

**Amendment No. 1049**

Senate Amendment to Assembly Bill No. 362 First Reprint (BDR 34-1144)  
**Proposed by:** Senate Committee on Education  
**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: Yes Digest: Yes

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 362 R1 (§§ 9, 10).

| ASSEMBLY ACTION |                          | Initial and Date |                          | SENATE ACTION |              | Initial and Date         |      |                          |  |
|-----------------|--------------------------|------------------|--------------------------|---------------|--------------|--------------------------|------|--------------------------|--|
| Adopted         | <input type="checkbox"/> | Lost             | <input type="checkbox"/> |               | Adopted      | <input type="checkbox"/> | Lost | <input type="checkbox"/> |  |
| Concurred In    | <input type="checkbox"/> | Not              | <input type="checkbox"/> |               | Concurred In | <input type="checkbox"/> | Not  | <input type="checkbox"/> |  |
| Receded         | <input type="checkbox"/> | Not              | <input type="checkbox"/> |               | Receded      | <input type="checkbox"/> | Not  | <input type="checkbox"/> |  |

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

KRO/RBL



Date: 6/2/2017

A.B. No. 362—Revises provisions relating to educational personnel.  
 (BDR 34-1144)





ASSEMBLY BILL NO. 362—ASSEMBLYMEN TOLLES, WATKINS; BENITEZ-THOMPSON,  
DIAZ, KRASNER, MONROE-MORENO, OSCARSON, PICKARD, WHEELER, WOODBURY  
AND YEAGER

MARCH 20, 2017

JOINT SPONSORS: SENATORS DENIS, FORD, GUSTAVSON, HAMMOND, HARRIS,  
GANSERT, ~~AND~~, SEGERBLOM, SPEARMAN AND WOODHOUSE

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to educational personnel.  
(BDR 34-1144)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§§ 9, 10)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; prohibiting certain persons from assisting certain employees, contractors or agents who work at a public school to obtain new employment; prohibiting a local educational agency or public school from entering into certain agreements; requiring an applicant for employment who may have direct contact with pupils to provide certain information and written authorizations; requiring the board of trustees of a school district, governing body of a charter school, governing body of a university school for profoundly gifted pupils and certain independent contractors to take certain action regarding persons who may have direct contact with children; requiring certain employers to provide certain information regarding an applicant for employment who may have direct contact with children; providing that an employer who fails to provide certain information regarding an applicant for employment who may have direct contact with children is subject to certain disciplinary action; providing that a teacher or administrator may be subject to disciplinary action for certain violations; authorizing the Superintendent of Public Instruction to deny an application for a license if a report on the criminal history of the applicant indicates that an applicant has been arrested for or charged with a sexual offense involving a minor or pupil; requiring the Superintendent ~~[of Public Instruction]~~ to provide certain notice

when an application for a license is denied; requiring the Department of Education to maintain a list of the names of persons whose application for a license has been denied for certain purposes; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

**Sections 6, 7 and 22** of this bill incorporate in state law certain provisions of federal law designed to prevent persons who have engaged in sexual misconduct with a minor from obtaining new employment.

**Section 8** of this bill requires an applicant for employment with a school district, charter school, university school for profoundly gifted pupils and certain independent contractors who may have direct contact with pupils to provide to the prospective employer: (1) information relating to his or her employment history; and (2) written authorization for a current or previous employer to release information relating to his or her employment. **Section 8** also provides that any action brought by such an applicant for employment based upon information obtained about the applicant to determine his or her fitness for employment must be brought in a court in this State and governed by the laws of this State. Finally, **section 8** provides that an applicant for employment who knowingly provides false information or willfully fails to disclose information is subject to discipline and is guilty of a misdemeanor.

**Section 9** of this bill requires the governing body of a public school, including the board of trustees of a school district, governing body of a charter school and governing body of a university school for profoundly gifted pupils, or an independent contractor who receives the information described in **section 8** to: (1) verify the information received; (2) ensure that the applicant has a license authorizing him or her to teach or perform other educational functions if a license is required; and (3) verify that the Department of Education has not received notice that the applicant is a defendant in a criminal case.

**Section 10** of this bill requires the governing body of a public school and an independent contractor to take certain action to obtain additional information if a current or previous employer of an applicant indicates that the applicant is or was the subject of an investigation concerning an alleged sexual offense.

**Sections 9 and 10** also provide that any ~~person~~ **employer or former employer** who is contacted by the governing body of a public school or an independent contractor and asked to provide information, but willfully fails to disclose information is subject to discipline, including a civil penalty. **Sections 9 and 10** further provide that, in addition to being subject to discipline, including a civil penalty, a private school that willfully fails to disclose any such information is subject to discipline, which may include being placed on a corrective action plan. **Sections 9 and 10** provide immunity from liability for providing the information and makes the information privileged.

**Section 11** of this bill authorizes the governing body of a public school and an independent contractor to: (1) consider the information received pursuant to **sections 8-10** when making an employment decision; and (2) report the information received to certain entities. **Section 11** also provides that the board of trustees of a school district, governing body of a charter school, governing body of a university school for profoundly gifted pupils or independent contractor: (1) shall not be held liable for any damages resulting from failure of an entity not subject to the jurisdiction of this State to respond to certain requests for information or any inaccuracy or omission in the information submitted; and (2) is immune from civil or criminal liability for considering the information received pursuant to **sections 8-10** when making employment decisions.

**Section 12** of this bill requires an independent contractor who employs a person who may have direct contact with pupils to maintain a record for each such employee and, upon request, provide this record to the governing body of the public school at which an employee has been assigned to perform work. **Section 12** also: (1) requires an independent contractor to provide certain information to the governing body of a public school before assigning an employee to perform work at a location; and (2) prohibits an independent contractor from assigning an employee to perform work at a school if the governing body of the school objects to the assignment.

51 **Section 13** of this bill authorizes the governing body of a public school to allow  
 52 provisional employment of a person pending review of the information received pursuant to  
 53 **sections 8-10** in certain circumstances.

