
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.

~

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:

1 **Section 1.** NRS 388.1351 is hereby amended to read as
2 follows:

3 388.1351 1. A teacher or other staff member who witnesses a
4 violation of NRS 388.135 or receives information that a violation of
5 NRS 388.135 has occurred shall verbally report the violation to the
6 principal or his or her designee on the day on which the teacher or
7 other staff member witnessed the violation or received information
8 regarding the occurrence of a violation.

9 2. The principal or his or her designee shall initiate an
10 investigation not later than 1 day after receiving notice of the
11 violation pursuant to subsection 1. The principal or the designee
12 shall provide written notice of a reported violation of NRS 388.135
13 to the parent or legal guardian of each pupil involved in the reported
14 violation. The notice must include, without limitation ~~f, a~~:

15 (a) A statement that the principal or the designee will be
16 conducting an investigation into the reported violation and that the
17 parent or legal guardian may discuss with the principal or the
18 designee any counseling and intervention services that are available
19 to the pupil ~~f~~; and

20 (b) *To the extent that information is available, a list of any*
21 *resources that may be available in the community to assist the*
22 *pupil, including, without limitation, resources available at no*
23 *charge or at a reduced cost. If such a list is provided, the principal,*
24 *his or her designee, or any employee of the school or the school*
25 *district is not responsible for providing such resources to the pupil*
26 *or ensuring that the pupil receives such resources.*

27 3. The investigation *conducted pursuant to subsection 2* must
28 be completed within 10 days after the date on which the
29 investigation is initiated and, if a violation is found to have
30 occurred, include recommendations concerning the imposition of
31 disciplinary action or other measures to be imposed as a result of the
32 violation, in accordance with the policy governing disciplinary
33 action adopted by the board of trustees of the school district.

34 ~~f~~ 4. The parent or legal guardian of a pupil involved in the
35 reported violation of NRS 388.135 may appeal a disciplinary
36 decision of the principal or his or her designee, made against the
37 pupil as a result of the violation, in accordance with the policy
38 governing disciplinary action adopted by the board of trustees of the
39 school district.

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

41 392.420 1. In each school at which a school nurse is
42 responsible for providing nursing services, the school nurse shall



1 plan for and carry out, or supervise qualified health personnel in
2 carrying out, a separate and careful observation and examination of
3 every child who is regularly enrolled in a grade specified by the
4 board of trustees or superintendent of schools of the school district
5 in accordance with this subsection to determine whether the child
6 has scoliosis, any visual or auditory problem, or any gross physical
7 defect. The grades in which the observations and examinations must
8 be carried out are as follows:

9 (a) For visual and auditory problems:

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

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

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

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

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

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

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

31 (a) Is enrolled in a special program;

32 (b) Is repeating a grade;

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

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

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



1 *at a reduced cost. If such a list is provided, the principal, his or*
2 *her designee, or any employee of the school or the school district*
3 *is not responsible for providing such resources to the pupil or*
4 *ensuring that the pupil receives such resources.*

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

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

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

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

22 7. The school authorities shall provide notice to the parent or
23 guardian of a child before performing on the child the examinations
24 required by this section. The notice must inform the parent or
25 guardian of the right to exempt the child from all or part of the
26 examinations. Any child must be exempted from an examination if
27 the child's parent or guardian files with the teacher a written
28 statement objecting to the examination.

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

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

