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FIRST REPRINT

A.B. 218

ASSEMBLY BILL NO. 218—ASSEMBLYMEN BENITEZ-THOMPSON, KIRKPATRICK, DIAZ, THOMPSON, ELLIOT ANDERSON; ARAUJO, BUSTAMANTE ADAMS, CARLTON, CARRILLO, JOINER, SPIEGEL AND SPRINKLE

MARCH 4, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to emergencies in schools. (BDR 34-666)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 3)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to education; requiring the board of trustees of each school district and the governing body of a charter school to consult with certain persons and entities before constructing, expanding or remodeling buildings for schools or related facilities; requiring each school district in certain counties to appoint an emergency manager; requiring the Department of Education to conduct an annual conference regarding safety in public schools; requiring the Department to employ certain licensed mental or behavioral health professionals and make them available to public schools; requiring the board of trustees of each school district and the governing body of a charter school to provide drills to instruct pupils concerning lockdown procedures; requiring a licensed social worker who is employed or retained to provide services to pupils at a public school to provide certain services; requiring that a plan developed to respond to a crisis or an emergency prescribe certain procedures; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 **Section 1** of this bill requires the board of trustees of each school district and
2 the governing body of each charter school to consult with the Division of
3 Emergency Management of the Department of Public Safety regarding safety in
4 schools before constructing, expanding or remodeling buildings for schools or
5 related facilities.

6 **Section 2.5** of this bill defines a "school resource officer" as a deputy sheriff or
7 other peace officer who interacts directly with pupils and provides information to
8 pupils, families and educational personnel. **Section 3** of this bill requires each
9 school district in a county whose population is 100,000 or more (currently Clark
10 and Washoe Counties) to designate an employee to serve as an emergency
11 manager.

12 Existing law requires the board of trustees of each school district and the
13 governing body of each charter school to establish a development committee to
14 develop a plan to be used by each public school of the school district in responding
15 to a crisis or an emergency. (NRS 392.616) **Section 7.5** of this bill requires each
16 development committee to consult with an emergency manager, a school resource
17 officer or the chief of school police of the school district, if such a person exists in
18 the school district. **Section 7.5** also requires the plan to include procedures for: (1)
19 effective communication and interoperability among law enforcement and other
20 first responders; (2) securing a school in the event of a lockdown; and (3) assisting
21 a person with a disability with moving to safety during an emergency or crisis.

22 **Section 4** of this bill requires the Department of Education to coordinate with
23 the Division of Emergency Management, any emergency manager, any chief of
24 police of a school district that has police officers and any school resource officer to
25 conduct an annual conference regarding safety in public schools. **Section 4**
26 additionally requires the board of trustees of each school district and the governing
27 body of each charter school to designate certain persons to attend this conference.

28 In **section 4.5** of this bill, the Legislature finds that it is optimal to have a ratio
29 of at least 1 licensed mental or behavioral health professional per 250 pupils.
30 **Section 5** of this bill requires the Department of Education to employ certain
31 licensed mental or behavioral health professionals and make them available to
32 provide services at public schools, as necessary. **Section 5** requires the State Board
33 of Education to prescribe the duties of such mental or behavioral health
34 professionals, and authorizes the State Board to require additional training for such
35 persons.

36 **Section 5** also requires a licensed social worker who is employed or retained to
37 provide services to pupils at a public school to provide certain services to: (1)
38 improve the mental health of pupils; (2) assess the needs of certain pupils; and (3)
39 provide a list of any resources that may be available in the community to assist a
40 pupil.