54 **Section 14** of this bill provides that nothing in **sections 2-17** of this bill shall be construed  
 55 to: (1) prevent a prospective employer from conducting further investigations of a prospective  
 56 employee; (2) prohibit a person from disclosing more information than is required by this bill;  
 57 or (3) relieve a person of a duty to report prescribed by state or federal law.

58 **Section 15** prohibits the governing body of a public school or an independent contractor  
 59 from entering into any agreement that: (1) has the effect of suppressing information relating to  
 60 an investigation concerning a report of suspected abuse or sexual misconduct by a current or  
 61 former employee; (2) affects the ability of the governing body or independent contractor to  
 62 report suspected abuse or sexual misconduct; or (3) requires the governing body or  
 63 independent contractor to expunge certain information from any documents maintained by the  
 64 governing body or independent contractor. **Section 15** also requires an employer to maintain  
 65 certain documents if the agreement requires the removal of the document from an employee's  
 66 personnel file.

67 **Sections 16 and 21** provide that any information collected from an applicant for  
 68 employment or an employer pursuant to **sections 8-10** is confidential and is not a public book  
 69 or record.

70 **Section 17** provides that any person who willfully violates any provision of **sections 2-17**  
 71 is subject to a civil penalty, which must be recovered in a civil action. **Section 17** also  
 72 prohibits the governing body of a public school from contracting with an independent  
 73 contractor who has been found to have willfully violated the provisions of **sections 2-17**.  
 74 **Section 19** provides that a teacher or administrator may be subject to disciplinary action for  
 75 willfully violating the provisions of **sections 2-17**.

76 Existing law requires the Superintendent of Public Instruction to grant all licenses for  
 77 teachers and other educational personnel. (NRS 391.033) **Section 18 of this bill authorizes**  
 78 **the Superintendent to deny an application for a license if a report on the criminal history**  
 79 **of the applicant from the Federal Bureau of Investigation or the Central Repository for**  
 80 **Nevada Records of Criminal History indicates that an applicant has been arrested for or**  
 81 **charged with a sexual offense involving a minor or pupil. Section 18 requires the**  
 82 **Superintendent or his or her designee to provide written notice of his or her intent to**  
 83 **deny the application for a license and authorizes an applicant to whom such notice has**  
 84 **been provided to request a hearing within 15 days after receipt of such notice. Section**  
 85 **18: (1) requires such a hearing to be conducted in accordance with regulations adopted**  
 86 **by the State Board; and (2) authorizes the Superintendent to deny a license if no request**  
 87 **for a hearing is filed within the prescribed period of time.**

88 **Section 18 also** requires the Superintendent to provide notice to a school district or  
 89 charter school that employs an applicant whenever an application for a license is denied.  
 90 ~~**Section**~~ **Finally, section 18** ~~**also**~~ requires the Department of Education to: (1) maintain a  
 91 list of the names of persons whose application for a license is denied due to conviction of a  
 92 sexual offense involving a minor; and (2) provide such a list to certain persons upon request.

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

1 **Section 1.** Chapter 391 of NRS is hereby amended by adding thereto the  
 2 provisions set forth as sections 2 to 17, inclusive, of this act.

3 **Sec. 2.** *As used in sections 2 to 17, inclusive, of this act, unless the context*  
 4 *otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act*  
 5 *have the meanings ascribed to them in those sections.*

6 **Sec. 3.** *“Local educational agency” has the meaning ascribed to it in 20*  
 7 *U.S.C. § 7801(30)(A).*

8 **Sec. 4.** *“Sexual misconduct” means any act, including, without limitation,*  
 9 *any verbal, nonverbal, written or electronic communication or physical activity,*

1 *directed toward or with a child, regardless of the age of the child, that is designed*  
2 *to establish a romantic or sexual relationship with the child.*

3 **Sec. 5.** *“Sexual offense” has the meaning ascribed to it in NRS 179D.097.*

4 **Sec. 6.** 1. *Except as otherwise provided in subsection 2, the Department, a*  
5 *local educational agency or an employee, contractor or agent thereof who works*  
6 *at a public school shall not assist an employee, contractor or agent who works at*  
7 *a school to obtain new employment, apart from the routine transmission of*  
8 *administrative and personnel files, if the person or entity has actual or*  
9 *constructive knowledge that such an employee, contractor or agent has engaged in*  
10 *sexual misconduct regarding a minor or pupil.*

11 2. *The provisions of subsection 1 do not apply if:*

12 (a) *The information giving rise to actual or constructive knowledge has been*  
13 *properly reported to a law enforcement agency with jurisdiction over the alleged*  
14 *misconduct and any other authorities required by federal, state or local law,*  
15 *including, without limitation, Title IX of the Education Amendments Act of 1972,*  
16 *20 U.S.C. §§ 1681 et seq., and any regulations adopted pursuant thereto, and the*  
17 *matter has been officially closed, or the District Attorney or law enforcement*  
18 *agency with jurisdiction over the alleged misconduct has investigated the*  
19 *allegations and notified school officials that there is insufficient information to*  
20 *establish that the employee, contractor or agent engaged in sexual misconduct*  
21 *regarding a minor or pupil;*

22 (b) *The employee, contractor or agent has been charged with and acquitted*  
23 *or otherwise exonerated of the alleged misconduct; or*

24 (c) *The case or investigation remains open and there have been no charges*  
25 *filed against, or indictment of, the employee, contractor or agent within 4 years*  
26 *after the date on which the information was reported to a law enforcement*  
27 *agency.*

28 3. *The State Board may adopt regulations to enforce the provisions of this*  
29 *section.*

30 **Sec. 7.** *A local educational agency or a public school shall not enter into*  
31 *any agreement with a person convicted of a sexual offense involving a minor to*  
32 *keep the conviction or the circumstances surrounding the offense confidential.*

33 **Sec. 8.** 1. *In addition to fulfilling the requirements for employment*  
34 *prescribed by NRS 388A.323, 388A.515, 388C.200, 391.104 or 391.281, as*  
35 *applicable, or fulfilling the requirements for the issuance of a license prescribed*  
36 *by NRS 391.033, any applicant for employment with a school district, charter*  
37 *school or university school for profoundly gifted pupils who may have direct*  
38 *contact with pupils must, as a condition to employment, submit to the board of*  
39 *trustees of the school district, governing body of the charter school or governing*  
40 *body of the university school for profoundly gifted pupils with which the*  
41 *applicant seeks to obtain employment, on a form prescribed by the Department:*

