

State Board of Education Proposed Draft Regulation Language
Dispute Resolution Regulation (Full Version) with Draft Additions and Revisions

NAC 388G.100 Establishment of dispute resolution process to address issues relating to member of organizational team; requirements for process; submission of dispute to Department. ([NRS 388G.590](#))

1. The board of trustees of a large school district shall establish a dispute resolution process for issues relating to retaliation and reprisal as a result of the performance of duties as a member of an organizational team for a local school precinct established pursuant to [NRS 388G.700](#), *and for any disputes related to NRS 388G.500 through 388G.810 and any regulations thereof.*
2. A dispute resolution process established pursuant to subsection 1 must include a requirement that:
 - (a) A large school district must respond within 5 business days after the date on which a request for dispute resolution is received by the school district. Such a response must be made in writing on a form prescribed by the board of trustees of the school district.
 - (b) All disputes must be resolved within 15 business days after the date on which a request for dispute resolution is received by the school district.
 - (c) Within 30 business days after the date on which a request for dispute resolution is received by the school district, the school district shall:
 - (1) Prepare a report regarding the dispute resolution and provide the report to the parties involved in the dispute resolution.
 - (2) Post the report prepared pursuant to subparagraph (1) on the Internet website maintained by the school district. The school district shall redact from such a report any information that could be used to identify the parties involved in the dispute resolution.
3. A party involved in a dispute may, within 10 business days after the date on which the person receives a report pursuant to subparagraph (1) of paragraph (c) of subsection 2, file with the Department a request that the Department resolve the dispute. Such a request must include
 - (a) Letter that states the reason the party is dissatisfied with the outcome of the dispute resolution by the school district and requests the Department to resolve the dispute;
 - (b) Copy of the report provided pursuant to subparagraph (1) of paragraph (c) of subsection 2; and
 - (c) Signed declaration that waives any applicable right of the person to the confidentiality of information concerning the dispute.
4. Within 10 business days after the date on which the Department receives a request to resolve a dispute pursuant to subsection 3, the Department shall:
 - (a) Determine whether resolution by the Department is warranted. The Department shall determine that such resolution is warranted if it determines, based on the information provided in the request made pursuant to subsection 3, there is reason to believe that the decision of the school district was erroneous.
 - (b) Notify the school district and the person who made the request of its decision.
5. If the Department determines that resolution by the Department is warranted pursuant to paragraph (a) of subsection 4, the Department shall provide the names of approved hearing officers to the parties involved in the dispute and invite each party to indicate to the Department a preference regarding which hearing officer the party would like to be selected.
6. The Department shall, within 5 business days after the last day on which a party indicates its preference regarding a hearing officer pursuant to subsection 5, arrange for a 3-hour

State Board of Education Proposed Draft Regulation Language
Dispute Resolution Regulation (Full Version) with Draft Additions and Revisions

dispute resolution session before:

- (a) The hearing officer for whom the school district expressed a preference;
 - (b) The hearing officer for whom the other person involved in the dispute expressed a preference, if such an officer is different from the person for whom the school district expressed a preference; and
 - (c) A hearing officer selected by the Department.
7. ***The actual cost of dispute resolution, including, but not limited to, the expense of and compensation for hearing officers selected pursuant to subsections 5 and 6 of this section, shall be the sole responsibility of the large school district.***
8. The Department shall, within 10 business days after the date on which a dispute resolution session is held pursuant to subsection 6, compile a report regarding the dispute resolution and provide a copy of that report to the parties involved in the dispute.
- ~~8.9.~~ If the Superintendent of Public Instruction finds that a school district has failed to comply with the requirements of this section, the Superintendent of Public Instruction may request the board of trustees of the school district to submit to the Superintendent of Public Instruction a plan of corrective action pursuant to [NRS 385.175](#). Such a request and any response to such a request by the school district must be made available to members of the public upon request.
10. ***Any cost or financial burden related to consequences imposed for noncompliance with the provisions of NRS 388G.500 through 388G.810, inclusive, or for noncompliance with any of the provisions of chapter 388G of NAC, shall be the sole responsibility of the large school district.***