NEVADA STUDENT ALLIANCE (NSA)

AGENDA
July 15, 2024
9:00 AM

Via Video-Teleconference

Meeting Link:

https://nshe-nevada-edu.zoom.us/j/92175643720?pwd=ME4rVGphYnZoRDlZZ0JUTEtpQ1Z6dz09&from=addon

Meeting ID
921 7564 3720

Passcode
286364

Dial by Location
1 346 248 7799; 1 669 444 9171; 1 669 900 9128; 1 719 359 4580;
1 253 205 0468 ; 1 253 215 8782; 1 386 347; 1 507 473 4847; 1 564 217 2000;
1 646 558 8656 ; 646 931 3860; 1 689 278 1000; 1 301 715 8592
1 305 224 1968; 1 309 205 3325; 1 312 626 6799; 360 209 5623 US

THIS MEETING WILL BE HELD VIA REMOTE TECHNOLOGY SYSTEM (VIDEO-TELECONFERENCE) ONLY PURSUANT TO NRS 241.023. THERE WILL BE NO PHYSICAL LOCATION FOR THE MEETING.

MEMBERS OF THE PUBLIC MAY HEAR, OBSERVE, AND PARTICIPATE IN THE MEETING VIA THE MEETING LINK OR TELEPHONE NUMBER IDENTIFIED ABOVE.

PUBLIC COMMENT MAY ALSO BE SUBMITTED BY PRERECORDED MESSAGE BEFORE 4:30 P.M. ON FRIDAY, JULY 12, 2024, VIA EMAIL TO TCASERTO@NSHE.NEVADA.EDU OR VOICEMAIL: (775) 784-3442. MESSAGES RECEIVED BY 4:30 P.M. ON FRIDAY, JULY 12, 2024, WILL BE ENTERED INTO THE RECORD DURING THE MEETING.

MEMBERS:

Kevin Osorio Hernández, Nevada State University, NSSA (Chair)
Dawson Deal, University of Nevada, Reno, ASUN (Vice Chair)
Tania Akter, University of Nevada, Reno, GSA
Lisha Allison, Truckee Meadows Community College, SGA
Allister Dias, University of Nevada, Las Vegas, CSUN
Teresa Marie, University of Nevada, Las Vegas, GPSA
Miguel Sison, University of Nevada, Reno, ASUNSOM
Allison VanHolder, Great Basin College, SGA
Janeth Vences-Balvas, College of Southern Nevada, ASCSN
Catalina Wilson, Western Nevada College, ASWN
Office Vacant, Desert Research Institute, GRAD

IMPORTANT INFORMATION ABOUT THE AGENDA AND PUBLIC MEETING

NOTE: Below is an agenda of all items scheduled to be considered. Notification is hereby provided that items on the agenda may be taken out of the order presented, two or more agenda items may be combined for consideration, and an agenda item may be removed from the agenda or discussion relating to an item on the agenda may be delayed at any time.

The agenda and any supporting material, including materials submitted after the posting of this agenda but before the meeting, may be accessed on the Internet by visiting the NSA page of the NSHE website: https://nshe.nevada.edu/system-administration/departments/asa/students/nevada-student-alliance/, or by calling Terina Caserto in the NSHE Office of Academic and Student Affairs, 2601 Enterprise Road, Reno, NV 89512, at (775) 784-3442, or emailing her at tcaserto@nshe.nevada.edu. Any supporting materials provided to members of the NSA at the meeting will be posted to the NSA website within 24 hours after the conclusion of the meeting.

Reasonable efforts will be made to assist and accommodate physically disabled persons attending the meeting. Please call the Academic & Student Affairs Office in advance at (775) 784-3442 so that arrangements may be made.

1. ROLL CALL

Roll call of members and any persons serving as a proxy for a member will be taken and any members of the public that are present may be asked to identify themselves verbally so their names may be recorded in the minutes.

Estimated Time: 5 minutes

2. PUBLIC COMMENT — INFORMATION ONLY

Public comment will be taken during this agenda item. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name. The NSA Chair may elect to allow additional public comment on a specific agenda item when that agenda item is being considered.

Pursuant to NRS 241.023, members of the public may also participate in the meeting by submitting prerecorded public comment messages via email to tcaserto@nshe.nevada.edu or voicemail: (775) 784-3442. Messages received by 4:30 p.m. on FRIDAY, JULY 12, 2024, will be entered into the record during the meeting. Members of the public may attend the meeting and provide public comment or testimony by calling any of the numbers on the first page of this agenda, including 1 719 359 4580 US, meeting ID: 921 7564 3720, passcode: 286364.

In accordance with Attorney General Opinion No. 00-047 (April 27, 2001), as restated in the Attorney General's Open Meeting Law Manual, the NSA Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of the NSA, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers.

Estimated Time: 5 minutes

3. APPROVAL OF MINUTES **FOR POSSIBLE ACTION**

Request is made for the approval of the minutes for the NSA meetings held on June 6 and 7, 2024.

Estimated Time: 5 minutes

4. DISCUSSION WITH NEVADA ASSEMBLYWOMAN ERICA MOSCA **INFORMATION ONLY**

Nevada Assemblywoman Erica Mosca will meet with NSA members to provide comments on her experiences in the Nevada legislature, legislative bills passed during her service, insights on the upcoming *83rd* (2025) *Session of the Nevada Legislature*, and her perspective on the best way for students to engage with legislators during the *83rd Session*. Chair Osorio-Hernández may then open the floor for questions from NSA members.

Estimated Time: 20 minutes

5. DISCUSSION WITH NSHE REGENT MICHELEE CRUZ-CRAWFORD **INFORMATION ONLY**

Regent Michelee Cruz-Crawford will meet with NSA members to provide comments on her experiences and current projects as a Regent. Chair Osorio-Hernández may then open the floor for questions from NSA members.

Estimated Time: 15 minutes

6. DISCUSSION WITH THE CHANCELLOR **INFORMATION ONLY**

NSA members will meet with Chancellor Patricia Charlton. They will discuss aspirations and concerns for the higher education system.

Estimated Time: 15 minutes

7. ELECTION OF NSA OFFICERS **FOR POSSIBLE ACTION**

NSHE Senior Analyst and NSA Liaison Terina Caserto will provide a summary of the process for electing an NSA Secretary and the duties prescribed to the position. Members or any person serving as a proxy for a member may make nominations for the 2024-25 NSA Secretary. The 2024-25 NSA Chair and Vice Chair were elected during the June 6, 2024, NSA meeting. (*Ref. NSA-7*)

The 2023-24 NSA Secretary was held by Boris Guerra, UNR, ASUN

The 2024-25 NSA Chair is held by Kevin Osorio-Hernández, NSU, NSSA
The 2024-25 NSA Chair is held by Dawson Deal, UNR, ASUN

Estimated Time: 10 minutes

8. TASK FORCE ON POWER-BASED VIOLENCE AT INSTITUTIONS OF HIGHER EDUCATION AVAILABLE APPOINTMENT **INFORMATION ONLY**

NSA Chair will discuss Assembly Bill 245 of the *2023 Nevada State Legislative Session* and its creation of the Task Force on Power Based Violence at Institutions of Higher Education. Assembly Bill 245 requires the Board of Regents to consult with the NSA regarding the appointment of two eligible student members, one from a community college and one from a university. The Task Force currently has an opening for a student member from the university. NSA Chair will discuss the process and timeline of how a recommendation will be made at a future meeting. (*Ref. NSA-8*)

Estimated Time: 10 Minutes

9. MEMBER UPDATES **INFORMATION ONLY**

Members may provide an update regarding their respective campuses' planned activities and events.

Estimated Time: 30 minutes

10. NSA CHAIR UPDATE **INFORMATION ONLY**

NSA Chair may provide an update on any projects or tasks she is currently working on that pertain to NSA business.

Estimated Time: 10 minutes

11. NEW BUSINESS **INFORMATION ONLY**

Items for consideration at future meetings may be suggested. Any discussion of an item under "New Business" is limited to description and clarification of the subject matter of the item, which may include the reasons for the request, and no substantive discussion may occur at this meeting on new business items in accordance with the Nevada Open Meeting Law (NRS 241.010 *et seq.*).

Estimated Time: 5 minutes

12. PUBLIC COMMENT **INFORMATION ONLY**

Public comment will be taken during this agenda item. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. Comments will be limited to three minutes per person. Persons making comment should begin by stating their name for the record and spelling their last name.

