

Amendment No. 899

Assembly Amendment to Senate Bill No. 164 First Reprint (BDR 34-454)

Proposed by: Assembly Committee on Education

Amends: Summary: No Title: Yes 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.

KCR



Date: 5/28/2013

S.B. No. 164—Revises provisions governing safe and respectful learning environments in public schools. (BDR 34-454)



SENATE BILL NO. 164—SENATORS PARKS, SPEARMAN, WOODHOUSE, KIHUEN, SEGERBLOM; ATKINSON, DENIS, FORD, JONES, MANENDO, ROBERSON, SETTELMAYER AND SMITH

FEBRUARY 18, 2013

JOINT SPONSORS: ASSEMBLYMEN HEALEY, ELLIOT ANDERSON, BOBZIEN, SPIEGEL, AIZLEY; BUSTAMANTE ADAMS AND HORNE

Referred to Committee on Education

SUMMARY—Revises provisions governing safe and respectful learning environments in public schools. (BDR 34-454)

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; ~~requiring~~ **revising provisions relating to the reporting of incidents of bullying, cyber-bullying, harassment and intimidation by** the State Board of Education and the board of trustees of each school district ~~to~~ in their respective annual reports of accountability ~~; to provide information about the number of reported instances of bullying, cyber-bullying, harassment or intimidation;~~ requiring each public school to disseminate information annually on bullying; revising the definition of “bullying”; revising provisions governing training in the prevention, identification and reporting of bullying and similar conduct; requiring training for administrators in preventing and responding to violence and suicide associated with bullying; requiring notice to the parent or guardian of any pupil allegedly involved in a reported incident of bullying or similar conduct; ~~requiring that certain annual reports submitted to the Attorney General also be provided to the Governor and the Legislature;~~ and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for a safe and respectful learning environment in public schools and prohibits bullying, cyber-bullying, harassment or intimidation. (NRS 388.121-388.139) ~~Existing law requires that any instance of bullying, cyber-bullying, harassment or intimidation involving a school employee or pupil be reported to and investigated by the school’s principal or his or her designee. (NRS 388.1351) If such an investigation confirms that a violation has occurred, existing law provides for the imposition of discipline and requires that statistical information about incidents resulting in the suspension or expulsion of a pupil be included in the annual reports of accountability prepared by the State Board of~~

~~Education and the board of trustees of each school district. (NRS 385.3460, 385.347, 388.1251) Sections 1 and 2 of this bill require that the annual reports of accountability include information about all reported instances of bullying, cyber-bullying, harassment or intimidation, regardless of whether they result in the suspension or expulsion of a pupil. Existing law also requires the board of trustees of each school district to review and compile reports for submission to the Department of Education relating to the number of reported violations of provisions relating to bullying, cyber-bullying, harassment and intimidation occurring at the public schools within the school district and any actions taken by the public schools to reduce the number of those violations. (NRS 388.1353) In addition, existing law requires the Superintendent of Public Instruction to compile each report submitted by each school district and submit the written compilation to the Attorney General. (NRS 388.1355) Section 11.5 of this bill eliminates these reporting requirements, and sections 1 and 2 of this bill require the contents of those reports to be included within the annual reports of accountability prepared by the State Board of Education and the board of trustees of each school district. (NRS 385.3469, 385.347)~~

Section 3 of this bill requires each public school to disseminate information on bullying and the facilitation of positive relations among pupils during the annual “Week of Respect” proclaimed by the Governor.

Section 4.5 of this bill revises the definition of bullying to include: (1) only repeated acts or conduct; and (2) acts or conduct that exploit an imbalance in power.

Sections 5-7 of this bill revise various provisions governing the training of all administrators, principals, teachers and other school employees on the subject of bullying, cyber-bullying, harassment and intimidation. Existing law requires the Department of Education to prescribe a policy for such training. (NRS 388.133) **Section 5** requires the policy to encompass members of the boards of trustees of school districts and provide for training in methods to prevent, identify and report incidents of bullying and similar conduct. Existing law also requires the board of trustees of each school district to adopt the training policy prescribed by the Department and provide the appropriate training to employees of the district. (NRS 388.134) **Section 6** requires the members of the board of trustees to receive this training and requires that newly elected trustees and new employees of the school district receive the training within 180 days after the beginning of their term of office or their employment, as applicable. Existing law requires the Department to recommend certain programs of training in this area for members of the boards of trustees of school districts and school employees. (NRS 388.1342) **Section 7** requires the Department to establish these programs and a program to train administrators in the prevention of and response to violence and suicide associated with bullying and similar conduct. **Section 7** also requires each administrator to complete this training: (1) within 90 days after becoming an administrator; (2) at least once during any school year in which the training is revised or updated; and (3) at least once every 3 years otherwise.

