

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; 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 in their respective annual reports of accountability; 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; and providing other matters properly relating thereto.



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



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

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

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

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

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

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

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

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

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

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



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

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

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

(I) For each school district, including, without limitation, each charter school in the district, and for this State as a whole, information on the professional qualifications of teachers employed by the school districts and charter schools, including, 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, in this State 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, in this State 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.

(m) The total expenditure per pupil for each school district in this State, 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, the State Board shall use that statewide program in complying with this paragraph. If a statewide program is not available, the State Board shall use the Department's own financial analysis program in complying with this paragraph.

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

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

(p) 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, reported for each school district, including, without limitation, each charter school in the district, and for this State 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.

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



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



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1 without limitation, each charter school in the district, and for this
2 State as a whole.

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

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

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

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

10 (2) An adult diploma.

11 (3) An adjusted diploma.

12 (4) A certificate of attendance.

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

17 (dd) The number of habitual truants who are reported to a school
18 police officer or local law enforcement agency pursuant to
19 paragraph (a) of subsection 2 of NRS 392.144 and the number of
20 habitual truants who are referred to an advisory board to review
21 school attendance pursuant to paragraph (b) of subsection 2 of NRS
22 392.144, reported for each school district, including, without
23 limitation, each charter school in the district, and for this State as a
24 whole.

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

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

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

39 (ff) An identification of appropriations made by the Legislature
40 to improve the academic achievement of pupils and programs
41 approved by the Legislature to improve the academic achievement
42 of pupils.

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



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(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 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 determined to be bullying, cyber-bullying, harassment or intimidation after an investigation is conducted pursuant to NRS 388.1351;

(3) 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.~~

(4) 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.



- 1 3. The annual report of accountability must:
- 2 (a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations
- 3 adopted pursuant thereto;
- 4 (b) Be prepared in a concise manner; and
- 5 (c) Be presented in an understandable and uniform format and,
- 6 to the extent practicable, provided in a language that parents can
- 7 understand.

8 4. On or before October 15 of each year, the State Board shall:

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

12 (b) Provide written notice that the report is available on the

13 Internet website maintained by the Department. The written notice

14 must be provided to the:

- 15 (1) Governor;
- 16 (2) Committee;
- 17 (3) Bureau;
- 18 (4) Board of Regents of the University of Nevada;
- 19 (5) Board of trustees of each school district; ~~and~~
- 20 (6) Governing body of each charter school ~~and~~; and
- 21 (7) *The Attorney General, with a specific reference to the*
- 22 *information that is reported pursuant to paragraph (ii) of*
- 23 *subsection 1.*

24 5. Upon the request of the Governor, *the Attorney General*, an

25 entity described in paragraph (b) of subsection 4 or a member of the

26 general public, the State Board shall provide a portion or portions of

27 the annual report of accountability.

28 6. As used in this section:

- 29 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.
- 30 (b) "Cyber-bullying" has the meaning ascribed to it in
- 31 NRS 388.123.
- 32 (c) "Harassment" has the meaning ascribed to it in
- 33 NRS 388.125.
- 34 (d) "Highly qualified" has the meaning ascribed to it in 20
- 35 U.S.C. § 7801(23).
- 36 (e) "Intimidation" has the meaning ascribed to it in
- 37 NRS 388.129.
- 38 (f) "Paraprofessional" has the meaning ascribed to it in
- 39 NRS 391.008.

40 **Sec. 2.** NRS 385.347 is hereby amended to read as follows:

41 385.347 1. The board of trustees of each school district in

42 this State, in cooperation with associations recognized by the State

43 Board as representing licensed educational personnel in the district,

44 shall adopt a program providing for the accountability of the school

45 district to the residents of the district and to the State Board for the



1 quality of the schools and the educational achievement of the pupils
2 in the district, including, without limitation, pupils enrolled in
3 charter schools sponsored by the school district. The board of
4 trustees of each school district shall report the information required
5 by subsection 2 for each charter school sponsored by the school
6 district. The information for charter schools must be reported
7 separately.

8 2. The board of trustees of each school district shall, on or
9 before September 30 of each year, prepare an annual report of
10 accountability concerning:

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

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

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

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

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

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

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

34 (III) Pupils with disabilities;

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

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

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

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

42 (6) Except as otherwise provided in this paragraph, the
43 percentage of pupils who were not tested, reported separately by
44 gender and reported separately for the groups identified in
45 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 sponsored by 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 sponsored by 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 sponsored by 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 sponsored by 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 sponsored by the district.