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Posted at the following locations:

CSN, Building D, 1st Floor, 6375 W. Charleston Blvd., Las Vegas, NV 89146-1124
DRI, Maxey Building, 2215 Raggio Parkway, Reno, NV 89512-1095
DRI, Southern Nevada Science Center, 755 E. Flamingo Road, Las Vegas, NV 89119-7363
GBC, Berg Hall, 1500 College Parkway, Elko, NV 89801
NSC, Great Hall, 1125 Nevada State Drive, Henderson, NV 89015
TMCC, Red Mountain Building (RDMT 200) 7000 Dandini Blvd. Reno, NV 89512
UNLV, Flora Dungan Humanities 9 (FDH), 1st and 7th Floors, 4505 Maryland Parkway, Las Vegas, NV 89154-1001
UNR, Clark Administration, University of Nevada, Reno, Reno, NV 89557
WNC, Bristlecone Building Lobby, 2201 W. College Parkway, Carson City, NV 89703
System Administration, 4300 S. Maryland Parkway, Las Vegas, NV 89119-7530
System Administration, 2601 Enterprise Road, Reno, NV 89512
Nevada Public Notice Website Pursuant to NRS 232.2175 - https://notice.nv.gov/
NSHE Website https://nshe.nevada.edu/system-administration/departments/asa/students/nevada-student-alliance/

CONSTITUTION OF THE NEVADA STUDENT ALLIANCE

Effective 10-24-23

ARTICLE 1 - The Association

Section 100 This association shall be named the Nevada Student Alliance (NSA).

Section 110 The purpose of the Nevada Student Alliance shall be:

110.1 To promote, foster, advance, represent, and protect the interests and welfare of the students of the Nevada System of Higher Education;

110.2 To give the students of the Nevada System of Higher Education a unified voice before all systems and legislative bodies;

110.3 To aid in the enactment of legislation for the common good, as well as the good of students; and

110.4 To aid member schools' student governments in the attainment of their goals without undue interference in their internal affairs.

ARTICLE 2 - Membership

Section 200 Each of the eleven student governments (undergraduate, graduate and professional) representing the eight institutions of the Nevada System of Higher Education (University of Nevada, Las Vegas; University of Nevada, Reno; Desert Research Institute; Nevada State University; College of Southern Nevada; Great Basin College; Truckee Meadows Community College; and Western Nevada College) shall be members of the Nevada Student Alliance. The eleven student governments represented in the Nevada Student Alliance membership are: Consolidated Students of UNLV (CSUN); Graduate and Professional Student Association (GPSA) at UNLV; Associated Students of the University of Nevada (ASUN); Graduate Student Association (GSA) at UNR; Associated Students of the University of Nevada School of Medicine (ASUNSOM); Graduate Research Assistants at Desert Research Institute (GRAD); Nevada State Student Alliance (NSSA); Associated Students of the College of Southern Nevada (ASCSN); Student Government Association (SGA)at GBC; Student Government Association (SGA) at TMCC; and

Associated Students of Western Nevada (ASWN).

Section 210 Each Student Government Organization shall have one voting representative on the Nevada Student Alliance.

210.1 Each president of the student governments shall act as or appoint a voting representative to serve on the Alliance.

210.2 Voting representatives shall be the only persons eligible for the positions of Chair, Vice-Chair and Secretary.

Section 220 Each president of the student governments may appoint an ex-officio representative to serve on the Alliance.

220.1 Officers from the member student governments shall be the only persons eligible to serve as ex-officio representatives.

Section 230 A representative serves one full year, to correspond with his or her respective institutional term of office, unless the representative resigns, is impeached and removed, or is removed by their respective student legislative body.

ARTICLE 3 –Meetings, Officers and Voting

Section 300 Meetings of the Nevada Student Alliance may coincide with meetings of the Nevada System of Higher Education Board of Regents and shall be held in compliance with Chapter 241 of the Nevada Revised Statutes.

300.1 A quorum shall consist of a simple majority of the members of the Nevada Student Alliance.

In case of a member abstaining from voting, the necessary quorum and number of votes necessary to act shall be reduced as though the member abstaining were not a member of the body.

300.2 Any decision by the Alliance requires approval from at least a simple majority of voting members present, unless otherwise stipulated in this constitution.

300.3 The meetings will be facilitated by a chairperson. The chair shall be elected by at least two-thirds of the Alliance's voting representatives in attendance at the first meeting.

300.31 The chair will serve one term consisting of one year, to correspond with his or her respective institutional term of office.

300.32 No member organization shall hold consecutive terms as the chair.

300.33 The chair and vice-chair cannot be from the same member

institution.

300.4 The chairperson has the following rights and duties:

300.41 The right to vote;

300.42 The responsibility for preparing agendas and submitting minutes for the next meeting; and

300.43 The responsibility to run each meeting according to the latest edition of Robert's Rules of Order.

300.5 A vice-chairperson shall be elected by at least two thirds of the Alliance's voting representatives in attendance at the first meeting.

300.51 The vice-chair will serve one term consisting of one year, to correspond with his or her respective institutional term of office.

300.52 No member organization shall hold consecutive terms as the vice-chair.

300.53 The chair and vice-chair cannot be from the same member institution.

300.6 The vice-chair shall have the following rights and duties:

300.61 The right to vote;

300.62 The responsibility to fill the position and duties of the chair in the event of said chair's absence, resignation or impeachment; and

300.63 The responsibility to oversee outreach efforts of the Alliance, including social media, or delegate an Alliance member to do so.

300.7 A secretary shall be elected by at least two thirds of the Alliance's voting representatives in attendance at the first meeting.

300.71 The secretary will serve one term consisting of one year, to correspond with his or her respective institutional term of office.

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300.72 No member organization shall hold consecutive terms as the secretary.

300.8 The secretary shall have the following rights and duties:

300.81 The right to vote;

300.82 The responsibility to take minutes at every meeting and to ensure that the minutes are in a format ready for distribution with the agenda for the subsequent meeting; and

300.83 If not able to attend a meeting, the responsibility to secure a substitute from the Alliance membership to take notes at that meeting and to obtain said notes and ensure that the minutes are in a format ready for distribution with the agenda for the subsequent meeting.

Section 310 Provisions for Proxy

310.1 Each representative shall have the right to send a proxy in his/her place if unable to attend. This person shall have the right to vote.

310.11 Any member of the Alliance wishing to exercise the right to a proxy shall, in advance of the meeting, notify the Alliance Chair in writing of the person designated to be his/her proxy and for which specific meeting. At commencement of the meeting the Chair shall, on the record, introduce the proxy by name and indicate for which member he/she is acting as proxy.

ARTICLE 4 - Amendment

Section 400 Amendment of this constitution shall require the following procedures:

400.1 Any voting member may propose a revision to the Nevada Student Alliance Constitution.

400.11 A constitutional revision shall be introduced initially at a meeting of the Alliance as an information item.

i. A final draft of the amended constitution shall be transmitted to each member of the Alliance.
ii. Each member of the Alliance shall distribute a final draft of the amended constitution to his/her student legislative body.

400.2 Action on said revision may not be taken by the Alliance earlier than at the immediately subsequent meeting. A two-thirds vote of all voting members of the Alliance is necessary for approval of any amendment of this constitution.

400.3 Once approved by the Alliance, any amendment to this constitution shall not be effective until approved by the Chancellor of the Nevada System of Higher Education.

ARTICLE 5 - Impeachment

Section 500 Impeachment and removal of any member shall require the following procedures:

500.1 Any voting member of the Alliance, including the chair and vice-chair, shall have the right to bring impeachment charges against a fellow voting member for violation of the NSHE Code of Conduct, gross negligence of duties, and/or malfeasance of any kind.

In order for impeachment proceedings to commence, each Alliance member must receive a brief report from the Chair explicitly stating the alleged wrongful actions on the part of the member in question. The member in question has the right to submit a rebuttal report. Both reports must be distributed to the full Alliance prior to impeaching proceedings

Impeachment proceedings shall take place during the next scheduled meeting. The member in question has the right to be present for all discussions and will be given an opportunity to address the Alliance.

500.2 A two-thirds vote of all voting members of the Alliance shall be required to impeach the representative.

500.3 In the event of an affirmative two-thirds vote for impeachment, the impeached member shall be immediately removed from office.

