

SENATE BILL NO. 427—COMMITTEE ON JUDICIARY

MARCH 25, 2013

Referred to Committee on Education

SUMMARY—Revises provisions governing bullying. (BDR 5-72)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; requiring courts to inform school districts of incidents of unlawful bullying or cyber-bullying; revising the definition of bullying; revising the prohibition against bullying and cyber-bullying to include certain persons and acts that occur away from school; repealing certain definitions; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a court to provide certain information to a school district if a court determines that a child who is currently enrolled in the school district has unlawfully caused or attempted to cause serious bodily injury to another person. (NRS 62E.030) **Section 1** of this bill likewise requires a court to inform a school district if a child who is currently enrolled in the school district has unlawfully engaged in bullying or cyber-bullying.

Existing law provides definitions of bullying, cyber-bullying, harassment and intimidation for the purposes of providing a safe and respectful learning environment and prohibiting certain conduct. (NRS 388.123-388.129) **Section 7** of this bill revises the definition of bullying to include harassment and intimidation. **Section 19** of this bill repeals the existing definitions of harassment and intimidation.

Existing law prohibits a member of the board of trustees of a school district, an employee of the board of trustees or a pupil from engaging in bullying, cyber-bullying, harassment or intimidation on the premises of any public school, at an activity sponsored by a public school or on any school bus. (NRS 388.135) **Section 15** of this bill: (1) removes the references to harassment and intimidation; (2) prohibits a member of a club or organization which uses the facilities of any public school, regardless of whether the club or organization has any connection to the school, from engaging in bullying or cyber-bullying; and (3) prohibits bullying or cyber-bullying at any location that is not school-related, if the conduct causes physical or emotional harm to another person or damage to another person's property, and creates an environment which is hostile to a pupil.



* S B 4 2 7 *

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

Section 1. NRS 62E.030 is hereby amended to read as follows:

62E.030 1. If a court determines that a child who is currently enrolled in school unlawfully caused or attempted to cause serious bodily injury to another person, the court shall provide the information specified in subsection 2 to the school district in which the child is currently enrolled.

2. The information required to be provided pursuant to subsection 1 must include:

- (a) The name of the child;
- (b) A description of any injury sustained by the other person;
- (c) A description of any weapon used by the child; and
- (d) A description of any threats made by the child against the other person before, during or after the incident in which the child injured or attempted to injure the person.

3. If a court determines that a child who is currently enrolled in school unlawfully engaged in bullying or cyber-bullying, the court shall provide the information specified in subsection 4 to the school district in which the child is currently enrolled.

4. The information required to be provided pursuant to subsection 3 must include:

- (a) The name of the child;*
- (b) The name of the person who was the subject of the bullying or cyber-bullying; and*
- (c) A description of any bullying or cyber-bullying committed by the child against the other person.*

5. 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.*

Sec. 2. NRS 236.073 is hereby amended to read as follows:

236.073 1. The Governor shall annually proclaim the first week in October to be "Week of Respect."

2. The proclamation may call upon:

(a) News media, educators and appropriate government offices to bring to the attention of the residents of Nevada factual information regarding bullying ~~and~~ **and** cyber-bullying, ~~harassment and intimidation in schools;~~ including, without limitation:

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



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

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

(b) School districts to provide instruction on the ways in which pupils can prevent bullying ~~and~~ **and** cyber-bullying ~~harassment and intimidation~~ during the Week of Respect and throughout the school year that is appropriate for the grade level of pupils who receive the instruction.

3. As used in this section:

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

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

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

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

Sec. 3. 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



1 high-poverty compared to low-poverty schools, which for the
2 purposes of this subparagraph means schools in the top quartile of
3 poverty and the bottom quartile of poverty in this State;

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

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

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

17 (5) For each elementary school:

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

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

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

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

43 (o) For all elementary schools, junior high schools and middle
44 schools, the rate of attendance, reported for each school district,



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

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

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

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

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

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

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

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

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

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

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

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

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



* S B 4 2 7 *

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

2. A separate reporting for a group of pupils must not be made pursuant to this section if the number of pupils in that group is



1 insufficient to yield statistically reliable information or the results
2 would reveal personally identifiable information about an individual
3 pupil. The State Board shall prescribe a mechanism for determining
4 the minimum number of pupils that must be in a group for that
5 group to yield statistically reliable information.

