

ASSEMBLY BILL NO. 48—COMMITTEE ON EDUCATION

(ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT)

PREFILED NOVEMBER 19, 2024

Referred to Committee on Education

SUMMARY—Revises provisions relating to bullying. (BDR 34-462)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; authorizing the board of trustees of a school district to assign a pupil who is a perpetrator of discrimination based on race, bullying or cyber-bullying to another school if his or her parent or guardian requests such an assignment; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law: (1) prohibits discrimination based on race, bullying and cyber-bullying on the premises of a school, at an activity sponsored by a school or on any school bus; and (2) establishes various provisions governing the protocol for addressing violations of such prohibitions. (NRS 388.135-388.137) Under existing law, after such a violation is reported to an administrator or his or her designee, the administrator or his or her designee is required to begin an investigation into the reported violation. If the findings of such an investigation show that a violation occurred, existing law requires the administrator or his or her designee to make recommendations concerning disciplinary action or other measures to be imposed against the pupil who was the perpetrator of the violation. Additionally, existing law requires the board of trustees of a school district to assign a pupil who is a victim of discrimination based on race, bullying or cyber-bullying to another school in the district if his or her parent or guardian requests the assignment. (NRS 388.1351)

This bill: (1) authorizes the board of trustees of a school district to assign a pupil who is a perpetrator of discrimination based on race, bullying or cyber-bullying to another school in the district at the request of his or her parent or guardian; and (2) prohibits the victim and perpetrator from being assigned to the same school if both pupils are assigned to a new school as a result of the violation.



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

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

3 388.1351 1. Except as otherwise provided in NRS
4 388.13535, a teacher, administrator, coach or other staff member
5 who witnesses a violation of NRS 388.135 or receives information
6 that a violation of NRS 388.135 has occurred shall report the
7 violation to the administrator or his or her designee as soon as
8 practicable, but not later than a time during the same day on which
9 the teacher, administrator, coach or other staff member witnessed
10 the violation or received information regarding the occurrence of a
11 violation.

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

23 3. The investigation conducted pursuant to subsection 2 must
24 include, without limitation:

25 (a) Except as otherwise provided in subsection 4, notification
26 provided by telephone, electronic mail or other electronic means or
27 provided in person, of the parents or guardians of all pupils directly
28 involved in the reported discrimination based on race, bullying or
29 cyber-bullying, as applicable, either as a reported aggressor or a
30 reported victim of the discrimination based on race, bullying or
31 cyber-bullying. The notification must be provided:

32 (1) If the discrimination based on race, bullying or cyber-
33 bullying is reported before the end of school hours on a school day,
34 before the school's administrative office closes on the day on which
35 the discrimination based on race, bullying or cyber-bullying is
36 reported; or

37 (2) If the discrimination based on race, bullying or cyber-
38 bullying was reported on a day that is not a school day, or after
39 school hours on a school day, before the school's administrative
40 office closes on the school day following the day on which the
41 discrimination based on race, bullying or cyber-bullying is reported.



1 (b) Interviews with all pupils whose parents or guardians must
2 be notified pursuant to paragraph (a) and with all such parents and
3 guardians.

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

9 5. Except as otherwise provided in this subsection, an
10 investigation required by this section must be completed, to the
11 greatest extent practicable, within 5 school days after the
12 administrator or designee receives a report required by subsection 1.
13 If extenuating circumstances prevent the administrator or designee
14 from completing the investigation required by this section within 5
15 school days after making a good faith effort, 2 additional school
16 days may be used to complete the investigation.

17 6. An administrator or designee who conducts an investigation
18 required by this section shall complete a written report of the
19 findings and conclusions of the investigation. ~~HH~~ *Except as*
20 *otherwise provided in paragraph (b) of subsection 11, if* a violation
21 is found to have occurred:

22 (a) The report must include recommendations concerning the
23 imposition of disciplinary action or other measures to be imposed as
24 a result of the violation, in accordance with the policy governing
25 disciplinary action adopted by the governing body. Subject to the
26 provisions of the Family Educational Rights and Privacy Act of
27 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant
28 thereto, the report must be made available, not later than 24 hours
29 after the completion of the written report, to all parents or guardians
30 who must be notified pursuant to paragraph (a) of subsection 3 as
31 part of the investigation; and

32 (b) Any action taken after the completion of the investigation to
33 address the discrimination based on race, bullying or cyber-bullying
34 must be based on restorative disciplinary practices and carried out in
35 a manner that causes the least possible disruption for the victim or
36 victims. When necessary, the administrator or designee shall give
37 priority to ensuring the safety and well-being of the victim or
38 victims over any interest of the perpetrator or perpetrators when
39 determining the actions to take.

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

43 8. Not later than 10 school days after receiving a report
44 required by subsection 1, the administrator or designee shall meet
45 with each reported victim of the discrimination based on race,



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

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

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

24 11. If a violation of NRS 388.135 is found to have occurred,
25 the parent or guardian of a pupil who is a victim *or perpetrator* of
26 discrimination based on race, bullying or cyber-bullying may
27 request that the board of trustees of the school district in which the
28 pupil is enrolled ~~to~~ assign the pupil to a different school in the
29 school district. Upon receiving such a request, the board of trustees
30 ~~shall~~ :

31 *(a) Shall, if the pupil is a victim of discrimination based on*
32 *race, bullying or cyber-bullying, in consultation with the parent or*
33 *guardian of the pupil, assign the pupil to a different school ~~to~~; or*

34 *(b) May, if the pupil is a perpetrator of discrimination based*
35 *on race, bullying or cyber-bullying, in consultation with the parent*
36 *or guardian of the pupil, assign the pupil to a different school as a*
37 *component of the disciplinary action or other measures taken in*
38 *response to the violation.*

39 12. *If both the victim and perpetrator of a violation of NRS*
40 *388.135 are assigned to a different school pursuant to subsection*
41 *11, the perpetrator must not be assigned to the same school as the*
42 *victim.*

43 13. A principal or his or her designee shall submit a monthly
44 report to the direct supervisor of the principal that includes for the
45 school the number of:



1 (a) Reports received pursuant to subsection 1 concerning
2 incidents of bullying or cyber-bullying;

3 (b) Reports received pursuant to subsection 1 concerning
4 incidents of discrimination based on race;

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

7 (d) Times in which no violation of NRS 388.135 is found to
8 have occurred.

9 ~~H3.]~~ **14.** School hours and school days are determined for the
10 purposes of this section by the schedule established by the
11 governing body for the school.

12 ~~H4.]~~ **15.** The provisions of this section must not be construed
13 to place any limit on the time within which an investigation
14 concerning any alleged act that constitutes sexual assault must be
15 completed.

16 **Sec. 2.** This act becomes effective on July 1, 2025.