Assembly Bill No. 245–Assemblymen Torres, Marzola, González, Kasama; Bilbray-Axelrod, Brown-May, D'Silva, Duran, Hafen, McArthur, C.H. Miller, Mosca, Newby, Nguyen, Peters, Summers-Armstrong, Taylor, Thomas and Watts

Joint Sponsor: Senator Krasner

CHAPTER.....

AN ACT relating to education; requiring the board of trustees of each school district and the governing body of each charter school or university school for profoundly gifted pupils to enter into a memorandum of understanding with an organization that assists victims of power-based violence and requiring certain pupils be referred to such an organization; creating the Committee on Responses to Power-Based Violence in Schools; requiring school districts and public schools to make available information regarding the statewide information and referral system maintained by the Department of Health and Human Services; replacing the term "sexual misconduct" with "power-based violence"; renaming the Task Force on Sexual Misconduct at Institutions of Higher Education as the Task Force on Power-based Violence at Institutions of Higher Education; revising provisions governing certain programming related to power-based violence which institutions in the Nevada System of Higher Education may be required to provide to students and employees; revising provisions relating to the Task Force; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Board of Regents of the University of Nevada to require an institution within the Nevada System of Higher Education to enter into a memorandum of understanding with an organization that assists persons involved in sexual misconduct. (NRS 396.147) **Sections 1.2, 3.3 and 3.6** of this bill similarly requires the board of trustees of each school district and the governing body of each charter school or university school for profoundly gifted pupils to enter into a memorandum of understanding with an organization that assists victims of power-based violence and sets forth the provisions that may be included in such a memorandum of understanding. **Sections 1.2, 3.3 and 3.6** also require a teacher or administrator who is informed by a pupil that the pupil has been a victim of power-based violence to refer the pupil to the organization that assists victims of power-based violence. **Section 1.4** of this bill establishes the Committee on Responses to Power-Based Violence in Schools and requires the Committee to review, study and make recommendations regarding power-based violence in schools.

Existing law requires the Department of Health and Human Services to establish and maintain a statewide information and referral system to provide nonemergency information and referrals to the general public concerning the health, welfare, human and social services provided by public or private entities in

this State. (NRS 232.359) **Section 1.6** of this bill requires the board of trustees of each school district to provide information about this system on its Internet website and requires each public school, to the extent money is available, to post information regarding the system in each restroom of the public school that is available for use by a pupil. **Section 2** of this bill makes a conforming change to indicate the proper placement of **sections 1.2, 1.4 and 1.6** in the Nevada Revised Statutes.

Existing law establishes provisions relating to the handling of sexual misconduct at institutions within the System. (NRS 396.125-396.1595) Existing law creates the Task Force on Sexual Misconduct at Institutions of Higher Education and prescribes the duties of the Task Force. **Section 5.9** of this bill renames the Task Force on Sexual Misconduct at Institutions of Higher Education to the Task Force on Power-based Violence at Institutions of Higher Education. **Section 4.3** of this bill defines "power-based violence" and **sections 3.8 and 5.2-8.6** of this bill replace the term "sexual misconduct" with "power-based violence." **Section 6** of this bill: (1) revises the duties of the Task Force; and (2) requires the Task Force to submit a report summarizing certain information to the Joint Interim Standing Committee on Education every odd-numbered year. **Section 5** of this bill makes a conforming change to indicate the proper placement of **section 4.3** in the Nevada Revised Statutes. **Section 7** of this bill makes a conforming change to reflect the change in the name of the Task Force.

Existing law authorizes the Board of Regents to require an institution to provide programming on awareness and prevention of sexual misconduct to all students and employees and establishes requirements for the programming if required by the Board of Regents. (NRS 396.153) **Section 8** of this bill instead authorizes the Board of Regents to require an institution to provide programming on awareness and prevention of power-based violence and provides that, if an institution provides such programming, the institution must require each student to attend the programming at least once in his or her first two regular academic semesters after enrollment and an employee to attend such programming at least once every 3 years. **Section 8** authorizes an institution, if it provides the programming on awareness and prevention of power-based violence to: (1) provide the programming for students in person, by virtual or electronic means or in the courses or materials provided to a student who has recently enrolled in the institution; and (2) require instructors and professors to include in the syllabus for a course resources on how to obtain certain information relating to power-based violence.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

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

Section 1. Chapter 388 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.2, 1.4 and 1.6 of this act.

Sec. 1.2. ***1. The board of trustees of each school district shall enter into a memorandum of understanding with a community-based organization that assists victims of power-based***

violence. The memorandum of understanding may, without limitation:

(a) Allow for cooperation and training between the school district and the community-based organization that assists victims of power-based violence to establish an understanding of the:

(1) Responsibilities that the school district and the community-based organization that assists victims of power-based violence have in responding to a report or disclosure of an alleged incident of power-based violence; and

(2) Procedures of the school district for providing support and services to pupils and employees.

(b) Require a community-based organization that assists victims of power-based violence to:

(1) Assist with developing policies, programming or training for the school district regarding power-based violence;

(2) Provide an alternative for a pupil or employee of the school district to receive free counseling, advocacy or crisis services related to an alleged incident of power-based violence, including, without limitation, access to a health care provider who specializes in forensic medical examinations;

(3) Assist with the development and implementation of education and prevention programs for pupils enrolled at a public school in the school district; and

(4) Assist with the development and implementation of training and prevention curriculum for employees of the school district.

(c) Include a fee structure for any services provided by the community-based organization that assists victims of power-based violence.

2. If a teacher or administrator is informed by a pupil that the pupil has been a victim of power-based violence, the teacher or administrator shall refer the pupil to the community-based organization that assists victims of power-based violence.

3. As used in this section:

(a) "Forensic medical examination" has the meaning ascribed to it in NRS 217.300.

(b) "Power-based violence" has the meaning ascribed to it in section 4.3 of this act.

Sec. 1.4. ***1. The Committee on Responses to Power-Based Violence in Schools is hereby created within the Department.***

2. The Committee consists of the following members, appointed by the chair of the committee on statewide school safety created pursuant to NRS 388.1324:

(a) Two members who are representatives of a nonprofit organization that assists victims of power-based violence;

(b) One member who is the parent of a pupil who identifies as a victim of power-based violence;

(c) One member who is a pupil who identifies as a victim of power-based violence;

(d) Two members who are Title IX coordinators for public schools in this State;

(e) One member who is an employee of the Office for a Safe and Respectful Learning Environment;

(f) One member who is a school resource officer assigned to a school in this State;

(g) One member who is employed as a school psychologist at a school in this State;

(h) One member who is a licensed teacher in this State;

(i) One member who is employed as a school social worker at a school in this State;

(j) One member who is an administrator of a school in this State; and

(k) One member who is the superintendent of a school district in this State.

3. Any vacancy occurring in the membership of the Committee must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

4. The Committee shall elect a Chair and Vice Chair from among its members at the first meeting of the Committee and at the first meeting of the calendar year each year thereafter. The Chair and Vice Chair serve a term of 1 year.

5. Each member of the Committee serves a term of 2 years and may be reappointed.

6. A majority of the members of the Committee constitutes a quorum for the transaction of business, and a majority of a quorum present at any meeting is sufficient for any official action taken by the Commission.

7. The Committee shall review, study and make recommendations regarding power-based violence in schools. In performing its duties, the Committee shall:

(a) Consider the experiences of pupils relating to power-based violence and pupil safety;

(b) Examine current procedures and protocols for responding to power-based violence that are used in public schools in this State;

(c) Identify emerging trends and best practices for responding to and preventing power-based violence;

(d) Identify possible gaps in the services that are available for victims of power-based violence; and

(e) Make recommendations for procedures that will focus on preventing and intervening in disclosures of power-based violence.

8. The Committee shall, not later than August 1 of each odd-numbered year, submit to the Joint Interim Standing Committee on Education any recommendations for legislation relating to power-based violence in schools.

9. The members of the Committee serve without compensation but are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

10. A member of the Committee who is an officer or employee of this State or a political subdivision of this State must be relieved from his or her duties without loss of regular compensation to prepare for and attend meetings of the Committee and perform any work necessary to carry out the duties of the Committee in the most timely manner practicable. A state agency or political subdivision of this State shall not require an officer or employee who is a member of the Committee to:

(a) Make up the time he or she is absent from work to carry out his or her duties as a member of the Committee; or

(b) Take annual leave or compensatory time for the absence.