6 3. The annual report of accountability must:

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

9 (b) Be prepared in a concise manner; and

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

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

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

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

20 (1) Governor;

21 (2) Committee;

22 (3) Bureau;

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

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

25 (6) Governing body of each charter school.

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

30 6. As used in this section:

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

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

34 ~~(c) "Harassment" has the meaning ascribed to it in~~
35 ~~NRS 388.125.~~

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

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

40 ~~(f)~~ ~~(d)~~ "Paraprofessional" has the meaning ascribed to it in
41 NRS 391.008.

42 **Sec. 4.** NRS 385.34692 is hereby amended to read as follows:

43 385.34692 1. The State Board shall prepare a summary of the
44 annual report of accountability prepared pursuant to NRS 385.3469
45 that includes, without limitation, a summary of the following



1 information for each school district, each charter school and the
2 State as a whole:

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

5 (1) Who are economically disadvantaged, as defined by the
6 State Board;

7 (2) Who are from major racial or ethnic groups, as defined
8 by the State Board;

9 (3) With disabilities;

10 (4) Who are limited English proficient; and

11 (5) Who are migratory children, as defined by the State
12 Board;

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

15 (c) The transiency rate of pupils;

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

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

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

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

22 (2) Possession of a weapon;

23 (3) Distribution of a controlled substance;

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

25 (5) Possession or use of alcohol; and

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

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

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

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

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

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

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

41 (1) Standard diploma;

42 (2) Adult diploma;

43 (3) Adjusted diploma; and

44 (4) Certificate of attendance;



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

(n) Per pupil expenditures;

(o) Information on the professional qualifications of teachers;

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

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

(r) Pupil achievement based upon the:

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

(2) High school proficiency examination administered pursuant to NRS 389.015; and

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

2. The summary prepared pursuant to subsection 1 must:

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

(b) Be prepared in a concise manner; and

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

3. On or before October 20 of each year, the State Board shall:

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

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

(1) Governor;

(2) Committee;

(3) Bureau;

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

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

(6) Governing body of each charter school.

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



1 guardian of a pupil, the Department shall provide the parent or
2 guardian with a written copy of the summary.

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

6 6. As used in this section:

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

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

10 ~~11 (c) "Harassment" has the meaning ascribed to it in
12 NRS 388.125.~~

12 ~~13 (d) "Intimidation" has the meaning ascribed to it in
14 NRS 388.129.~~

14 **Sec. 5.** NRS 385.347 is hereby amended to read as follows:

15 385.347 1. The board of trustees of each school district in
16 this State, in cooperation with associations recognized by the State
17 Board as representing licensed educational personnel in the district,
18 shall adopt a program providing for the accountability of the school
19 district to the residents of the district and to the State Board for the
20 quality of the schools and the educational achievement of the pupils
21 in the district, including, without limitation, pupils enrolled in
22 charter schools sponsored by the school district. The board of
23 trustees of each school district shall report the information required
24 by subsection 2 for each charter school sponsored by the school
25 district. The information for charter schools must be reported
26 separately.

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

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

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

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

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



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

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

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

(III) Pupils with disabilities;

(IV) Pupils who are limited English proficient; and

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

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

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

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

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

(8) Information that compares the results of pupils in the school district, including, without limitation, pupils enrolled in charter schools 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 school expressed as a percentage of the total number of persons employed by the school. 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 the 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 the 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 the 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



1 instructional support staff includes, without limitation, librarians
2 and persons who provide instructional support.

