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FIRST REPRINT

A.B. 371

ASSEMBLY BILL NO. 371—ASSEMBLYMEN BRITTNEY MILLER, MONROE-MORENO, GONZÁLEZ; ANDERSON, BENITEZ-THOMPSON, COHEN, CONSIDINE, DURAN, FLORES, FRIERSON, GORELOW, JAUREGUI, MARTINEZ, MARZOLA, C.H. MILLER, NGUYEN, ORENTLICHER, PETERS, SUMMERS-ARMSTRONG, THOMAS, TORRES, WATTS AND YEAGER

MARCH 22, 2021

JOINT SPONSORS: SENATORS DENIS, DONATE, D. HARRIS, NEAL AND SPEARMAN

Referred to Committee on Education

SUMMARY—Enacts provisions governing discrimination based on race. (BDR 34-697)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. 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; establishing provisions relating to discrimination based on race; including discrimination based on race in existing law relating to bullying and cyber-bullying; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law creates the Office for a Safe and Respectful Learning Environment  
2 within the Department of Education. (NRS 388.1323) Existing law prohibits  
3 bullying and cyber-bullying on the premises of a school, at an activity sponsored by  
4 a school or on any school bus. (NRS 388.135) Existing law establishes various  
5 provisions relating to the protocol for addressing incidents of bullying and cyber-  
6 bullying. (NRS 388.135-388.137) Under existing law, a principal, administrator or  
7 other person in charge of a school must investigate a report of an incident of  
8 bullying or cyber-bullying and take various actions to address the incident. (NRS  
9 388.1351) This bill extends those provisions to additionally prohibit and address  
10 incidents of discrimination based on race.

11 **Section 4** of this bill defines the term “discrimination based on race.” **Section**  
12 **20** of this bill prohibits discrimination based on race in addition to bullying or  
13 cyber-bullying on the premises of any school, at an activity sponsored by a school



14 or on a school bus. **Section 5** of this bill authorizes a pupil or parent or legal  
15 guardian of a pupil who witnesses an incident of discrimination based on race to  
16 report the incident to an administrator. **Section 5** requires a board of trustees of a  
17 school district and a governing body of a charter school to categorize an incident of  
18 discrimination based on race as a racially motivated or hate incident. **Section 21** of  
19 this bill adds to the list of information required to be included in a report submitted  
20 to the direct supervisor of a principal or the Office the number of reports  
21 concerning incidents of discrimination based on race. **Section 21** requires the  
22 Office, in consultation with the direct supervisor, after reviewing the reports, to  
23 make recommendations for intervention or training to address discrimination based  
24 on race, bullying or cyber-bullying. **Section 6** of this bill requires the board of  
25 trustees of a school district or the governing body of a charter school to develop  
26 restorative practices for both victims and perpetrators of discrimination based on  
27 race.

28 Existing law requires the State Board of Education to adopt regulations to  
29 establishing a statewide performance evaluation system for employees. (NRS  
30 391.465) **Section 25** of this bill requires an evaluation to include whether an  
31 employee knowingly and willfully violated the provisions of NRS 388.1351.

32 Existing law requires annual reports of accountability to include information  
33 related to bullying and cyber-bullying. (NRS 385A.250, 385A.460) Existing law  
34 prohibits a pupil publication from being used to engage in bullying or cyber-  
35 bullying. (NRS 388.077) Existing law establishes various provisions related to the  
36 provision of a safe and respectful learning environment that is free from bullying  
37 and cyber-bullying. (NRS 388.132, 388.1321, 388.1323, 388.1325, 388.1327,  
38 388.133, 388.1341-388.1344, 388.13535, 388.139, 388.1395) Under existing law, a  
39 department of juvenile services or court that determines that a child has unlawfully  
40 engaged in bullying or cyber-bullying must provide certain information to a court  
41 or the school district in which the child is enrolled, as appropriate. (NRS 62C.400,  
42 62E.030) Existing also requires the Governor annually to proclaim a "Week of  
43 Respect" that includes providing information relating to bullying and cyber-  
44 bullying. (NRS 236.073) **Sections 1, 2, 7, 9, 10, 12-19, 22-24 and 26-28** of this bill  
45 add discrimination based on race to those provisions.

46 **Sections 8-11** of this bill make conforming changes to indicate the proper  
47 placement of **sections 4-6** in the Nevada Revised Statutes.

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

1 **Section 1.** NRS 385A.250 is hereby amended to read as  
2 follows:

3 385A.250 1. The annual report of accountability prepared  
4 pursuant to NRS 385A.070 must include information on the  
5 discipline of pupils, including, without limitation:

6 (a) Records of incidents involving weapons or violence for each  
7 school in the district, including, without limitation, each charter  
8 school sponsored by the district.

9 (b) Records of incidents involving the use or possession of  
10 alcoholic beverages or controlled substances for each school in the  
11 district, including, without limitation, each charter school sponsored  
12 by the district.



1 (c) Records of the suspension or expulsion, or both, of pupils  
2 required or authorized pursuant to NRS 392.466 and 392.467.

3 (d) The number of pupils who are deemed habitual disciplinary  
4 problems pursuant to NRS 392.4655, for each school in the district  
5 and the district as a whole, including, without limitation, each  
6 charter school sponsored by the district.

7 (e) For each school in the district and the district as a whole,  
8 including, without limitation, each charter school sponsored by the  
9 district ~~H~~, *and categorized by types of incidents and the*  
10 *demographics identified in subsection 1 of section 4 of this act:*

11 (1) The number of reported violations of NRS 388.135  
12 occurring at a school or otherwise involving a pupil enrolled at a  
13 school, regardless of the outcome of the investigation conducted  
14 pursuant to NRS 388.1351;

15 (2) The number of incidents determined to be *discrimination*  
16 *based on race*, bullying or cyber-bullying after an investigation is  
17 conducted pursuant to NRS 388.1351;

18 (3) The number of incidents resulting in suspension or  
19 expulsion, or both, for *discrimination based on race*, bullying or  
20 cyber-bullying; and

21 (4) Any actions taken to reduce the number of incidents of  
22 *discrimination based on race*, bullying or cyber-bullying including,  
23 without limitation, training that was offered or other policies,  
24 practices and programs that were implemented.

25 (f) For each high school in the district, including, without  
26 limitation, each charter school sponsored by the district that operates  
27 as a high school, and for high schools in the district as a whole:

28 (1) The number and percentage of pupils whose violations of  
29 the code of honor relating to cheating prescribed pursuant to NRS  
30 392.461 or any other code of honor applicable to pupils enrolled in  
31 high school were reported to the principal of the high school,  
32 reported by the type of violation;

33 (2) The consequences, if any, to the pupil whose violation is  
34 reported pursuant to subparagraph (1), reported by the type of  
35 consequence;

36 (3) The number of any such violations of a code of honor in a  
37 previous school year by a pupil whose violation is reported pursuant  
38 to subparagraph (1), reported by the type of violation; and

39 (4) The process used by the high school to address violations  
40 of a code of honor which are reported to the principal.