Section 8 of this bill provides that a principal, or his or her designee, who receives a report of bullying, cyber-bullying, harassment or intimidation must give notice of the report to the parent or legal guardian of each pupil involved in the incident that is the subject of the report.

~~Existing law requires the principal of each public school to report to the board of trustees of the school district concerning the number of reports of bullying and similar conduct received during the preceding semester. The reports of each principal are compiled by the board of trustees and submitted to the Department. The Superintendent of Public Instruction, in turn, compiles the reports received from the various school districts and annually submits the compilation to the Attorney General. (NRS 388.1253, 388.1255) Section 9 of this bill clarifies that a reported violation must be included in the principal's report to the board of trustees, regardless of the outcome of the investigation into the incident. Section 10 of this bill requires that the Superintendent's compilation also be submitted to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature, or to the Legislative Committee on Education if the Legislature is not in regular session.)~~

Existing law provides immunity from liability for a pupil, school employee or volunteer who reports an incident of bullying, cyber-bullying, harassment or intimidation unless he or she acts with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law. (NRS 388.137) Where such a malicious, intentional or grossly negligent

67 report is made, **section 11** of this bill authorizes disciplinary action against the pupil or other
68 person making the report.

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

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

2 385.3469 1. The State Board shall prepare an annual report of
3 accountability that includes, without limitation:

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

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

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

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

14 (3) Pupils with disabilities;

15 (4) Pupils who are limited English proficient; and

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

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

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

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

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

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

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

38 (1) Adequate yearly progress, including, without limitation, the name of
39 each public school, if any, designated as demonstrating need for improvement
40 pursuant to NRS 385.3623 and the number of consecutive years that the school has
41 carried that designation.

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

1 (i) Information on the results of pupils who participated in the examinations of
2 the National Assessment of Educational Progress required pursuant to NRS
3 389.012.

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

9 (k) The total number of persons employed by each school district in this State,
10 including without limitation, each charter school in the district. Each such person
11 must be reported as either an administrator, a teacher or other staff and must not be
12 reported in more than one category. In addition to the total number of persons
13 employed by each school district in each category, the report must include the
14 number of employees in each of the three categories expressed as a percentage of
15 the total number of persons employed by the school district. As used in this
16 paragraph:

17 (1) "Administrator" means a person who spends at least 50 percent of his
18 or her work year supervising other staff or licensed personnel, or both, and who is
19 not classified by the board of trustees of a school district as a professional-technical
20 employee.

21 (2) "Other staff" means all persons who are not reported as administrators
22 or teachers, including, without limitation:

23 (I) School counselors, school nurses and other employees who spend at
24 least 50 percent of their work year providing emotional support, noninstructional
25 guidance or medical support to pupils;

26 (II) Noninstructional support staff, including, without limitation,
27 janitors, school police officers and maintenance staff; and

28 (III) Persons classified by the board of trustees of a school district as
29 professional-technical employees, including, without limitation, technical
30 employees and employees on the professional-technical pay scale.

31 (3) "Teacher" means a person licensed pursuant to chapter 391 of NRS
32 who is classified by the board of trustees of a school district:

33 (I) As a teacher and who spends at least 50 percent of his or her work
34 year providing instruction or discipline to pupils; or

35 (II) As instructional support staff, who does not hold a supervisory
36 position and who spends not more than 50 percent of his or her work year providing
37 instruction to pupils. Such instructional support staff includes, without limitation,
38 librarians and persons who provide instructional support.