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

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

18 (1) The percentage of teachers who are:

19 (I) Providing instruction pursuant to NRS 391.125;

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

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

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

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

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

37 (I) The number of persons employed as substitute
38 teachers for 20 consecutive days or more in the same classroom or
39 assignment, designated as long-term substitute teachers, including
40 the total number of days long-term substitute teachers were
41 employed at each school, identified by grade level and subject area;
42 and

43 (II) The number of persons employed as substitute
44 teachers for less than 20 consecutive days, designated as short-term
45 substitute teachers, including the total number of days short-term



1 substitute teachers were employed at each school, identified by
2 grade level and subject area; and

3 (5) For each elementary school:

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

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

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

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

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

25 (2) The curriculum used by each charter school sponsored by
26 the district.

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

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

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

41 (j) The annual rate of pupils who drop out of school in grade 8
42 and a separate reporting of the annual rate of pupils who drop out of
43 school in grades 9 to 12, inclusive, for each such grade, for each
44 school in the district and for the district as a whole. The reporting
45 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.

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

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

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

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

(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 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



* S B 4 2 7 *

1 personnel for each school in the district and for the district as a
2 whole, including, without limitation, each charter school sponsored
3 by the district.

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

9 (bb) Information on whether each public school in the district,
10 including, without limitation, each charter school sponsored by the
11 district, has made adequate yearly progress, including, without
12 limitation:

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

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

20 (cc) Information on the paraprofessionals employed by each
21 public school in the district, including, without limitation, each
22 charter school sponsored by the district. The information must
23 include:

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

26 (2) The number and percentage of all paraprofessionals who
27 do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The
28 reporting requirements of this subparagraph apply to
29 paraprofessionals who are employed in positions supported with
30 Title I money and to paraprofessionals who are not employed in
31 positions supported with Title I money.

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

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

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



1 district, information on pupils enrolled in career and technical
2 education, including, without limitation:

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

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

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

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

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

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

20 (gg) The number of incidents resulting in suspension or
21 expulsion for bullying ~~††~~ or cyber-bullying ~~†, harassment or~~
22 ~~intimidation.†~~ for each school in the district and the district as a
23 whole, including, without limitation, each charter school sponsored
24 by the district.

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

27 3. The State Public Charter School Authority and each college
28 or university within the Nevada System of Higher Education that
29 sponsors a charter school shall, on or before September 30 of each
30 year, prepare an annual report of accountability of the charter
31 schools sponsored by the State Public Charter School Authority or
32 institution, as applicable, concerning the accountability information
33 prescribed by the Department pursuant to this section. The
34 Department, in consultation with the State Public Charter School
35 Authority and each college or university within the Nevada System
36 of Higher Education that sponsors a charter school, shall prescribe
37 by regulation the information that must be prepared by the State
38 Public Charter School Authority and institution, as applicable,
39 which must include, without limitation, the information contained in
40 paragraphs (a) to (hh), inclusive, of subsection 2, as applicable to
41 charter schools. The Department shall provide for public
42 dissemination of the annual report of accountability prepared
43 pursuant to this section in the manner set forth in 20 U.S.C. §
44 6311(h)(2)(E) by posting a copy of the report on the Internet website
45 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



1 Teacher Association concerning the program and consider any
2 advice or recommendations submitted by the representatives with
3 respect to the program.

4 8. On or before September 30 of each year:

5 (a) The board of trustees of each school district shall submit to
6 each advisory board to review school attendance created in the
7 county pursuant to NRS 392.126 the information required in
8 paragraph (i) of subsection 2.

9 (b) The State Public Charter School Authority and each college
10 or university within the Nevada System of Higher Education that
11 sponsors a charter school shall submit to each advisory board to
12 review school attendance created in a county pursuant to NRS
13 392.126 the information regarding the records of the attendance and
14 truancy of pupils enrolled in the charter school located in that
15 county, if any, in accordance with the regulations prescribed by the
16 Department pursuant to subsection 3.

17 9. On or before September 30 of each year:

18 (a) The board of trustees of each school district, the State Public
19 Charter School Authority and each college or university within the
20 Nevada System of Higher Education that sponsors a charter school
21 shall provide written notice that the report required pursuant to
22 subsection 2 or 3, as applicable, is available on the Internet website
23 maintained by the school district, State Public Charter School
24 Authority or institution, if any, or otherwise provide written notice
25 of the availability of the report. The written notice must be provided
26 to the:

- 27 (1) Governor;
28 (2) State Board;
29 (3) Department;
30 (4) Committee; and
31 (5) Bureau.

