

SENATE BILL NO. 294—SENATOR FARLEY

MARCH 17, 2017

Referred to Committee on Education

SUMMARY—Revises provisions relating to bullying.  
(BDR 34-449)

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 bullying; creating certain exceptions to requirements concerning reporting and investigating incidents of bullying and cyber-bullying; revising the definition of the term “bullying”; prohibiting the inclusion of an incident of alleged bullying or cyber-bullying in the record of a pupil under certain circumstances; revising provisions governing the hotline and Internet website maintained by the Office for a Safe and Respectful Learning Environment within the Department of Education for reporting bullying and cyber-bullying; requiring the Department to accept applications for grants from the Bullying Prevention Account; revising provisions concerning training on bullying and cyber-bullying; revising provisions concerning discipline of administrators or principals or their designees for violating provisions concerning bullying; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law defines the term “bullying” to include certain written, verbal or  
2 electronic expressions or physical acts or gestures directed at a person or group.  
3 (NRS 388.122) **Section 3** of this bill revises the definition of bullying to provide  
4 that, in order to constitute bullying, such expressions, acts or gestures must be  
5 repeated or willful and severe.

6 Existing law prohibits certain persons from engaging in bullying or cyber-  
7 bullying on the premises of a public school, at an activity sponsored by a public  
8 school or on a school bus. (NRS 388.135) Existing law requires: (1) any staff  
9 member of a public school who witnesses bullying or cyber-bullying to report the



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10 bullying or cyber-bullying to the principal or his or her designee; and (2) the  
11 principal or designee to investigate the bullying or cyber-bullying. (NRS 388.1351)  
12 **Section 1** of this bill authorizes the principal or designee to suspend such an  
13 investigation if an incident of alleged bullying or cyber-bullying is being  
14 investigated by a law enforcement agency. **Section 1** also provides that provisions  
15 concerning the notification and investigation of incidents of alleged bullying or  
16 cyber-bullying do not apply if the bullying or cyber-bullying is: (1) caused by the  
17 disability of a pupil who engaged in bullying or cyber-bullying and the behavior is  
18 addressed in the pupil's individualized education program; (2) engaged in by a  
19 pupil who is enrolled in preschool and the behavior is addressed through measures  
20 intended to modify the behavior; (3) engaged in by an employee of a school district  
21 or charter school against another employee; or (4) engaged in by an adult who is  
22 not an employee of a school district or charter school against another such adult.  
23 **Sections 4 and 9** of this bill make conforming changes. **Section 9** also authorizes a  
24 principal or his or her designee who receives a report of bullying or cyber-bullying  
25 to wait until the next school day he or she has access to a reported victim of alleged  
26 bullying or cyber-bullying to take action to stop the bullying or cyber-bullying and  
27 ensure the safety and well-being of the reported victim. Additionally, **section 9**  
28 provides that the time periods prescribed for investigating an incident of alleged  
29 bullying or cyber-bullying do not apply if the investigation cannot be completed  
30 within those time periods because of a collective bargaining agreement or  
31 applicable laws concerning employment. Finally, **section 9** provides that if a  
32 principal or his or her designee concludes, after an investigation, that no bullying or  
33 cyber-bullying occurred, information concerning the incident must not be included  
34 in the record of the reported aggressor.

35 Existing law requires the Office for a Safe and Respectful Learning  
36 Environment within the Department of Education to maintain a 24-hour, toll-free  
37 statewide hotline and Internet website by which a person can report certain  
38 violations related to bullying and cyber-bullying. (NRS 388.1323) **Section 6** of this  
39 bill provides that such a hotline and Internet website must be maintained only if  
40 money is available.

41 Existing law requires the State Board of Education to accept applications for  
42 grants to school districts for certain purposes relating to the prevention of bullying  
43 and cyber-bullying. (NRS 388.1325, 388.1327) **Section 7** of this bill instead  
44 requires the Department of Education to accept such applications.

45 Existing law requires each member of the board of trustees of a school district  
46 and administrator of a public school to complete a program of training on bullying  
47 and cyber-bullying established by the State Board. **Section 8** of this bill additionally  
48 authorizes a member of the board of trustees of a school district and administrator  
49 of a public school to satisfy this requirement by completing a program of training  
50 developed by the school district that is deemed equivalent by the Department.