11. As used in this section, "power-based violence" has the meaning ascribed to it in section 4.3 of this act.

Sec. 1.6. ***1. The board of trustees of each school district shall post on its Internet website and include in any written informational materials related to pupil safety prepared by the school district information regarding the statewide information and referral system concerning health, welfare, human and social services created pursuant to NRS 232.359, including the number which may be used to access the system.***

2. Each public school shall, to the extent money is available, post information regarding the statewide information and referral system concerning health, welfare, human and social services created pursuant to NRS 232.359, including the number which may be used to access the system, in each restroom of the public school which is available for use by pupils.

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

388.121 As used in NRS 388.121 to 388.1395, inclusive, ***and sections 1.2, 1.4 and 1.6 of this act,*** unless the context otherwise

requires, the words and terms defined in NRS 388.1215 to 388.127, inclusive, have the meanings ascribed to them in those sections.

Sec. 3. (Deleted by amendment.)

Sec. 3.3. Chapter 388A of NRS is hereby amended by adding thereto a new section to read as follows:

1. The governing body of each charter school shall enter into a memorandum of understanding with a community-based organization that assists victims of power-based violence. The memorandum of understanding may, without limitation:

(a) Allow for cooperation and training between the charter school and the community-based organization that assists victims of power-based violence to establish an understanding of the:

(1) Responsibilities that the charter school and the community-based organization that assists victims of power-based violence have in responding to a report or disclosure of an alleged incident of power-based violence; and

(2) Procedures of the charter school for providing support and services to pupils and employees.

(b) Require a community-based organization that assists victims of power-based violence to:

(1) Assist with developing policies, programming or training for the charter school regarding power-based violence;

(2) Provide an alternative for a pupil or employee of the charter school to receive free counseling, advocacy or crisis services related to an alleged incident of power-based violence, including, without limitation, access to a health care provider who specializes in forensic medical examinations;

(3) Assist with the development and implementation of education and prevention programs for pupils enrolled at the charter school; and

(4) Assist with the development and implementation of training and prevention curriculum for employees of the charter school.

(c) Include a fee structure for any services provided by the community-based organization that assists victims of power-based violence.

2. If a teacher or administrator of the charter school is informed by a pupil that the pupil has been a victim of power-based violence, the teacher or administrator shall refer the pupil to the community-based organization that assists victims of power-based violence.

3. As used in this section:

(a) "Forensic medical examination" has the meaning ascribed to it in NRS 217.300.

(b) "Power-based violence" has the meaning ascribed to it in section 4.3 of this act.

Sec. 3.6. Chapter 388C of NRS is hereby amended by adding thereto a new section to read as follows:

1. The governing body of each university school for profoundly gifted pupils shall enter into a memorandum of understanding with a community-based organization that assists victims of power-based violence. The memorandum of understanding may, without limitation:

(a) Allow for cooperation and training between the university school for profoundly gifted pupils and the community-based organization that assists victims of power-based violence to establish an understanding of the:

(1) Responsibilities that the university school for profoundly gifted pupils and the community-based organization that assists victims of power-based violence have in responding to a report or disclosure of an alleged incident of power-based violence; and

(2) Procedures of the university school for profoundly gifted pupils for providing support and services to pupils and employees.

(b) Require a community-based organization that assists victims of power-based violence to:

(1) Assist with developing policies, programming or training for the university school for profoundly gifted pupils regarding power-based violence;

(2) Provide an alternative for a pupil or employee of the university school for profoundly gifted pupils to receive free counseling, advocacy or crisis services related to an alleged incident of power-based violence, including, without limitation, access to a health care provider who specializes in forensic medical examinations;

(3) Assist with the development and implementation of education and prevention programs for pupils enrolled at the university school for profoundly gifted pupils; and

(4) Assist with the development and implementation of training and prevention curriculum for employees of the university school for profoundly gifted pupils.

(c) Include a fee structure for any services provided by the community-based organization that assists victims of power-based violence.

2. If a teacher or administrator of the university school for profoundly gifted pupils is informed by a pupil that the pupil has been a victim of power-based violence, the teacher or administrator shall refer the pupil to the community-based organization that assists victims of power-based violence.

3. As used in this section:

(a) "Forensic medical examination" has the meaning ascribed to it in NRS 217.300.

(b) "Power-based violence" has the meaning ascribed to it in section 4.3 of this act.

Sec. 3.8. NRS 394.16095 is hereby amended to read as follows:

394.16095 1. The governing body of a private school shall not enter into an agreement that:

(a) Has the effect of suppressing information relating to an investigation concerning a report of suspected abuse or ~~[sexual misconduct]~~ ***power-based violence*** by a current or former employee.

(b) Affects the ability of the private school to report suspected abuse or ~~[sexual misconduct]~~ ***power-based violence*** to the appropriate authorities.

(c) Requires the private school to expunge information about allegations or findings of suspected abuse or ~~[sexual misconduct]~~ ***power-based violence*** from any documents maintained by the private school unless, after investigating the alleged violation, the private school determines that the allegations were false, unfounded, unsubstantiated or inconclusive.

2. If an agreement requires the removal of a document from the personnel file of an employee, the private school must maintain the document with the agreement.

3. Any provisions in an agreement that violate the provisions of this section are void.

4. As used in this section, "power-based violence" has the meaning ascribed to it in section 4.3 of this act.

Sec. 4. Chapter 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 4.3 and 4.6 of this act.

Sec. 4.3. ***"Power-based violence" means any form of interpersonal violence intended to control, intimidate or harm another person through the assertion of power over the person. The term includes, without limitation:***

1. Dating violence;

2. Domestic violence;

3. Family violence;

4. Gender-based violence;

5. Violence based on sexual orientation or gender identity or expression;

6. Sexual assault;

7. Sexual harassment;

8. Sexual exploitation;

9. Stalking; or

10. The observation of another person who is naked or engaging in sexual activity without his or her consent, including, without limitation, voyeurism.

Sec. 4.6. (Deleted by amendment.)

Sec. 5. NRS 396.125 is hereby amended to read as follows:

396.125 As used in NRS 396.125 to 396.1595, inclusive, ***and section 4.3 of this act,*** unless the context otherwise requires, the words and terms defined in NRS 396.126 to 396.138, inclusive, ***and section 4.3 of this act*** have the meanings ascribed to them in those sections.

Sec. 5.2. NRS 396.126 is hereby amended to read as follows:

396.126 "Complainant" means a student or employee of an institution within the System who is alleged to be the victim of conduct that could constitute ~~[sexual misconduct.]~~ ***power-based violence.***

Sec. 5.4. NRS 396.129 is hereby amended to read as follows:

396.129 "Reporting party" means a person who reports an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** to the institution.

Sec. 5.6. NRS 396.131 is hereby amended to read as follows:

396.131 "Respondent" means a person who has been reported to be the perpetrator of conduct that could constitute ~~[sexual misconduct.]~~ ***power-based violence.***

Sec. 5.8. NRS 396.138 is hereby amended to read as follows:

396.138 "Trauma-informed response" means a response involving an understanding of the complexities of ~~[sexual misconduct,]~~ ***power-based violence,*** including, without limitation:

1. Perpetrator methodology;
2. Conducting an effective investigation;
3. The neurobiological causes and impacts of trauma; and
4. The influence of social myths and stereotypes surrounding the causes and impacts of trauma.

Sec. 5.9. NRS 396.141 is hereby amended to read as follows:

396.141 1. There is hereby created the Task Force on ~~[Sexual Misconduct]~~ ***Power-based Violence*** at Institutions of Higher Education consisting of ~~[12]~~ ***16*** members as follows:

(a) The Chancellor of the System, or his or her designee;

(b) The Chief General Counsel of the System, or his or her designee; and

(c) ~~[Ten]~~ ***Fourteen*** members appointed by the Board of Regents as follows:

(1) One representative of a state college;

(2) One representative of a community college;

(3) One representative of a university;

(4) One Title IX coordinator from an institution within the System;

(5) One student, appointed in consultation with ~~[a student government association,]~~ ***the Nevada Student Alliance or its successor organization,*** who represents a group or organization that focuses on multiculturalism, diversity or advocacy at a state college or community college;

(6) One student, appointed in consultation with ~~[a student government association,]~~ ***the Nevada Student Alliance or its successor organization,*** who represents a group or organization that focuses on multiculturalism, diversity or advocacy at a university;

(7) One researcher with experience in the development of climate surveys on ~~[sexual misconduct;]~~ ***power-based violence.***

(8) One researcher of statistics, data analytics or econometrics with experience in survey analysis in higher education;

(9) One medical professional from the University of Nevada, Las Vegas, School of Medicine or the University of Nevada, Reno, School of Medicine; ~~[and]~~

(10) ~~[One person]~~ ***Two members*** who ~~[serves]~~ ***serve*** as a victim's advocate, as defined in NRS 49.2545, at an institution within the System ~~[.]~~ ***;***

(11) One student who identifies as a victim of power-based violence;

(12) One person who represents an organization governing fraternities and sororities at an institution within the System; and

(13) One person who is employed by an institution within the System in the area of student affairs.