41 2. The information included pursuant to subsection 1 must  
42 allow such information to be disaggregated by:

43 (a) Pupils who are economically disadvantaged;

44 (b) Pupils from major racial and ethnic groups;

45 (c) Pupils with disabilities;



- 1 (d) Pupils who are English learners;
- 2 (e) Pupils who are migratory children;
- 3 (f) Gender;
- 4 (g) Pupils who are homeless;
- 5 (h) Pupils in foster care; and
- 6 (i) Pupils whose parent or guardian is a member of the Armed
- 7 Forces of the United States, a reserve component thereof or the
- 8 National Guard.

9 3. As used in this section:

- 10 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.
- 11 (b) "Cyber-bullying" has the meaning ascribed to it in
- 12 NRS 388.123.

13 (c) *"Discrimination based on race" has the meaning ascribed*

14 *to it in section 4 of this act.*

15 **Sec. 2.** NRS 385A.460 is hereby amended to read as follows:

16 385A.460 1. The annual report of accountability prepared by

17 the State Board pursuant to NRS 385A.400 must include

18 information on the discipline of pupils, including, without

19 limitation:

20 (a) Incidents involving weapons or violence, reported for each

21 school district, including, without limitation, each charter school in

22 the district, and for this State as a whole.

23 (b) Incidents involving the use or possession of alcoholic

24 beverages or controlled substances, reported for each school district,

25 including, without limitation, each charter school in the district, and

26 for this State as a whole.

27 (c) The suspension and expulsion of pupils required or

28 authorized pursuant to NRS 392.466 and 392.467, reported for each

29 school district, including, without limitation, each charter school in

30 the district, and for this State as a whole.

31 (d) The number of pupils who are deemed habitual disciplinary

32 problems pursuant to NRS 392.4655, reported for each school

33 district, including, without limitation, each charter school in the

34 district, and for this State as a whole.

35 (e) For each school district, including, without limitation, each

36 charter school in the district, and for this State as a whole ~~[-]~~, *and*

37 *categorized by types of incidents and the demographics identified*

38 *in subsection 1 of section 4 of this act:*

39 (1) The number of reported violations of NRS 388.135

40 occurring at a school or otherwise involving a pupil enrolled at a

41 school, regardless of the outcome of the investigation conducted

42 pursuant to NRS 388.1351;

43 (2) The number of incidents determined to be *discrimination*

44 *based on race*, bullying or cyber-bullying after an investigation is

45 conducted pursuant to NRS 388.1351;



1 (3) The number of incidents resulting in suspension or  
2 expulsion for *discrimination based on race*, bullying or cyber-  
3 bullying; and

4 (4) Any actions taken to reduce the number of incidents of  
5 *discrimination based on race*, bullying or cyber-bullying, including,  
6 without limitation, training that was offered or other policies,  
7 practices and programs that were implemented.

8 (f) For each high school in each school district, including,  
9 without limitation, each charter school that operates as a high  
10 school, and for the high schools in this State as a whole:

11 (1) The number and percentage of pupils whose violations of  
12 the code of honor relating to cheating prescribed pursuant to NRS  
13 392.461 or any other code of honor applicable to pupils enrolled in  
14 high school were reported to the principal of the high school,  
15 reported by the type of violation;

16 (2) The consequences, if any, to the pupil whose violation is  
17 reported pursuant to subparagraph (1), reported by the type of  
18 consequence;

19 (3) The number of any such violations of a code of honor in a  
20 previous school year by a pupil whose violation is reported pursuant  
21 to subparagraph (1), reported by the type of violation; and

22 (4) The process used by the high school to address violations  
23 of a code of honor which are reported to the principal.

24 2. As used in this section:

25 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

26 (b) "Cyber-bullying" has the meaning ascribed to it in  
27 NRS 388.123.

28 (c) *"Discrimination based on race" has the meaning ascribed*  
29 *to it in section 4 of this act.*

30 **Sec. 3.** Chapter 388 of NRS is hereby amended by adding  
31 thereto the provisions set forth as sections 4, 5 and 6 of this act.

32 **Sec. 4.** *"Discrimination based on race" means any single or*  
33 *repeated or pervasive act or acts, whether targeted to a specific*  
34 *person or targeted in general to any demographic identified in*  
35 *subsection 1:*

36 *1. Regarding the race, color, culture, religion, language,*  
37 *ethnicity or national origin of a person that causes harm or*  
38 *creates a hostile work or learning environment, which may*  
39 *include, without limitation, jokes, threats, physical altercations or*  
40 *intimidation; and*

41 *2. That occurs in person, online or in any other setting*  
42 *including, without limitation, in a course of distance education.*

43 **Sec. 5. 1.** *A pupil or the parent or legal guardian of a pupil*  
44 *who witnesses an incident of discrimination based on race may*  
45 *report the incident to an administrator or his or her designee.*



1       **2. A governing body shall categorize an incident of**  
2 **discrimination based on race as a racially motivated or hate**  
3 **incident on the appropriate system to track pupil information used**  
4 **by a school.**

5       **Sec. 6. A governing body shall develop restorative practices**  
6 **in accordance with the provisions of NRS 388.133 for both victims**  
7 **and perpetrators of discrimination based on race.**

8       **Sec. 7.** NRS 388.077 is hereby amended to read as follows:

9       388.077 1. Each pupil of a public school, including, without  
10 limitation, each pupil of a university school for profoundly gifted  
11 pupils, is entitled to express himself or herself in a manner  
12 consistent with the rights guaranteed by the First and Fourteenth  
13 Amendments to the United States Constitution.

14       2. Any expression described in subsection 1 must not be  
15 disruptive of instruction at a public school, including, without  
16 limitation, a university school for profoundly gifted pupils, must not  
17 be used to engage in **discrimination based on race**, bullying or  
18 cyber-bullying or intimidate any person and must not be organized,  
19 broadcast or endorsed by a public school, including, without  
20 limitation, a university school for profoundly gifted pupils.

