

NEVADA DEPARTMENT OF EDUCATION

Notice of Workshop to Solicit Comments on Proposed Regulation

The Nevada Department of Education is proposing regulation language pertaining to the Nevada Administrative Code. The Workshop has been scheduled for **May 8, 2018** via video conference at the following locations: **Nevada Department of Education Offices, Board Conference Room, 700 East Fifth Street, Board Room, Carson City and 9890 South Maryland Parkway, 2nd Floor Board Conference Room, Las Vegas, Nevada.** The purpose of the Workshop is to solicit comments from interested person on the following general topics to be addressed in a proposed regulation:

1:05 P.M. Workshop to Solicit Comments on proposed regulations in NAC 388.XXX, which concern the establishment of the program required pursuant to NRS 388.1455.

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting by telephone Karen Johansen, State Board of Education Office, Nevada Department of Education, at 775-687-9225, or in writing to the Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096. A reasonable fee for copying may be charged.

This *Notice of Workshop to Solicit Comments on Proposed Regulation* has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations: The offices of the Nevada Department of Education in Carson City and Las Vegas, the 17 Nevada School District Superintendents' Offices, the 17 Nevada County main public libraries, the Nevada State Library and Archives, and at the meeting locations.

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: April 18, 2018

Re: Public Hearing to Adopt Regulations Concerning the Establishment of the Program
Required Pursuant to NRS 388.1455.

Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed permanent regulations to be added the NAC Chapter 388 concerning a safe and respectful learning environment in public schools are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulations provide procedures and policies related to bullying and safe schools.
2. A concerted effort was made to determine any economic burden. The Department of Education has relied legislative testimony during the consideration and passage of Senate Bill 212 and consultation with local school districts and other experts.
3. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the scope of the Department's budget and legislatively approved activities and present no new significant cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steve Canavero".

STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

REQUESTED AMENDMENT TO NAC 388

(LCB File No. _____)

Section 1. Chapter 388 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Section 2. Definitions. As used in this regulation, the “Program” means the hotline, Internet website, mobile telephone application and text messaging application pursuant to NRS 388.1455 and Senate Bill 212 (2017).

Section 3. Under the following circumstances, reports received by the Program will be considered as reports where the individual has chosen not to remain anonymous:

- a) the individual has self-reported information which could affect their own safety or well-being and included their own name and/or contact information with the report after being notified that such information is not required;
- b) the individual has reported information which could affect the safety or well-being of another person or persons, included their own name and/or contact information with the report after being notified that such information is not required, and the reporting party’s name and/or contact information is necessary for school officials to fulfill their obligations under NRS 388.1351 (2);
or
- c) the individual has deliberately reported false information that has harmful intent or consequences.

Section 4. Pursuant to NRS 388.1454(2), information reported to the Program about dangerous, violent or unlawful activities, or the threat of such activities, by persons who do not wish to remain anonymous must:

- a) be protected by methods and procedures to ensure the confidentiality of the information that is reported;
- b) be forwarded to the member(s) of the team appointed pursuant to Section 4 of Senate Bill 212 (2017) such that the team shall take appropriate action in accordance with the training he or she has received pursuant to NRS 388.1455 and LCB File R111-15 to respond to the activity or threat; and
- c) if deemed appropriate by the Program support center, be forwarded to a law enforcement agency pursuant to Section 5, subsection 9 of Senate Bill 212.

Section 5. All information, including the identity of a person who does not wish to remain anonymous, forwarded pursuant to NRS 388.1455 must remain confidential as required by NRS 388.1455(1).

Section 6. The requirements and limitations of the confidentiality of the academic and health information of persons who report information to the Program is governed by all applicable state and federal laws regarding student information, including, without limitation NRS 388.1455(1), NRS 392.029, and the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 CFR Part 99.