32 (b) The board of trustees of each school district, the State Public
33 Charter School Authority and each college or university within the
34 Nevada System of Higher Education that sponsors a charter school
35 shall provide for public dissemination of the annual report of
36 accountability prepared pursuant to subsection 2 or 3, as applicable,
37 in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) by posting a
38 copy of the report on the Internet website maintained by the school
39 district, the State Public Charter School Authority or the institution,
40 if any. If a school district does not maintain a website, the district
41 shall otherwise provide for public dissemination of the annual report
42 by providing a copy of the report to the schools in the school
43 district, including, without limitation, each charter school sponsored
44 by the district, the residents of the district, and the parents and
45 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, an entity described in
9 paragraph (a) of subsection 9 or a member of the general public, the
10 board of trustees of a school district, the State Public Charter School
11 Authority or a college or university within the Nevada System of
12 Higher Education that sponsors a charter school, as applicable, shall
13 provide a portion or portions of the report required pursuant to
14 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)—~~ (d) "Paraprofessional" has the meaning ascribed to it in
26 NRS 391.008.

27 **Sec. 6.** NRS 388.121 is hereby amended to read as follows:

28 388.121 As used in NRS 388.121 to 388.139, inclusive, unless
29 the context otherwise requires, the words and terms defined in NRS
30 388.122 ~~to 388.129, inclusive,~~ , 388.123 and 388.124 have the
31 meanings ascribed to them in those sections.

32 **Sec. 7.** NRS 388.122 is hereby amended to read as follows:

33 388.122 "Bullying" means a willful act which is written, verbal
34 or physical, or a course of conduct on the part of one or more
35 persons which is not *otherwise* authorized by law and which
36 exposes a person one time or repeatedly and over time to one or
37 more negative actions which is highly offensive to a reasonable
38 person and:

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

41 2. *Poses a threat of immediate harm or actually inflicts harm*
42 *to another person or to the property of another person;*

43 3. Places the person in reasonable fear of harm or serious
44 emotional distress; or



~~13-1~~ 4. Creates an environment which is hostile to a pupil by interfering with the education of the pupil.

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

388.132 The Legislature declares that:

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

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

3. The use of the Internet by pupils in a manner that is ethical, safe and secure is essential to a safe and respectful learning environment and is essential for the successful use of technology;

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

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

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

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

5. By declaring its goal that the public schools in this State provide a safe and respectful learning environment, the Legislature is not advocating or requiring the acceptance of differing beliefs in a manner that would inhibit the freedom of expression, but is requiring that pupils with differing beliefs be free from abuse . ~~and harassment.~~

Sec. 9. NRS 388.1325 is hereby amended to read as follows:

388.1325 1. The Bullying Prevention Fund is hereby created in the State General Fund, to be administered by the Superintendent of Public Instruction. The Superintendent of Public Instruction may accept gifts and grants from any source for deposit into the Fund. The interest and income earned on the money in the Fund must be credited to the Fund.

2. In accordance with the regulations adopted by the State Board pursuant to NRS 388.1327, a school district that applies for



1 and receives a grant of money from the Bullying Prevention Fund
2 shall use the money for one or more of the following purposes:

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

6 (b) The provision of training on the policies adopted by the
7 school district pursuant to NRS 388.134 and the provisions of NRS
8 388.121 to 388.139, inclusive; or

9 (c) The development and implementation of procedures by
10 which the public schools of the school district and the pupils
11 enrolled in those schools can discuss the policies adopted pursuant
12 to NRS 388.134 and the provisions of NRS 388.121 to 388.139,
13 inclusive.