21       3. The board of trustees of each school district, the governing  
22 body of each charter school and the governing body of each  
23 university school for profoundly gifted pupils shall adopt a written  
24 policy for pupil publications which:

25       (a) Establishes reasonable provisions governing the time, place  
26 and manner for the distribution of pupil publications;

27       (b) Protects the right of expression described in subsection 1 for  
28 pupils working on pupil publications as journalists in their  
29 determination of the news, opinions, feature content, advertising  
30 content and other content of the pupil publications;

31       (c) Prohibits, without limitation, the following:

32       (1) Restricting the publication of any content in pupil  
33 publications unless the content would substantially disrupt the  
34 ability of the public school to perform its educational mission;

35       (2) Dismissing, suspending, disciplining or retaliating against  
36 an employee or other person acting as an adviser for a pupil  
37 publication or as an adviser for pupils working as journalists on a  
38 pupil publication for acting within the scope of that position,  
39 including, without limitation, taking responsible and appropriate  
40 action to protect a pupil engaged in conduct protected pursuant to  
41 the written policy or refusing to perform an action which violates  
42 the written policy; and

43       (3) Expelling, suspending or otherwise disciplining a pupil  
44 for engaging in conduct in accordance with the policy, unless such  
45 conduct substantially disrupts the ability of the public school to



1 perform its educational mission and the disruption was intentional;  
2 and

3 (d) Includes a disclaimer indicating that any content published  
4 in a pupil publication is not endorsed by the public school.

5 4. The board of trustees of each school district, the governing  
6 body of each charter school and the governing body of each  
7 university school for profoundly gifted pupils shall adopt a policy  
8 prescribing procedures for the resolution of a complaint by a pupil  
9 of the school district, charter school or university school for  
10 profoundly gifted pupils that the rights of the pupil described in  
11 subsection 1 or 3 have been violated. The policy required by this  
12 subsection may be part of a comprehensive discrimination grievance  
13 policy of the school district, charter school or university school for  
14 profoundly gifted pupils or may be a separate policy.

15 5. As used in this section:

16 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

17 (b) "Cyber-bullying" has the meaning ascribed to it in  
18 NRS 388.123.

19 (c) "*Discrimination based on race*" has the meaning ascribed  
20 to it in section 4 of this act.

21 **Sec. 8.** NRS 388.121 is hereby amended to read as follows:

22 388.121 As used in NRS 388.121 to 388.1395, inclusive, *and*  
23 *sections 4, 5 and 6 of this act*, unless the context otherwise requires,  
24 the words and terms defined in NRS 388.1215 to 388.127, inclusive,  
25 *and section 4 of this act* have the meanings ascribed to them in  
26 those sections.

27 **Sec. 9.** NRS 388.132 is hereby amended to read as follows:

28 388.132 The Legislature declares that:

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

30 2. A learning environment that is safe and respectful is  
31 essential for the pupils enrolled in the schools in this State and is  
32 necessary for those pupils to achieve academic success and meet  
33 this State's high academic standards;

34 3. Every classroom, hallway, locker room, cafeteria, restroom,  
35 gymnasium, playground, athletic field, school bus, parking lot and  
36 other areas on the premises of a school in this State must be  
37 maintained as a safe and respectful learning environment, and no  
38 form of *discrimination based on race*, bullying or cyber-bullying  
39 will be tolerated within the system of public education in this State;

40 4. Any form of *discrimination based on race*, bullying or  
41 cyber-bullying seriously interferes with the ability of teachers to  
42 teach in the classroom and the ability of pupils to learn;

43 5. The use of the Internet by pupils in a manner that is ethical,  
44 safe and secure is essential to a safe and respectful learning  
45 environment and is essential for the successful use of technology;



1 6. It will ensure that:

2 (a) The schools in this State provide a safe and respectful  
3 learning environment in which persons of differing beliefs, races,  
4 colors, national origins, ancestries, religions, gender identities or  
5 expressions, sexual orientations, physical or mental disabilities,  
6 sexes or any other distinguishing characteristics or backgrounds can  
7 realize their full academic and personal potential;

8 (b) All administrators, teachers and other personnel of the  
9 school districts and schools in this State demonstrate appropriate  
10 and professional behavior on the premises of any school by treating  
11 other persons, including, without limitation, pupils, with civility and  
12 respect, by refusing to tolerate *discrimination based on race*,  
13 bullying and cyber-bullying, and by taking immediate action to  
14 protect a victim or target of *discrimination based on race*, bullying  
15 or cyber-bullying when witnessing, overhearing or being notified  
16 that *discrimination based on race*, bullying or cyber-bullying is  
17 occurring or has occurred;

18 (c) The quality of instruction is not negatively impacted by poor  
19 attitudes or interactions among administrators, teachers, coaches or  
20 other personnel of a school district or school;

21 (d) All persons in a school are entitled to maintain their own  
22 beliefs and to respectfully disagree without resorting to  
23 *discrimination based on race*, bullying, cyber-bullying or violence;  
24 and

25 (e) Any teacher, administrator, coach or other staff member or  
26 pupil who tolerates or engages in an act of *discrimination based on*  
27 *race*, bullying or cyber-bullying or violates a provision of NRS  
28 388.121 to 388.1395, inclusive, *and sections 4, 5 and 6 of this act*  
29 regarding a response to *discrimination based on race*, bullying or  
30 cyber-bullying against a pupil will be held accountable; and

31 7. By declaring this mandate that the schools in this State  
32 provide a safe and respectful learning environment, the Legislature  
33 is not advocating or requiring the acceptance of differing beliefs in a  
34 manner that would inhibit the freedom of expression, but is  
35 requiring that pupils be free from physical, emotional or mental  
36 abuse while at school and that pupils be provided with an  
37 environment that allows them to learn.

38 **Sec. 10.** NRS 388.1321 is hereby amended to read as follows:

39 388.1321 1. The Legislature hereby declares that the  
40 members of a governing body and all administrators and teachers  
41 have a duty to create and provide a safe and respectful learning  
42 environment for all pupils that is free of *discrimination based on*  
43 *race*, bullying and cyber-bullying.

44 2. A parent or guardian of a pupil may petition a court of  
45 competent jurisdiction for a writ of mandamus to compel the



1 performance of any duty imposed by the provisions of NRS 388.121  
2 to 388.1395, inclusive ~~4~~, *and sections 4, 5 and 6 of this act.*

3 3. Nothing in this section shall be deemed to preclude a parent  
4 or guardian of a pupil from seeking any remedy available at law or  
5 in equity.

6 **Sec. 11.** NRS 388.1322 is hereby amended to read as follows:

7 388.1322 A private school, as defined in NRS 394.103, and the  
8 governing body and administrator of the private school are  
9 authorized to comply with NRS 388.121 to 388.1395, inclusive, *and*  
10 *sections 4, 5 and 6 of this act* wholly or in part. Any such  
11 compliance is wholly voluntary, and no liability attaches to any  
12 failure to comply on the part of the private school, governing body  
13 or administrator.

14 **Sec. 12.** NRS 388.1323 is hereby amended to read as follows:

15 388.1323 1. The Office for a Safe and Respectful Learning  
16 Environment is hereby created within the Department.

17 2. The Superintendent of Public Instruction shall appoint a  
18 Director of the Office, who shall serve at the pleasure of the  
19 Superintendent.