2. After the initial terms, each appointed member of the Task Force serves a term of 2 years and may be reappointed to one additional 2-year term following his or her initial term. A vacancy must be filled in the same manner as the original appointment.

3. The Task Force shall, at its first meeting and each odd-numbered year thereafter, elect a Chair from among its members.

4. The Task Force shall meet at least once ~~[annually]~~ ***each quarter*** and may meet at other times upon the call of the Chair or a majority of the members of the Task Force.

5. A majority of the members of the Task Force constitutes a quorum, and a quorum may exercise all the power and authority conferred on the Task Force.

6. Members of the Task Force serve without compensation, except that for each day or portion of a day during which a member of the Task Force attends a meeting of the Task Force or is otherwise engaged in the business of the Task Force, and within the limits of available money, the member is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

7. Each member of the Task Force who is an officer or employee of the State or a local government must be relieved from his or her duties without loss of his or her regular compensation so that the member may prepare for and attend meetings of the Task Force and perform any work necessary to carry out the duties of the Task Force in the most timely manner practicable. A state agency or local government shall not require an officer or employee who is a member of the Task Force to make up the time the member is absent from work to carry out his or her duties as a member, and shall not require the member to take annual vacation or compensatory time for the absence.

Sec. 6. NRS 396.1415 is hereby amended to read as follows:

396.1415 1. The Task Force on ~~[Sexual Misconduct]~~ ***Power-based Violence*** at Institutions of Higher Education created by NRS 396.141 shall:

(a) Review the results of any climate survey on ~~[sexual misconduct]~~ ***power-based violence*** administered at an institution within the System; ~~[and]~~

(b) ***Examine current procedures and protocols for preventing, intervening in or responding to instances of power-based violence that are used at institutions within the System;***

(c) Identify possible gaps in the services that are available for victims of power-based violence at institutions within the System;

(d) Examine the correlation between social groups, campus life and the incidence of power-based violence on the campus of each institution within the System;

(e) Each year, hold a meeting open to the public to provide recommendations to the Board of Regents on how to address ~~[sexual misconduct]~~ ***power-based violence*** at institutions within the System ~~[.]~~ ***; and***

(f) Not later than August 1 of each odd-numbered year, submit to the Joint Interim Standing Committee on Education a written report summarizing the findings of the Task Force, the data collected from responses to any climate survey and any recommendations regarding the prevention of, intervention in or response to incidences of power-based violence occurring at institutions within the System.

2. A meeting held pursuant to subsection 1 is not subject to the provisions of chapter 241 of NRS.

Sec. 7. NRS 396.142 is hereby amended to read as follows:

396.142 1. To the extent that money is available, the Board of Regents may appoint researchers employed at one or more institutions within the System to develop a climate survey on ~~[sexual misconduct]~~ ***power-based violence*** designed to be administered at institutions within the System. The climate survey on ~~[sexual misconduct]~~ ***power-based violence*** must:

(a) Gather institution-specific data regarding the prevalence of gender-based harassment and discrimination;

(b) Be fair and unbiased;

(c) Be scientifically valid and reliable; and

(d) Meet the highest standards of survey research.

2. If appointed to develop a climate survey on ~~[sexual misconduct,]~~ ***power-based violence,*** the researchers shall:

(a) Use best practices from peer-reviewed research;

(b) Consult with persons with expertise in the development and use of climate surveys on ~~[sexual misconduct]~~ ***power-based violence*** at institutions of higher education;

(c) Consult with a student government association;

(d) Review climate surveys on ~~[sexual misconduct]~~ ***power-based violence*** which have been developed and implemented by institutions of higher education, including, without limitation, institutions in other states;

(e) Provide opportunity for written comment from organizations that assist victims of ~~[sexual misconduct]~~ ***power-based violence*** to ensure the adequacy and appropriateness of any proposed content of the climate survey on ~~[sexual misconduct;]~~ ***power-based violence;***

(f) Consult with institutions within the System on strategies for optimizing the effectiveness of the climate survey on ~~[sexual misconduct;]~~ ***power-based violence;*** and

(g) Account for the diverse needs and differences of the institutions within the System.

3. If a climate survey on ~~[sexual misconduct]~~ ***power-based violence*** is developed, the climate survey must request information

on topics related to ~~[sexual misconduct.]~~ ***power-based violence.*** The topics may include, without limitation:

(a) The estimated number of alleged incidents of ~~[sexual misconduct,]~~ ***power-based violence,*** both reported and not reported, at an institution within the System, if a student taking the survey has knowledge of such information;

(b) When and where an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** occurred;

(c) Whether an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** was perpetrated by a student, faculty member, staff member of an institution within the System, third party vendor or another person;

(d) Awareness of a student of the policies and procedures related to ~~[sexual misconduct]~~ ***power-based violence*** at an institution;

(e) Whether a student reported an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** and:

(1) If the incident was reported, to which campus resource or law enforcement agency a report was made; and

(2) If the incident was not reported, the reason the student chose not to report the incident;

(f) Whether a student who reported an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** was:

(1) Offered supportive measures by an institution;

(2) Informed of, aware of or referred to campus, local or state resources for support for victims, including, without limitation, appropriate medical care and legal services; and

(3) Informed of the prohibition against retaliation for reporting an alleged incident of ~~[sexual misconduct;]~~ ***power-based violence;***

(g) Contextual factors in an alleged incident of ~~[sexual misconduct,]~~ ***power-based violence,*** such as the involvement of force, incapacitation or coercion;

(h) Demographic information that could be used to identify at-risk groups, including, without limitation, the gender, race, ethnicity, national origin, economic status, disability, gender identity or expression, immigration status and sexual orientation of the student taking the climate survey on ~~[sexual misconduct;]~~ ***power-based violence;***

(i) Perceptions a student has of campus safety;

(j) Whether a student has confidence in the ability of the institution to protect against and respond to alleged incidents of ~~[sexual misconduct;]~~ ***power-based violence;***

(k) Whether a student chose to withdraw or take a leave of absence from the institution or transfer to another institution because the student is the complainant or respondent in an alleged incident of ~~[sexual misconduct;]~~ ***power-based violence;***

(l) Whether a student withdrew from any classes or was placed on academic probation, disciplinary probation or otherwise disciplined as a result of an alleged incident of ~~[sexual misconduct;]~~ ***power-based violence;***

(m) Whether a student experienced any financial impact as a result of an alleged incident of ~~[sexual misconduct;]~~ ***power-based violence;***

(n) Whether a student experienced any negative health impacts as a result of an alleged incident of ~~[sexual misconduct,]~~ ***power-based violence,*** including, without limitation, post-traumatic stress disorder, anxiety, depression, chronic pain or an eating disorder;

(o) The perception of the participants in the survey of the attitudes of the community toward ~~[sexual misconduct,]~~ ***power-based violence,*** including, without limitation, the willingness of a person to intervene in an ongoing incident of ~~[sexual misconduct]~~ ***power-based violence*** as a bystander; and

(p) Any other questions as determined necessary by the researchers.

4. The climate survey on ~~[sexual misconduct]~~ ***power-based violence*** must provide an option for students to decline to answer a question.

5. The climate survey on ~~[sexual misconduct]~~ ***power-based violence*** must be provided to the Task Force on ~~[Sexual Misconduct]~~ ***Power-based Violence*** at Institutions of Higher Education created pursuant to NRS 396.141 for comment.

Sec. 7.1. NRS 396.1425 is hereby amended to read as follows:

396.1425 1. To the extent that money is available, the Board of Regents may require each institution within the System to conduct a climate survey on ~~[sexual misconduct]~~ ***power-based violence*** at the institution biennially.