41 Existing law requires the board of trustees of each school district and the
42 governing body of each charter school to provide certain emergency drills for
43 pupils at least once each month during the school year. Existing law also requires a
44 public school located in a city or town that has a regularly organized, paid fire
45 department or voluntary fire department to conduct such drills under the
46 supervision of: (1) the person designated for this purpose by the board of trustees of
47 the school district; and (2) the chief of the fire department of the city or town in
48 which a school is located. (NRS 392.450) **Section 6** of this bill requires the board
49 of trustees of each school district and the governing body of each charter school to
50 provide drills for schools under their jurisdiction at least once each month during
51 the school year to instruct pupils in the appropriate procedures to be followed in the
52 event of a lockdown. **Section 6** requires at least one-half of these drills to include
53 instruction in appropriate procedures to be followed in the event of a lockdown.
54 **Section 6** also requires: (1) any public school located in a county whose population



55 is less than 100,000 (currently all counties other than Clark and Washoe Counties)
56 to conduct the drills under the supervision of the person designated for that purpose
57 by the board of trustees of the school district or the governing body of the charter
58 school, as applicable; and (2) a public school located in a county whose population
59 is 100,000 or more (currently Clark and Washoe Counties) to conduct such drills
60 under the supervision of an emergency manager.

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

1 **Section 1.** Chapter 386 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The board of trustees of each school district and the governing*
4 *body of each charter school shall consult with the Division of*
5 *Emergency Management of the Department of Public Safety*
6 *regarding safety in schools before:*

7 *1. Designing, constructing or purchasing new buildings for*
8 *schools or related facilities;*

9 *2. Enlarging, remodeling or renovating existing buildings for*
10 *schools or related facilities; and*

11 *3. Acquiring sites for building schools or related facilities.*

12 **Sec. 2.** Chapter 392 of NRS is hereby amended by adding
13 thereto the provisions set forth as sections 2.25 to 5, inclusive, of
14 this act.

15 **Sec. 2.25.** *“Lockdown” means a circumstance in which the*
16 *persons on school property are restricted to the interior of a school*
17 *building and isolated from threats until the school property and*
18 *surrounding vicinity are deemed to be secure by:*

19 *1. If the school district has school police officers, the chief of*
20 *school police of a school district or a person designated by him or*
21 *her; or*

22 *2. If the school district does not have school police officers,*
23 *the school resource officer or a person designated by him or her*
24 *or, if the school district does not have school resource officers, a*
25 *local law enforcement agency.*

26 **Sec. 2.5.** *“School resource officer” means a deputy sheriff or*
27 *other peace officer employed by a local law enforcement agency*
28 *who is assigned to duty at one or more schools, interacts directly*
29 *with pupils and whose responsibilities include, without limitation,*
30 *providing guidance and information to pupils, families and*
31 *educational personnel concerning the avoidance and prevention*
32 *of crime.*

33 **Sec. 3.** *Each school district in a county whose population is*
34 *100,000 or more shall designate a full-time employee to serve as*
35 *an emergency manager. As used in this section, “emergency*



1 *manager” means a person whose job responsibilities are focused*
2 *solely on the planning and coordination of available resources for*
3 *the mitigation of, preparation and training for, response to and*
4 *recovery from emergencies or crises.*

5 **Sec. 4. 1.** *The Department of Education shall, at least once*
6 *each year, coordinate with the Division of Emergency*
7 *Management of the Department of Public Safety, any emergency*
8 *manager designated pursuant to section 3 of this act, any chief of*
9 *police of a school district that has police officers and any school*
10 *resource officer to conduct a conference regarding safety in public*
11 *schools.*

12 **2.** *The board of trustees of each school district and the*
13 *governing body of each charter school shall designate persons to*
14 *attend the conference held pursuant to subsection 1. The persons*
15 *so designated must include, without limitation:*

16 (a) *An administrator from the school district or charter school,*
17 *as applicable;*

18 (b) *If the school district has school resource officers, a school*
19 *resource officer or a person designated by him or her;*

20 (c) *If the school district has school police officers, the chief of*
21 *school police of the school district or a person designated by him*
22 *or her; and*

23 (d) *If the school district has an emergency manager designated*
24 *pursuant to section 3 of this act, the emergency manager.*

