

Amendment No. 802

Senate Amendment to Assembly Bill No. 206 First Reprint	(BDR 34-740)
Proposed by: Senate Committee on Education	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>	Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>	Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>
Receded	<input type="checkbox"/>	Not <input type="checkbox"/>	Receded	<input type="checkbox"/>	Not <input type="checkbox"/>

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

KRO/RBL



Date: 5/17/2015

A.B. No. 206—Revises provisions relating to certain notices provided to the parent or guardian of a pupil who attends a public school.
(BDR 34-740)



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 ***provide certain information to the parent or guardian of a pupil who was included in a report of bullying or who school authorities believe has certain issues*** relating to ~~{the}~~ ***his or her*** health ~~{for bullying of the pupil to include a list of}~~ ***regarding*** resources that may be available in the community for the pupil; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the principal of a public school or his or her designee to provide written notice to the parent or legal guardian of any pupil involved in a bullying or cyber-bullying incident on the premises of the school, at an activity sponsored by the school or on a school bus. (NRS 388.135, 388.1351) ***Section 1 of this bill requires the principal of a public school or his or her designee to provide a list of any resources that may be available in the community to assist a pupil to each parent or legal guardian of a pupil to whom written notice was provided, if such information is available.***

Existing law also requires public school authorities to notify the parent or guardian of a child who is found or believed to have scoliosis, any visual or auditory problems or any gross physical defect. (NRS 392.420) ~~{This}~~ ***Section 2 of this*** bill requires any written notice required pursuant to these provisions to include a list of any resources that may be available in the community to ~~assist the pupil or~~ provide appropriate medical attention, if 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

1 shall verbally report the violation to the principal or his or her designee on the day
2 on which the teacher or other staff member witnessed the violation or received
3 information regarding the occurrence of a violation.

4 2. The principal or his or her designee shall initiate an investigation not later
5 than 1 day after receiving notice of the violation pursuant to subsection 1. The
6 principal or the designee shall provide written notice of a reported violation of NRS
7 388.135 to the parent or legal guardian of each pupil involved in the reported
8 violation. The notice must include, without limitation a ~~the~~

9 ~~(a) A~~ statement that the principal or the designee will be conducting an
10 investigation into the reported violation and that the parent or legal guardian may
11 discuss with the principal or the designee any counseling and intervention services
12 that are available to the pupil ~~the~~ and

13 ~~(b) To the extent that information is available, a list of any resources that~~
14 ~~may be available in the community to assist the pupil, including, without~~
15 ~~limitation, resources available at no charge or at a reduced cost. If such a list is~~
16 ~~provided, the principal, his or her designee, or any employee of the school or the~~
17 ~~school district is not responsible for providing such resources to the pupil or~~
18 ~~ensuring that the pupil receives such resources.~~

19 3. The investigation conducted pursuant to subsection 2 must be completed
20 within 10 days after the date on which the investigation is initiated and, if a
21 violation is found to have occurred, include recommendations concerning the
22 imposition of disciplinary action or other measures to be imposed as a result of the
23 violation, in accordance with the policy governing disciplinary action adopted by
24 the board of trustees of the school district.

25 ~~3-4~~ 4. The parent or legal guardian of a pupil involved in the reported
26 violation of NRS 388.135 may appeal a disciplinary decision of the principal or his
27 or her designee, made against the pupil as a result of the violation, in accordance
28 with the policy governing disciplinary action adopted by the board of trustees of the
29 school district.

30 5. To the extent that information is available, the principal or his or her
31 designee shall provide a list of any resources that may be available in the
32 community to assist a pupil to each parent or guardian of a pupil to whom notice
33 was provided pursuant to this section as soon as practicable. Such a list may
34 include, without limitation, resources available at no charge or at a reduced cost.
35 If such a list is provided, the principal, his or her designee, or any employee of
36 the school or the school district is not responsible for providing such resources to
37 the pupil or ensuring the pupil receives such resources.

38 **Sec. 2.** NRS 392.420 is hereby amended to read as follows:

39 392.420 1. In each school at which a school nurse is responsible for
40 providing nursing services, the school nurse shall plan for and carry out, or
41 supervise qualified health personnel in carrying out, a separate and careful
42 observation and examination of every child who is regularly enrolled in a grade
43 specified by the board of trustees or superintendent of schools of the school district
44 in accordance with this subsection to determine whether the child has scoliosis, any
45 visual or auditory problem, or any gross physical defect. The grades in which the
46 observations and examinations must be carried out are as follows:

47 (a) For visual and auditory problems:

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

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

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

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

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

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

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

12 (a) Is enrolled in a special program;

13 (b) Is repeating a grade;

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

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

17 4. The school authorities shall notify the parent or guardian of any child who
18 is found or believed to have scoliosis, any visual or auditory problem, or any gross
19 physical defect, and shall recommend that appropriate medical attention be secured
20 to correct it. *Any written notice provided to the parent or guardian of a child
21 pursuant to this subsection must include, to the extent that information is
22 available, a list of any resources that may be available in the community to
23 provide such medical attention, including, without limitation, resources available
24 at no charge or at a reduced cost. If such a list is provided, the principal, his or
25 her designee, or any employee of the school or the school district is not
26 responsible for providing such resources to the pupil or ensuring that the pupil
27 receives such resources.*

28 5. In any school district in which state, county or district public health
29 services are available or conveniently obtainable, those services may be used to
30 meet the responsibilities assigned under the provisions of this section. The board of
31 trustees of the school district may employ qualified personnel to perform them. Any
32 nursing services provided by such qualified personnel must be performed in
33 compliance with chapter 632 of NRS.

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

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

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

42 7. The school authorities shall provide notice to the parent or guardian of a
43 child before performing on the child the examinations required by this section. The
44 notice must inform the parent or guardian of the right to exempt the child from all
45 or part of the examinations. Any child must be exempted from an examination if
46 the child's parent or guardian files with the teacher a written statement objecting to
47 the examination.

48 8. Each school nurse or a designee of a school nurse, including, without
49 limitation, a person employed at a school to provide basic first aid and health
50 services to pupils, shall report the results of the examinations conducted pursuant to
51 this section in each school at which he or she is responsible for providing services
52 to the Chief Medical Officer in the format prescribed by the Chief Medical Officer.
53 Each such report must exclude any identifying information relating to a particular

1 child. The Chief Medical Officer shall compile all such information the Officer
2 receives to monitor the health status of children and shall retain the information.

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