

CHAPTER.....

AN ACT relating to education; requiring the Commission on Professional Standards in Education to establish the Nevada Model Code of Educator Ethics governing interpersonal interactions and certain communications by teachers, administrators and other employees with pupils; requiring the boards of trustees of school districts and the governing bodies of charter schools to provide training on the Code; requiring teachers, administrators and other persons employed by a school district or charter school to sign an acknowledgment of the Code upon completion of the training; creating the Nevada Educator Code of Ethics Advisory Group and prescribing its membership and duties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 3 of this bill requires the Commission on Professional Standards in Education to prescribe by regulation the Nevada Model Code of Educator Ethics for teachers, administrators and all other persons employed by a school district or a charter school relating to interpersonal interactions and communications with pupils. **Section 3** requires the Commission to develop the regulations based upon the recommendations of the Nevada Educator Code of Ethics Advisory Group created by **section 4** of this bill, and in consultation with the boards of trustees of school districts, the governing bodies of charter schools and, as practicable, teachers, administrators and other persons employed by school districts and charter schools. **Section 3** prescribes requirements for the Code including that it clearly state, for all persons employed by a school district or governing body of a charter school, guidelines for their responsibility: (1) to the profession of education; (2) for professional competence; (3) to pupils; (4) to the school community; and (5) for the ethical use of technology.

Section 3 also requires the boards of trustees of school districts and the governing bodies of charter schools to provide all persons employed by the school district or governing body, as applicable, training in the Code and to ensure that each such person signs an acknowledgment of the Code. Finally, **section 3** requires the Code to be: (1) posted on the Internet website maintained by the Department of Education; (2) distributed to the State Board of Education and each approved provider of a course of study of training for teachers; and (3) distributed to the board of trustees of each school district and the governing body of each charter school for posting on the Internet website maintained by the school district or charter school, as applicable.

Section 4 of this bill creates the Advisory Group consisting of 13 members. **Section 5** of this bill requires the Advisory Group to, among other things, study codes of ethics and best practices established in other states and make certain recommendations to the Commission related to the adoption of a code of ethics for educators in this State. **Section 6** of this bill requires the Advisory Group to submit reports on or before July 1, 2018, and December 1, 2018, to the Governor, State Board, Commission and Director of the Legislative Counsel Bureau for transmittal



to the Legislature concerning the progress made towards carrying out its duties, including any recommendations of the Advisory Group. **Section 9** of this bill provides for the expiration of the Advisory Group on June 30, 2019.

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

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

Section 1. Chapter 391 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

Sec. 2. *The Legislature hereby finds and declares that:*

1. Pupils are the most vital resource to the future of this State;

2. Persons who enter professions that necessitate interaction with the pupils of this State have an obligation to act professionally and ethically when dealing with a pupil;

3. Interactions and communications with pupils, whether taking place inside or outside the classroom, in person or at a distance, must:

(a) Promote a safe and respectful environment conducive to a positive educational experience; and

(b) Maintain appropriate boundaries of authority while fostering empathy and support for and encouragement of pupils.

Sec. 3. *1. The Commission shall prescribe by regulation a written policy that establishes the Nevada Model Code of Educator Ethics for teachers, administrators and other persons employed by a school district or a charter school relating to interpersonal interactions and communications with pupils. The Nevada Model Code of Educator Ethics must, without limitation:*

(a) Be developed based upon the recommendations of the Nevada Educator Code of Ethics Advisory Group created by section 4 of this act and in consultation with the boards of trustees of school districts, the governing bodies of charter schools and, as practicable, teachers, administrators and other persons employed by school districts and charter schools.

(b) Clearly state the guidelines for:

(1) Responsibility to the profession of education;

(2) Responsibility for professional competence;

(3) Responsibility to pupils;

(4) Responsibility to the school community; and

(5) The responsible and ethical use of technology, including, without limitation, electronic communication.



