

SENATE BILL NO. 77—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 17, 2016

Referred to Committee on Education

SUMMARY—Revises provisions relating to education. (BDR 34-252)

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 the Evidence-Based Practice Committee; requiring that certain programs and information relating to the provision of a safe and respectful learning environment be derived from evidence-based research; revising provisions relating to the code of honor for pupils concerning cheating; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires the Department of Education to prescribe a policy for all  
2 school districts and public schools to provide a safe and respectful learning  
3 environment that is free of bullying and cyber-bullying. (NRS 388.133) **Section 3**  
4 of this bill requires such a policy to provide that: (1) a program of training on  
5 methods to prevent, identify and report incidents of bullying and cyber-bullying  
6 must be derived from evidence-based research; (2) any information delivered  
7 during the “Week of Respect” must be derived from evidence-based research; and  
8 (3) a program used by a public school to create and provide a safe and respectful  
9 learning environment must be derived from evidence-based research. **Section 3**  
10 defines “evidence-based research” to mean research that is included in a national  
11 registry of evidence-based programs and practices or has been approved by the  
12 Evidence-Based Practice Committee created by **section 1** of this bill.

13 **Section 1** creates the Evidence-Based Practice Committee in the Department  
14 and prescribes the membership and duties of the Committee. **Section 3** provides  
15 that a school district that wishes to use a program that is not included on a national  
16 registry for evidence-based programs and practices must apply for and obtain  
17 approval from the Committee to use the program.

18 Existing law requires the Department to prescribe a policy that establishes a  
19 code of honor for pupils relating to cheating. Existing law also requires each



20 classroom teacher to provide the code of honor to each pupil and his or her parent  
21 or legal guardian for their signature. (NRS 392.461) **Section 4** of this bill requires  
22 such a policy to include: (1) a clear and concise definition of honesty that informs  
23 pupils how to engage in honest behavior; and (2) a clear and concise definition of  
24 cheating that informs pupils that misrepresenting the work or publication of another  
25 person as one's own is a violation of the code of honor. **Section 4** also requires  
26 each classroom teacher to teach a lesson regarding honesty for the purposes of the  
27 code of honor.

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

- 1       **Section 1.** Chapter 388 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:
- 3       1. *The Evidence-Based Practice Committee is hereby created*  
4 *in the Department.*
- 5       2. *The Committee is composed of:*
- 6       (a) *The Director of the Office for a Safe and Respectful*  
7 *Learning Environment appointed pursuant to NRS 388.1323 or*  
8 *his or her designee, who shall serve as an ex officio member of the*  
9 *Committee; and*
- 10       (b) *The following members appointed by the Superintendent of*  
11 *Public Instruction:*
- 12           (1) *One member who is an expert in educational programs;*  
13           (2) *One member who has professional experience using*  
14 *quantitative and qualitative data sources to evaluate whether a*  
15 *program improves pupil outcomes;*  
16           (3) *One member who represents a local educational*  
17 *agency;*  
18           (4) *One member who is an expert in creating and providing*  
19 *a safe and respectful learning environment; and*  
20           (5) *Such other members as the Superintendent of Public*  
21 *Instruction determines are necessary to carry out the duties of the*  
22 *Committee prescribed by subsection 4.*
- 23       3. *Members of the Committee appointed pursuant to*  
24 *paragraph (b) of subsection 2 serve at the pleasure of the*  
25 *Superintendent of Public Instruction or his or her designee. Any*  
26 *vacancy in the appointed membership of the Committee must be*  
27 *filled in the same manner as the original appointment.*
- 28       4. *The Committee shall:*
- 29       (a) *Evaluate a program that is submitted by a school district*  
30 *pursuant to subsection 3 of NRS 388.133;*  
31       (b) *Approve the program if the Committee determines that*  
32 *quantitative and qualitative data sources indicate that the program*  
33 *results in improved pupil outcomes; and*



1       (c) *If the Committee does not approve the program, provide the*  
2 *school district with the reason why the program was not approved.*

3       5. *The members of the Committee serve without*  
4 *compensation. If sufficient money is available, members are*  
5 *entitled to have the travel allowances provided for state officers*  
6 *and employees generally while attending meetings of the*  
7 *Committee.*

8       **Sec. 2.** NRS 388.121 is hereby amended to read as follows:

9       388.121 As used in NRS 388.121 to 388.1395, inclusive, *and*  
10 *section 1 of this act*, unless the context otherwise requires, the  
11 words and terms defined in NRS 388.122, 388.123 and 388.124  
12 have the meanings ascribed to them in those sections.

13       **Sec. 3.** NRS 388.133 is hereby amended to read as follows:

14       388.133 1. The Department shall, in consultation with the  
15 boards of trustees of school districts, educational personnel, local  
16 associations and organizations of parents whose children are  
17 enrolled in public schools throughout this State, and individual  
18 parents and legal guardians whose children are enrolled in public  
19 schools throughout this State, prescribe by regulation a policy for all  
20 school districts and public schools to provide a safe and respectful  
21 learning environment that is free of bullying and cyber-bullying.