14 **Sec. 10.** NRS 388.133 is hereby amended to read as follows:

15 388.133 1. The Department shall, in consultation with the
16 boards of trustees of school districts, educational personnel, local
17 associations and organizations of parents whose children are
18 enrolled in public schools throughout this State, and individual
19 parents and legal guardians whose children are enrolled in public
20 schools throughout this State, prescribe by regulation a policy for all
21 school districts and public schools to provide a safe and respectful
22 learning environment that is free of bullying ~~and~~ and cyber-bullying .
23 ~~harassment and intimidation.~~

24 2. The policy must include, without limitation:

25 (a) Requirements and methods for reporting violations of NRS
26 388.135; and

27 (b) A policy for use by school districts to train administrators,
28 principals, teachers and all other personnel employed by the board
29 of trustees of a school district. The policy must include, without
30 limitation:

31 (1) Training in the appropriate methods to facilitate positive
32 human relations among pupils without the use of bullying ~~and~~ and
33 cyber-bullying ~~harassment and intimidation~~ so that pupils may
34 realize their full academic and personal potential;

35 (2) Methods to improve the school environment in a manner
36 that will facilitate positive human relations among pupils; and

37 (3) Methods to teach skills to pupils so that the pupils are
38 able to replace inappropriate behavior with positive behavior.

39 **Sec. 11.** NRS 388.1341 is hereby amended to read as follows:

40 388.1341 1. The Department, in consultation with persons
41 who possess knowledge and expertise in bullying ~~and~~ and cyber-
42 bullying, ~~harassment and intimidation in public schools,~~ shall, to
43 the extent money is available, develop an informational pamphlet to
44 assist pupils and the parents or legal guardians of pupils enrolled in
45 the public schools in this State in resolving incidents of bullying ~~and~~



1 or cyber-bullying . ~~harassment or intimidation.~~ If developed, the
2 pamphlet must include, without limitation:

3 (a) A summary of the policy prescribed by the Department
4 pursuant to NRS 388.133 and the provisions of NRS 388.121 to
5 388.139, inclusive;

6 (b) A description of practices which have proven effective in
7 preventing and resolving violations of NRS 388.135 in schools,
8 which must include, without limitation, methods to identify and
9 assist pupils who are at risk for bullying ~~harassment or intimidation.~~ and
10 ~~harassment or intimidation.~~ and

11 (c) An explanation that the parent or legal guardian of a pupil
12 who is involved in a reported violation of NRS 388.135 may request
13 an appeal of a disciplinary decision made against the pupil as a
14 result of the violation, in accordance with the policy governing
15 disciplinary action adopted by the board of trustees of the school
16 district.

17 2. If the Department develops a pamphlet pursuant to
18 subsection 1, the Department shall review the pamphlet on an
19 annual basis and make such revisions to the pamphlet as the
20 Department determines are necessary to ensure the pamphlet
21 contains current information.

22 3. If the Department develops a pamphlet pursuant to
23 subsection 1, the Department shall post a copy of the pamphlet on
24 the Internet website maintained by the Department.

25 4. To the extent the money is available, the Department shall
26 develop a tutorial which must be made available on the Internet
27 website maintained by the Department that includes, without
28 limitation, the information contained in the pamphlet developed
29 pursuant to subsection 1, if such a pamphlet is developed by the
30 Department.

31 **Sec. 12.** NRS 388.1342 is hereby amended to read as follows:

32 388.1342 1. The Department, in consultation with persons
33 who possess knowledge and expertise in bullying ~~harassment and intimidation in public schools.~~ and
34 bullying, ~~harassment and intimidation in public schools.~~ shall:

35 (a) Establish a program of training on methods to prevent,
36 identify and report incidences of bullying ~~harassment and intimidation in public schools.~~ and
37 ~~harassment and intimidation in public schools.~~ for members of the
38 State Board.

39 (b) Recommend a program of training on methods to prevent,
40 identify and report incidences of bullying ~~harassment and intimidation in public schools.~~ and
41 ~~harassment and intimidation in public schools.~~ for members of the
42 boards of trustees of school districts.

43 (c) Recommend a program of training for school district
44 personnel to assist those persons with carrying out their powers and
45 duties pursuant to NRS 388.121 to 388.139, inclusive.



