

SENATE BILL NO. 205—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON EDUCATION)

MARCH 3, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to plans to be used by a school in responding to a crisis or emergency. (BDR 34-404)

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

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

AN ACT relating to schools; requiring the Department of Education to develop a model plan for the management of a crisis or emergency that involves a public or private school; requiring plans for responding to a crisis or emergency in public schools, charter schools and private schools to include the plans, procedures and information included in the model plan developed by the Department; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the State Board of Education to develop a plan for the
2 management of a crisis or an emergency that involves a public or private school.
3 (NRS 392.640) **Section 3** of this bill instead requires the Department of Education
4 to develop a model plan for the management of a crisis or an emergency that
5 involves a public school or private school. **Section 3** requires this model plan to
6 include certain procedures, plans and information.

7 Existing law requires the board of trustees of each school district or the
8 governing body of a charter school or private school to establish a development
9 committee to develop a plan to be used by a school in responding to a crisis or an
10 emergency. (NRS 392.616, 392.620, 394.1685, 394.1687) **Sections 1.7 and 7** of
11 this bill require such plans to include, without limitation, the plans, procedures and
12 information included in the model plan developed by the Department.

13 Existing law requires each development committee to: (1) review and update
14 the plan it developed for the management of a crisis or an emergency; (2) post a
15 notice of the completion of such a review at each school; and (3) provide a copy of
16 the plan to the State Board. (NRS 392.624, 394.1688) **Sections 2 and 8** of this bill



17 remove the requirement that a development committee provide a copy of each plan
18 to the State Board and instead requires each committee to file a copy of the notice
19 of completion of its review with the Department. **Sections 4-6** of this bill make
20 conforming changes to refer to the model plan developed by the Department.

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

1 **Section 1.** Chapter 392 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***“Public safety agency” means:***

4 ***1. A public fire department, fire protection district or other***
5 ***agency of this State or a political subdivision of this State, the***
6 ***primary functions of which are to control, extinguish and suppress***
7 ***fires;***

8 ***2. A law enforcement agency as defined in NRS 277.035; or***

9 ***3. An emergency medical service.***

10 **Sec. 1.3.** 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 ***section 1 of this act,*** unless the context otherwise requires, the
13 words and terms defined in NRS 392.604 to 392.612, inclusive, ***and***
14 ***section 1 of this act*** have the meanings ascribed to them in those
15 sections.

16 **Sec. 1.7.** 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 ***public safety*** agencies in the county in which its school district or
27 charter school is located.

28 (b) The director of the local organization for emergency
29 management or, if there is no local organization for
30 emergency management, with the Chief of the Division of
31 Emergency Management of the Department of Public Safety or his
32 or her designee.

33 2. The plan developed pursuant to subsection 1 must include,
34 without limitation : ~~[, a procedure for:]~~

35 (a) ~~[Assisting persons within a school in the school district or~~
36 ~~the charter school to communicate with each other;~~



1 ~~—(b) Assisting persons within a school in the school district or the~~
2 ~~charter school to communicate with persons located outside the~~
3 ~~school, including, without limitation, relatives of pupils and~~
4 ~~relatives of employees of the school, the news media and persons~~
5 ~~from local, state or federal agencies that are responding to a crisis or~~
6 ~~an emergency;~~

7 ~~—(c) Immediately} *The plans, procedures and information*~~
8 ~~*included in the model plan developed by the Department pursuant*~~
9 ~~*to NRS 392.640;*~~

10 *(b) A procedure for* responding to a crisis or an emergency and
11 for responding during the period after a crisis or an emergency has
12 concluded, including, without limitation, a crisis or an emergency
13 that results in immediate physical harm to a pupil or employee of a
14 school in the school district or the charter school;

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

20 ~~—(e) Enforcing} *and*~~

21 *(c) A procedure for enforcing* discipline within a school in the
22 school district or the charter school and for obtaining and
23 maintaining a safe and orderly environment during a crisis or an
24 emergency.

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

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

33 **Sec. 2.** NRS 392.624 is hereby amended to read as follows:

34 392.624 1. Each development committee shall, at least once
35 each year, review and update as appropriate the plan that it
36 developed pursuant to NRS 392.620. In reviewing and updating the
37 plan, the development committee shall consult with the director of
38 the local organization for emergency management or, if there is no
39 local organization for emergency management, with the Chief of the
40 Division of Emergency Management of the Department of Public
41 Safety or his or her designee.

42 2. Each development committee shall provide an updated copy
43 of the plan to the board of trustees of the school district that
44 established the committee or the governing body of the charter
45 school that established the committee.



