

ASSEMBLY BILL NO. 332—ASSEMBLYMAN EDWARDS

MARCH 18, 2019

Referred to Committee on Education

SUMMARY—Makes various changes relating to the enhancement of school and classroom safety. (BDR 34-616)

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 education; establishing civil and criminal immunity for certain educational personnel who use force against a pupil in certain circumstances; establishing a pilot program in the Clark County School District for the provision of body cameras to certain educational personnel; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes a person to use an affirmative defense against various
2 criminal charges in certain circumstances. (NRS 200.737, 201.205, 205.477,
3 453A.310) **Section 1** of this bill creates an affirmative defense to a crime relating to
4 the use of force by a teacher, administrator or other educational personnel against a
5 pupil if the pupil is threatening to harm or harming themselves, another pupil or a
6 teacher, administrator or other educational personnel. Existing law provides that
7 various persons may not be held liable for any civil damages as a result of any act
8 or omission made by such persons in certain circumstances. (NRS 41.495, 41.500-
9 41.507, 41.630) **Section 2** of this bill provides that a teacher, administrator or other
10 educational personnel who uses force against a pupil who is threatening to harm or
11 harming themselves, another pupil or a teacher, administrator or other educational
12 personnel is not liable for any civil damages as a result of such act.

13 **Section 3** of this bill establishes a pilot program in each school district in which
14 more than 75,000 pupils are enrolled (currently the Clark County School District)
15 to provide body cameras to teachers, administrators and other educational personnel
16 who request a camera.



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
2 thereto a new section to read as follows:

3 *It is an affirmative defense to any crime relating to the use of*
4 *force by a teacher, administrator or other educational personnel*
5 *against a pupil if the pupil is threatening to harm or harming*
6 *themselves, another pupil or a teacher, administrator or other*
7 *educational personnel.*

8 **Sec. 2.** Chapter 41 of NRS is hereby amended by adding
9 thereto a new section to read as follows:

10 *A teacher, administrator or other educational personnel who*
11 *uses force against a pupil is not liable for any civil damages as a*
12 *result of such act if the pupil is threatening to harm or harming*
13 *themselves, another pupil or a teacher, administrator or other*
14 *educational personnel.*

15 **Sec. 3.** 1. During the 2019-2021 biennium, the Department
16 of Education shall establish a program in each school district in
17 which more than 75,000 pupils are enrolled to authorize the board of
18 trustees of the school district to provide a body camera to a teacher,
19 administrator or other educational personnel upon the request of the
20 teacher, administrator or other educational personnel.

21 2. The Department of Education shall implement the program
22 described in subsection 1 in a manner which does not violate the
23 Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §
24 1232(g).

25 **Sec. 4.** This act becomes effective on July 1, 2019.