51 Existing law: (1) requires the superintendent of a school district to take  
52 disciplinary action against an administrator, principal or the designee of an  
53 administrator or principal who knowingly and willfully fails to comply with  
54 provisions governing bullying and cyber-bullying; and (2) authorizes the  
55 superintendent to recommend the suspension or revocation of the license of such an  
56 administrator, principal or designee. (NRS 388.1354) **Section 10** of this bill  
57 additionally authorizes a designee of the superintendent to take such action.

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

1       **Section 1.** Chapter 388 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

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

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

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

19       2. *If the principal or designee determines that a violation of*  
20 *NRS 388.135 was caused by the disability of the pupil who*  
21 *committed the violation:*

22       (a) *The principal or designee is not required to provide*  
23 *notification pursuant to paragraph (a) of subsection 3 of NRS*  
24 *388.1351 for future violations involving the same or similar*  
25 *behavior;*

26       (b) *The provisions of NRS 388.1351 do not apply to the same*  
27 *or similar behavior if the behavior is addressed in the pupil's*  
28 *individualized education program; and*

29       (c) *The principal or designee shall take any measures*  
30 *necessary to protect the safety of the victim of the violation.*

31       3. *The provisions of NRS 388.1351 do not apply to a violation*  
32 *of NRS 388.135 committed by:*

33       (a) *A pupil who is enrolled in preschool if the behavior is*  
34 *addressed through measures intended to modify the behavior of*  
35 *the pupil.*

36       (b) *An employee of a school district or charter school against*  
37 *another employee of a school district or charter school.*

38       (c) *An adult who is not a pupil or employee of a school district*  
39 *or charter school against another such adult.*

40       **Sec. 2.** NRS 388.121 is hereby amended to read as follows:

41       388.121 As used in NRS 388.121 to 388.1395, inclusive, *and*  
42 *section 1 of this act*, unless the context otherwise requires, the



1 words and terms defined in NRS 388.122, 388.123 and 388.124  
2 have the meanings ascribed to them in those sections.

3 **Sec. 3.** NRS 388.122 is hereby amended to read as follows:

4 388.122 1. “Bullying” means *repeated* written, verbal or  
5 electronic expressions or physical acts or gestures, or any  
6 combination thereof, that are directed at a person or group of  
7 persons, or a single severe and willful act or expression that is  
8 directed at a person or group of persons, and:

9 (a) Have the effect of:

10 (1) Physically harming a person or damaging the property of  
11 a person; or

12 (2) Placing a person in reasonable fear of physical harm to  
13 the person or damage to the property of the person; *or*

14 (b) Interfere with the rights of a person by:

15 (1) Creating an intimidating or hostile educational  
16 environment for the person; or

17 (2) Substantially interfering with the academic performance  
18 of a pupil or the ability of the person to participate in or benefit from  
19 services, activities or privileges provided by a school. ~~† or~~

20 ~~—(c) Are acts or conduct described in paragraph (a) or (b) and are  
21 based upon the:~~

22 ~~—(1) Actual or perceived race, color, national origin, ancestry,  
23 religion, gender identity or expression, sexual orientation, physical  
24 or mental disability of a person, sex or any other distinguishing  
25 characteristic or background of a person; or~~

26 ~~—(2) Association of a person with another person having one  
27 or more of those actual or perceived characteristics.†~~

28 2. The term includes, without limitation:

29 (a) Repeated or pervasive taunting, name-calling, belittling,  
30 mocking or use of put-downs or demeaning humor regarding the  
31 actual or perceived race, color, national origin, ancestry, religion,  
32 gender identity or expression, sexual orientation, physical or mental  
33 disability of a person, sex or any other distinguishing characteristic  
34 or background of a person;

35 (b) Behavior that is intended to harm another person by  
36 damaging or manipulating his or her relationships with others by  
37 conduct that includes, without limitation, spreading false rumors;

38 (c) Repeated or pervasive nonverbal threats or intimidation such  
39 as the use of aggressive, menacing or disrespectful gestures;