20 3. The Director of the Office shall ensure that the Office:

21 (a) Maintains a 24-hour, toll-free statewide hotline and Internet  
22 website by which any person can report a violation of the provisions  
23 of NRS 388.121 to 388.1395, inclusive, *and sections 4, 5 and 6 of*  
24 *this act* and obtain information about *antidiscrimination and* anti-  
25 bullying efforts and organizations; and

26 (b) Provides outreach and *antidiscrimination and* anti-bullying  
27 education and training for pupils, parents and guardians, teachers,  
28 administrators, coaches and other staff members and the members of  
29 a governing body. The outreach and training must include, without  
30 limitation:

31 (1) Training regarding methods, procedures and practice for  
32 recognizing *discrimination based on race*, bullying and cyber-  
33 bullying behaviors;

34 (2) Training regarding effective intervention and remediation  
35 strategies regarding *discrimination based on race*, bullying and  
36 cyber-bullying;

37 (3) Training regarding methods for reporting violations of  
38 NRS 388.135; and

39 (4) Information on and referral to available resources  
40 regarding suicide prevention and the relationship between  
41 *discrimination based on race*, bullying or cyber-bullying and  
42 suicide, including, without limitation, resources for pupils who are  
43 members of groups at a high risk of suicide. Such groups include,  
44 without limitation, the groups described in subsection 3 of  
45 NRS 388.256.



1 4. The Director of the Office shall establish procedures by  
2 which the Office may receive reports of *discrimination based on*  
3 *race*, bullying and cyber-bullying and complaints regarding  
4 violations of the provisions of NRS 388.121 to 388.1395, inclusive  
5 **[ ]**, *and sections 4, 5 and 6 of this act*.

6 5. The Director of the Office or his or her designee shall  
7 investigate any complaint that a teacher, administrator, coach or  
8 other staff member or member of a governing body has violated a  
9 provision of NRS 388.121 to 388.1395, inclusive **[ ]**, *and sections*  
10 *4, 5 and 6 of this act*. If a complaint alleges criminal conduct or an  
11 investigation leads the Director of the Office or his or her designee  
12 to suspect criminal conduct, the Director of the Office may request  
13 assistance from the Investigation Division of the Department of  
14 Public Safety.

15 **Sec. 13.** NRS 388.1325 is hereby amended to read as follows:

16 388.1325 1. The *Discrimination and Bullying Prevention*  
17 Account is hereby created in the State General Fund, to be  
18 administered by the Director of the Office for a Safe and Respectful  
19 Learning Environment appointed pursuant to NRS 388.1323. The  
20 Director of the Office may accept gifts and grants from any source  
21 for deposit into the Account. The interest and income earned on the  
22 money in the Account must be credited to the Account.

23 2. In accordance with the regulations adopted by the State  
24 Board pursuant to NRS 388.1327, a school district that applies for  
25 and receives a grant of money from the *Discrimination and*  
26 *Bullying Prevention Account* shall use the money for one or more of  
27 the following purposes:

28 (a) The establishment of programs to create a school  
29 environment that is free from *discrimination based on race*,  
30 bullying and cyber-bullying;

31 (b) The provision of training on the policies adopted by the  
32 school district pursuant to NRS 388.134 and the provisions of NRS  
33 388.121 to 388.1395, inclusive **[ ]**, *and sections 4, 5 and 6 of this*  
34 *act*; or

35 (c) The development and implementation of procedures by  
36 which the public schools of the school district and the pupils  
37 enrolled in those schools can discuss the policies adopted pursuant  
38 to NRS 388.134 and the provisions of NRS 388.121 to 388.1395,  
39 inclusive **[ ]**, *and sections 4, 5 and 6 of this act*.

40 **Sec. 14.** NRS 388.1327 is hereby amended to read as follows:

41 388.1327 The State Board shall adopt regulations:

42 1. Establishing the process whereby school districts may apply  
43 to the Department for a grant of money from the *Discrimination*  
44 *and Bullying Prevention Account* pursuant to NRS 388.1325.



1 2. As are necessary to carry out the provisions of NRS 388.121  
2 to 388.1395, inclusive ~~4~~, *and sections 4, 5 and 6 of this act.*

3 **Sec. 15.** NRS 388.133 is hereby amended to read as follows:

4 388.133 1. The Department shall, in consultation with the  
5 governing bodies, educational personnel, local associations and  
6 organizations of parents whose children are enrolled in schools  
7 throughout this State, and individual parents and legal guardians  
8 whose children are enrolled in schools throughout this State,  
9 prescribe by regulation a policy for all school districts and schools  
10 to provide a safe and respectful learning environment that is free of  
11 *discrimination based on race*, bullying and cyber-bullying.

12 2. The policy must include, without limitation:

13 (a) Requirements and methods for reporting violations of NRS  
14 388.135, including, without limitation, violations among teachers  
15 and violations between teachers and administrators, coaches and  
16 other personnel of a school district or school;

17 (b) Requirements and methods for addressing the rights and  
18 needs of persons with diverse gender identities or expressions;

19 (c) Requirements and methods for restorative disciplinary  
20 practices; and

21 (d) A policy for use by school districts and schools to train  
22 members of the governing body and all administrators, teachers and  
23 all other personnel employed by the governing body. The policy  
24 must include, without limitation:

25 (1) Training in the appropriate methods to facilitate positive  
26 human relations among pupils by eliminating the use of  
27 *discrimination based on race*, bullying and cyber-bullying so that  
28 pupils may realize their full academic and personal potential;

29 (2) Training in methods to prevent, identify and report  
30 incidents of *discrimination based on race*, bullying and  
31 cyber-bullying;

32 (3) Training concerning the needs of persons with diverse  
33 gender identities or expressions;

34 (4) Training concerning the needs of pupils with disabilities  
35 and pupils with autism spectrum disorder;

36 (5) Methods to promote a positive learning environment;

37 (6) Methods to improve the school environment in a manner  
38 that will facilitate positive human relations among pupils; and

39 (7) Methods to teach skills to pupils so that the pupils are  
40 able to replace inappropriate behavior with positive behavior.

41 **Sec. 16.** NRS 388.1341 is hereby amended to read as follows:

42 388.1341 1. The Department, in consultation with persons  
43 who possess knowledge and expertise in *discrimination based on*  
44 *race*, bullying and cyber-bullying, shall, to the extent money is  
45 available, develop an informational pamphlet to assist pupils and the



1 parents or legal guardians of pupils enrolled in schools in this State  
2 in resolving incidents of *discrimination based on race*, bullying or  
3 cyber-bullying. If developed, the pamphlet must include, without  
4 limitation:

5 (a) A summary of the policy prescribed by the Department  
6 pursuant to NRS 388.133 and the provisions of NRS 388.121 to  
7 388.1395, inclusive ~~§~~, *and sections 4, 5 and 6 of this act*;

8 (b) A description of practices which have proven effective in  
9 preventing and resolving violations of NRS 388.135 in schools,  
10 which must include, without limitation, methods to identify and  
11 assist pupils who are at risk for *discrimination based on race*,  
12 bullying and cyber-bullying; and

13 (c) An explanation that the parent or legal guardian of a pupil  
14 who is involved in a reported violation of NRS 388.135 may request  
15 an appeal of a disciplinary decision made against the pupil as a  
16 result of the violation, in accordance with the policy governing  
17 disciplinary action adopted by a governing body.