39 (l) For each school district, including, without limitation, each charter school in
40 the district, and for this State as a whole, information on the professional
41 qualifications of teachers employed by the school districts and charter schools,
42 including, without limitation:

43 (1) The percentage of teachers who are:

44 (I) Providing instruction pursuant to NRS 391.125;

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

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

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

51 (3) The percentage of classes in the core academic subjects, as set forth in
52 NRS 389.018, in this State that are not taught by highly qualified teachers, in the
53 aggregate and disaggregated by high-poverty compared to low-poverty schools,

1 which for the purposes of this subparagraph means schools in the top quartile of
2 poverty and the bottom quartile of poverty in this State;

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

4 (I) The number of persons employed as substitute teachers for 20
5 consecutive days or more in the same classroom or assignment, designated as long-
6 term substitute teachers, including the total number of days long-term substitute
7 teachers were employed at each school, identified by grade level and subject area;
8 and

9 (II) The number of persons employed as substitute teachers for less
10 than 20 consecutive days, designated as short-term substitute teachers, including the
11 total number of days short-term substitute teachers were employed at each school,
12 identified by grade level and subject area; and

13 (5) For each elementary school:

14 (I) The number of persons employed as substitute teachers for 20
15 consecutive days or more in the same classroom or assignment, designated as long-
16 term substitute teachers, including the total number of days long-term substitute
17 teachers were employed at each school, identified by grade level; and

18 (II) The number of persons employed as substitute teachers for less
19 than 20 consecutive days, designated as short-term substitute teachers, including the
20 total number of days short-term substitute teachers were employed at each school,
21 identified by grade level.

22 (m) The total expenditure per pupil for each school district in this State,
23 including, without limitation, each charter school in the district. If this State has a
24 financial analysis program that is designed to track educational expenditures and
25 revenues to individual schools, the State Board shall use that statewide program in
26 complying with this paragraph. If a statewide program is not available, the State
27 Board shall use the Department's own financial analysis program in complying
28 with this paragraph.

29 (n) The total statewide expenditure per pupil. If this State has a financial
30 analysis program that is designed to track educational expenditures and revenues to
31 individual schools, the State Board shall use that statewide program in complying
32 with this paragraph. If a statewide program is not available, the State Board shall
33 use the Department's own financial analysis program in complying with this
34 paragraph.

35 (o) For all elementary schools, junior high schools and middle schools, the rate
36 of attendance, reported for each school district, including, without limitation, each
37 charter school in the district, and for this State as a whole.

38 (p) The annual rate of pupils who drop out of school in grade 8 and a separate
39 reporting of the annual rate of pupils who drop out of school in grades 9 to 12,
40 inclusive, reported for each school district, including, without limitation, each
41 charter school in the district, and for this State as a whole. The reporting for pupils
42 in grades 9 to 12, inclusive, excludes pupils who:

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

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

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

48 (q) The attendance of teachers who provide instruction, reported for each
49 school district, including, without limitation, each charter school in the district, and
50 for this State as a whole.

51 (r) Incidents involving weapons or violence, reported for each school district,
52 including, without limitation, each charter school in the district, and for this State as
53 a whole.

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

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

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

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

(w) The transiency rate of pupils, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole. For the purposes of this paragraph, a pupil is not a 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.

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

(y) A compilation of the programs of remedial study purchased in whole or in part with money received from this State that are used in each school district, including, without limitation, each charter school in the district. The compilation 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.

(z) 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.

(aa) 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.

(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 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 adult diploma.

(3) An adjusted diploma.

(4) A certificate of attendance.

(cc) 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.

(dd) 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.

(ee) 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.

(ff) 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.

(gg) 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.

(hh) 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.

(ii) For each school district, including, without limitation, each charter school in the district, and for this State as a whole:

(1) The number of reported violations of NRS 388.135 [reported for each school district, including, without limitation, each charter school in the district, and for the State as a whole.

—(jj)— occurring at a school or otherwise involving a pupil enrolled at a school, regardless of the outcome of the investigation conducted pursuant to NRS 388.1351;

(2) 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]; and

(3) Any actions taken to reduce the number of incidents of bullying, cyber-bullying, harassment and intimidation, including, without limitation,

training that was offered or other policies, practices and programs that were implemented.

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 October 15 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).

(e) "Intimidation" has the meaning ascribed to it in NRS 388.129.