40 (d) Threats of harm to a person, to his or her possessions or to  
41 other persons, whether such threats are transmitted verbally,  
42 electronically or in writing;

43 (e) Blackmail, extortion or demands for protection money or  
44 involuntary loans or donations;

45 (f) Blocking access to any property or facility of a school;



- 1 (g) Stalking; ~~and~~
- 2 (h) Physically harmful contact with or injury to another person
- 3 or his or her property ~~+~~; **and**

4 *(i) Acts or conduct described in subsection 1 that are based*  
5 *upon the:*

6 *(1) Actual or perceived race, color, national origin,*  
7 *ancestry, religion, gender identity or expression, sexual*  
8 *orientation, physical or mental disability of a person, sex or any*  
9 *other distinguishing characteristic or background of a person; or*

10 *(2) Association of a person with another person having one*  
11 *or more of those actual or perceived characteristics.*

12 **Sec. 4.** NRS 388.132 is hereby amended to read as follows:

13 388.132 The Legislature declares that:

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

15 2. A learning environment that is safe and respectful is  
16 essential for the pupils enrolled in the public schools in this State  
17 and is necessary for those pupils to achieve academic success and  
18 meet this State's high academic standards;

19 3. Every classroom, hallway, locker room, cafeteria, restroom,  
20 gymnasium, playground, athletic field, school bus, parking lot and  
21 other areas on the premises of a public school in this State must be  
22 maintained as a safe and respectful learning environment, and no  
23 form of bullying or cyber-bullying will be tolerated within the  
24 system of public education in this State;

25 4. Any form of bullying or cyber-bullying seriously interferes  
26 with the ability of teachers to teach in the classroom and the ability  
27 of pupils to learn;

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

31 6. It will ensure that:

32 (a) The public schools in this State provide a safe and respectful  
33 learning environment in which persons of differing beliefs, races,  
34 colors, national origins, ancestries, religions, gender identities or  
35 expressions, sexual orientations, physical or mental disabilities,  
36 sexes or any other distinguishing characteristics or backgrounds can  
37 realize their full academic and personal potential;

38 (b) All administrators, principals, teachers and other personnel  
39 of the school districts and public schools in this State demonstrate  
40 appropriate and professional behavior on the premises of any public  
41 school by treating other persons, including, without limitation,  
42 pupils, with civility and respect, by refusing to tolerate bullying and  
43 cyber-bullying, and by taking ~~immediate~~ action *as soon as*  
44 *practicable* to protect a victim or target of bullying or



1 cyber-bullying when witnessing, overhearing or being notified that  
2 bullying or cyber-bullying is occurring or has occurred;

3 (c) The quality of instruction is not negatively impacted by poor  
4 attitudes or interactions among administrators, principals, teachers,  
5 coaches or other personnel of a school district;

6 (d) All persons in public schools are entitled to maintain their  
7 own beliefs and to respectfully disagree without resorting to  
8 bullying, cyber-bullying or violence; and

9 (e) Any teacher, administrator, principal, coach or other staff  
10 member or pupil who tolerates or engages in an act of bullying or  
11 cyber-bullying or violates a provision of NRS 388.121 to 388.1395,  
12 inclusive, *and section 1 of this act* regarding a response to bullying  
13 or cyber-bullying *against a pupil* will be held accountable; and

14 7. By declaring this mandate that the public schools in this  
15 State provide a safe and respectful learning environment, the  
16 Legislature is not advocating or requiring the acceptance of differing  
17 beliefs in a manner that would inhibit the freedom of expression, but  
18 is requiring that pupils be free from physical, emotional or mental  
19 abuse while in the care of the State and that pupils be provided with  
20 an environment that allows them to learn.

21 **Sec. 5.** NRS 388.1321 is hereby amended to read as follows:

22 388.1321 1. The Legislature hereby declares that the  
23 members of a board of trustees and all administrators and teachers  
24 of a school district have a duty to create and provide a safe and  
25 respectful learning environment for all pupils that is free of bullying  
26 and cyber-bullying.