25 **3.** *The conference conducted pursuant to subsection 1 may be*
26 *attended by:*

27 (a) *A licensed teacher of a school or charter school;*

28 (b) *Educational support personnel employed by a school*
29 *district or charter school;*

30 (c) *The parent or legal guardian of a pupil who is enrolled in a*
31 *public school; and*

32 (d) *An employee of a local law enforcement agency.*

33 **Sec. 4.5.** *The Legislature hereby finds and declares that it is*
34 *optimal to have a ratio of at least 1 licensed social worker, school*
35 *psychologist or other certified or licensed mental or behavioral*
36 *health professional per 250 pupils.*

37 **Sec. 5. 1.** *The Department shall employ licensed social*
38 *workers, school psychologists or other certified or licensed mental*
39 *or behavioral health professionals and make them available to*
40 *provide services at public schools in this State, as necessary.*

41 **2.** *If a licensed social worker is employed or retained to*
42 *provide services to pupils at a public school, he or she shall,*
43 *without limitation:*

44 (a) *Conduct mental health assessments of pupils;*

45 (b) *Make referrals of pupils to mental health professionals;*



1 (c) *Conduct home visits with families of pupils identified as*
2 *having been involved in a behavioral incident on the premises of a*
3 *public school, at an activity sponsored by a public school or on a*
4 *school bus; and*

5 (d) *Assess the needs of pupils and provide a list of any*
6 *resources that are available in the community to assist a pupil,*
7 *including, without limitation, resources available at no charge or*
8 *at a reduced cost.*

9 3. *The State Board shall adopt regulations governing the*
10 *duties of social workers, school psychologists and other certified*
11 *or licensed mental or behavioral health professionals employed*
12 *pursuant to subsection 1. The State Board may adopt regulations*
13 *requiring the Department to provide additional training to such*
14 *persons relating to the performance of their duties.*

15 **Sec. 6.** NRS 392.450 is hereby amended to read as follows:

16 392.450 1. The board of trustees of each school district and
17 the governing body of each charter school shall provide drills for the
18 pupils in the schools in the school district or the charter schools at
19 least once each month during the school year to instruct those pupils
20 in the appropriate procedures to be followed in the event of a
21 *lockdown*, fire or other emergency . ~~[, except a crisis governed by~~
22 ~~NRS 392.600 to 392.656, inclusive.]~~ Not more than three of ~~[those]~~
23 *the drills provided pursuant to this subsection* may include
24 instruction in the appropriate procedures to be followed in the event
25 of a chemical explosion, related emergencies and other natural
26 disasters. *At least one-half of the drills provided pursuant to this*
27 *subsection must include instruction in appropriate procedures to*
28 *be followed in the event of a lockdown.*

29 2. In all cities or towns , ~~[which have regularly organized, paid~~
30 ~~fire departments or voluntary fire departments.]~~ the drills required
31 by subsection 1 must be conducted under the supervision of the ~~[:]~~
32 *chief of the fire department of the city or town, if the city or town*
33 *has a regularly organized, paid fire department or voluntary fire*
34 *department, and the:*

35 (a) Person designated for this purpose by the board of trustees of
36 the school district or the governing body of a charter school ~~[; and]~~
37 *in a county whose population is less than 100,000; or*

38 (b) ~~[Chief of the fire department of the city or town.]~~
39 *Emergency manager designated pursuant to section 3 of this act in*
40 *a county whose population is 100,000 or more.*

41 3. A diagram of the approved escape route and any other
42 information related to the drills required by subsection 1 which is
43 approved by the chief of the fire department or, if there is no fire
44 department, the State Fire Marshal must be kept posted in every



1 classroom of every public school by the principal or teacher in
2 charge thereof.

3 4. The principal, teacher or other person in charge of each
4 school building shall cause the provisions of this section to be
5 enforced.

6 5. Any violation of the provisions of this section is a
7 misdemeanor.