42 (a) *The name, address and telephone number for the applicant’s current*  
43 *employer, any former employer of the applicant that was a school or school*  
44 *district and any other former employer with whom the applicant was employed in*  
45 *a position that involved direct contact with children;*

46 (b) *Any other contact information for ~~the persons~~ an employer or former*  
47 *employer described in paragraph (a) prescribed by the board of trustees of the*  
48 *school district, governing body of the charter school or governing body of the*  
49 *university school for profoundly gifted pupils with which the applicant seeks to*  
50 *obtain employment;*

51 (c) *Written authorization for ~~the persons~~ an employer or former employer*  
52 *described in paragraph (a) to release the information prescribed in section 9 of*  
53 *this act; and*

1 (d) *A written statement indicating whether the ~~person~~ applicant has:*

2 (1) *Except as otherwise provided in this subparagraph, been the subject*  
3 *of an investigation concerning an alleged sexual offense conducted by an*  
4 *employer, licensing agency, law enforcement agency, agency which provides*  
5 *child welfare services, agency which provides child protective services or a*  
6 *similar agency. ~~A person~~ The applicant is not required to provide the*  
7 *information described in this subparagraph if, after investigating the alleged*  
8 *violation, the employer or agency determined that the allegations were false,*  
9 *unfounded, unsubstantiated or inconclusive.*

10 (2) *Been discharged, disciplined, had a contract not renewed, asked to*  
11 *resign from employment, resigned from employment or otherwise separated from*  
12 *employment while an investigation concerning an alleged sexual offense was*  
13 *pending or upon conclusion of such an investigation, and was found, upon*  
14 *conclusion of the investigation, to have committed the sexual offense.*

15 (3) *Had a license or certificate suspended or revoked or has been*  
16 *required to surrender a license or certificate while an investigation concerning*  
17 *an alleged sexual offense was pending or upon conclusion of such an*  
18 *investigation and was found, upon conclusion of the investigation, to have*  
19 *committed the sexual offense.*

20 2. *Any action brought by an applicant for employment described in*  
21 *subsection 1 against a board of trustees, the governing body of a charter school*  
22 *or the governing body of a university school for profoundly gifted pupils, or an*  
23 *employee thereof, which is based upon information obtained by ~~the~~ the board of*  
24 *trustees ~~of a school district,~~ or the governing body ~~of a charter school or the~~*  
25 *~~governing body of a university school for profoundly gifted pupils~~ with which the*  
26 *applicant seeks employment to determine the fitness of the applicant for*  
27 *employment, including, without limitation, an action for defamation, must be*  
28 *brought in a court in the State of Nevada and governed by the laws of this State.*  
29 *The provisions of this subsection shall not be deemed to waive any immunity*  
30 *from liability to which the board of trustees or governing body, as applicable, or*  
31 *employee thereof, is entitled.*

32 3. *An applicant for employment with an independent contractor of a school*  
33 *district, charter school or university school for profoundly gifted pupils who may*  
34 *have direct contact with pupils must, before having direct contact with pupils,*  
35 *submit to the independent contractor on a form prescribed by the Department:*

36 (a) *The information described in paragraphs (a), (c) and (d) of subsection 1;*  
37 *and*

38 (b) *Any other contact information for the ~~persons~~ employers and former*  
39 *employers described in paragraph (a) of subsection 1 requested by the*  
40 *independent contractor with which the applicant seeks to obtain employment.*

41 4. *Any applicant for employment described in subsection 1 or 3 who*  
42 *knowingly provides false information or willfully fails to disclose any information*  
43 *required by this section:*

44 (a) *Is subject to discipline, including, without limitation, suspension or*  
45 *revocation of the person's license pursuant to NRS 391.330 or 391.750,*  
46 *termination of employment or a civil penalty pursuant to section 17 of this act;*  
47 *and*

48 (b) *Is guilty of a misdemeanor.*

49 Sec. 9. 1. *Upon receipt of the information required by section 8 of this*  
50 *act, the board of trustees of a school district, governing body of a charter school,*  
51 *governing body of a university school for profoundly gifted pupils or independent*  
52 *contractor shall:*

1 (a) Contact each ~~person~~ employer and former employer described in  
2 paragraph (a) of subsection 1 of section 8 of this act and request that the ~~person~~  
3 employer provide:

4 (1) The dates of employment of the applicant; and

5 (2) On a form prescribed by the Department, a written statement  
6 indicating whether the applicant has:

7 (I) Except as otherwise provided in this sub-subparagraph, been the  
8 subject of an investigation concerning an alleged sexual offense conducted by the  
9 employer. ~~A person~~ An employer or former employer is not required to provide  
10 the information described in this sub-subparagraph if, after investigating the  
11 alleged violation, the employer determined that the allegations were false,  
12 unfounded, unsubstantiated or inconclusive.

13 (II) Been discharged, disciplined, had a contract not renewed, asked  
14 to resign from employment, resigned from employment or otherwise separated  
15 from employment while an investigation concerning an alleged sexual offense  
16 was pending or upon conclusion of such an investigation and was found, upon  
17 conclusion of the investigation, to have committed the sexual offense.

18 (III) Had a license or certificate suspended or revoked or has been  
19 required to surrender a license or certificate while an investigation concerning  
20 an alleged sexual offense was pending or upon conclusion of such an  
21 investigation and was found, upon conclusion of the investigation, to have  
22 committed the sexual offense.

23 (b) Ensure that the applicant has a license authorizing him or her to teach or  
24 perform other educational functions at the level and, except as otherwise  
25 provided in NRS 391.125, in the field for which he or she is applying for  
26 employment, if a license is required, and that the applicant is otherwise eligible  
27 for employment.