(f) "Paraprofessional" has the meaning ascribed to it in NRS 391.008.

Sec. 2. 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 sponsored by the school district. The board of trustees of each school district shall report the information required by subsection 2 for each charter school sponsored by the school district. The information for charter schools must be reported separately.

2. The board of trustees of each school district shall, on or before September 30 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 sponsored by the district. The board of trustees of the district shall base its report on the results of the

1 examinations administered pursuant to NRS 389.015 and 389.550 and shall
2 compare the results of those examinations for the current school year with those of
3 previous school years. The report must include, for each school in the district,
4 including, without limitation, each charter school sponsored by the district, and
5 each grade in which the examinations were administered:

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

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

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

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

14 Board;

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

16 Board;

17 (III) Pupils with disabilities;

18 (IV) Pupils who are limited English proficient; and

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

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

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

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

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

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

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

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

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

51 (c) The ratio of pupils to teachers in kindergarten and at each grade level for
52 each elementary school in the district and the district as a whole, including, without
53 limitation, each charter school sponsored by the district, and the average class size

1 for each core academic subject, as set forth in NRS 389.018, for each secondary
2 school in the district and the district as a whole, including, without limitation, each
3 charter school sponsored by the district.

4 (d) The total number of persons employed for each elementary school, middle
5 school or junior high school, and high school in the district, including, without
6 limitation, each charter school sponsored by the district. Each such person must be
7 reported as either an administrator, a teacher or other staff and must not be reported
8 in more than one category. In addition to the total number of persons employed by
9 each school in each category, the report must include the number of employees in
10 each of the three categories for each school expressed as a percentage of the total
11 number of persons employed by the school. As used in this paragraph:

12 (1) "Administrator" means a person who spends at least 50 percent of his
13 or her work year supervising other staff or licensed personnel, or both, and who is
14 not classified by the board of trustees of the school district as a professional-
15 technical employee.

16 (2) "Other staff" means all persons who are not reported as administrators
17 or teachers, including, without limitation:

18 (I) School counselors, school nurses and other employees who spend at
19 least 50 percent of their work year providing emotional support, noninstructional
20 guidance or medical support to pupils;

21 (II) Noninstructional support staff, including, without limitation,
22 janitors, school police officers and maintenance staff; and

23 (III) Persons classified by the board of trustees of the school district as
24 professional-technical employees, including, without limitation, technical
25 employees and employees on the professional-technical pay scale.

26 (3) "Teacher" means a person licensed pursuant to chapter 391 of NRS
27 who is classified by the board of trustees of the school district:

28 (I) As a teacher and who spends at least 50 percent of his or her work
29 year providing instruction or discipline to pupils; or

30 (II) As instructional support staff, who does not hold a supervisory
31 position and who spends not more than 50 percent of his or her work year providing
32 instruction to pupils. Such instructional support staff includes, without limitation,
33 librarians and persons who provide instructional support.

34 (e) The total number of persons employed by the school district, including
35 without limitation, each charter school sponsored by the district. Each such person
36 must be reported as either an administrator, a teacher or other staff and must not be
37 reported in more than one category. In addition to the total number of persons
38 employed by the school district in each category, the report must include the
39 number of employees in each of the three categories expressed as a percentage of
40 the total number of persons employed by the school district. As used in this
41 paragraph, "administrator," "other staff" and "teacher" have the meanings ascribed
42 to them in paragraph (d).

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

47 (1) The percentage of teachers who are:

48 (I) Providing instruction pursuant to NRS 391.125;

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

51 (III) Otherwise providing instruction without an endorsement for the
52 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) 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) 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) 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) 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.

(g) The total expenditure per pupil for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by 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.

(h) 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 sponsored by the district.

(i) 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 sponsored by the district.

(2) For each elementary school, middle school and junior high school in the district, including, without limitation, each charter school sponsored by 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.

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

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

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

6 (k) Records of attendance of teachers who provide instruction, for each school
7 in the district and the district as a whole, including, without limitation, each charter
8 school sponsored by the district.

9 (l) Efforts made by the school district and by each school in the district,
10 including, without limitation, each charter school sponsored by the district, to
11 increase:

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

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

16 (3) The involvement of parents and the engagement of families of pupils
17 enrolled in the district in the education of their children.

