

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 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 his or her health regarding 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) **Section 1** of
- 5 this bill requires the principal of a public school or his or her designee to provide a
- 6 list of any resources that may be available in the community to assist a pupil to
- 7 each parent or legal guardian of a pupil to whom written notice was provided, if
- 8 such information is available.
- 9 Existing law also requires public school authorities to notify the parent or
- 10 guardian of a child who is found or believed to have scoliosis, any visual or
- 11 auditory problems or any gross physical defect. (NRS 392.420) **Section 2** of this
- 12 bill requires any written notice required pursuant to these provisions to include a
- 13 list of any resources that may be available in the community to provide appropriate
- 14 medical attention, if 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, a statement
15 that the principal or the designee will be conducting an investigation
16 into the reported violation and that the parent or legal guardian may
17 discuss with the principal or the designee any counseling and
18 intervention services that are available to the pupil.

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

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

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



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

2 392.420 1. In each school at which a school nurse is
3 responsible for providing nursing services, the school nurse shall
4 plan for and carry out, or supervise qualified health personnel in
5 carrying out, a separate and careful observation and examination of
6 every child who is regularly enrolled in a grade specified by the
7 board of trustees or superintendent of schools of the school district
8 in accordance with this subsection to determine whether the child
9 has scoliosis, any visual or auditory problem, or any gross physical
10 defect. The grades in which the observations and examinations must
11 be carried out are as follows:

12 (a) For visual and auditory problems:

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

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

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

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

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

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

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

34 (a) Is enrolled in a special program;

35 (b) Is repeating a grade;

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

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

40 4. The school authorities shall notify the parent or guardian of
41 any child who is found or believed to have scoliosis, any visual or
42 auditory problem, or any gross physical defect, and shall
43 recommend that appropriate medical attention be secured to correct
44 it. *Any written notice provided to the parent or guardian of a child*
45 *pursuant to this subsection must include, to the extent that*



1 *information is available, a list of any resources that may be*
2 *available in the community to provide such medical attention,*
3 *including, without limitation, resources available at no charge or*
4 *at a reduced cost. If such a list is provided, the principal, his or*
5 *her designee, or any employee of the school or the school district*
6 *is not responsible for providing such resources to the pupil or*
7 *ensuring that the pupil receives such resources.*

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

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

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

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

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

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

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