22       2. The policy must include, without limitation:

23       (a) Requirements and methods for reporting violations of NRS  
24 388.135, including, without limitation, violations among teachers  
25 and violations between teachers and administrators, principals,  
26 coaches and other personnel of a school district. ~~† and †~~

27       (b) A policy for use by school districts to train members of the  
28 board of trustees and all administrators, principals, teachers and all  
29 other personnel employed by the board of trustees of a school  
30 district. The policy must include, without limitation:

31       (1) *A requirement that a program of training on methods to*  
32 *prevent, identify and report incidents of bullying and cyber-*  
33 *bullying established by the Department pursuant to NRS 388.1342*  
34 *must be derived from evidence-based research;*

35       (2) Training in the appropriate methods to facilitate positive  
36 human relations among pupils by eliminating the use of bullying  
37 and cyber-bullying so that pupils may realize their full academic and  
38 personal potential;

39       ~~(2)~~ (3) Training in methods to prevent, identify and report  
40 incidents of bullying and cyber-bullying;

41       ~~(3)~~ (4) Methods to promote a positive learning  
42 environment;

43       ~~(4)~~ (5) Methods to improve the school environment in a  
44 manner that will facilitate positive human relations among pupils;  
45 and



1 ~~(5)~~ (6) Methods to teach skills to pupils so that the pupils  
2 are able to replace inappropriate behavior with positive behavior.

3 (c) *A requirement that any information delivered during the*  
4 *“Week of Respect” pursuant to NRS 388.1395 must be derived*  
5 *from evidence-based research.*

6 (d) *A requirement that a program used by a public school to*  
7 *create and provide a safe and respectful learning environment*  
8 *must be derived from evidence-based research.*

9 3. *A school district that wishes to use a program that is not*  
10 *included on a national registry for evidence-based programs and*  
11 *practices must apply for and obtain approval from the Evidence-*  
12 *Based Practice Committee created by section 1 of this act. A*  
13 *school district may revise its application and reapply to use a*  
14 *program previously disapproved by the Committee.*

15 4. *As used in this section, “evidence-based research” means*  
16 *research that:*

17 (a) *Is included in a national registry of evidence-based*  
18 *programs and practices; or*

19 (b) *Has been approved by the Evidence-Based Practice*  
20 *Committee created by section 1 of this act.*

21 **Sec. 4.** NRS 392.461 is hereby amended to read as follows:

22 392.461 1. The Department shall prescribe by regulation a  
23 written policy that establishes a code of honor for pupils relating to  
24 cheating on examinations and course work. The policy must be  
25 developed in consultation with the boards of trustees of school  
26 districts, the governing bodies of charter schools, educational  
27 personnel employed by school districts and charter schools, and  
28 local associations and organizations of parents whose children are  
29 enrolled in public schools throughout this State.

30 2. The *written* policy *establishing the code of honor* must  
31 include, without limitation ~~the~~ :

32 (a) *A clear and concise* definition of cheating that ~~clearly and~~  
33 ~~concisely~~ informs pupils ~~which acts constitute cheating for~~  
34 ~~purposes~~ *that misrepresenting the work or publication of another*  
35 *person as one’s own is a violation* of the code of honor.

36 (b) *A clear and concise definition of honesty that informs*  
37 *pupils how to engage in honest behavior and includes, without*  
38 *limitation, a requirement that, in order to comply with the code of*  
39 *honor, each pupil must submit his or her own unique work.*

40 3. On or before July 1 of each year, the Department shall:

41 (a) Provide a copy of the code of honor to the board of trustees  
42 of each school district and the governing body of each charter  
43 school.

44 (b) Review and amend the code of honor as necessary.



1 4. Copies of the code of honor must be made available for  
2 inspection at each public school located within a school district,  
3 including, without limitation, each charter school, in an area on the  
4 grounds of the school that is open to the public.

5 5. Each classroom teacher shall:

6 (a) Distribute the code of honor to each pupil enrolled in the  
7 teacher's class and to the parent or legal guardian of each pupil  
8 enrolled in his or her class at the beginning of each school year or  
9 upon a pupil's enrollment in the teacher's class, as applicable;

10 (b) Provide the pupil and the parent or legal guardian of the  
11 pupil with a reasonable opportunity to sign the code of honor; ~~and~~

12 (c) If the code of honor is returned with the signatures, retain a  
13 copy of the signed code of honor in the pupil's file ~~H~~; and

14 *(d) Teach a lesson regarding honesty for the purposes of the*  
15 *code of honor that includes, without limitation, examples of*  
16 *honest and dishonest behavior.*

17 **Sec. 5.** The Superintendent of Public Instruction or his or her  
18 designee shall make the initial appointments required by section 1 of  
19 this act as soon as practicable after July 1, 2017, but not later than  
20 July 31, 2017.

21 **Sec. 6.** This act becomes effective on July 1, 2017.