2. *The board of trustees of each school district and the governing body of each charter school shall provide training on the Nevada Model Code of Educator Ethics to teachers, administrators and other persons employed by the school district or charter school. Upon completion of the training, each teacher, administrator and other person employed by a school district or a charter school must sign a written acknowledgment of the Nevada Model Code of Educator Ethics.*

3. *The Department shall post the Nevada Model Code of Educator Ethics prescribed by regulation pursuant to subsection 1 on the Internet website maintained by the Department and provide a copy of the Code to:*

(a) The State Board;

(b) Each educational institution that provides a course of study or training for the education of teachers approved pursuant to NRS 391.037 and 391.038;

(c) Each qualified provider approved pursuant to NRS 391.019;

(d) The board of trustees of each school district; and

(e) The governing body of each charter school.

↪ Each board of trustees and governing body must post the Code on the Internet website maintained by the school district or charter school, as applicable.

4. *As used in this section, “electronic communication” has the meaning ascribed to it in NRS 388.124.*

Sec. 4. *1. The Nevada Educator Code of Ethics Advisory Group is hereby created, consisting of the following 13 members:*

(a) The Superintendent of Public Instruction, or his or her designee, who serves as an ex officio member of the Advisory Group.

(b) One member appointed by the Chancellor of the Nevada System of Higher Education who is a dean of one of the Colleges of Education within the System or a person nominated by such a dean for appointment by the Chancellor.

(c) Three members who are teachers appointed by the Governor from a list of two nominees submitted by the Speaker of the Assembly and two nominees submitted by the Majority Leader of the Senate. The members must be recommended by the Nevada State Education Association or its successor organization and the Association shall consider for recommendation teachers who are certified by a national board.

(d) Two members who are parents of pupils who attend a public school in this State, appointed by the Governor from a list



of nominees submitted by the Speaker of the Assembly and the Majority Leader of the Senate.

(e) One member who is a member of student government or the Nevada Youth Legislature, appointed by the Superintendent of Public Instruction.

(f) Two members who are school-level administrators, one of whom is employed by a school district in a county whose population is 100,000 or more and one of whom is employed by a school district in a county whose population is less than 100,000, appointed by the Governor from a list of nominees submitted by the Nevada Association of School Administrators or its successor organization.

(g) One member who is an employee of a school district with expertise in labor-management relations, appointed by the Governor.

(h) One member who is licensed by a board in this State, other than the State Board, that has a code of ethics and requires compliance as a condition to continued licensure, appointed by the Governor.

(i) One member who is a superintendent of schools of a school district, appointed by the Governor from a list of nominees submitted by the Nevada Association of School Superintendents.

↳ In making the appointments to the Advisory Group, the appointing authorities shall ensure that the membership represents the geographic and ethnic diversity of the State.

2. A vacancy on the Advisory Group must be filled in the same manner as the original appointment.

3. The Advisory Group shall, at its first meeting, elect a Chair from among its members.

4. The Advisory Group shall meet at least quarterly and may meet at other times upon the call of the Chair.

5. The members of the Advisory Group serve without compensation, except that for each day or portion of a day during which a member of the Advisory Group attends a meeting of the Advisory Group or is otherwise engaged in the business of the Advisory Group, the member is entitled to receive the per diem allowances and travel expenses provided for state officers and employees generally.

6. A member of the Advisory Group who is a public employee must be granted administrative leave from the member's duties to engage in the business of the Advisory Group without loss of his or her regular compensation. Such leave does not reduce the amount of the member's other accrued leave.



7. *Any costs associated with employing a substitute teacher while a member of the Advisory Group who is a teacher attends a meeting of the Advisory Group must be paid by the school district or charter school that employs the member.*

8. *The Department shall provide the Advisory Group with such staff as necessary for the Advisory Group to carry out its responsibilities.*

9. *The Advisory Group may apply for and accept gifts, grants, donations and contributions from any source for the purpose of carrying out its duties.*

Sec. 5. *The Nevada Educator Code of Ethics Advisory Group created by section 4 of this act shall:*

1. *Study codes of ethics and best practices that have been established in other states.*

2. *Make recommendations to the Commission for the adoption of a code of ethics for educators in this State. Such a code of ethics must address, without limitation, responsibility to the profession of education, professional competence, responsibility to pupils, responsibility to the school community and the ethical use of technology.*