8 **6. As used in this section, "lockdown" has the meaning**
9 **ascribed to it in section 2.25 of this act.**

10 **Sec. 7.** NRS 392.600 is hereby amended to read as follows:

11 392.600 As used in NRS 392.600 to 392.656, inclusive, **and**
12 **sections 2.25 to 5, inclusive of this act**, unless the context otherwise
13 requires, the words and terms defined in NRS 392.604 to 392.612,
14 inclusive, **and sections 2.25 and 2.5 of this act** have the meanings
15 ascribed to them in those sections.

16 **Sec. 7.5.** NRS 392.620 is hereby amended to read as follows:

17 392.620 1. Each development committee established by the
18 board of trustees of a school district shall develop one plan to be
19 used by all the public schools other than the charter schools in the
20 school district in responding to a crisis or an emergency. Each
21 development committee established by the governing body of a
22 charter school shall develop a plan to be used by the charter school
23 in responding to a crisis or an emergency. Each development
24 committee shall, when developing the plan, consult with:

25 (a) The local social service agencies and local law enforcement
26 agencies in the county in which its school district or charter school
27 is located.

28 (b) **If the school district has an emergency manager designated**
29 **pursuant to section 3 of this act, the emergency manager.**

30 (c) **If the school district has school resource officers, a school**
31 **resource officer or a person designated by him or her.**

32 (d) **If the school district has school police officers, the chief of**
33 **school police of the school district or a person designated by him**
34 **or her.**

35 (e) The director of the local organization for emergency
36 management or, if there is no local organization for
37 emergency management, with the Chief of the Division of
38 Emergency Management of the Department of Public Safety or his
39 or her designee.

40 2. The plan developed pursuant to subsection 1 must include,
41 without limitation, a procedure for:

42 (a) Assisting persons within a school in the school district or the
43 charter school to communicate with each other;

44 (b) Assisting persons within a school in the school district or the
45 charter school to communicate with persons located outside the



1 school, including, without limitation, relatives of pupils and
2 relatives of employees of the school, the news media and persons
3 from local, state or federal agencies that are responding to a crisis or
4 an emergency;

5 (c) *Effective communication and interoperability among*
6 *federal, state and local law enforcement and other first*
7 *responders;*

8 (d) Immediately responding to a crisis or an emergency and for
9 responding during the period after a crisis or an emergency has
10 concluded, including, without limitation, a crisis or an emergency
11 that results in immediate physical harm to a pupil or employee of a
12 school in the school district or the charter school;

13 ~~[(d)]~~ (e) Assisting pupils of a school in the school district or the
14 charter school, employees of the school and relatives of such pupils
15 and employees to move safely within and away from the school,
16 including, without limitation, a procedure for evacuating the school
17 and a procedure for securing the school ~~[-; and~~

18 ~~—(e)]~~ *in the event of a lockdown;*

19 (f) *Assisting any person with an intellectual or physical*
20 *disability, including, without limitation, a pupil or teacher, who is*
21 *on school property to move safely within and away from the*
22 *school, including, without limitation, a procedure for assisting*
23 *such a pupil or person with evacuating the school or participating*
24 *in a lockdown; and*

25 (g) Enforcing discipline within a school in the school district or
26 the charter school and for obtaining and maintaining a safe and
27 orderly environment during a crisis or an emergency.

28 3. Each development committee shall provide a copy of the
29 plan that it develops pursuant to this section to the board of trustees
30 of the school district that established the committee or the governing
31 body of the charter school that established the committee.

32 4. Except as otherwise provided in NRS 392.632 and 392.636,
33 each public school, including, without limitation, each charter
34 school, must comply with the plan developed for it pursuant to this
35 section.

36 **Sec. 8.** The provisions of NRS 354.599 do not apply to any
37 additional expenses of a local government that are related to the
38 provisions of this act.

39 **Sec. 9.** This act becomes effective on July 1, 2015.

