in Public Schools," within each copy of the rules of
35 behavior for pupils that the school district provides to pupils pursuant to NRS
36 392.463.

37 **Sec. 27.** (Deleted by amendment.)

38 **Sec. 28.** NRS 391.312 is hereby amended to read as follows:

39 391.312 1. A teacher may be suspended, dismissed or not reemployed and
40 an administrator may be demoted, suspended, dismissed or not reemployed for the
41 following reasons:

- 42 (a) Inefficiency;
- 43 (b) Immorality;
- 44 (c) Unprofessional conduct;
- 45 (d) Insubordination;
- 46 (e) Neglect of duty;
- 47 (f) Physical or mental incapacity;
- 48 (g) A justifiable decrease in the number of positions due to decreased
49 enrollment or district reorganization;
- 50 (h) Conviction of a felony or of a crime involving moral turpitude;
- 51 (i) Inadequate performance;
- 52 (j) Evident unfitness for service;

(k) Failure to comply with such reasonable requirements as a board may prescribe;

(l) Failure to show normal improvement and evidence of professional training and growth;

(m) Advocating overthrow of the Government of the United States or of the State of Nevada by force, violence or other unlawful means, or the advocating or teaching of communism with the intent to indoctrinate pupils to subscribe to communistic philosophy;

(n) Any cause which constitutes grounds for the revocation of a teacher's license;

(o) Willful neglect or failure to observe and carry out the requirements of this title;

(p) Dishonesty;

(q) Breaches in the security or confidentiality of the questions and answers of the achievement and proficiency examinations that are administered pursuant to NRS 389.015;

(r) Intentional failure to observe and carry out the requirements of a plan to ensure the security of examinations adopted pursuant to NRS 389.616 or 389.620;

~~(s)~~ (s) An intentional violation of NRS 388.5265 or 388.527 ~~H~~; *or*

(t) An intentional failure to report a violation of NRS 388.135 if the teacher or administrator witnessed the violation.

2. In determining whether the professional performance of a licensed employee is inadequate, consideration must be given to the regular and special evaluation reports prepared in accordance with the policy of the employing school district and to any written standards of performance which may have been adopted by the board.

Sec. 29. (Deleted by amendment.)

Sec. 30. (Deleted by amendment.)

Sec. 31. (Deleted by amendment.)

Sec. 32. Chapter 236 of NRS is hereby amended by adding thereto a new section to read as follows:

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, cyber-bullying, harassment and intimidation in schools, including, without limitation:

(1) Statistical information regarding the number of pupils who are bullied, cyber-bullied, harassed or intimidated in schools each year;

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

(3) The methods to prevent bullying, cyber-bullying, harassment and intimidation in schools; and

(b) School districts to provide instruction on the ways in which pupils can prevent bullying, cyber-bullying, harassment and intimidation 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) "Harassment" has the meaning ascribed to it in NRS 388.125.

1 *(d) "Intimidation" has the meaning ascribed to it in NRS 388.129.*

2 **Sec. 33.** On or before December 31, 2011, the State Board of Education shall
3 adopt the regulations required by section 18 of this act.

4 **Sec. 34.** (Deleted by amendment.)

5 **Sec. 35.** This act becomes effective on July 1, 2011.