28 (c) Verify that the Department has not received notice, including, without  
29 limitation, notice provided pursuant to NRS 391.055, that the applicant is a  
30 defendant in a criminal case.

31 2. ~~A person~~ An employer or former employer contacted by a board of  
32 trustees of a school district, governing body of a charter school, governing body  
33 of a university school for profoundly gifted pupils or independent contractor  
34 pursuant to paragraph (a) of subsection 1:

35 (a) Shall provide the information requested not later than 20 days after the  
36 date on which the board of trustees, governing body or independent contractor  
37 contacts the ~~person~~ employer or former employer.

38 (b) Is immune from civil and criminal liability for any act relating to the  
39 provision of such information, unless the ~~person~~ employer or former employer  
40 knowingly provides false information. Such information is privileged and must  
41 not be used as the basis for any action against the person or entity that provided  
42 the information.

43 3. Except as otherwise prohibited by federal or state law, ~~a person who~~ an  
44 employer or former employer willfully fails to disclose any information required  
45 by subsection 1 is subject to discipline, including, without limitation, a civil  
46 penalty pursuant to section 17 of this act.

47 4. In addition to the penalty set forth in subsection 3, a private school that  
48 willfully fails to disclose any information required by subsection 1 is subject to  
49 discipline, which may include, without limitation, being placed on a plan of  
50 corrective action by the Department.

51 Sec. 10. 1. If a statement provided pursuant to paragraph (d) of  
52 subsection 1 of section 8 of this act or subparagraph (2) of paragraph (a) of  
53 subsection 2 of section 9 of this act indicates that the ~~person~~ applicant meets



1 any of the criteria prescribed in ~~those paragraphs,~~ that paragraph or  
2 subparagraph, as applicable, the board of trustees of a school district, governing  
3 body of a charter school, governing body of a university school for profoundly  
4 gifted pupils or independent contractor who receives the statement shall request  
5 ~~that~~ the employer that conducted the investigation concerning an alleged sexual  
6 offense, discharged, disciplined or dismissed the employee or asked the employee  
7 to resign from employment to provide additional information concerning the  
8 matter and all records related to the matter, including, without limitation, any  
9 documents relating to a disciplinary action taken against the employee,  
10 disciplinary records or documents used in the decision made by the employer  
11 concerning the investigation.

12 2. ~~A person~~ An employer contacted by the board of trustees of a school  
13 district, governing body of a charter school, governing body of a university school  
14 for profoundly gifted pupils or independent contractor pursuant to subsection 1:

15 (a) Except as otherwise provided in this subsection, shall provide the  
16 information requested not later than 60 days after the date on which the board of  
17 trustees, governing body or independent contractor contacts the ~~person~~  
18 employer.

19 (b) Is not required to disclose any information or records held by the school  
20 police of the school district, if the school district has school police officers.

21 (c) Is immune from civil and criminal liability to the same extent provided in  
22 paragraph (b) of subsection 2 of section 9 of this act.

23 3. Except as otherwise prohibited by federal or state law, ~~a person~~ an  
24 employer who willfully fails to disclose any information required by subsection 1  
25 is subject to discipline, including, without limitation, a civil penalty pursuant to  
26 section 17 of this act.

27 4. In addition to the penalty set forth in subsection 3, a private school that  
28 willfully fails to disclose any information required by subsection 1 is subject to  
29 discipline, which may include, without limitation, being placed on a plan of  
30 corrective action by the Department.

31 **Sec. 11.** The board of trustees of a school district, governing body of a  
32 charter school, governing body of a university school for profoundly gifted pupils  
33 or independent contractor:

34 1. May consider the information submitted pursuant to sections 8, 9 and 10  
35 of this act when deciding whether to employ an applicant or continue to employ a  
36 person.

37 2. May report the information submitted pursuant to sections 8, 9 and 10 of  
38 this act to the Department or a licensing agency, law enforcement agency, agency  
39 which provides child welfare services, agency which provides child protective  
40 services or a similar agency.

41 3. Shall not be held liable for any damages resulting from the failure of an  
42 entity not subject to the jurisdiction of this State to respond to a request for  
43 information pursuant to section 9 or 10 of this act or any inaccuracy or omission  
44 in the information submitted to the school district, charter school, university  
45 school for profoundly gifted pupils or independent contractor pursuant to section  
46 9 or 10 of this act.

47 4. Is immune from civil or criminal liability for considering the information  
48 submitted pursuant to sections 8, 9 and 10 of this act when deciding whether to  
49 employ an applicant or continue to employ a person.

50 **Sec. 12.** 1. An independent contractor of a school district, charter school  
51 or university school for profoundly gifted pupils who employs a person who may  
52 have direct contact with pupils shall:

1 (a) Maintain a record for each such employee that includes, without  
2 limitation, the information submitted pursuant to subsection 2 of section 8 of this  
3 act and the information submitted pursuant to subsection 2 of section 9 of this  
4 act; and

5 (b) Upon request, provide the record maintained pursuant to paragraph (a)  
6 to the board of trustees of the school district, governing body of the charter  
7 school or governing body of the university school for profoundly gifted pupils, as  
8 applicable, for the school at which an employee has been assigned to perform  
9 work.

10 2. Before assigning an employee to perform work at a location where the  
11 employee may have direct contact with pupils, an independent contractor shall  
12 inform the board of trustees of the school district, governing body of the charter  
13 school or governing body of the university school for profoundly gifted pupils, as  
14 applicable, with which the employee will be assigned to perform work of any  
15 instance known in which the employee:

16 (a) Except as otherwise provided in this paragraph, has been the subject of  
17 an investigation concerning an alleged sexual offense conducted by an employer.  
18 A person is not required to provide the information described in this paragraph if,  
19 after investigating the alleged violation, the employer determined that the  
20 allegations were false, unfounded, unsubstantiated or inconclusive.

21 (b) Has ever been discharged, disciplined, had a contract not renewed, asked  
22 to resign from employment, resigned from employment or otherwise separated  
23 from employment while an investigation concerning an alleged sexual offense  
24 was pending or upon conclusion of such an investigation and was found, upon  
25 conclusion of the investigation, to have committed the sexual offense.

