

ASSEMBLY BILL NO. 206—ASSEMBLYMEN SPIEGEL, SWANK;
CARRILLO, JOINER, KIRKPATRICK, OHRENSCHALL,
OSCARSON, SPRINKLE AND THOMPSON

MARCH 2, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to certain notices provided to the parent or guardian of a pupil who attends a public school. (BDR 34-740)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to education; requiring certain notices provided by a principal at a public school to the parent or guardian of a pupil relating to the health or bullying of the pupil to include a list of resources that may be available in the community for the pupil; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the principal of a public school or his or her designee to
2 provide written notice to the parent or legal guardian of any pupil involved in a
3 bullying or cyber-bullying incident on the premises of the school, at an activity
4 sponsored by the school or on a school bus. (NRS 388.135, 388.1351) Existing law
5 also requires public school authorities to notify the parent or guardian of a child
6 who is found or believed to have scoliosis, any visual or auditory problems or any
7 gross physical defect. (NRS 392.420) This bill requires any written notice required
8 pursuant to these provisions to include a list of any resources that may be available
9 in the community to assist the pupil or provide appropriate medical attention, if
10 such information is available.



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

Section 1. 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 ~~the~~:

(a) 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 ~~and~~; and

(b) *To the extent that information is available, a list of any resources that may be available in the community to assist the pupil, including, without limitation, resources available at no charge or at a reduced cost.*

3. The investigation *conducted pursuant to subsection 2* 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.

~~3.4~~ 4. 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. 2. NRS 392.420 is hereby amended to read as follows:

392.420 1. In each school at which a school nurse is responsible for providing nursing services, the school nurse shall plan for and carry out, or supervise qualified health personnel in carrying out, a separate and careful observation and examination of every child who is regularly enrolled in a grade specified by the



board of trustees or superintendent of schools of the school district in accordance with this subsection to determine whether the child has scoliosis, any visual or auditory problem, or any gross physical defect. The grades in which the observations and examinations must be carried out are as follows:

(a) For visual and auditory problems:

(1) Before the completion of the first year of initial enrollment in elementary school;

(2) In at least one additional grade of the elementary schools; and

(3) In one grade of the middle or junior high schools and one grade of the high schools; and

(b) For scoliosis, in at least one grade of schools below the high schools.

➔ Any person other than a school nurse, including, without limitation, a person employed at a school to provide basic first aid and health services to pupils, who performs an observation or examination pursuant to this subsection must be trained by a school nurse to conduct the observation or examination.

2. If any child is attending school in a grade above one of the specified grades and has not previously received such an observation and examination, the child must be included in the current schedule for observation and examination. Any child who is newly enrolled in the district must be examined for any medical condition for which children in a lower grade are examined.

3. A special examination for a possible visual or auditory problem must be provided for any child who:

(a) Is enrolled in a special program;

(b) Is repeating a grade;

(c) Has failed an examination for a visual or auditory problem during the previous school year; or

(d) Shows in any other way that the child may have such a problem.

4. The school authorities shall notify the parent or guardian of any child who is found or believed to have scoliosis, any visual or auditory problem, or any gross physical defect, and shall recommend that appropriate medical attention be secured to correct it. *Any written notice provided to the parent or guardian of a child pursuant to this subsection must include, to the extent that information is available, a list of any resources that may be available in the community to provide such medical attention, including, without limitation, resources available at no charge or at a reduced cost.*

5. In any school district in which state, county or district public health services are available or conveniently obtainable, those



1 services may be used to meet the responsibilities assigned under the
2 provisions of this section. The board of trustees of the school district
3 may employ qualified personnel to perform them. Any nursing
4 services provided by such qualified personnel must be performed in
5 compliance with chapter 632 of NRS.

6 6. The board of trustees of a school district may adopt a policy
7 which encourages the school district and schools within the school
8 district to collaborate with:

9 (a) Qualified health care providers within the community to
10 perform, or assist in the performance of, the services required by
11 this section; and

12 (b) Postsecondary educational institutions for qualified students
13 enrolled in such an institution in a health-related program to
14 perform, or assist in the performance of, the services required by
15 this section.

16 7. The school authorities shall provide notice to the parent or
17 guardian of a child before performing on the child the examinations
18 required by this section. The notice must inform the parent or
19 guardian of the right to exempt the child from all or part of the
20 examinations. Any child must be exempted from an examination if
21 the child's parent or guardian files with the teacher a written
22 statement objecting to the examination.

23 8. Each school nurse or a designee of a school nurse, including,
24 without limitation, a person employed at a school to provide basic
25 first aid and health services to pupils, shall report the results of the
26 examinations conducted pursuant to this section in each school at
27 which he or she is responsible for providing services to the Chief
28 Medical Officer in the format prescribed by the Chief Medical
29 Officer. Each such report must exclude any identifying information
30 relating to a particular child. The Chief Medical Officer shall
31 compile all such information the Officer receives to monitor the
32 health status of children and shall retain the information.

33 **Sec. 3.** This act becomes effective on July 1, 2015.