2. A climate survey on ~~[sexual misconduct]~~ ***power-based violence*** conducted pursuant to subsection 1 must include the questions developed by researchers employed at an institution within the System pursuant to NRS 396.142. If an institution within the System includes additional questions on a climate survey on ~~[sexual misconduct]~~ ***power-based violence*** pursuant to subsection 1, the questions must not be unnecessarily traumatizing for a victim of an alleged incident of ~~[sexual misconduct.]~~ ***power-based violence.***

3. If an institution within the System conducts a climate survey on ~~[sexual misconduct]~~ ***power-based violence*** pursuant to subsection 1, the institution shall:

(a) Provide the survey to each student at the institution, including, without limitation, students studying abroad;

(b) Not require the disclosure of personally identifiable information by a participant in the climate survey on ~~[sexual misconduct;]~~ ***power-based violence;***

(c) Work to ensure an adequate number of students complete the survey to achieve a random and representative sample size of students;

(d) Within 120 days after completion of the climate survey on ~~[sexual misconduct:]~~ ***power-based violence:***

(1) Compile a summary of the responses to the survey; and

(2) Submit the summary of responses to the Board of Regents; and

(e) Post on the Internet website maintained by the institution in a manner that does not disclose personally identifiable information of any person, the summary of the responses to the climate survey on ~~[sexual misconduct.]~~ ***power-based violence.***

4. A climate survey on ~~[sexual misconduct]~~ ***power-based violence*** must be administered electronically by an institution within the System and provide reasonable accommodations for students with a disability.

5. An institution within the System may obtain a waiver from the Board of Regents to not administer a climate survey on ~~[sexual misconduct]~~ ***power-based violence*** pursuant to this section due to the financial circumstances of the institution.

6. An institution within the System may apply for and accept any gifts, grants, donations, bequests or other money from any source to carry out the provisions of this section.

7. Any data or reports that underlie the summaries generated pursuant to subsection 2 are confidential and are not a public record for the purposes of chapter 239 of NRS.

Sec. 7.2. NRS 396.143 is hereby amended to read as follows:

396.143 1. If the Board of Regents requires an institution within the System to conduct a climate survey on ~~[sexual misconduct]~~ ***power-based violence*** pursuant to NRS 396.1425, the Board of Regents shall to the extent that money is available:

(a) Provide a copy of the questions developed by the researchers employed at an institution within the System pursuant to NRS 396.142 to each institution within a reasonable time after the Board of Regents receives the questions from the researchers;

(b) Establish a repository for the summaries of the climate survey on ~~[sexual misconduct]~~ ***power-based violence*** submitted by each institution pursuant to NRS 396.1425;

(c) Post each summary of the responses to a climate survey on ~~[sexual misconduct]~~ ***power-based violence*** submitted by an institution pursuant to NRS 396.1425 on the Internet website maintained by the Board of Regents in a manner that does not disclose personally identifiable information of any person;

(d) Adopt a policy on the dissemination, collection and summation of the responses to the climate survey on ~~[sexual misconduct;]~~ ***power-based violence;*** and

(e) On or before February 1 of each odd-numbered year, report the summaries of the climate survey on ~~[sexual misconduct]~~ ***power-based violence*** submitted by an institution pursuant to NRS 396.1425 to the Director of the Legislative Counsel Bureau for transmittal to the Senate and Assembly Standing Committees on Education.

2. Any data or reports that underlie the summaries generated pursuant to subsection 1 are confidential and are not a public record for the purposes of chapter 239 of NRS.

Sec. 7.3. NRS 396.144 is hereby amended to read as follows:

396.144 The Board of Regents may require an institution within the System to:

1. Require employees who participate in the grievance process of the institution pursuant to Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681 et seq., or a policy on ~~[sexual misconduct]~~ ***power-based violence*** adopted pursuant to NRS 396.145 to receive annual training on topics related to ~~[sexual misconduct]~~ ***power-based violence*** which may include, without limitation, any training required pursuant to NRS 396.152;

2. Provide a complainant and respondent with a copy of the policies of the institution regarding the submission and consideration of evidence that may be considered during the grievance process;

3. Except as otherwise required by federal law, within 14 business days after the conclusion of the grievance process, inform the complainant and the respondent of the result of the grievance process; and

4. Unless otherwise required by state or federal law, not publicly disclose the identity of a complainant or respondent.

Sec. 7.4. NRS 396.145 is hereby amended to read as follows:

396.145 1. The Board of Regents may require an institution within the System to adopt a policy on ~~[sexual misconduct]~~ ***power-based violence*** consistent with applicable state and federal law.

2. If the Board of Regents requires the adoption of a policy on ~~[sexual misconduct]~~ ***power-based violence*** pursuant to subsection 1, in developing the policy on ~~[sexual misconduct,]~~ ***power-based violence,*** an institution within the System:

(a) Shall:

(1) Incorporate a trauma-informed response;

(2) Coordinate with:

(I) The Title IX coordinator of the institution; and

(II) If an institution has entered into a memorandum of understanding pursuant to NRS 396.147, the organization that assists persons involved in ~~[sexual misconduct;]~~ ***power-based violence;*** and

(3) Engage in a culturally competent manner to reflect the diverse needs of all students; and

(b) May consider input from internal and external entities, including, without limitation:

(1) Administrators at the institution;

(2) Personnel affiliated with health care centers located on or off a campus of the institution that provide services to the institution;

(3) An advocate designated pursuant to NRS 396.148;

(4) Staff affiliated with campus housing services;

(5) Students enrolled in an institution within the System;

(6) A provider of health care;

(7) Law enforcement agencies, including, without limitation, campus police or security; and

(8) The district attorney of the county where the main campus of the institution is located.

3. If the Board of Regents requires the adoption of a policy on ~~[sexual misconduct]~~ ***power-based violence*** pursuant to subsection 1, an institution within the System shall provide:

(a) Internal or external entities an opportunity to provide comment on the initial policy on ~~[sexual misconduct]~~ ***power-based violence*** or any substantive change to the policy;

(b) Instructions on how an internal or external entity may provide comment on the initial policy on ~~[sexual misconduct]~~ ***power-based violence*** or a substantive change to the policy; and

(c) A reasonable length of time during which the institution will accept comment.

4. After an initial policy on ~~[sexual misconduct]~~ ***power-based violence*** is adopted by an institution within the System, the opportunity for comment by an internal or external entity pursuant to subsection 3 applies only to a substantive change to the policy, as determined by the institution.

5. If the Board of Regents requires the adoption of a policy on ~~[sexual misconduct]~~ ***power-based violence*** pursuant to subsection 1, an institution within the System shall make the policy on ~~[sexual misconduct]~~ ***power-based violence*** publicly available not later than the start of each academic year:

(a) Upon request, to a prospective student, current student or employee of the institution; and

(b) On the Internet website maintained by the institution.

Sec. 7.5. NRS 396.146 is hereby amended to read as follows:

396.146 A policy on ~~[sexual misconduct]~~ ***power-based violence*** adopted pursuant to NRS 396.145 must include, without limitation, information on:

1. The procedures by which a student or employee at an institution within the System may report or disclose an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** that occurred on or off a campus of the institution;

2. Supportive measures, including, without limitation:

(a) Changing academic, living, campus transportation or work arrangements;

(b) Taking a leave of absence from the institution in response to an alleged incident of ~~[sexual misconduct;]~~ ***power-based violence;***

(c) How to request supportive measures; and

(d) The process to have any supportive measures reviewed by the institution;

3. Appropriate local, state and federal law enforcement agencies, including, without limitation, the contact information for a law enforcement agency; and

4. The grievance process of the institution for investigating and resolving a report of an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** pursuant to Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681 et seq.

