

SENATE BILL NO. 420—SENATOR CANNIZZARO

MARCH 20, 2017

Referred to Committee on Education

SUMMARY—Revises provisions governing pupil publications in public schools and student publications in the Nevada System of Higher Education. (BDR 34-776)

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

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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; requiring the board of trustees of each school district, the governing body of each charter school and the governing body of each university school for profoundly gifted pupils to adopt a written policy relating to the distribution of and right of expression for pupils working as journalists on pupil publications; authorizing the Board of Regents of the University of Nevada to adopt a similar policy for student publications; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that each pupil of a public school, including a pupil
2 enrolled in a charter school or a university school for profoundly gifted pupils, is
3 entitled to express himself or herself in a manner consistent with the rights
4 guaranteed by the First and Fourteenth Amendments to the United States
5 Constitution. (NRS 388.077) **Section 1** of this bill requires the board of trustees of
6 each school district, the governing body of each charter school and the governing
7 body of each university school for profoundly gifted pupils to adopt a written
8 policy for pupil publications which: (1) establishes reasonable provisions governing
9 the time, place and manner for the distribution of those publications; and (2)
10 protects the right of expression for pupils working on those publications as
11 journalists. **Section 2** of this bill authorizes the Board of Regents of the University
12 of Nevada to adopt a similar written policy for student publications.



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

1 **Section 1.** NRS 388.077 is hereby amended to read as follows:
2 388.077 1. Each pupil of a public school, including, without
3 limitation, each pupil of a university school for profoundly gifted
4 pupils, is entitled to express himself or herself in a manner
5 consistent with the rights guaranteed by the First and Fourteenth
6 Amendments to the United States Constitution.

7 2. Any expression described in subsection 1 must not be
8 disruptive of instruction at a public school, including, without
9 limitation, a university school for profoundly gifted pupils, must not
10 be used to bully or intimidate any person and must not be organized,
11 broadcast or endorsed by a public school, including, without
12 limitation, a university school for profoundly gifted pupils.

13 3. *The board of trustees of each school district, the governing
14 body of each charter school and the governing body of each
15 university school for profoundly gifted pupils shall adopt a written
16 policy for pupil publications which:*

17 (a) *Establishes reasonable provisions governing the time, place
18 and manner for the distribution of pupil publications; and*

19 (b) *Protects the right of expression described in subsection 1
20 for pupils working on pupil publications as journalists in their
21 determination of the news, opinions, feature content, advertising
22 content and other content of pupil publications.*

23 4. The board of trustees of each school district, the governing
24 body of each charter school and the governing body of each
25 university school for profoundly gifted pupils ~~must~~ *shall* adopt a
26 policy prescribing procedures for the resolution of a complaint by a
27 pupil of the school district, charter school or university school for
28 profoundly gifted pupils that the rights of the pupil described in
29 subsection 1 *or 3* have been violated. The policy required by this
30 subsection may be part of a comprehensive discrimination grievance
31 policy of the school district, charter school or university school for
32 profoundly gifted pupils or may be a separate policy.

33 **Sec. 2.** Chapter 396 of NRS is hereby amended by adding
34 thereto a new section to read as follows:

35 *The Board of Regents may adopt a written policy for student
36 publications which:*

37 1. *Establishes reasonable provisions governing the time,
38 place and manner for the distribution of student publications; and*

39 2. *Protects the right of expression in a manner consistent
40 with the rights guaranteed by the First and Fourteenth
41 Amendments to the United States Constitution for students
42 working on student publications as journalists in their*



- 1 *determination of the news, opinions, feature content, advertising*
- 2 *content and other content of the student publications.*
- 3 **Sec. 3.** This act becomes effective on July 1, 2017.

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