27 2. A parent or guardian of a pupil of the public school system  
28 of this State may petition a court of competent jurisdiction for a writ  
29 of mandamus to compel the performance of any duty imposed by  
30 the provisions of NRS 388.121 to 388.1395, inclusive ~~H~~, *and*  
31 *section 1 of this act.*

32 3. Nothing in this section shall be deemed to preclude a parent  
33 or guardian of a pupil of the public school system of this State from  
34 seeking any remedy available at law or in equity.

35 **Sec. 6.** NRS 388.1323 is hereby amended to read as follows:

36 388.1323 1. The Office for a Safe and Respectful Learning  
37 Environment is hereby created within the Department.

38 2. The Superintendent of Public Instruction shall appoint a  
39 Director of the Office, who shall serve at the pleasure of the  
40 Superintendent.

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

42 (a) ~~Maintains~~ *To the extent that money is available for this*  
43 *purpose, maintains* a 24-hour, toll-free statewide hotline and  
44 Internet website by which any person can report a violation of the  
45 provisions of NRS 388.121 to 388.1395, inclusive, *and section 1 of*



1 *this act* and obtain information about anti-bullying efforts and  
2 organizations; and

3 (b) Provides outreach and anti-bullying education and training  
4 for pupils, parents and guardians, teachers, administrators,  
5 principals, coaches and other staff members and the members of a  
6 board of trustees of a school district. The outreach and training must  
7 include, without limitation:

8 (1) Training regarding methods, procedures and practice for  
9 recognizing bullying and cyber-bullying behaviors;

10 (2) Training regarding effective intervention and remediation  
11 strategies regarding bullying and cyber-bullying;

12 (3) Training regarding methods for reporting violations of  
13 NRS 388.135; and

14 (4) Information on and referral to available resources  
15 regarding suicide prevention and the relationship between bullying  
16 or cyber-bullying and suicide.

17 4. The Director of the Office shall establish procedures by  
18 which the Office may receive reports of bullying and cyber-bullying  
19 and complaints regarding violations of the provisions of NRS  
20 388.121 to 388.1395, inclusive ~~H~~, and *section 1 of this act*.

21 5. The Director of the Office or his or her designee shall  
22 investigate any complaint that a teacher, administrator, principal,  
23 coach or other staff member or member of a board of trustees of a  
24 school district has violated a provision of NRS 388.121 to 388.1395,  
25 inclusive ~~H~~, and *section 1 of this act*. If a complaint alleges  
26 criminal conduct or an investigation leads the Director of the Office  
27 or his or her designee to suspect criminal conduct, the Director of  
28 the Office may request assistance from the Investigation Division of  
29 the Department of Public Safety.

30 **Sec. 7.** NRS 388.1327 is hereby amended to read as follows:

31 388.1327 The State Board shall adopt regulations:

32 1. Establishing the process whereby school districts may apply  
33 to the ~~State Board~~ *Department* for a grant of money from the  
34 Bullying Prevention Account pursuant to NRS 388.1325.

35 2. As are necessary to carry out the provisions of NRS 388.121  
36 to 388.1395, inclusive ~~H~~, and *section 1 of this act*.

37 **Sec. 8.** NRS 388.1342 is hereby amended to read as follows:

38 388.1342 1. The Department, in consultation with persons  
39 who possess knowledge and expertise in bullying and cyber-  
40 bullying, shall:

41 (a) Establish a program of training on methods to prevent,  
42 identify and report incidents of bullying and cyber-bullying for  
43 members of the State Board.



1 (b) Establish a program of training on methods to prevent,  
2 identify and report incidents of bullying and cyber-bullying for  
3 members of the boards of trustees of school districts.

4 (c) Establish a program of training for school district and charter  
5 school personnel to assist those persons with carrying out their  
6 powers and duties pursuant to NRS 388.121 to 388.1395, inclusive  
7 **†**, and section 1 of this act.

8 (d) Establish a program of training for administrators in the  
9 prevention of violence and suicide associated with bullying and  
10 cyber-bullying and appropriate methods to respond to incidents of  
11 violence or suicide.

12 2. Each member of the State Board shall, within 1 year after  
13 the member is elected or appointed to the State Board, complete the  
14 program of training on bullying and cyber-bullying established  
15 pursuant to paragraph (a) of subsection 1 and undergo the training at  
16 least one additional time while the person is a member of the State  
17 Board.

