

Amendment No. 1021

Senate Amendment to Senate Bill No. 332	(BDR S-640)
Proposed by: Senate Committee on Legislative Operations and Elections	
Amendment Box: Replaces Amendment No. 998.	
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.



SENATE BILL NO. 332—SENATOR SEEVERS GANSERT

MARCH 18, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to education. (BDR S-640)

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

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

AN ACT relating to education; directing the Legislative ~~{Commission to appoint a committee concerning}~~ **Committee on Education to study** the provision of a safe and respectful learning environment that is free of bullying, cyber-bullying and ~~{sexual}~~ **discriminatory** harassment; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section ~~{H}~~ **2** of this bill directs the Legislative ~~{Commission to appoint a committee}~~ **Committee on Education** to conduct an interim study concerning the provision of a safe and respectful learning environment that is free of bullying, cyber-bullying and ~~{sexual}~~ **discriminatory** harassment. Section ~~{H}~~ **2** also requires the Committee to consult with and solicit input from certain persons and organizations with expertise and experience in matters relevant to the provision of a safe and respectful learning environment that is free of bullying, cyber-bullying and ~~{sexual}~~ **discriminatory** harassment. Section ~~{H}~~ **2.5** of this bill ~~{requires the Legislative Counsel Bureau to provide administrative and technical assistance to the committee at the request of the Chair of the committee.}~~ **requires the Committee, in conducting the study, to: (1) review certain specific subjects relating to the provision of a safe and respectful learning environment; and (2) make recommendations concerning any matter relating to the study, including recommendations concerning proposed legislation.**

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

Section 1. **As used in sections 2 and 2.5 of this act, unless the context otherwise requires, "discriminatory harassment" means discrimination or harassment on the basis of race, color, religion, sex, age, disability, sexual orientation, national origin, ancestry or gender identity or expression.**

~~{Section 1.}~~ Sec. 2. 1. The Legislative ~~{Commission}~~ **Committee on Education** shall ~~{appoint a committee to conduct an interim}~~ study ~~{concerning}~~ the provision of a safe and respectful learning environment that is free of bullying, cyber-bullying and ~~{sexual}~~ **discriminatory** harassment ~~{H}~~ **to ensure that each pupil enrolled in an elementary school, junior high school, middle school or**

high school in this State and each student enrolled in an institution of the Nevada System of Higher Education is provided with equal access to education.

~~[(2.) The committee must be composed of:~~

~~— (a) Two voting members of the Legislature appointed by the Majority Leader of the Senate;~~

~~— (b) Two voting members of the Legislature appointed by the Speaker of the Assembly;~~

~~— (c) One voting member of the Legislature appointed by the Minority Leader of the Senate; and~~

~~— (d) One voting member of the Legislature appointed by the Minority Leader of the Assembly.~~

~~3. The Majority Leader of the Senate shall appoint a Chair and Vice Chair of the committee.~~

~~4.]~~ 2. The Committee shall consult with and solicit input from persons and organizations with expertise or experience in matters relevant to bullying, cyber-bullying and ~~[sexual]~~ discriminatory harassment, including, without limitation:

(a) For the southern region of this State, the northern region of this State and the rural region of this State, one or more representatives from school districts, elementary schools, junior high schools, middle schools and high schools for each region;

(b) For the southern region of this State and the northern region of this State, one or more representatives from a community college and university of the Nevada System of Higher Education located in each region;

(c) Representatives of organizations that assist victims of sexual assault, sexual harassment or similar crimes, including, without limitation:

(1) The Nevada Coalition to End Domestic and Sexual Violence;

(2) Crisis Support Services of Nevada; and

(3) The Rape Crisis Center;

(d) Representatives with expertise in representing the rights of a person who is accused of misconduct concerning bullying, cyber-bullying or ~~[sexual]~~ discriminatory harassment in violation of federal, state or local law, ~~[or]~~ including, without limitation, Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 et seq., and any regulations adopted pursuant thereto; and

(e) Students enrolled in an institution of the Nevada System of Higher Education.

3. On or before February 1, 2021, the Legislative Committee on Education shall submit the report of its findings and any recommendations to the Director of the Legislative Counsel Bureau for transmission to the 81st Session of the Nevada Legislature.

~~[Sec. 2.]~~ Sec. 2.5. In studying the provision of a safe and respectful learning environment that is free of bullying, cyber-bullying and ~~[sexual]~~ discriminatory harassment, the ~~[committee appointed pursuant to section 1 of this act]~~ Legislative Committee on Education shall:

1. Review Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 et seq., and any regulations proposed or adopted pursuant thereto;

2. Consider the existing laws of this State concerning the provision of a safe and respectful learning environment that is free of bullying, cyber-bullying and ~~[sexual]~~ discriminatory harassment and laws of this State concerning misconduct which constitutes bullying, cyber-bullying and ~~[sexual]~~ discriminatory harassment including, without limitation, the definition of such conduct, the response to such conduct, whether pupils enrolled in an elementary school, junior high school, middle school or high school feel safe at school, whether students enrolled in

1 an institution of the Nevada System of Higher Education feel safe at that
2 institution and whether the concerns of such pupils and students are addressed;

3 3. Consider whether a person employed by ~~the~~ a board of trustees of a
4 school district should be represented by a third-party if such an employee is
5 accused of bullying, cyber-bullying or ~~sexual~~ discriminatory harassment;

6 4. Identify methods for responding to retaliation against a victim of bullying,
7 cyber-bullying and ~~sexual~~ discriminatory harassment; and

8 5. Make recommendations concerning any matter relating to the study
9 including, without limitation, recommendations concerning proposed legislation.

10 **Sec. 3.** ~~[The Legislative Counsel Bureau shall provide administrative and~~
11 ~~technical assistance to the committee appointed pursuant to section 1 of this act as~~
12 ~~requested by the Chair of the committee.]~~ (Deleted by amendment.)

13 **Sec. 4.** This act becomes effective on July 1, 2019.