18 (m) Records of incidents involving weapons or violence for each school in the
19 district, including, without limitation, each charter school sponsored by the district.

20 (n) Records of incidents involving the use or possession of alcoholic beverages
21 or controlled substances for each school in the district, including, without
22 limitation, each charter school sponsored by the district.

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

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

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

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

38 (s) Each source of funding for the school district.

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

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

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

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

(v) The technological facilities and equipment available at each school, including, without limitation, each charter school sponsored by the district, and the district's plan to incorporate educational technology at each school.

(w) For each school in the district and the district as a whole, including, without limitation, each charter school sponsored by 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 adult diploma.

(3) An adjusted diploma.

(4) A certificate of attendance.

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

(y) 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.

(z) 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 sponsored by the district.

(aa) 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.

(bb) Information on whether each public school in the district, including, without limitation, each charter school sponsored by 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.

(cc) Information on the paraprofessionals employed by each public school in the district, including, without limitation, each charter school sponsored by 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 supported with Title I money and to paraprofessionals who are not employed in positions supported with Title I money.

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

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

(ff) For each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district, 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.

(gg) For each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district:

(1) The number of reported violations of NRS 388.135, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district;

(hh) occurring at a school or otherwise involving a pupil enrolled at a school, regardless of the outcome of the investigation conducted pursuant to NRS 388.1351;

(2) The number of incidents resulting in suspension or expulsion for bullying, cyber-bullying, harassment or intimidation, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district; and

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

(hh) (ii) Such other information as is directed by the Superintendent of Public Instruction.

3. The State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall, on or before September 30 of each year, prepare an annual report of accountability of the charter schools sponsored by the State Public Charter School Authority or institution, as applicable, concerning the accountability information prescribed by the Department pursuant to this section. The Department, in consultation with the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school, shall prescribe by regulation the information that must be prepared by the State Public Charter School Authority and institution, as applicable, which must include, without limitation, the information contained in paragraphs (a) to (hh), (ii) inclusive, of subsection 2, as applicable to charter schools. The Department shall provide for public dissemination of the annual report of accountability prepared pursuant to this section 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 Department.

4. The records of attendance maintained by a school for purposes of paragraph (k) of subsection 2 or maintained by a charter school for purposes of the reporting required pursuant to subsection 3 must include the number of teachers who are in attendance at school and the number of teachers who are absent from school. A teacher shall be deemed in attendance if the teacher is excused from being present in the classroom by the school in which the teacher is employed for one of the following reasons:

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

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

5. The annual report of accountability prepared pursuant to subsection 2 or 3, as applicable, must:

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

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

6. The Superintendent of Public Instruction shall:

(a) Prescribe forms for the reports required pursuant to subsections 2 and 3 and provide the forms to the respective school districts, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school.

(b) Provide statistical information and technical assistance to the school districts, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school to ensure that the reports provide comparable information with respect to each school in each district, each charter school and among the districts and charter schools 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;

(6) Legislative Counsel Bureau; and

(7) Charter School Association of Nevada,

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

7. 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.

8. On or before September 30 of each year:

(a) 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 (i) of subsection 2.

(b) The State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall submit to each advisory board to review school attendance created in a county pursuant to NRS 392.126 the information regarding the records of the attendance and truancy of pupils enrolled in the charter school located in that county, if any, in accordance with the regulations prescribed by the Department pursuant to subsection 3.

9. On or before September 30 of each year:

(a) The board of trustees of each school district, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall provide written notice that the report required pursuant to subsection 2 or 3, as applicable, is available on the Internet website maintained by the school district, State Public Charter School Authority or institution, 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) The board of trustees of each school district, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall provide for public dissemination of the annual report of accountability prepared pursuant to subsection 2 or 3, as applicable, 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, the State Public Charter School Authority or the institution, 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 sponsored by 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 sponsored by the district. If the State Public Charter School Authority or the institution does not maintain a website, the State Public Charter School Authority or the institution, as applicable, shall otherwise provide for public dissemination of the annual report by providing a copy of the report to each charter school it sponsors and the parents and guardians of pupils enrolled in each charter school it sponsors.