18 3. Except as otherwise provided in NRS 388.134, each member  
19 of a board of trustees of a school district shall, within 1 year after  
20 the member is elected or appointed to the board of trustees,  
21 complete the program of training on bullying and cyber-bullying  
22 established pursuant to paragraph (b) of subsection 1 *or a program*  
23 *of training developed by the school district that is deemed*  
24 *equivalent by the Department* and undergo the training at least one  
25 additional time while the person is a member of the board of  
26 trustees.

27 4. Each administrator of a public school shall complete the  
28 program of training established pursuant to paragraph (d) of  
29 subsection 1 **†** *or a program of training developed by the school*  
30 *district that is deemed equivalent by the Department:*

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

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

34 (c) At least once during any school year within which the  
35 program of training *for administrators* is revised or updated.

36 5. Each program of training established pursuant to subsection  
37 1 must, to the extent money is available, be made available on the  
38 Internet website maintained by the Department or through another  
39 provider on the Internet.

40 6. The board of trustees of a school district may allow school  
41 district personnel to attend the program established pursuant to  
42 paragraph (c) or (d) of subsection 1 *or the program of training*  
43 *developed by the school district and deemed by the Department to*  
44 *be equivalent to the program established pursuant to paragraph*  
45 *(d) of subsection 1* during regular school hours.





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

4 **Sec. 9.** NRS 388.1351 is hereby amended to read as follows:

5 388.1351 1. ~~[A]~~ *Except as otherwise provided in section 1 of*  
6 *this act, a* teacher, administrator, principal, coach or other staff  
7 member who witnesses a violation of NRS 388.135 or receives  
8 information that a violation of NRS 388.135 has occurred shall  
9 report the violation to the principal or his or her designee as soon as  
10 practicable, but not later than a time during the same day on which  
11 the teacher, administrator, principal, coach or other staff member  
12 witnessed the violation or received information regarding the  
13 occurrence of a violation.

14 2. ~~[Upon receiving a report required by subsection 1,]~~ *Except*  
15 *as otherwise provided in this subsection,* the principal or designee  
16 shall , immediately *upon receiving a report required by subsection*  
17 *1,* take any necessary action to stop the bullying or cyber-bullying  
18 and ensure the safety and well-being of the reported victim or  
19 victims of the bullying or cyber-bullying and shall begin an  
20 investigation into the report. *If the principal or designee does not*  
21 *have access to the reported victim of the alleged violation of NRS*  
22 *388.135, the principal or designee may wait until the next school*  
23 *day when he or she has such access to take the action required by*  
24 *this subsection.*

25 3. The investigation *required by subsection 2* must include,  
26 without limitation:

27 (a) Except as otherwise provided in subsection ~~[3,]~~ 4,  
28 notification provided by telephone, electronic mail or other  
29 electronic means or provided in person, of the parents or guardians  
30 of all pupils directly involved in the reported bullying or cyber-  
31 bullying, as applicable, either as a reported aggressor or a reported  
32 victim of the bullying or cyber-bullying. The notification must be  
33 provided not later than:

34 (1) If the bullying or cyber-bullying is reported before the  
35 end of school hours on a school day, 6 p.m. on the day on which the  
36 bullying or cyber-bullying is reported; or

37 (2) If the bullying or cyber-bullying was reported on a day  
38 that is not a school day, or after school hours on a school day, 6 p.m.  
39 on the school day following the day on which the bullying or cyber-  
40 bullying is reported.

41 (b) Interviews with all pupils whose parents or guardians must  
42 be notified pursuant to paragraph (a) ~~[and with all such parents and~~  
43 ~~guardians.~~

44 ~~—3—~~.



1 4. If the contact information for the parent or guardian of a  
2 pupil in the records of the school is not correct, a good faith effort to  
3 notify the parent or guardian shall be deemed sufficient to meet  
4 the requirement for notification pursuant to paragraph (a) of  
5 subsection ~~2~~.

6 ~~4~~ 3.