26 (c) Had a license or certificate suspended or revoked or has been required to  
27 surrender a license or certificate while an investigation concerning an alleged  
28 sexual offense was pending or upon conclusion of such an investigation and was  
29 found, upon conclusion of the investigation, to have committed the sexual  
30 offense.

31 3. An independent contractor may not assign an employee to perform work  
32 at a public school, charter school or university school for profoundly gifted pupils  
33 if the board of trustees of the school district in which the school is located,  
34 governing body of the charter school or governing body of the university school  
35 for profoundly gifted pupils, as applicable, objects to such an assignment upon  
36 receiving the notification required by subsection 2.

37 **Sec. 13.** The board of trustees of a school district, governing body of a  
38 charter school or governing body of a university school for profoundly gifted  
39 pupils may authorize provisional employment of a person for a period not to  
40 exceed 90 days pending the review of information submitted pursuant to sections  
41 8, 9 and 10 of this act if the board of trustees or the governing body determines  
42 the applicant is otherwise qualified and:

43 1. The applicant provided the statement described in paragraph (d) of  
44 subsection 1 of section 8 of this act.

45 2. The board of trustees of the school district, governing body of the charter  
46 school or governing body of the university school for profoundly gifted pupils, as  
47 applicable, has no knowledge of information pertaining to the applicant that  
48 would disqualify the applicant from employment.

49 3. The applicant swears or affirms that he or she is not disqualified from  
50 employment.

51 4. The applicant is directly supervised by a permanent employee in any  
52 duties that involve direct contact with pupils. The supervision must be such that

1 *the applicant is in the immediate location of the permanent employee and is*  
2 *readily available during such times as supervision is required.*

3 **Sec. 14.** *Nothing in sections 2 to 17, inclusive, of this act shall be construed*  
4 *to:*

5 *1. Prevent a board of trustees of a school district, governing body of a*  
6 *charter school, governing body of a university school for profoundly gifted pupils*  
7 *or independent contractor from:*

8 *(a) Conducting further investigations of a prospective employee; or*

9 *(b) Requiring an applicant to submit additional information or*  
10 *authorizations beyond what is required by sections 8, 9 and 10 of this act.*

11 *2. Prohibit a person or governmental entity from disclosing more*  
12 *information than is required by sections 8, 9 and 10 of this act.*

13 *3. Relieve a person of a duty to report prescribed by NRS 432B.220 or any*  
14 *other provision of state or federal law.*

15 **Sec. 15.** *1. The board of trustees of a school district, governing body of a*  
16 *charter school, governing body of a university school for profoundly gifted pupils*  
17 *or the independent contractor of a school district, charter school or university*  
18 *school for profoundly gifted pupils shall not enter into an agreement that:*

19 *(a) Has the effect of suppressing information relating to an investigation*  
20 *concerning a report of suspected abuse or sexual misconduct by a current or*  
21 *former employee.*

22 *(b) Affects the ability of the school district, charter school, university school*  
23 *for profoundly gifted pupils or independent contractor to report suspected abuse*  
24 *or sexual misconduct to the appropriate authorities.*

25 *(c) Requires the school district, charter school, university school for*  
26 *profoundly gifted pupils or independent contractor to expunge information about*  
27 *allegations or findings of suspected abuse or sexual misconduct from any*  
28 *documents maintained by the school district, charter school, university school for*  
29 *profoundly gifted pupils or independent contractor unless, after investigating the*  
30 *alleged violation, the school district, charter school, university school for*  
31 *profoundly gifted pupils or independent contractor determines that the*  
32 *allegations were false, unfounded, unsubstantiated or inconclusive.*

33 *2. If an agreement requires the removal of a document from the personnel*  
34 *file of an employee, the employer must maintain the document with the*  
35 *agreement.*

36 *3. Any provisions in an agreement that violate the provisions of this section*  
37 *are void.*

38 **Sec. 16.** *Any information collected pursuant to section 8, 9 or 10 of this act*  
39 *is confidential and is not a public book or record within the meaning of NRS*  
40 *239.010.*

41 **Sec. 17.** *1. Any person who willfully violates any provision of sections 2*  
42 *to 17, inclusive, of this act is subject to a civil penalty of not more than \$10,000*  
43 *for each violation. This penalty must be recovered in a civil action, brought in the*  
44 *name of the State of Nevada by the Attorney General. In such an action, the*  
45 *Attorney General may recover reasonable attorney's fees and costs. If a civil*  
46 *penalty is imposed against an independent contractor for willfully violating any*  
47 *provision of sections 2 to 17, inclusive, of this act, the Attorney General shall,*  
48 *within 30 days after the imposition of the civil penalty, notify the Department of*  
49 *the name of the independent contractor.*

50 *2. The Department shall maintain a list of any independent contractors who*  
51 *have been found to have willfully violated the provisions of sections 2 to 17,*  
52 *inclusive, of this act and make the list available, upon request, to the board of*

1 *trustees of a school district, governing body of a charter school or governing body*  
2 *of a university school for profoundly gifted pupils.*

3 *3. The board of trustees of a school district, governing body of a charter*  
4 *school or governing body of a university school for profoundly gifted pupils shall*  
5 *not contract with an independent contractor who has been found to have willfully*  
6 *violated the provisions of sections 2 to 17, inclusive, of this act.*

7 **Sec. 18.** NRS 391.033 is hereby amended to read as follows:

8 391.033 1. All licenses for teachers and other educational personnel are  
9 granted by the Superintendent of Public Instruction pursuant to regulations adopted  
10 by the Commission and as otherwise provided by law.

11 2. An application for the issuance of a license must include the social security  
12 number of the applicant.

13 3. Every applicant for a license must submit with his or her application a  
14 complete set of his or her fingerprints and written permission authorizing the  
15 Superintendent to forward the fingerprints to the Central Repository for Nevada  
16 Records of Criminal History for its initial report on the criminal history of the  
17 applicant and for reports thereafter upon renewal of the license pursuant to  
18 subsection 7 of NRS 179A.075, and for submission to the Federal Bureau of  
19 Investigation for its report on the criminal history of the applicant.