10. Upon the request of the Governor, an entity described in paragraph (a) of subsection 9 or a member of the general public, the board of trustees of a school district, the State Public Charter School Authority or a college or university within the Nevada System of Higher Education that sponsors a charter school, as applicable, shall provide a portion or portions of the report required pursuant to subsection 2 or 3, as applicable.

11. 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) "Intimidation" has the meaning ascribed to it in NRS 388.129.
- (f) "Paraprofessional" has the meaning ascribed to it in NRS 391.008.

Sec. 3. Chapter 388 of NRS is hereby amended by adding thereto a new section to read as follows:

The board of trustees of each school district and the governing body of each charter school shall determine the most effective manner for the delivery of information to the pupils of each public school during the "Week of Respect" proclaimed by the Governor each year pursuant to NRS 236.073. The information delivered during the "Week of Respect" must focus on:

1. Methods to prevent, identify and report incidents of bullying, cyber-bullying, harassment and intimidation;

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

3 *3. Methods to facilitate positive human relations among pupils by*
4 *eliminating the use of bullying, cyber-bullying, harassment and intimidation.*

5 **Sec. 4.** NRS 388.121 is hereby amended to read as follows:

6 388.121 As used in NRS 388.121 to 388.139, inclusive, *and section 3 of this*
7 *act*, unless the context otherwise requires, the words and terms defined in NRS
8 388.122 to 388.129, inclusive, have the meanings ascribed to them in those
9 sections.

10 **Sec. 4.5.** NRS 388.122 is hereby amended to read as follows:

11 388.122 “Bullying” means a willful act which is written, verbal or physical,
12 or a course of conduct on the part of one or more persons which is not authorized
13 by law and which exposes a person ~~for one time or~~ repeatedly and over time to one or
14 more negative actions which is highly offensive to a reasonable person and:

15 1. Is intended to cause or actually causes the person to suffer harm or serious
16 emotional distress;

17 2. *Exploits an imbalance in power between the person engaging in the act*
18 *or conduct and the person who is the subject of the act or conduct;*

19 3. Places the person in reasonable fear of harm or serious emotional distress;
20 or

21 ~~3-4~~ 4. Creates an environment which is hostile to a pupil by interfering with
22 the education of the pupil.

23 **Sec. 5.** NRS 388.133 is hereby amended to read as follows:

24 388.133 1. The Department shall, in consultation with the boards of trustees
25 of school districts, educational personnel, local associations and organizations of
26 parents whose children are enrolled in public schools throughout this State, and
27 individual parents and legal guardians whose children are enrolled in public schools
28 throughout this State, prescribe by regulation a policy for all school districts and
29 public schools to provide a safe and respectful learning environment that is free of
30 bullying, cyber-bullying, harassment and intimidation.

31 2. The policy must include, without limitation:

32 (a) Requirements and methods for reporting violations of NRS 388.135; and

33 (b) A policy for use by school districts to train *members of the board of*
34 *trustees and all* administrators, principals, teachers and all other personnel
35 employed by the board of trustees of a school district. The policy must include,
36 without limitation:

37 (1) Training in the appropriate methods to facilitate positive human
38 relations among pupils ~~without~~ *by eliminating* the use of bullying, cyber-bullying,
39 harassment and intimidation so that pupils may realize their full academic and
40 personal potential;

41 (2) *Training in methods to prevent, identify and report incidents of*
42 *bullying, cyber-bullying, harassment and intimidation in public schools;*

43 (3) Methods to improve the school environment in a manner that will
44 facilitate positive human relations among pupils; and

45 ~~(3)~~ (4) Methods to teach skills to pupils so that the pupils are able to
46 replace inappropriate behavior with positive behavior.