18 2. If the Department develops a pamphlet pursuant to  
19 subsection 1, the Department shall review the pamphlet on an  
20 annual basis and make such revisions to the pamphlet as the  
21 Department determines are necessary to ensure the pamphlet  
22 contains current information.

23 3. If the Department develops a pamphlet pursuant to  
24 subsection 1, the Department shall post a copy of the pamphlet on  
25 the Internet website maintained by the Department.

26 4. To the extent the money is available, the Department shall  
27 develop a tutorial which must be made available on the Internet  
28 website maintained by the Department that includes, without  
29 limitation, the information contained in the pamphlet developed  
30 pursuant to subsection 1, if such a pamphlet is developed by the  
31 Department.

32 **Sec. 17.** NRS 388.1342 is hereby amended to read as follows:

33 388.1342 1. The Department, in consultation with persons  
34 who possess knowledge and expertise in *discrimination based on*  
35 *race*, bullying and cyber-bullying, shall establish a program of  
36 training:

37 (a) On methods to prevent, identify and report incidents of  
38 *discrimination based on race*, bullying and cyber-bullying for  
39 members of the State Board.

40 (b) On methods to prevent, identify and report incidents of  
41 *discrimination based on race*, bullying and cyber-bullying for the  
42 members of a governing body.

43 (c) For school district and school personnel to assist those  
44 persons with carrying out their powers and duties pursuant to



1 NRS 388.121 to 388.1395, inclusive **H**, *and sections 4, 5 and 6 of*  
2 *this act.*

3 (d) For school district and school personnel in the prevention of  
4 violence and suicide, including, without limitation, violence and  
5 suicide associated with *discrimination based on race*, bullying and  
6 cyber-bullying, and appropriate methods to respond to incidents of  
7 violence or suicide. Such training must include, without limitation,  
8 instruction concerning the identification of:

9 (1) Appropriate mental health services at the school and in  
10 the community in which the school is located and how and when to  
11 refer pupils and their families for such services; and

12 (2) Other persons and organizations in the community in  
13 which the school is located, including, without limitation, religious  
14 and other nonprofit organizations, that may be able to assist with the  
15 response to a suicide.

16 (e) For school district and school personnel concerning the  
17 needs of persons with diverse gender identities or expressions.

18 (f) For school district and school personnel concerning the needs  
19 of pupils with disabilities and pupils with autism spectrum disorder.

20 2. Each member of the State Board shall, within 1 year after  
21 the member is elected or appointed to the State Board, complete the  
22 program of training on *discrimination based on race*, bullying and  
23 cyber-bullying established pursuant to paragraph (a) of subsection 1  
24 and undergo the training at least one additional time while the  
25 person is a member of the State Board.

26 3. Except as otherwise provided in NRS 388.134, each member  
27 of a governing body shall, within 1 year after the member begins his  
28 or her service on the governing body, complete the program of  
29 training on *discrimination based on race*, bullying and cyber-  
30 bullying established pursuant to paragraph (b) of subsection 1 and  
31 undergo the training at least one additional time while the person is  
32 a member of the governing body.

33 4. Each administrator of a school shall complete the program  
34 of training established pursuant to paragraphs (d), (e) and (f) of  
35 subsection 1:

36 (a) Within 90 days after becoming an administrator;

37 (b) Except as otherwise provided in paragraph (c), at least once  
38 every 3 years thereafter; and

39 (c) At least once during any school year within which the  
40 program of training is revised or updated.

41 5. Each program of training established pursuant to subsection  
42 1 must, to the extent money is available, be made available on the  
43 Internet website maintained by the Department or through another  
44 provider on the Internet.



1 6. The governing body may allow school personnel to attend  
2 the program established pursuant to paragraph (c), (d), (e) or (f) of  
3 subsection 1 during regular school hours.

4 7. The Department shall review each program of training  
5 established pursuant to subsection 1 on an annual basis to ensure  
6 that the program contains current information.

7 **Sec. 18.** NRS 388.1343 is hereby amended to read as follows:

8 388.1343 The administrator of each school or his or her  
9 designee shall:

10 1. Establish a school safety team to develop, foster and  
11 maintain a school environment which is free from *discrimination*  
12 *based on race*, bullying and cyber-bullying;

13 2. Conduct investigations of violations of NRS 388.135  
14 occurring at the school; and

15 3. Collaborate with the governing body and the school safety  
16 team to prevent, identify and address reported violations of NRS  
17 388.135 at the school.

18 **Sec. 19.** NRS 388.1344 is hereby amended to read as follows:

19 388.1344 1. Each school safety team established pursuant to  
20 NRS 388.1343 must consist of the administrator of the school or his  
21 or her designee and the following persons appointed by the  
22 administrator:

23 (a) A school counselor, school psychologist or social worker if  
24 the school employs a person in such a position full-time;

25 (b) At least one teacher who teaches at the school;

26 (c) At least one parent or legal guardian of a pupil enrolled in  
27 the school;

28 (d) A school police officer or school resource officer if the  
29 school employs a person in such a position full-time;

30 (e) For a middle school, junior high school or high school, one  
31 pupil enrolled in the school; and

32 (f) Any other persons appointed by the administrator.

33 2. The administrator of the school or his or her designee shall  
34 serve as the chair of the school safety team.

35 3. The school safety team shall:

36 (a) Meet at least two times each year;

37 (b) Identify and address patterns of *discrimination based on*  
38 *race*, bullying or cyber-bullying;

39 (c) Review and strengthen school policies to prevent and  
40 address *discrimination based on race*, bullying or cyber-bullying;

41 (d) Provide information to school personnel, pupils enrolled in  
42 the school and parents and legal guardians of pupils enrolled in the  
43 school on methods to address bullying and cyber-bullying; ~~and~~

44 (e) *To the extent practicable, work with members of the*  
45 *community with expertise in cultural competency; and*



1 (f) To the extent money is available, participate in any training  
2 conducted by the school district or school regarding bullying and  
3 cyber-bullying.