7 5. Except as otherwise provided in this subsection, an  
8 investigation required by this section must be completed not later  
9 than ~~2~~ 3 school days after the principal or designee receives a  
10 report required by subsection 1. If the principal or designee is not  
11 able to complete the interviews required by paragraph (b) of  
12 subsection ~~2~~ 3 within ~~2~~ 3 school days after making a good faith  
13 effort because any of the persons to be interviewed is not available,  
14 ~~1~~ 2 additional school ~~day~~ days may be used to complete the  
15 investigation.

16 ~~5~~ *If an alleged violation of NRS 388.135 is committed by*  
17 *an employee of the school district or charter school and the*  
18 *investigation cannot be completed within the time periods*  
19 *prescribed by this subsection because of a collective bargaining*  
20 *agreement or applicable laws concerning employment:*

21 *(a) The time periods for completing an investigation prescribed*  
22 *by this subsection do not apply to the investigation; and*

23 *(b) The principal or designee must take any reasonable*  
24 *measure necessary to stop the alleged bullying or cyber-bullying.*

25 6. A principal or designee who conducts an investigation  
26 required by this section shall complete a written report of the  
27 findings and conclusions of the investigation. If a violation is found  
28 to have occurred, the report must include recommendations  
29 concerning the imposition of disciplinary action or other measures  
30 to be imposed as a result of the violation, in accordance with the  
31 policy governing disciplinary action adopted by the board of trustees  
32 of the school district. Subject to the provisions of the Family  
33 Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g,  
34 and any regulations adopted pursuant thereto, the report must be  
35 made available, not later than 24 hours after the completion of the  
36 written report, to all parents or guardians who must be notified  
37 pursuant to paragraph (a) of subsection ~~2~~ 3 as part of the  
38 investigation.

39 ~~6~~ *If a violation is found not to have occurred, information*  
40 *concerning the incident must not be included in the record of the*  
41 *reported aggressor.*

42 7. Not later than 10 school days after receiving a report  
43 required by subsection 1, the principal or designee shall meet with  
44 each reported victim of the bullying or cyber-bullying to inquire



1 about the well-being of the reported victim and to ensure that the  
2 reported bullying or cyber-bullying, as applicable, is not continuing.

3 ~~7-1~~ 8. To the extent that information is available, the principal  
4 or his or her designee shall provide a list of any resources that may  
5 be available in the community to assist a pupil to each parent or  
6 guardian of a pupil to whom notice was provided pursuant to this  
7 section as soon as practicable. Such a list may include, without  
8 limitation, resources available at no charge or at a reduced cost ~~H~~  
9 *and may be provided in person or by electronic or regular mail.* If  
10 such a list is provided, the principal, his or her designee, or any  
11 employee of the school or the school district is not responsible for  
12 providing such resources to the pupil or ensuring the pupil receives  
13 such resources.

14 ~~8-1~~ 9. The parent or guardian of a pupil involved in the  
15 reported violation of NRS 388.135 may appeal a disciplinary  
16 decision of the principal or his or her designee, made against the  
17 pupil as a result of the violation, in accordance with the policy  
18 governing disciplinary action adopted by the board of trustees of the  
19 school district. Not later than 30 days after receiving a response  
20 provided in accordance with such a policy, the parent or guardian  
21 may submit a complaint to the Department. The Department shall  
22 consider and respond to the complaint pursuant to procedures and  
23 standards prescribed in regulations adopted by the Department.

24 *10. School hours and school days are determined for the*  
25 *purposes of this section by the schedule established for the school*  
26 *pursuant to NRS 388.090.*

27 **Sec. 10.** NRS 388.1354 is hereby amended to read as follows:

28 388.1354 If an administrator, principal or the designee of an  
29 administrator or principal of a school knowingly and willfully fails  
30 to comply with the provisions of NRS 388.1351, the superintendent  
31 of the school district ~~H~~ *or his or her designee:*

32 1. Shall take disciplinary action against the employee by  
33 written admonishment, demotion, suspension, dismissal or refusal to  
34 reemploy; and

35 2. If the employee is the holder of a license issued pursuant to  
36 chapter 391 of NRS, may recommend to the board of trustees of the  
37 school district that the board submit a recommendation to the State  
38 Board for the suspension or revocation of the license.

39 **Sec. 11.** This act becomes effective on July 1, 2017.