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

4. Each program of training established and recommended pursuant to subsection 1 must, to the extent money is available, be made available on the Internet website maintained by the Department or through another provider on the Internet.

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

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

Sec. 13. NRS 388.1343 is hereby amended to read as follows:

388.1343 The principal of each public school or his or her designee shall:

1. Establish a school safety team to develop, foster and maintain a school environment which is free from bullying ~~and~~ and cyber-bullying ; ~~harassment and intimidation;~~

2. Conduct investigations of violations of NRS 388.135 occurring at the school; and

3. Collaborate with the board of trustees of the school district and the school safety team to prevent, identify and address reported violations of NRS 388.135 at the school.

Sec. 14. NRS 388.1344 is hereby amended to read as follows:

388.1344 1. Each school safety team established pursuant to NRS 388.1343 must consist of the principal or his or her designee and the following persons appointed by the principal:

(a) A school counselor;

(b) At least one teacher who teaches at the school;

(c) At least one parent or legal guardian of a pupil enrolled in the school; and

(d) Any other persons appointed by the principal.



2. The principal or his or her designee shall serve as the chair of the school safety team.

3. The school safety team shall:

(a) Meet at least two times each year;

(b) Identify and address patterns of bullying ~~or~~ cyber-bullying ; ~~harassment or intimidation at the school;~~

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

(d) Provide information to school personnel, pupils enrolled in the school and parents and legal guardians of pupils enrolled in the school on methods to address bullying ~~and~~ cyber-bullying ; ~~harassment and intimidation;~~ and

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

Sec. 15. NRS 388.135 is hereby amended to read as follows:

388.135 A member of the board of trustees of a school district, any employee of the board of trustees, including, without limitation, an administrator, principal, teacher or other staff member, *a member of a club or organization which uses the facilities of any public school, regardless of whether the club or organization has any connection to the school,* or any pupil shall not engage in bullying ~~or~~ cyber-bullying ~~harassment or intimidation on~~ :

1. *On the premises of any public school, at an activity sponsored by a public school or on any school bus ; or*

2. *At any location that is not school-related, if the bullying or cyber-bullying:*

(a) *Causes physical or emotional harm to another person or damage to another person's property; and*

(b) *Creates an environment which is hostile to a pupil by interfering with the education of the pupil, or substantially disrupts the educational process or the orderly operation of a school.*

Sec. 16. NRS 388.1353 is hereby amended to read as follows:

388.1353 1. On or before January 1 and June 30 of each year, the principal of each public school shall submit to the board of trustees of the school district a report on the violations of NRS 388.135 which are reported during the previous school semester. The report must include, without limitation:

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

(b) Any actions taken at the school to reduce the number of incidences of bullying ~~or~~ and cyber-bullying, ~~harassment and~~



1 ~~intimidation,~~ including, without limitation, training that was offered
2 or other policies, practices and programs that were implemented.

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

7 **Sec. 17.** NRS 388.139 is hereby amended to read as follows:

8 388.139 Each school district shall include the text of the
9 provisions of NRS 388.121 to 388.139, inclusive, and the policies
10 adopted by the board of trustees of the school district pursuant to
11 NRS 388.134 under the heading “Bullying ~~+~~ and Cyber-Bullying ~~+~~
12 ~~Harassment and Intimidation~~ Is Prohibited in Public Schools,”
13 within each copy of the rules of behavior for pupils that the school
14 district provides to pupils pursuant to NRS 392.463.

15 **Sec. 18.** NRS 389.520 is hereby amended to read as follows:

16 389.520 1. The Council shall:

17 (a) Establish standards of content and performance, including,
18 without limitation, a prescription of the resulting level of
19 achievement, for the grade levels set forth in subsection 3, based
20 upon the content of each course, that is expected of pupils for the
21 following courses of study:

22 (1) English, including reading, composition and writing;

23 (2) Mathematics;

24 (3) Science;

25 (4) Social studies, which includes only the subjects of
26 history, geography, economics and government;

27 (5) The arts;

28 (6) Computer education and technology;

29 (7) Health; and

30 (8) Physical education.