4 *4. To the extent practicable, the school safety team must*  
5 *consist of members who are representative of the demographic*  
6 *groups identified in subsection 1 of section 4 of this act.*

7 **Sec. 20.** NRS 388.135 is hereby amended to read as follows:

8 388.135 A member of a governing body, any employee of a  
9 governing body, including, without limitation, an administrator,  
10 teacher or other staff member, a member of a club or organization  
11 which uses the facilities of any school, regardless of whether the  
12 club or organization has any connection to the school, or any pupil  
13 shall not engage in *discrimination based on race*, bullying or cyber-  
14 bullying on the premises of any school, at an activity sponsored by a  
15 school or on any school bus.

16 **Sec. 21.** NRS 388.1351 is hereby amended to read as follows:

17 388.1351 1. Except as otherwise provided in NRS  
18 388.13535, a teacher, administrator, coach or other staff member  
19 who witnesses a violation of NRS 388.135 or receives information  
20 that a violation of NRS 388.135 has occurred shall report the  
21 violation to the administrator or his or her designee as soon as  
22 practicable, but not later than a time during the same day on which  
23 the teacher, administrator, coach or other staff member witnessed  
24 the violation or received information regarding the occurrence of a  
25 violation.

26 2. Except as otherwise provided in this subsection, upon  
27 receiving a report required by subsection 1, the administrator or  
28 designee shall immediately take any necessary action to stop the  
29 *discrimination based on race*, bullying or cyber-bullying and  
30 ensure the safety and well-being of the reported victim or victims of  
31 the *discrimination based on race*, bullying or cyber-bullying and  
32 shall begin an investigation into the report. If the administrator or  
33 designee does not have access to the reported victim of the alleged  
34 violation of NRS 388.135, the administrator or designee may wait  
35 until the next school day when he or she has such access to take the  
36 action required by this subsection.

37 3. The investigation conducted pursuant to subsection 2 must  
38 include, without limitation:

39 (a) Except as otherwise provided in subsection 4, notification  
40 provided by telephone, electronic mail or other electronic means or  
41 provided in person, of the parents or guardians of all pupils directly  
42 involved in the reported *discrimination based on race*, bullying or  
43 cyber-bullying, as applicable, either as a reported aggressor or a  
44 reported victim of the *discrimination based on race*, bullying or  
45 cyber-bullying. The notification must be provided:



1 (1) If the *discrimination based on race*, bullying or cyber-  
2 bullying is reported before the end of school hours on a school day,  
3 before the school's administrative office closes on the day on which  
4 the *discrimination based on race*, bullying or cyber-bullying is  
5 reported; or

6 (2) If the *discrimination based on race*, bullying or cyber-  
7 bullying was reported on a day that is not a school day, or after  
8 school hours on a school day, before the school's administrative  
9 office closes on the school day following the day on which the  
10 *discrimination based on race*, bullying or cyber-bullying is  
11 reported.

12 (b) Interviews with all pupils whose parents or guardians must  
13 be notified pursuant to paragraph (a) and with all such parents and  
14 guardians.

15 4. If the contact information for the parent or guardian of a  
16 pupil in the records of the school is not correct, a good faith effort to  
17 notify the parent or guardian shall be deemed sufficient to meet the  
18 requirement for notification pursuant to paragraph (a) of  
19 subsection 3.

20 5. Except as otherwise provided in this subsection, an  
21 investigation required by this section must be completed not later  
22 than 2 school days after the administrator or designee receives a  
23 report required by subsection 1. If extenuating circumstances  
24 prevent the administrator or designee from completing the  
25 investigation required by this section within 2 school days after  
26 making a good faith effort, 1 additional school day may be used to  
27 complete the investigation. The time for completing an investigation  
28 into a report of cyber-bullying may also be extended to not more  
29 than 5 school days after the report is received with the consent of  
30 each reported victim of the cyber-bullying or, if a reported victim is  
31 under 18 years of age and is not emancipated, the parent or guardian  
32 of the reported victim.

33 6. An administrator or designee who conducts an investigation  
34 required by this section shall complete a written report of the  
35 findings and conclusions of the investigation. If a violation is found  
36 to have occurred:

37 (a) The report must include recommendations concerning the  
38 imposition of disciplinary action or other measures to be imposed as  
39 a result of the violation, in accordance with the policy governing  
40 disciplinary action adopted by the governing body. Subject to the  
41 provisions of the Family Educational Rights and Privacy Act of  
42 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant  
43 thereto, the report must be made available, not later than 24 hours  
44 after the completion of the written report, to all parents or guardians



1 who must be notified pursuant to paragraph (a) of subsection 3 as  
2 part of the investigation; and

3 (b) Any action taken after the completion of the investigation to  
4 address the *discrimination based on race*, bullying or cyber-  
5 bullying must be *based on restorative disciplinary practices and*  
6 carried out in a manner that causes the least possible disruption for  
7 the victim or victims. When necessary, the administrator or his or  
8 her designee shall give priority to ensuring the safety and well-being  
9 of the victim or victims over any interest of the perpetrator or  
10 perpetrators when determining the actions to take.

11 7. If a violation is found not to have occurred, information  
12 concerning the incident must not be included in the record of the  
13 reported aggressor.

14 8. Not later than 10 school days after receiving a report  
15 required by subsection 1, the administrator or designee shall meet  
16 with each reported victim of the *discrimination based on race*,  
17 bullying or cyber-bullying to inquire about the well-being of the  
18 reported victim and to ensure that the reported *discrimination based*  
19 *on race*, bullying or cyber-bullying, as applicable, is not continuing.

20 9. To the extent that information is available, the administrator  
21 or his or her designee shall provide a list of any resources that may  
22 be available in the community to assist a pupil to each parent or  
23 guardian of a pupil to whom notice was provided pursuant to this  
24 section as soon as practicable. Such a list may include, without  
25 limitation, resources available at no charge or at a reduced cost and  
26 may be provided in person or by electronic or regular mail. If such a  
27 list is provided, the administrator, his or her designee, or any  
28 employee of the school or the school district is not responsible for  
29 providing such resources to the pupil or ensuring the pupil receives  
30 such resources.

31 10. The parent or guardian of a pupil involved in the reported  
32 violation of NRS 388.135 may appeal a disciplinary decision of the  
33 administrator or his or her designee, made against the pupil as a  
34 result of the violation, in accordance with the policy governing  
35 disciplinary action adopted by the governing body. Not later than 30  
36 days after receiving a response provided in accordance with such a  
37 policy, the parent or guardian may submit a complaint to the  
38 Department. The Department shall consider and respond to the  
39 complaint pursuant to procedures and standards prescribed in  
40 regulations adopted by the Department.

41 11. If a violation of NRS 388.135 is found to have occurred,  
42 the parent or guardian of a pupil who is a victim of *discrimination*  
43 *based on race*, bullying or cyber-bullying may request that the  
44 board of trustees of the school district in which the pupil is enrolled  
45 to assign the pupil to a different school in the school district. Upon



1 receiving such a request, the board of trustees shall, in consultation  
2 with the parent or guardian of the pupil, assign the pupil to a  
3 different school.