20 4. The Superintendent may issue a provisional license pending receipt of the  
21 reports of the Federal Bureau of Investigation and the Central Repository for  
22 Nevada Records of Criminal History if the Superintendent determines that the  
23 applicant is otherwise qualified.

24 5. ~~1A~~ Except as otherwise provided in subsection 6, a license must be issued  
25 to, or renewed for, as applicable, an applicant if:

26 (a) The Superintendent determines that the applicant is qualified;

27 (b) The reports on the criminal history of the applicant from the Federal  
28 Bureau of Investigation and the Central Repository for Nevada Records of Criminal  
29 History:

30 (1) Do not indicate that the applicant has been convicted of a felony or any  
31 offense involving moral turpitude; or

32 (2) Indicate that the applicant has been convicted of a felony or an offense  
33 involving moral turpitude but the Superintendent determines that the conviction is  
34 unrelated to the position within the county school district or charter school for  
35 which the applicant applied or for which he or she is currently employed, as  
36 applicable; and

37 (c) For initial licensure, the applicant submits the statement required pursuant  
38 to NRS 391.034.

39 6. The Superintendent may deny an application for a license pursuant to  
40 this section if a report on the criminal history of the applicant from the Federal  
41 Bureau of Investigation or the Central Repository for Nevada Records of  
42 Criminal History indicates that the applicant has been arrested for or charged  
43 with a sexual offense involving a minor or pupil, including, without limitation,  
44 any attempt, solicitation or conspiracy to commit such an offense.

45 7. The Superintendent or his or her designee may deny the application for a  
46 license after providing written notice of his or her intent to deny the application  
47 to the applicant and providing an opportunity for the applicant to have a hearing.

48 8. To request a hearing pursuant to subsection 7, an applicant must submit  
49 a written request to the Superintendent within 15 days after receipt of the notice  
50 by the applicant. Such a hearing must be conducted in accordance with  
51 regulations adopted by the State Board. If no request for a hearing is filed within  
52 that time, the Superintendent may deny the license.

1 9. *If the Superintendent denies an application for a license pursuant to this*  
 2 *section, the Superintendent must, within 15 days after the date on which the*  
 3 *application is denied, provide notice of the denial to the school district or charter*  
 4 *school that employs the applicant if the applicant is employed by a school district or*  
 5 *charter school. Such a notice must not state the reasons for denial.*

6 ~~7.~~ 10. *The Department shall:*

7 *(a) Maintain a list of the names of persons whose ~~application~~ applications*  
 8 *for a license ~~is~~ are denied due to conviction of a sexual offense involving a*  
 9 *minor;*

10 *(b) Update the list maintained pursuant to paragraph (a) monthly; and*

11 *(c) Provide this list to the board of trustees of a school district or the*  
 12 *governing body of a charter school upon request.*

13 ~~8.~~ 11. *As used in this section, "sexual offense" has the meaning ascribed*  
 14 *to it in NRS 179D.097.*

15 **Sec. 19.** NRS 391.750 is hereby amended to read as follows:

16 391.750 1. A teacher may be suspended, dismissed or not reemployed and  
 17 an administrator may be demoted, suspended, dismissed or not reemployed for the  
 18 following reasons:

19 (a) Inefficiency;

20 (b) Immorality;

21 (c) Unprofessional conduct;

22 (d) Insubordination;

23 (e) Neglect of duty;

24 (f) Physical or mental incapacity;

25 (g) A justifiable decrease in the number of positions due to decreased  
 26 enrollment or district reorganization;

27 (h) Conviction of a felony or of a crime involving moral turpitude;

28 (i) Inadequate performance;

29 (j) Evident unfitness for service;

30 (k) Failure to comply with such reasonable requirements as a board may  
 31 prescribe;

32 (l) Failure to show normal improvement and evidence of professional training  
 33 and growth;

34 (m) Advocating overthrow of the Government of the United States or of the  
 35 State of Nevada by force, violence or other unlawful means, or the advocating or  
 36 teaching of communism with the intent to indoctrinate pupils to subscribe to  
 37 communistic philosophy;

38 (n) Any cause which constitutes grounds for the revocation of a teacher's  
 39 license;

40 (o) Willful neglect or failure to observe and carry out the requirements of this  
 41 title;

42 (p) Dishonesty;

43 (q) Intentional failure to observe and carry out the requirements of a plan to  
 44 ensure the security of examinations and assessments adopted pursuant to NRS  
 45 390.270 or 390.275;

46 (r) An intentional violation of NRS 388.497 or 388.499;

47 (s) Knowingly and willfully failing to comply with the provisions of NRS  
 48 388.1351;

49 (t) *Knowingly and willfully violating any provision of sections 2 to 17,*  
 50 *inclusive, of this act;*

51 (u) Gross misconduct; or

52 ~~(u)~~ (v) An intentional failure to report a violation of NRS 388.135 if the  
 53 teacher or administrator witnessed the violation.

1 2. If a teacher or administrator is found, through an investigation of a testing  
2 irregularity, to have willfully breached the security or confidentiality of the  
3 questions and answers of the examinations that are administered pursuant to NRS  
4 390.105 or 390.600 or the college and career readiness assessment administered  
5 pursuant to NRS 390.610, the board of trustees of a school district, governing body  
6 of a charter school or governing body of a university school for profoundly gifted  
7 pupils, as applicable, shall:

8 (a) Suspend, dismiss or fail to reemploy the teacher; or

9 (b) Demote, suspend, dismiss or fail to reemploy the administrator.

10 3. In determining whether the professional performance of a licensed  
11 employee is inadequate, consideration must be given to the regular and special  
12 evaluation reports prepared in accordance with the policy of the employing school  
13 district and to any written standards of performance which may have been adopted  
14 by the board.

15 4. As used in this section, "gross misconduct" includes any act or omission  
16 that is in wanton, willful, reckless or deliberate disregard of the interests of a school  
17 or school district or a pupil thereof.

