

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 **July 31, 2017** 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:

9:50 A.M. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388 (Regulation R111-15), which prescribes a policy for use by all school districts and public schools and charter schools to provide a safe and respectful learning environment (NRS 388.135).

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.

SMALL BUSINESS IMPACT
STATEMENT
Pursuant to NRS.233B.0608

Date: July 6, 2017

Re: Public Workshop to Solicit Public Comments Regarding Regulations Concerning a Safe and Respectful Learning Environment, scheduled for July 31, 2017

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 225 during the 2017 Session of the Nevada Legislature.
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,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388 (Regulation R111-15)

Overview: The Nevada Department of Education’s Office for a Safe and Respectful Learning Environment is required by statute to prescribe by regulation a policy for use by all school districts and public schools and charter schools to provide a safe and respectful learning environment (NRS 388.135). The passage of Senate Bill 225 during the 2017 Session of the Nevada Legislature requires certain amendments to that policy. Specifically, the policy must be amended to include:

“Requirements and methods for addressing the rights and needs of persons with diverse gender identities or expressions.”

Further, NRS 388.132 states that the Legislature will ensure that “The public schools in this State provide a safe and respectful learning environment in which persons of differing beliefs, races, colors, national origins, ancestries, religions, gender identities or expressions, sexual orientations, physical or mental disabilities, sexes or any other distinguishing characteristics or backgrounds can realize their full academic and personal potential

Other relevant statute: NRS 651.070 reads “All persons are entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation, without discrimination or segregation on the ground of race, color, religion, national origin, disability, sexual orientation, sex, gender identity or expression.” NRS 651.050 defines places of public accommodation to include “Any nursery, private school or university or other place of education.”

Possible elements for consideration: The following elements represent areas for consideration as identified in the literature as best practices for addressing the rights and needs of sex/gender diverse students and may be considered for inclusion in the required amendment; additional elements or content may be discussed during the course of the public workshop as well.

- Protection of a student’s right to privacy
- Inclusion of parents or legal guardians
- Prohibition of discrimination, harassment, and bullying
- Names and/or pronouns
- Physical education and athletics
- Student clubs and family support groups
- Dress codes and school uniform policies
- Yearbook photos
- Academic programming and prohibition of segregation
- Terminology and definitions
- Training of district and school personnel