4 12. A principal or his or her designee shall submit a monthly  
5 report to the direct supervisor of the principal that includes for the  
6 school the number of:

7 (a) Reports received pursuant to subsection 1 ~~[(h)]~~ **concerning**  
8 **incidents of bullying or cyber-bullying;**

9 (b) **Reports received pursuant to subsection 1 concerning**  
10 **incidents of discrimination based on race;**

11 (c) Times in which a violation of NRS 388.135 is found to have  
12 occurred; and

13 ~~[(e)]~~ (d) Times in which no violation of NRS 388.135 is found  
14 to have occurred.

15 13. A direct supervisor who receives a monthly report pursuant  
16 to subsection 12 shall, each calendar quarter, submit a report to the  
17 Office for a Safe and Respectful Learning Environment that  
18 includes, for the schools for which the direct supervisor has received  
19 a monthly report in the calendar quarter ~~[(h)]~~ **and categorized by types**  
20 **of incidents and the demographics identified in subsection 1 of**  
21 **section 4 of this act, the:**

22 (a) Total number of reports received pursuant to subsection 1 ~~[(h)]~~  
23 **concerning bullying or cyber-bullying;**

24 (b) **Total number of reports received pursuant to subsection 1**  
25 **concerning incidents of discrimination based on race;**

26 (c) Number of times in which a violation of NRS 388.135 is  
27 found to have occurred; and

28 ~~[(e)]~~ (d) Number of times in which no violation of NRS  
29 388.135 is found to have occurred.

30 14. **The Office for a Safe and Respectful Learning**  
31 **Environment, in consultation with the direct supervisor of a**  
32 **principal, shall, after reviewing a report submitted pursuant to**  
33 **subsection 12 or 13, as applicable, make any recommendations**  
34 **based on identified trends and patterns the Office determines to be**  
35 **appropriate regarding interventions or training to address**  
36 **discrimination based on race, bullying and cyber-bullying at the**  
37 **school.**

38 15. School hours and school days are determined for the  
39 purposes of this section by the schedule established by the  
40 governing body for the school.

41 ~~[(5)]~~ 16. The provisions of this section must not be construed  
42 to place any limit on the time within which an investigation  
43 concerning any alleged act that constitutes sexual assault must be  
44 completed.



1     **Sec. 22.** NRS 388.13535 is hereby amended to read as  
2 follows:

3     388.13535 1. If a law enforcement agency is investigating a  
4 potential crime involving an alleged violation of NRS 388.135, the  
5 administrator or his or her designee may, after providing the  
6 notification required by paragraph (a) of subsection 3 of NRS  
7 388.1351, defer the investigation required by that section until the  
8 completion of the criminal investigation by the law enforcement  
9 agency. If the administrator or his or her designee defers an  
10 investigation pursuant to this subsection, the administrator or  
11 designee shall:

12     (a) Immediately develop and carry out a plan to protect the  
13 safety of each pupil directly involved in the alleged violation of  
14 NRS 388.135; and

15     (b) To the extent that the law enforcement agency has provided  
16 the administrator or designee with information about the projected  
17 date for completion of its investigation, provide the parents or  
18 guardians of each pupil directly involved in the alleged violation of  
19 NRS 388.135 with that information.

20     2. Except as otherwise provided in this section, the deferral  
21 authorized by subsection 1 does not affect the obligations of the  
22 administrator or designee pursuant to NRS 388.121 to 388.1395,  
23 inclusive ~~[ ]~~, *and sections 4, 5 and 6 of this act.*

24     3. Any plan developed pursuant to subsection 1 must be carried  
25 out in a manner that causes the least possible disruption for the  
26 reported victim or victims of *discrimination based on race*, bullying  
27 or cyber-bullying. When necessary, the administrator or his or her  
28 designee shall give priority to protecting the reported victim or  
29 victims over any interest of the reported perpetrator or perpetrators  
30 when determining how to carry out the plan.

31     4. If the administrator or designee determines that a violation  
32 of NRS 388.135 was caused by the disability of the pupil who  
33 committed the violation:

34     (a) The provisions of NRS 388.1351 do not apply to the same or  
35 similar behavior if the behavior is addressed in the pupil's  
36 individualized education program; and

37     (b) The administrator or designee shall take any measures  
38 necessary to protect the safety of the victim of the violation.

39     5. The provisions of NRS 388.1351 do not apply to a violation  
40 of NRS 388.135 committed by:

41     (a) A pupil who is enrolled in prekindergarten if the behavior is  
42 addressed through measures intended to modify the behavior of the  
43 pupil.

44     (b) An employee of a school or school district against another  
45 employee of a school or school district.



1 (c) An adult who is not a pupil or employee of a school or  
2 school district against another such adult.

3 **Sec. 23.** NRS 388.139 is hereby amended to read as follows:

4 388.139 Each school district shall include the text of the  
5 provisions of NRS 388.121 to 388.1395, inclusive, *and sections 4, 5*  
6 *and 6 of this act* and the policies adopted by the board of trustees of  
7 the school district pursuant to NRS 388.134 under the heading  
8 [~~“Bullying”~~] *“Discrimination Based on Race, Bullying* and Cyber-  
9 *Bullying Is Prohibited in Public Schools,”* within each copy of the  
10 rules of behavior for pupils that the school district provides to pupils  
11 pursuant to NRS 392.463.

12 **Sec. 24.** NRS 388.1395 is hereby amended to read as follows:

13 388.1395 The governing body of each school shall determine  
14 the most effective manner for the delivery of information to the  
15 pupils of the school during the “Week of Respect” proclaimed by  
16 the Governor each year pursuant to NRS 236.073. The information  
17 delivered during the “Week of Respect” must focus on:

18 1. Methods to prevent, identify and report incidents of  
19 *discrimination based on race*, bullying and cyber-bullying;

20 2. Methods to improve the school environment in a manner  
21 that will facilitate positive human relations among pupils; and

22 3. Methods to facilitate positive human relations among pupils  
23 by eliminating the use of *discrimination based on race*, bullying  
24 and cyber-bullying.

25 **Sec. 25.** NRS 391.465 is hereby amended to read as follows:

26 391.465 1. The State Board shall, based upon the  
27 recommendations of the Teachers and Leaders Council of Nevada  
28 submitted pursuant to NRS 391.460, adopt regulations establishing a  
29 statewide performance evaluation system which incorporates  
30 multiple measures of an employee’s performance. Except as  
31 otherwise provided in subsection 3, the State Board shall prescribe  
32 the tools to be used by a school district for obtaining such measures.