18 **Sec. 20.** NRS 391.755 is hereby amended to read as follows:

19 391.755 1. Whenever an administrator charged with supervision of a  
20 licensed employee believes it is necessary to admonish the employee for a reason  
21 that the administrator believes may lead to demotion or dismissal or may cause the  
22 employee not to be reemployed under the provisions of NRS 391.750, the  
23 administrator shall:

24 (a) Except as otherwise provided in subsection 3, bring the matter to the  
25 attention of the employee involved, in writing, stating the reasons for the  
26 admonition and that it may lead to the employee's demotion, dismissal or a refusal  
27 to reemploy him or her, and make a reasonable effort to assist the employee to  
28 correct whatever appears to be the cause for the employee's potential demotion,  
29 dismissal or a potential recommendation not to reemploy him or her; and

30 (b) Except as otherwise provided in NRS 391.760, allow reasonable time for  
31 improvement, which must not exceed 3 months for the first admonition.

32 ➤ The admonition must include a description of the deficiencies of the teacher and  
33 the action that is necessary to correct those deficiencies.

34 2. An admonition issued to a licensed employee who, within the time granted  
35 for improvement, has met the standards set for the employee by the administrator  
36 who issued the admonition must be removed from the records of the employee  
37 together with all notations and indications of its having been issued. The  
38 admonition must be removed from the records of the employee not later than 3  
39 years after it is issued.

40 3. An administrator need not admonish an employee pursuant to paragraph (a)  
41 of subsection 1 if his or her employment will be terminated pursuant to NRS  
42 391.820.

43 4. A licensed employee is subject to immediate dismissal or a refusal to  
44 reemploy according to the procedures provided in NRS 391.650 to 391.830,  
45 inclusive, without the admonition required by this section, on grounds contained in  
46 paragraphs (b), (f), (g), (h), (p), (s) , ~~and~~ (t) and (u) of subsection 1 of NRS  
47 391.750.

48 **Sec. 21.** NRS 239.010 is hereby amended to read as follows:

49 239.010 1. Except as otherwise provided in this section and NRS 1.4683,  
50 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025,  
51 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 75A.150, 76.160, 78.152, 80.113,  
52 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640,  
53 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160,

1 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,  
2 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140,  
3 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140,  
4 127.2817, 130.312, 130.712, 136.050, 159.044, 172.075, 172.245, 176.015,  
5 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691,  
6 179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772,  
7 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521,  
8 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,  
9 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350,  
10 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300,  
11 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210,  
12 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105,  
13 244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910,  
14 271A.105, 281.195, 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438,  
15 289.025, 289.080, 289.387, 289.830, 293.5002, 293.5002, 293.558, 293B.135,  
16 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379,  
17 338.16925, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049,  
18 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044,  
19 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008,  
20 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,  
21 388.513, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.850, 394.167,  
22 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535,  
23 398.025, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749,  
24 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.205,  
25 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534,  
26 433A.360, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330,  
27 442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 450.140, 453.164,  
28 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555,  
29 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790,  
30 467.1005, 480.365, 481.063, 482.170, 482.5536, 483.340, 483.363, 483.575,  
31 483.659, 483.800, 484E.070, 485.316, 503.452, 522.400, 534A.031, 561.285,  
32 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070,  
33 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,  
34 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327,  
35 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133,  
36 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283,  
37 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,  
38 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730,  
39 640C.400, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641A.191,  
40 641B.170, 641C.760, 642.524, 643.189, 644.446, 645.180, 645.625, 645A.050,  
41 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135,  
42 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947,  
43 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130,  
44 665.133, 669.275, 669.285, 669A.310, 671.170, 673.430, 675.380, 676A.340,  
45 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285,  
46 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873,  
47 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010,  
48 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.3536, 692C.3538,  
49 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 703.196, 704B.320,  
50 704B.325, 706.1725, 706A.230, 710.159, 711.600, **and section 16 of this act**,  
51 sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of  
52 chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be  
53 confidential, all public books and public records of a governmental entity must be



1 open at all times during office hours to inspection by any person, and may be fully  
2 copied or an abstract or memorandum may be prepared from those public books  
3 and public records. Any such copies, abstracts or memoranda may be used to  
4 supply the general public with copies, abstracts or memoranda of the records or  
5 may be used in any other way to the advantage of the governmental entity or of the  
6 general public. This section does not supersede or in any manner affect the federal  
7 laws governing copyrights or enlarge, diminish or affect in any other manner the  
8 rights of a person in any written book or record which is copyrighted pursuant to  
9 federal law.

10 2. A governmental entity may not reject a book or record which is  
11 copyrighted solely because it is copyrighted.

12 3. A governmental entity that has legal custody or control of a public book or  
13 record shall not deny a request made pursuant to subsection 1 to inspect or copy or  
14 receive a copy of a public book or record on the basis that the requested public  
15 book or record contains information that is confidential if the governmental entity  
16 can redact, delete, conceal or separate the confidential information from the  
17 information included in the public book or record that is not otherwise confidential.

18 4. A person may request a copy of a public record in any medium in which  
19 the public record is readily available. An officer, employee or agent of a  
20 governmental entity who has legal custody or control of a public record:

21 (a) Shall not refuse to provide a copy of that public record in a readily  
22 available medium because the officer, employee or agent has already prepared or  
23 would prefer to provide the copy in a different medium.

24 (b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare  
25 the copy of the public record and shall not require the person who has requested the  
26 copy to prepare the copy himself or herself.

27 **Sec. 22.** NRS 432B.220 is hereby amended to read as follows:

28 432B.220 1. Any person who is described in subsection 4 and who, in his or  
29 her professional or occupational capacity, knows or has reasonable cause to believe  
30 that a child has been abused or neglected shall:

31 (a) Except as otherwise provided in subsection 2, report the abuse or neglect of  
32 the child to an agency which provides child welfare services or to a law  
33 enforcement agency; and

34 (b) Make such a report as soon as reasonably practicable but not later than 24  
35 hours after the person knows or has reasonable cause to believe that the child has  
36 been abused or neglected.