(d) The total number of persons employed for each elementary school, middle school or junior high school, and high school in the district, including, without limitation, each charter school sponsored by the district. Each such person must be reported as either an administrator, a teacher or other staff and must not be reported in more than one category. In addition to the total number of persons employed by each school in each category, the report must include the number of employees in each of the three categories for each



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1 school expressed as a percentage of the total number of persons
2 employed by the school. As used in this paragraph:

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

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

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

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

15 (III) Persons classified by the board of trustees of the
16 school district as professional-technical employees, including,
17 without limitation, technical employees and employees on the
18 professional-technical pay scale.

19 (3) "Teacher" means a person licensed pursuant to chapter
20 391 of NRS who is classified by the board of trustees of the school
21 district:

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

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

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

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

44 (1) The percentage of teachers who are:

45 (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) 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



1 program is not available, each school district shall use its own
2 financial analysis program in complying with this paragraph.

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

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

6 (2) The curriculum used by each charter school sponsored by
7 the district.

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

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

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

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

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

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

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

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

36 (l) Efforts made by the school district and by each school in the
37 district, including, without limitation, each charter school sponsored
38 by the district, to increase:

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

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



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

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

(n) 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 sponsored by the district.

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

(p) 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 sponsored by the district.

(q) 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 sponsored by the district.

(r) The transiency rate of pupils for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by 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.

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

(t) 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 sponsored by the district.

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

(u) For each high school in the district, including, without limitation, each charter school sponsored by 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



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1 college or community college within the Nevada System of Higher
2 Education.

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

7 (w) For each school in the district and the district as a whole,
8 including, without limitation, each charter school sponsored by the
9 district, the number and percentage of pupils who received:

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

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

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

14 (2) An adult diploma.

15 (3) An adjusted diploma.

16 (4) A certificate of attendance.

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

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

27 (z) The amount and sources of money received for the training
28 and professional development of teachers and other educational
29 personnel for each school in the district and for the district as a
30 whole, including, without limitation, each charter school sponsored
31 by the district.

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

37 (bb) Information on whether each public school in the district,
38 including, without limitation, each charter school sponsored by the
39 district, has made adequate yearly progress, including, without
40 limitation:

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

44 (2) The name of each school, if any, in the district that has
45 been designated as needing improvement pursuant to NRS 385.3623



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1 and the number of consecutive years that the school has carried that
2 designation.

3 (cc) Information on the paraprofessionals employed by each
4 public school in the district, including, without limitation, each
5 charter school sponsored by the district. The information must
6 include:

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

9 (2) The number and percentage of all paraprofessionals who
10 do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The
11 reporting requirements of this subparagraph apply to
12 paraprofessionals who are employed in positions supported with
13 Title I money and to paraprofessionals who are not employed in
14 positions supported with Title I money.

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

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

27 (ff) For each school in the district and the district as a whole,
28 including, without limitation, each charter school sponsored by the
29 district, information on pupils enrolled in career and technical
30 education, including, without limitation:

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

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

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

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

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

44 (6) The number and percentage of pupils who completed a
45 program of career and technical education and who did not receive a



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1 high school diploma because the pupils failed to pass the high
2 school proficiency examination.

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

6 (1) *The number of reported violations of NRS 388.135*
7 *occurring at a school or otherwise involving a pupil enrolled at a*
8 *school, regardless of the outcome of the investigation conducted*
9 *pursuant to NRS 388.1351;*

10 (2) *The number of incidents determined to be bullying,*
11 *cyber-bullying, harassment or intimidation after an investigation*
12 *is conducted pursuant to NRS 388.1351;*

13 (3) The number of incidents resulting in suspension or
14 expulsion for bullying, cyber-bullying, harassment or intimidation ~~to~~
15 ~~for each school in the district and the district as a whole, including,~~
16 ~~without limitation, each charter school sponsored by the district.;~~
17 ~~and~~

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

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

24 3. The State Public Charter School Authority and each college
25 or university within the Nevada System of Higher Education that
26 sponsors a charter school shall, on or before September 30 of each
27 year, prepare an annual report of accountability of the charter
28 schools sponsored by the State Public Charter School Authority or
29 institution, as applicable, concerning the accountability information
30 prescribed by the Department pursuant to this section. The
31 Department, in consultation with the State Public Charter School
32 Authority and each college or university within the Nevada System
33 of Higher Education that sponsors a charter school, shall prescribe
34 by regulation the information that must be prepared by the State
35 Public Charter School Authority and institution, as applicable,
36 which must include, without limitation, the information contained in
37 paragraphs (a) to (hh), inclusive, of subsection 2, as applicable to
38 charter schools. The Department shall provide for public
39 dissemination of the annual report of accountability prepared
40 pursuant to this section in the manner set forth in 20 U.S.C. §
41 6311(h)(2)(E) by posting a copy of the report on the Internet website
42 maintained by the Department.