3. *Develop strategies to carry out a code of ethics which may include, without limitation, recommending the adoption of regulations by the State Board or the Commission or recommending legislation to revise provisions of law.*

4. *Review courses offered by the Nevada System of Higher Education, educational institutions approved pursuant to NRS 391.037 and 391.038 and qualified providers approved pursuant to NRS 391.019 which provide training to teachers on ethical responsibilities to determine whether the material is adequate to inform teachers of the requirements included in any proposed code of ethics that is established.*

5. *Provide any recommendations deemed necessary and appropriate to the Board of Regents of the University of Nevada, educational institutions and qualified providers for improvements to a course described in subsection 4 and provide a copy of such recommendations to the Governor, the State Board, the Commission and the Director of the Legislative Counsel Bureau for transmittal to the 80th Session of the Nevada Legislature.*

6. *Study the cost of professional development for teachers, administrators, paraprofessionals and other educational personnel and the use and availability of regional training programs and any federal funding available for professional development of*



teachers, administrators, paraprofessionals and other educational personnel.

Sec. 6. *1. On or before July 1, 2018, and December 1, 2018, the Nevada Educator Code of Ethics Advisory Group created by section 4 of this act shall prepare a report concerning the status of the Advisory Group in carrying out its duties as described in section 5 of this act, including, without limitation, any recommendations which the Advisory Group has made and any response to such recommendations.*

2. The report prepared pursuant to subsection 1 must be submitted to the Governor, the State Board, the Commission and the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission and the 80th Session of the Nevada Legislature.

Sec. 7. Section 3 of this act is hereby amended to read as follows:

Sec. 3. 1. The Commission shall prescribe by regulation a written policy that establishes the Nevada Model Code of Educator Ethics for teachers, administrators and other persons employed by a school district or a charter school relating to interpersonal interactions and communications with pupils. The Nevada Model Code of Educator Ethics must, without limitation:

(a) Be developed ~~based upon the recommendations of the Nevada Educator Code of Ethics Advisory Group created by section 4 of this act and~~ in consultation with the boards of trustees of school districts, the governing bodies of charter schools and, as practicable, teachers, administrators and other persons employed by school districts and charter schools.

(b) Clearly state the guidelines for:

- (1) Responsibility to the profession of education;
- (2) Responsibility for professional competence;
- (3) Responsibility to pupils;
- (4) Responsibility to the school community; and
- (5) The responsible and ethical use of technology, including, without limitation, electronic communication.

2. The board of trustees of each school district and the governing body of charter school shall provide training on the Nevada Model Code of Educator Ethics to teachers, administrators and other persons employed by the school district or charter school. Upon completion of the training, each teacher, administrator and other person employed by a school district or a charter school must sign a written



acknowledgment of the Nevada Model Code of Educator Ethics.

3. The Department shall post the Nevada Model Code of Educator Ethics prescribed by regulation pursuant to subsection 1 on the Internet website maintained by the Department and provide a copy of the Code to:

(a) The State Board;

(b) Each educational institution that provides a course of study or training for the education of teachers approved pursuant to NRS 391.037 and 391.038;

(c) Each qualified provider approved pursuant to NRS 391.019;

(d) The board of trustees of each school district; and

(e) The governing body of each charter school.

→ Each board of trustees and governing body must post the Code on the Internet website maintained by the school district or charter school, as applicable.

4. As used in this section, “electronic communication” has the meaning ascribed to it in NRS 388.124.

Sec. 8. The members of the Nevada Educator Code of Ethics Advisory Group created by section 4 of this act must be appointed as soon as practicable but not later than October 1, 2017. The Advisory Group shall hold its first meeting not later than January 1, 2018.

Sec. 9. 1. This section and sections 1, 2 and 3 of this act become effective on July 1, 2017.

2. Sections 4, 5, 6 and 8 of this act become effective on July 1, 2017, and expire by limitation on June 30, 2019.

3. Section 7 of this act becomes effective on July 1, 2019.