Sec. 7.6. NRS 396.147 is hereby amended to read as follows:

396.147 1. The Board of Regents may require an institution within the System to enter into a memorandum of understanding with an organization that assists persons involved in ~~[sexual misconduct.]~~ ***power-based violence.*** The memorandum of understanding may, without limitation:

(a) Allow for cooperation and training between the institution and the organization that assists persons involved in ~~[sexual misconduct]~~ ***power-based violence*** to establish an understanding of the:

(1) Responsibilities that the institution and organization that assists persons involved in ~~[sexual misconduct]~~ ***power-based violence*** have in responding to a report or disclosure of an alleged incident of ~~[sexual misconduct;]~~ ***power-based violence;*** and

(2) Procedures of the institution for providing support and services to students and employees;

(b) Require an organization that assists persons involved in ~~[sexual misconduct]~~ ***power-based violence*** to:

(1) Assist with developing policies, programming or training at the institution regarding ~~[sexual misconduct;]~~ ***power-based violence;***

(2) Provide an alternative for a student or employee of the institution to receive free and confidential counseling, advocacy or crisis services related to an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** that are located on or off a campus of the institution, including, without limitation:

(I) Access to a health care provider who specializes in forensic medical examinations; and

(II) Confidential services;

(3) Assist with the development and implementation of education and prevention programs for students of the institution; and

(4) Assist with the development and implementation of training and prevention curriculum for employees of the institution; and

(c) Include a fee structure for any services provided by the organization that assists persons involved in ~~[sexual misconduct.]~~ ***power-based violence.***

2. As used in this section, "forensic medical examination" has the meaning ascribed to it in NRS 217.300.

Sec. 7.7. NRS 396.148 is hereby amended to read as follows:

396.148 1. The Board of Regents may require an institution within the System to designate an advocate. If the Board of Regents requires the designation of an advocate, an institution shall designate existing categories of employees who may serve as an advocate. An institution may:

(a) Partner with an organization that assists persons involved in ~~[sexual misconduct]~~ ***power-based violence*** to designate an advocate; or

(b) If the institution enrolls less than 1,000 students who reside in campus housing, partner with another institution within the System to designate an advocate.

2. An advocate designated pursuant to subsection 1:

(a) Must not be a Title IX coordinator, a member of campus police or law enforcement or any other official of the institution who is authorized to initiate a disciplinary proceeding on behalf of the institution or whose position at the institution may create a conflict of interest;

(b) Must be designated based on the training or experience of the person to effectively provide services related to ~~[sexual misconduct;]~~ ***power-based violence;*** and

(c) Must have completed at least 20 hours of relevant training.

3. If an institution within the System designates an advocate pursuant to subsection 1, the advocate must be trained on:

(a) The awareness and prevention of ~~[sexual misconduct;]~~ ***power-based violence;***

(b) Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681 et seq.;

(c) Any policy on ~~[sexual misconduct]~~ ***power-based violence*** adopted by the institution pursuant to NRS 396.145; and

(d) Trauma-informed responses to a report of an alleged incident of ~~[sexual misconduct.]~~ ***power-based violence.***

4. An institution within the System that designates an advocate pursuant to subsection 1 shall provide for the availability of an advocate to students within a reasonable distance from the institution or by electronic means if it is not practicable to provide for the availability of an advocate in person.

Sec. 7.8. NRS 396.149 is hereby amended to read as follows:

396.149 1. If an advocate is designated pursuant to NRS 396.148, the advocate shall:

(a) Inform a student or employee of, or provide resources about how to obtain information on:

(1) Options on how to report an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** and the effects of each option;

(2) Counseling services available on a campus of the institution and through local community resources;

(3) Medical and legal services available on or off a campus of the institution;

(4) Available supportive measures;

(5) Counseling related to student loans;

(6) The grievance process of the institution and that the grievance process is not a substitute for the system of criminal justice;

(7) The role of local, state and federal law enforcement agencies;

(8) Any limits on the ability of the advocate to provide privacy or confidentiality to the student or employee; and

(9) A policy on ~~[sexual misconduct]~~ ***power-based violence*** adopted by the institution pursuant to NRS 396.145;

(b) Notify the student or employee of his or her rights and the responsibilities of the institution regarding an order for protection, restraining order or injunction issued by a court;

(c) Unless otherwise required by state or federal law, not be required to report an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** to the institution or a law enforcement agency;

(d) Provide confidential services to students and employees;

(e) Not provide confidential services to more than one party in a grievance process;

(f) Unless otherwise required by state or federal law, not disclose confidential information without the prior written consent of the student or employee who shared the information;

(g) Support a complainant or respondent in obtaining supportive measures to ensure the complainant or respondent has continued access to education; and

(h) Inform a student or employee that supportive measures may be available through disability services or the Title IX coordinator.

2. If an advocate is designated pursuant to NRS 396.148, the advocate may:

(a) If appropriate and if directed by a student or employee, assist the student or employee in reporting an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** to the institution or a law enforcement agency; and

(b) Attend a disciplinary proceeding of the institution as the advisor or support person of a complainant.

3. Notice to an advocate of an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** or the performance of services by an advocate pursuant to this section shall not constitute actual or constructive notice of an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** to the institution within the System which designated the advocate pursuant to NRS 396.148.

4. If a conflict of interest arises between the institution within the System which designated an advocate and the advocate in advocating for the provision of supportive measures by the

institution to a complainant or a respondent, the institution shall not discipline, penalize or otherwise retaliate against the advocate for advocating for the complainant or the respondent.

Sec. 7.9. NRS 396.151 is hereby amended to read as follows:

396.151 1. The Board of Regents may prohibit an institution within the System from subjecting a complainant, reporting party or witness who reports an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** to a disciplinary proceeding or sanction for a violation of a policy on student conduct related to drug or alcohol use, trespassing or unauthorized entry of school facilities or other violation of a policy of an institution that occurred during or related to an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** unless the institution determines that the:

(a) Report of an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** was not made in good faith; or

(b) The violation of a policy on student conduct was egregious, including, without limitation, a violation that poses a risk to the health or safety of another person.

2. The Board of Regents may require an institution within the System to review any disciplinary action taken against a reporting party or witness to determine if there is any connection between the alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** that was reported and the misconduct that led to the reporting party or witness being disciplined.

Sec. 7.95. NRS 396.152 is hereby amended to read as follows:

396.152 1. The Board of Regents may require an institution within the System to provide training on the grievance process of the institution in accordance with 34 C.F.R. § 106.45.

2. The Board of Regents may require an institution within the System to train the Title IX coordinator and members of the campus police or safety personnel of the institution in the awareness of ~~[sexual misconduct]~~ ***power-based violence*** and in trauma-informed response to an alleged incident of ~~[sexual misconduct.]~~ ***power-based violence.***

Sec. 8. NRS 396.153 is hereby amended to read as follows:

396.153 1. The Board of Regents may require an institution within the System to provide programming on awareness and prevention of ~~[sexual misconduct]~~ ***power-based violence*** to all students and employees of the institution. If the Board of Regents requires an institution to provide programming on awareness and prevention of sexual misconduct, the programming must include, without limitation:

(a) An explanation of consent as it applies to a sexual act or sexual conduct with another person;

(b) The manner in which drugs and alcohol may affect the ability of a person to consent to a sexual act or sexual conduct with another person;

(c) Information on options for reporting an alleged incident of ~~[sexual misconduct,]~~ ***power-based violence,*** the effects of each option and the method to file a report under each option, including, without limitation, a description of the confidentiality and anonymity, as applicable, of a report;

(d) Information on the grievance process of the institution for addressing a report of an alleged incident of ~~[sexual misconduct,]~~ ***power-based violence,*** including, without limitation, a policy on ~~[sexual misconduct]~~ ***power-based violence*** adopted pursuant to NRS 396.145;

(e) The range of sanctions or penalties the institution may impose on a student or employee found responsible for an incident of ~~[sexual misconduct;]~~ ***power-based violence;***

(f) If an advocate is designated pursuant to NRS 396.148, the name, contact information and role of the advocate;

(g) Strategies for intervention by bystanders;

(h) Strategies for reduction of the risk of ~~[sexual misconduct;]~~ ***power-based violence;*** and

(i) Any other opportunities for additional programming on awareness and prevention of ~~[sexual misconduct.]~~ ***power-based violence.***

2. If an institution provides programming on awareness and prevention of ~~[sexual misconduct]~~ ***power-based violence*** pursuant to subsection 1, the institution:

(a) Shall coordinate with the Title IX coordinator of the institution;

(b) May coordinate with a law enforcement agency and, if the institution entered into a memorandum of understanding with an organization that assists persons involved in ~~[sexual misconduct]~~ ***power-based violence*** pursuant to NRS 396.147, that organization; and

(c) Shall require ~~[students or employees]~~ ***:***

(1) A student to attend the programming on the awareness and prevention of ~~[sexual misconduct.]~~ ***power-based violence at least once during his or her first two regular academic semesters after enrollment; and***

(2) An employee to attend the programming on the awareness and prevention of power-based violence not less than once every 3 years.