43 4. The records of attendance maintained by a school for
44 purposes of paragraph (k) of subsection 2 or maintained by a charter
45 school for purposes of the reporting required pursuant to subsection



1 3 must include the number of teachers who are in attendance at
2 school and the number of teachers who are absent from school. A
3 teacher shall be deemed in attendance if the teacher is excused from
4 being present in the classroom by the school in which the teacher is
5 employed for one of the following reasons:

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

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

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

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

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

17 6. The Superintendent of Public Instruction shall:

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

23 (b) Provide statistical information and technical assistance to the
24 school districts, the State Public Charter School Authority and each
25 college or university within the Nevada System of Higher Education
26 that sponsors a charter school to ensure that the reports provide
27 comparable information with respect to each school in each district,
28 each charter school and among the districts and charter schools
29 throughout this State.

30 (c) Consult with a representative of the:

31 (1) Nevada State Education Association;

32 (2) Nevada Association of School Boards;

33 (3) Nevada Association of School Administrators;

34 (4) Nevada Parent Teacher Association;

35 (5) Budget Division of the Department of Administration;

36 (6) Legislative Counsel Bureau; and

37 (7) Charter School Association of Nevada,

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

41 7. The Superintendent of Public Instruction may consult with
42 representatives of parent groups other than the Nevada Parent
43 Teacher Association concerning the program and consider any
44 advice or recommendations submitted by the representatives with
45 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 ~~H~~; and

(6) The Attorney General, with a specific reference to the information that is reported pursuant to paragraph (gg) of subsection 2.

(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,



1 without limitation, each charter school sponsored by the district. If
2 the State Public Charter School Authority or the institution does not
3 maintain a website, the State Public Charter School Authority or the
4 institution, as applicable, shall otherwise provide for public
5 dissemination of the annual report by providing a copy of the report
6 to each charter school it sponsors and the parents and guardians of
7 pupils enrolled in each charter school it sponsors.

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

15 11. As used in this section:

16 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

17 (b) "Cyber-bullying" has the meaning ascribed to it in
18 NRS 388.123.

19 (c) "Harassment" has the meaning ascribed to it in
20 NRS 388.125.

21 (d) "Highly qualified" has the meaning ascribed to it in 20
22 U.S.C. § 7801(23).

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

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

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

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

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

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

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

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

43 388.121 As used in NRS 388.121 to 388.139, inclusive, *and*
44 *section 3 of this act*, unless the context otherwise requires, the



1 words and terms defined in NRS 388.122 to 388.129, inclusive,
2 have the meanings ascribed to them in those sections.

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

4 388.122 "Bullying" means a willful act which is written, verbal
5 or physical, or a course of conduct on the part of one or more
6 persons which is not authorized by law and which exposes a person
7 ~~to one time or~~ repeatedly and over time to one or more negative
8 actions which is highly offensive to a reasonable person and:

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

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

14 3. Places the person in reasonable fear of harm or serious
15 emotional distress; or

16 ~~13.1~~ 4. Creates an environment which is hostile to a pupil by
17 interfering with the education of the pupil.

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

19 388.133 1. The Department shall, in consultation with the
20 boards of trustees of school districts, educational personnel, local
21 associations and organizations of parents whose children are
22 enrolled in public schools throughout this State, and individual
23 parents and legal guardians whose children are enrolled in public
24 schools throughout this State, prescribe by regulation a policy for all
25 school districts and public schools to provide a safe and respectful
26 learning environment that is free of bullying, cyber-bullying,
27 harassment and intimidation.

28 2. The policy must include, without limitation:

29 (a) Requirements and methods for reporting violations of NRS
30 388.135; and

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

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

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

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

44 ~~13.1~~ (4) Methods to teach skills to pupils so that the pupils
45 are able to replace inappropriate behavior with positive behavior.



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

2 388.134 The board of trustees of each school district shall:

3 1. Adopt the policy prescribed pursuant to NRS 388.133 and
4 the policy prescribed pursuant to subsection 2 of NRS 389.520. The
5 board of trustees may adopt an expanded policy for one or both of
6 the policies if each expanded policy complies with the policy
7 prescribed pursuant to NRS 388.133 or pursuant to subsection 2 of
8 NRS 389.520, as applicable.

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

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

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

29 5. Review the policies adopted pursuant to subsection 1 on an
30 annual basis and update the policies if necessary. If the board of
31 trustees of a school district updates the policies, the board of trustees
32 must submit a copy of the updated policies to the Department within
33 30 days after the update.

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

35 388.1342 1. The Department, in consultation with persons
36 who possess knowledge and expertise in bullying, cyber-bullying,
37 harassment and intimidation in public schools, shall:

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

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



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(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.~~ 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.~~ 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. (Deleted by amendment.)

Sec. 10. (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*



- 1 *governing disciplinary action adopted by the board of trustees of*
- 2 *the school district.*
- 3 **Sec. 11.5.** NRS 388.1353 and 388.1355 are hereby repealed.
- 4 **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.