33 2. The statewide performance evaluation system must:

34 (a) Require that an employee’s overall performance is  
35 determined to be:

36 (1) Highly effective;

37 (2) Effective;

38 (3) Developing; or

39 (4) Ineffective.

40 (b) Include the criteria for making each designation identified in  
41 paragraph (a), which must include, without limitation, consideration  
42 of whether the classes for which the employee is responsible exceed  
43 the applicable recommended ratios of pupils per licensed teacher  
44 prescribed by the State Board pursuant to NRS 388.890 and, if so,  
45 the degree to which the ratios affect:



1 (1) The ability of the employee to carry out his or her  
2 professional responsibilities; and

3 (2) The instructional practices of the employee.

4 (c) Except as otherwise provided in subsections 2 and 3 of NRS  
5 391.695 and subsections 2 and 3 of NRS 391.715, require that pupil  
6 growth, as determined pursuant to NRS 391.480, account for 15  
7 percent of the evaluation of a teacher or administrator who provides  
8 direct instructional services to pupils at a school in a school district.

9 (d) Include an evaluation of whether the teacher, or  
10 administrator who provides primarily administrative services at the  
11 school level or administrator at the district level who provides direct  
12 supervision of the principal of a school, and who does not provide  
13 primarily direct instructional services to pupils, regardless of  
14 whether the probationary administrator is licensed as a teacher or  
15 administrator, including, without limitation, a principal and vice  
16 principal or licensed educational employee, other than a teacher or  
17 administrator, employs practices and strategies to involve and  
18 engage the parents and families of pupils.

19 (e) Include a process for peer observations of teachers by  
20 qualified educational personnel which is designed to provide  
21 assistance to teachers in meeting the standards of effective teaching,  
22 and includes, without limitation, conducting observations,  
23 participating in conferences before and after observations of the  
24 teacher and providing information and resources to the teacher about  
25 strategies for effective teaching. The regulations must include the  
26 criteria for school districts to determine which educational personnel  
27 are qualified to conduct peer observations pursuant to the process.

28 *(f) If an employee knowingly and willfully failed to comply*  
29 *with the provisions of NRS 388.1351, indicate any disciplinary*  
30 *actions taken against the employee pursuant to NRS 388.1354.*

31 3. A school district may apply to the State Board to use a  
32 performance evaluation system and tools that are different than the  
33 evaluation system and tools prescribed pursuant to subsection 1. The  
34 application must be in the form prescribed by the State Board and  
35 must include, without limitation, a description of the evaluation  
36 system and tools proposed to be used by the school district. The  
37 State Board may approve the use of the proposed evaluation system  
38 and tools if it determines that the proposed evaluation system and  
39 tools apply standards and indicators that are equivalent to those  
40 prescribed by the State Board.

41 4. An administrator at the district level who provides direct  
42 supervision of the principal of a school and who also serves as the  
43 superintendent of schools of a school district must not be evaluated  
44 using the statewide performance evaluation system.



1       **Sec. 26.** NRS 62C.400 is hereby amended to read as follows:

2       62C.400 1. If a department of juvenile services determines  
3 that a child who is currently enrolled in school unlawfully engaged  
4 in *discrimination based on race*, bullying or cyber-bullying, the  
5 department shall provide the information specified in subsection 2 to  
6 the juvenile court in the judicial district in which the child resides  
7 and to the school district in which the child is currently enrolled.

8       2. The information required to be provided pursuant to  
9 subsection 1 must include:

10       (a) The name of the child;

11       (b) The name of the person who was the subject of the  
12 *discrimination based on race*, bullying or cyber-bullying; and

13       (c) A description of any *discrimination based on race*, bullying  
14 or cyber-bullying committed by the child against the other person.

15       3. As used in this section:

16       (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

17       (b) "Cyber-bullying" has the meaning ascribed to it in  
18 NRS 388.123.

19       (c) *"Discrimination based on race" has the meaning ascribed*  
20 *to it in section 4 of this act.*

21       **Sec. 27.** NRS 62E.030 is hereby amended to read as follows:

22       62E.030 1. If a court determines that a child who is currently  
23 enrolled in school unlawfully caused or attempted to cause serious  
24 bodily injury to another person, the court shall provide the  
25 information specified in subsection 2 to the school district in which  
26 the child is currently enrolled.

27       2. The information required to be provided pursuant to  
28 subsection 1 must include:

29       (a) The name of the child;

30       (b) A description of any injury sustained by the other person;

31       (c) A description of any weapon used by the child; and

32       (d) A description of any threats made by the child against the  
33 other person before, during or after the incident in which the child  
34 injured or attempted to injure the person.

35       3. If a court determines that a child who is currently enrolled in  
36 school unlawfully engaged in *discrimination based on race*,  
37 bullying or cyber-bullying, the court shall provide the information  
38 specified in subsection 4 to the school district in which the child is  
39 currently enrolled.

40       4. The information required to be provided pursuant to  
41 subsection 3 must include:

42       (a) The name of the child;

43       (b) The name of the person who was the subject of the  
44 *discrimination based on race*, bullying or cyber-bullying; and



1 (c) A description of any *discrimination based on race*, bullying  
2 or cyber-bullying committed by the child against the other person.

3 5. As used in this section:

4 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

5 (b) "Cyber-bullying" has the meaning ascribed to it in  
6 NRS 388.123.

7 (c) *"Discrimination based on race" has the meaning ascribed*  
8 *to it in section 4 of this act.*

9 **Sec. 28.** NRS 236.073 is hereby amended to read as follows:

10 236.073 1. The Governor shall annually proclaim the first  
11 week in October to be "Week of Respect."

12 2. The proclamation may call upon:

13 (a) News media, educators and appropriate government offices  
14 to bring to the attention of the residents of Nevada factual  
15 information regarding *discrimination based on race*, bullying and  
16 cyber-bullying, including, without limitation:

17 (1) Statistical information regarding the number of pupils  
18 who *experience discrimination based on race or* are bullied or  
19 cyber-bullied each year;

20 (2) The methods to identify and assist pupils who are at risk  
21 of *discrimination based on race*, bullying or cyber-bullying; and

22 (3) The methods to prevent *discrimination based on race*,  
23 bullying and cyber-bullying; and

24 (b) Governing bodies to provide instruction on the ways in  
25 which pupils can prevent *discrimination based on race*, bullying  
26 and cyber-bullying during the Week of Respect and throughout the  
27 school year that is appropriate for the grade level of pupils who  
28 receive the instruction.

29 3. As used in this section:

30 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

31 (b) "Cyber-bullying" has the meaning ascribed to it in  
32 NRS 388.123.

33 (c) *"Discrimination based on race" has the meaning ascribed*  
34 *to it in section 4 of this act.*

35 (d) "Governing body" has the meaning ascribed to it in  
36 NRS 388.126.

37 **Sec. 29.** This act becomes effective on July 1, 2021.