3. If an institution provides programming on awareness and prevention of ~~[sexual misconduct]~~ ***power-based violence*** pursuant to subsection 1, the programming may be culturally responsive and address the unique experiences and challenges faced by students based on the race, ethnicity, national origin, economic status, disability, gender identity or expression, immigration status and sexual orientation of a student.

4. If an institution provides programming on awareness and prevention of power-based violence to students pursuant to subsection 1, the institution:

(a) May provide the programming in person;

(b) May provide an option for a student to attend the programming by virtual or electronic means; and

(c) May include the programming in any courses or materials provided to a student who has recently enrolled in the institution.

5. An institution may require each instructor or professor to include in the syllabus for a course information on resources available on the campus of the institution for victims of power-based violence, including, without limitation, resources about how to obtain information on:

(a) Options for reporting an alleged incident of power-based violence, the effects of each option and the method to file a report under each option;

(b) Counseling services available on a campus of the institution and through local community resources;

(c) Community-based organizations which provide assistance to victims of power-based violence whose services are available on or off a campus of the institution;

(d) Available supportive measures;

(e) The grievance process of the institution and that the grievance process is not a substitute for the system of criminal justice; and

(f) A policy on power-based violence adopted by the institution pursuant to NRS 396.145.

Sec. 8.1. NRS 396.154 is hereby amended to read as follows:

396.154 The Board of Regents may require an institution within the System that receives a report of an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** that involves a student or employee of the institution to determine the responsibility of a respondent, if any, based on a preponderance of the evidence.

Sec. 8.2. NRS 396.155 is hereby amended to read as follows:

396.155 1. The Board of Regents may require an institution within the System to accept a request from a complainant who is 18 years of age or older to keep the identity of the complainant confidential or take no investigative or disciplinary action against a respondent. An institution shall not grant such a request if state or federal law requires disclosure or further action. In determining whether to grant such a request, the institution shall consider whether there is a risk that the respondent may commit additional acts of ~~[sexual misconduct,]~~ violence, ***power-based violence,*** discrimination or harassment based on whether one or more of the following factors are present to a sufficient degree such that the request cannot be honored:

(a) There are any previous or existing reports of an incident of ~~[sexual misconduct]~~ ***power-based violence*** against the respondent, including, without limitation, records of complaints or the arrest of the respondent;

(b) The respondent allegedly used a weapon;

(c) The respondent threatened violence, discrimination or harassment against the complainant or other persons;

(d) The alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** was alleged to have been committed by two or more people;

(e) The circumstances surrounding the alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** indicate that the incident was premeditated and, if so, whether the respondent or another person allegedly premeditated the incident;

(f) The circumstances surrounding the alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** indicate a pattern of consistent behavior at a particular location or by a particular group of people;

(g) The institution is able to conduct a thorough investigation and obtain relevant evidence without the cooperation of the complainant; and

(h) There are any other factors that indicate the respondent may repeat the behavior alleged by the complainant or that the complainant or other persons may be at risk of harm.

2. If an institution within the System grants a request for confidentiality or to not take any investigative or disciplinary action pursuant to subsection 1, the institution shall take reasonable steps to, without initiating formal action against the respondent:

(a) Respond to the report of the alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** while maintaining the confidentiality of the complainant;

(b) Limit the effects of the alleged incident of ~~[sexual misconduct;]~~ ***power-based violence;*** and

(c) Prevent the recurrence of any misconduct.

3. Reasonable steps taken pursuant to subsection 2 may include, without limitation:

(a) Increased monitoring, supervision or security at locations or activities where the alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** occurred;

(b) Providing additional training and educational materials for students and employees; or

(c) Ensuring a complainant is informed of and has access to appropriate supportive measures.

4. If an institution within the System grants a request for confidentiality or to not take any investigative or disciplinary action pursuant to subsection 1, the institution shall inform the complainant that the ability of the institution to respond to the report of the alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** will be limited by the request.

5. If an institution within the System determines that it cannot grant a request for confidentiality or to not take any investigative or disciplinary action pursuant to subsection 1, the institution shall:

(a) Inform the complainant of the determination before disclosing the identity of the complainant or initiating an investigation;

(b) Make available supportive measures for the complainant; and

(c) If requested by the complainant, inform the respondent that the complainant asked the institution not to take investigative or disciplinary action against the respondent.

Sec. 8.3. NRS 396.156 is hereby amended to read as follows:

396.156 1. In conducting an investigation of an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** an institution within the System shall:

(a) Provide the complainant and the respondent the opportunity to identify witnesses and other evidence to assist the institution in determining whether an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** has occurred;

(b) Inform the complainant and the respondent that any evidence available to the party but not disclosed during the investigation might not be considered at a subsequent hearing; and

(c) Ensure that questions and evidence of the sexual history or sexual predisposition of a complainant are not considered relevant unless the:

(1) Questions or evidence are directly relevant to prove that the conduct alleged to have been committed by the respondent was inflicted by another person; or

(2) Questions and evidence are relevant to demonstrate how the parties communicated consent in previous or subsequent consensual sexual conduct.

2. An institution within the System shall provide periodic updates on the investigation to the complainant and the respondent regarding the timeline of the investigation.

3. An institution within the System shall notify the complainant and the respondent of the findings of an investigation simultaneously.

4. If an institution within the System imposes any disciplinary action based on the findings of an investigation on a respondent, such disciplinary action must be imposed in accordance with the grievance process of the institution.

Sec. 8.4. NRS 396.158 is hereby amended to read as follows:

396.158 1. A student who experiences ~~[sexual misconduct]~~ ***power-based violence*** may request a waiver from any requirement to maintain a certain grade point average, credit enrollment, or other academic or disciplinary record requirement relating to academic success for any scholarship, grant or other academic program offered by an institution within the System. A waiver may be granted by a provost, dean, academic advisor or other appropriate staff or faculty member of the institution.

2. A student or employee who experiences ~~[sexual misconduct]~~ ***power-based violence*** may be granted a request to take a leave of absence or, to the extent practicable, extend benefits of employment.

Sec. 8.5. NRS 396.159 is hereby amended to read as follows:

396.159 1. The Board of Regents may require an institution within the System to prepare and submit to the Board of Regents an annual report that includes, without limitation:

(a) The total number of reports of alleged incidents of ~~[sexual misconduct]~~ ***power-based violence*** allegedly committed by a student or employee of the institution made to the Title IX office of the institution;

(b) The number of students and employees found responsible for an incident of ~~[sexual misconduct]~~ ***power-based violence*** by the institution;

(c) The number of students and employees accused of but found not responsible for an incident of ~~[sexual misconduct]~~ ***power-based violence*** by the institution;

(d) The number of persons sanctioned by the institution as a result of a finding of responsibility for an incident of ~~[sexual misconduct;]~~ ***power-based violence;*** and

(e) The number of persons who submitted requests for supportive measures and the number of persons who received supportive measures.

2. A report submitted pursuant to subsection 1 must not contain any personally identifiable information of a student or employee of an institution within the System.

3. Information contained in a report submitted pursuant to subsection 1 must be able to be disaggregated by students and employees.

4. If the Board of Regents requires a report to be prepared and submitted pursuant to subsection 1, an institution shall submit the report to the Board of Regents not later than October 1 of each year.

5. If the Board of Regents requires a report to be prepared and submitted pursuant to subsection 1, the Board of Regents shall, not later than December 31 of each year, submit a compilation of the reports the Board of Regents received pursuant to subsection 1 to the Director of the Department of Health and Human Services and to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature in even-numbered years or the Joint Interim Standing Committee on Education in odd-numbered years.

6. Any data or reports that underlie the report prepared pursuant to subsection 4 are confidential and are not a public record for the purposes of chapter 239 of NRS.

Sec. 8.6. NRS 49.2545 is hereby amended to read as follows:

49.2545 "Victim's advocate" means a person who works for a nonprofit program, a program of a university, state college or community college within the Nevada System of Higher Education or a program of a tribal organization which provides assistance to victims or who provides services to a victim of an alleged incident of ~~[sexual misconduct]~~ ***power-based violence*** pursuant to NRS 396.125 to 396.1595, inclusive, with or without compensation and who has received at least 20 hours of relevant training.

Sec. 9. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 9.5. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 10. NRS 394.16055 and 396.134 are hereby repealed.

Sec. 11. This act becomes effective on July 1, 2023.

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