37 2. If a person who is required to make a report pursuant to subsection 1 knows  
38 or has reasonable cause to believe that the abuse or neglect of the child involves an  
39 act or omission of:

40 (a) A person directly responsible or serving as a volunteer for or an employee  
41 of a public or private home, institution or facility where the child is receiving child  
42 care outside of the home for a portion of the day, the person shall make the report to  
43 a law enforcement agency.

44 (b) An agency which provides child welfare services or a law enforcement  
45 agency, the person shall make the report to an agency other than the one alleged to  
46 have committed the act or omission, and the investigation of the abuse or neglect of  
47 the child must be made by an agency other than the one alleged to have committed  
48 the act or omission.

49 3. Any person who is described in paragraph (a) of subsection 4 who delivers  
50 or provides medical services to a newborn infant and who, in his or her professional  
51 or occupational capacity, knows or has reasonable cause to believe that the  
52 newborn infant has been affected by prenatal illegal substance abuse or has  
53 withdrawal symptoms resulting from prenatal drug exposure shall, as soon as



1 reasonably practicable but not later than 24 hours after the person knows or has  
2 reasonable cause to believe that the newborn infant is so affected or has such  
3 symptoms, notify an agency which provides child welfare services of the condition  
4 of the infant and refer each person who is responsible for the welfare of the infant  
5 to an agency which provides child welfare services for appropriate counseling,  
6 training or other services. A notification and referral to an agency which provides  
7 child welfare services pursuant to this subsection shall not be construed to require  
8 prosecution for any illegal action.

9 4. A report must be made pursuant to subsection 1 by the following persons:

10 (a) A person providing services licensed or certified in this State pursuant to,  
11 without limitation, chapter 450B, 630, 630A, 631, 632, 633, 634, 634A, 635, 636,  
12 637, 637B, 639, 640, 640A, 640B, 640C, 640D, 640E, 641, 641A, 641B or 641C of  
13 NRS.

14 (b) Any personnel of a medical facility licensed pursuant to chapter 449 of  
15 NRS who are engaged in the admission, examination, care or treatment of persons  
16 or an administrator, manager or other person in charge of such a medical facility  
17 upon notification of suspected abuse or neglect of a child by a member of the staff  
18 of the medical facility.

19 (c) A coroner.

20 (d) A member of the clergy, practitioner of Christian Science or religious  
21 healer, unless the person has acquired the knowledge of the abuse or neglect from  
22 the offender during a confession.

23 (e) A person working in a school who is licensed or endorsed pursuant to  
24 chapter 391 or 641B of NRS.

25 (f) Any person who maintains or is employed by a facility or establishment that  
26 provides care for children, children's camp or other public or private facility,  
27 institution or agency furnishing care to a child.

28 (g) Any person licensed pursuant to chapter 424 of NRS to conduct a foster  
29 home.

30 (h) Any officer or employee of a law enforcement agency or an adult or  
31 juvenile probation officer.

32 (i) Except as otherwise provided in NRS 432B.225, an attorney.

33 (j) Any person who maintains, is employed by or serves as a volunteer for an  
34 agency or service which advises persons regarding abuse or neglect of a child and  
35 refers them to persons and agencies where their requests and needs can be met.

36 (k) Any person who is employed by or serves as a volunteer for a youth shelter.  
37 As used in this paragraph, "youth shelter" has the meaning ascribed to it in NRS  
38 244.427.

39 (l) Any adult person who is employed by an entity that provides organized  
40 activities for children **H**, *including, without limitation, a person who is employed*  
41 *by a school district or public school as defined in NRS 385.007.*

42 5. A report may be made by any other person.

43 6. If a person who is required to make a report pursuant to subsection 1 knows  
44 or has reasonable cause to believe that a child has died as a result of abuse or  
45 neglect, the person shall, as soon as reasonably practicable, report this belief to an  
46 agency which provides child welfare services or a law enforcement agency. If such  
47 a report is made to a law enforcement agency, the law enforcement agency shall  
48 notify an agency which provides child welfare services and the appropriate medical  
49 examiner or coroner of the report. If such a report is made to an agency which  
50 provides child welfare services, the agency which provides child welfare services  
51 shall notify the appropriate medical examiner or coroner of the report. The medical  
52 examiner or coroner who is notified of a report pursuant to this subsection shall  
53 investigate the report and submit his or her written findings to the appropriate

1 agency which provides child welfare services, the appropriate district attorney and a  
2 law enforcement agency. The written findings must include, if obtainable, the  
3 information required pursuant to the provisions of subsection 2 of NRS 432B.230.

4 7. The agency, board, bureau, commission, department, division or political  
5 subdivision of the State responsible for the licensure, certification or endorsement  
6 of a person who is described in subsection 4 and who is required in his or her  
7 professional or occupational capacity to be licensed, certified or endorsed in this  
8 State shall, at the time of initial licensure, certification or endorsement:

9 (a) Inform the person, in writing or by electronic communication, of his or her  
10 duty as a mandatory reporter pursuant to this section;

11 (b) Obtain a written acknowledgment or electronic record from the person that  
12 he or she has been informed of his or her duty pursuant to this section; and

13 (c) Maintain a copy of the written acknowledgment or electronic record for as  
14 long as the person is licensed, certified or endorsed in this State.

15 8. The employer of a person who is described in subsection 4 and who is not  
16 required in his or her professional or occupational capacity to be licensed, certified  
17 or endorsed in this State must, upon initial employment of the person:

18 (a) Inform the person, in writing or by electronic communication, of his or her  
19 duty as a mandatory reporter pursuant to this section;

20 (b) Obtain a written acknowledgment or electronic record from the person that  
21 he or she has been informed of his or her duty pursuant to this section; and

22 (c) Maintain a copy of the written acknowledgment or electronic record for as  
23 long as the person is employed by the employer.

24 **Sec. 23.** The provisions of section 15 of this act do not apply to any  
25 agreement entered into before July 1, 2017, until the agreement is extended or  
26 renewed.

27 **Sec. 24.** The provisions of NRS 354.599 do not apply to any additional  
28 expenses of a local government that are related to the provisions of this act.

29 **Sec. 25.** This act becomes effective on July 1, 2017.