31 (b) Establish a schedule for the periodic review and, if
32 necessary, revision of the standards of content and performance. The
33 review must include, without limitation, the review required
34 pursuant to NRS 389.570 of the results of pupils on the
35 examinations administered pursuant to NRS 389.550.

36 (c) Assign priorities to the standards of content and performance
37 relative to importance and degree of emphasis and revise the
38 standards, if necessary, based upon the priorities.

39 2. The standards for computer education and technology must
40 include a policy for the ethical, safe and secure use of computers
41 and other electronic devices. The policy must include, without
42 limitation:

43 (a) The ethical use of computers and other electronic devices,
44 including, without limitation:



(1) Rules of conduct for the acceptable use of the Internet and other electronic devices; and

(2) Methods to ensure the prevention of:

(I) Cyber-bullying;

(II) Plagiarism; and

(III) The theft of information or data in an electronic form;

(b) The safe use of computers and other electronic devices, including, without limitation, methods to:

(1) Avoid ~~harassment~~ cyber-bullying and other unwanted electronic communication, including, without limitation, communication with on-line predators;

(2) Recognize when an on-line electronic communication is dangerous or potentially dangerous; and

(3) Report a dangerous or potentially dangerous on-line electronic communication to the appropriate school personnel;

(c) The secure use of computers and other electronic devices, including, without limitation:

(1) Methods to maintain the security of personal identifying information and financial information, including, without limitation, identifying unsolicited electronic communication which is sent for the purpose of obtaining such personal and financial information for an unlawful purpose;

(2) The necessity for secure passwords or other unique identifiers;

(3) The effects of a computer contaminant;

(4) Methods to identify unsolicited commercial material; and

(5) The dangers associated with social networking Internet sites; and

(d) A designation of the level of detail of instruction as appropriate for the grade level of pupils who receive the instruction.

3. The Council shall establish standards of content and performance for each grade level in kindergarten and grades 1 to 8, inclusive, for English and mathematics. The Council shall establish standards of content and performance for the grade levels selected by the Council for the other courses of study prescribed in subsection 1.

4. The Council shall forward to the State Board the standards of content and performance established by the Council for each course of study. The State Board shall:

(a) Adopt the standards for each course of study, as submitted by the Council; or

(b) If the State Board objects to the standards for a course of study or a particular grade level for a course of study, return those



standards to the Council with a written explanation setting forth the reason for the objection.

5. If the State Board returns to the Council the standards of content and performance for a course of study or a grade level, the Council shall:

(a) Consider the objection provided by the State Board and determine whether to revise the standards based upon the objection; and

(b) Return the standards or the revised standards, as applicable, to the State Board.

➔ The State Board shall adopt the standards of content and performance or the revised standards, as applicable.

6. The Council shall work in cooperation with the State Board to prescribe the examinations required by NRS 389.550.

7. As used in this section:

(a) "Computer contaminant" has the meaning ascribed to it in NRS 205.4737.

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

(c) "Electronic communication" has the meaning ascribed to it in NRS 388.124.

Sec. 19. NRS 388.125 and 388.129 are hereby repealed.

Sec. 20. This act becomes effective on July 1, 2013.

TEXT OF REPEALED SECTIONS

388.125 "Harassment" defined. "Harassment" means a willful act which is written, verbal or physical, or a course of conduct that is not otherwise authorized by law, is highly offensive to a reasonable person and:

1. Is intended to cause or actually causes another person to suffer serious emotional distress;

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

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

388.129 "Intimidation" defined. "Intimidation" means a willful act which is written, verbal or physical, or a course of conduct that is not otherwise authorized by law, is highly offensive to a reasonable person and:

1. Poses a threat of immediate harm or actually inflicts harm to another person or to the property of another person;



* S B 4 2 7 *

2. Places a person in reasonable fear of harm or serious emotional distress; or
3. Creates an environment which is hostile to a pupil by interfering with the education of the pupil.

30



* S B 4 2 7 *