47 **Sec. 6.** NRS 388.134 is hereby amended to read as follows:

48 388.134 The board of trustees of each school district shall:

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

2. Provide for the appropriate training of *members of the board of trustees and* all administrators, principals, teachers and all other personnel employed by the board of trustees in accordance with the policies prescribed pursuant to NRS 388.133 and pursuant to subsection 2 of NRS 389.520. *For members of the board of trustees who have not previously been elected or appointed to the board of trustees or for employees of the school district who have not previously been employed by the district, the training required by this subsection must be provided within 180 days after the member begins his or her term of office or after the employee begins his or her employment, as applicable.*

3. Post the policies adopted pursuant to subsection 1 on the Internet website maintained by the school district.

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

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

Sec. 7. NRS 388.1342 is hereby amended to read as follows:

388.1342 1. The Department, in consultation with persons who possess knowledge and expertise in bullying, cyber-bullying, harassment and intimidation in public schools, shall:

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

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

(c) ~~Recommend~~ *Establish* a program of training for school district *and charter school* personnel to assist those persons with carrying out their powers and duties pursuant to NRS 388.121 to 388.139, inclusive ~~+~~, *and section 3 of this act.*

(d) *Establish a program of training for administrators in the prevention of violence and suicide associated with bullying, cyber-bullying, harassment and intimidation in public schools and appropriate methods to respond to incidents of violence or suicide.*

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

3. ~~Each~~ *Except as otherwise provided in NRS 388.134, each* member of a board of trustees of a school district ~~may~~ *shall, within 1 year after the member is elected or appointed to the board of trustees,* complete the program of training on bullying, cyber-bullying, harassment and intimidation in public schools ~~recommended~~ *established* 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 *administrator of a public school shall complete the program of training established pursuant to paragraph (d) of subsection 1:*

(a) *Within 90 days after becoming an administrator;*
(b) *Except as otherwise provided in paragraph (c), at least once every 3 years thereafter; and*

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

5. 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.

~~5.1~~ 6. The board of trustees of a school district may allow school district personnel to attend the program ~~recommended~~ *established* pursuant to paragraph (c) *or (d)* of subsection 1 during regular school hours.

~~6.1~~ 7. 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. 8. NRS 388.1351 is hereby amended to read as follows:

388.1351 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 principal or the designee shall provide written notice of a reported violation of NRS 388.135 to the parent or legal guardian of each pupil involved in the reported violation. The notice must include, without limitation, a statement that the principal or the designee will be conducting an investigation into the reported violation and that the parent or legal guardian may discuss with the principal or the designee any counseling and intervention services that are available to the pupil.* 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. 9. ~~NRS 388.1352 is hereby amended to read as follows:~~

~~388.1352 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 number of violations of NRS 388.135 [which are] reported during the previous school semester [.] , regardless of the outcome of the investigation conducted pursuant to NRS 388.1351. 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 incidents 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.] (Deleted by amendment.)~~

Sec. 10. ~~[NRS 388.1355 is hereby amended to read as follows:~~

~~388.1355 The Superintendent of Public Instruction shall:~~

~~1. Compile the reports submitted pursuant to NRS 388.1353 and prepare a written report of the compilation.~~

~~2. On or before October 1 of each year, submit the written compilation to the~~

~~+~~
~~(a) Governor;~~

~~(b) Attorney General []; and~~

~~(c) Director of the Legislative Counsel Bureau for transmittal to the Legislature, or to the Legislative Committee on Education created pursuant to NRS 218E.605 when the Legislature is not in regular session.] (Deleted by amendment.)~~

Sec. 11. NRS 388.137 is hereby amended to read as follows:

388.137 **1.** No cause of action may be brought against a pupil or an employee or volunteer of a school who reports a violation of NRS 388.135 unless the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law.

2. *If a principal determines that a report of a violation of NRS 388.135 is false and that the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law, the principal may recommend the imposition of disciplinary action or other measures against the person in accordance with the policy governing disciplinary action adopted by the board of trustees of the school district.*

Sec. 11.5. NRS 388.1353 and 388.1355 are hereby repealed.

Sec. 12. This act becomes effective on July 1, 2013.

TEXT OF REPEALED SECTIONS

388.1353 Principal required to submit report of violations for each semester to school district; review and compilation of reports by school district; submission of compilation to Department.

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 incidents 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.

388.1355 Compilation of reports by Superintendent of Public Instruction; submission of written compilation to Attorney General. The Superintendent of Public Instruction shall:

1. Compile the reports submitted pursuant to NRS 388.1353 and prepare a written report of the compilation.
2. On or before October 1 of each year, submit the written compilation to the Attorney General.