1 3. The board of trustees of each school district and the
2 governing body of each charter school shall:

3 (a) Post a notice of the completion of each review and update
4 that its development committee performs pursuant to subsection 1 at
5 each school in its school district or at its charter school;

6 (b) *File with the Department a copy of the notice provided*
7 *pursuant to paragraph (a);*

8 (c) Post a copy of NRS 392.600 to 392.656, inclusive, *and*
9 *section 1 of this act*, at each school in its school district or at its
10 charter school;

11 ~~[(e)]~~ (d) Retain a copy of each plan developed pursuant to NRS
12 392.620, each plan updated pursuant to subsection 1 and each
13 deviation approved pursuant to NRS 392.636;

14 ~~[(d)]~~ (e) Provide a copy of each plan developed pursuant to NRS
15 392.620 and each plan updated pursuant to subsection 1 to:

16 (1) ~~[(The State Board;]~~

17 ~~—(2)]~~ Each local ~~[(Law enforcement)]~~ *public safety* agency in the
18 county in which the school district or charter school is located;

19 ~~[(3)]~~ (2) The Division of Emergency Management of the
20 Department of Public Safety; and

21 ~~[(4)]~~ (3) The local organization for emergency management,
22 if any;

23 ~~[(e)]~~ (f) Upon request, provide a copy of each plan developed
24 pursuant to NRS 392.620 and each plan updated pursuant to
25 subsection 1 to a local agency that is included in the plan and to an
26 employee of a school who is included in the plan;

27 ~~[(f) Upon request, provide]~~

28 (g) *Provide* a copy of each deviation approved pursuant to NRS
29 392.636 *as soon as practicable* to:

30 (1) The ~~[(State Board;]~~ *Department;*

31 (2) A local ~~[(Law enforcement)]~~ *public safety* agency in the
32 county in which the school district or charter school is located;

33 (3) The Division of Emergency Management of the
34 Department of Public Safety;

35 (4) The local organization for emergency management, if
36 any;

37 (5) A local agency that is included in the plan; and

38 (6) An employee of a school who is included in the plan; and

39 ~~[(g)]~~ (h) At least once each year, provide training in responding
40 to a crisis and training in responding to an emergency to each
41 employee of the school district or of the charter school, including,
42 without limitation, training concerning drills for evacuating and
43 securing schools.

44 4. The board of trustees of each school district and the
45 governing body of each charter school may apply for and accept



1 gifts, grants and contributions from any public or private source to
2 carry out the provisions of NRS 392.600 to 392.656, inclusive ~~§~~,
3 *and section 1 of this act.*

4 **Sec. 3.** NRS 392.640 is hereby amended to read as follows:

5 392.640 1. The ~~State Board~~ *Department* shall, with
6 assistance from other state agencies, including, without limitation,
7 the Division of Emergency Management, the Investigation Division,
8 and the Nevada Highway Patrol Division of the Department of
9 Public Safety, develop a *model* plan for the management of a crisis
10 or an emergency that involves a public school, including, without
11 limitation, a charter school, or a private school and that requires
12 immediate action. The *model* plan must include, without limitation,
13 a procedure for ~~coordinating~~ :

14 (a) *Coordinating* the resources of local, state and federal
15 agencies, officers and employees, as appropriate ~~§~~;

16 (b) *Accounting for all persons within a school;*

17 (c) *Assisting persons within a school in a school district, a*
18 *charter school or a private school to communicate with each*
19 *other;*

20 (d) *Assisting persons within a school in a school district, a*
21 *charter school or a private school to communicate with persons*
22 *located outside the school, including, without limitation, relatives*
23 *of pupils and relatives of employees of such a school, the news*
24 *media and persons from local, state or federal agencies that are*
25 *responding to a crisis or an emergency;*

26 (e) *Assisting pupils of a school in the school district, a charter*
27 *school or a private school, employees of such a school and*
28 *relatives of such pupils and employees to move safely within and*
29 *away from the school, including, without limitation, a procedure*
30 *for evacuating the school and a procedure for securing the school;*

31 (f) *Reunifying a pupil with his or her parent or legal guardian;*

32 (g) *Providing any necessary medical assistance;*

33 (h) *Recovering from a crisis or an emergency;*

34 (i) *Carrying out a lockdown at a school in which persons are*
35 *not allowed to enter or exit the school;*

36 (j) *Providing shelter in specific areas of a school; and*

37 (k) *Providing specific information relating to managing a*
38 *crisis or an emergency that is a result of:*

39 (1) *An incident involving hazardous materials;*

40 (2) *An incident involving mass casualties;*

41 (3) *An incident involving an active shooter;*

42 (4) *An outbreak of disease;*

43 (5) *Any threat or hazard identified in the hazard mitigation*
44 *plan of the county in which the school district is located, if such a*
45 *plan exists; or*



1 (6) *Any other situation, threat or hazard deemed*
2 *appropriate.*

3 2. In developing the *model* plan, the ~~[State Board]~~ *Department*
4 shall consider the plans developed pursuant to NRS 392.620 and
5 394.1687 and updated pursuant to NRS 392.624 and 394.1688.

6 ~~[2.]~~ 3. The ~~[State Board]~~ *Department* may disseminate to any
7 appropriate local, state or federal agency, officer or employee, as the
8 ~~[State Board]~~ *Department* determines is necessary:

9 (a) The *model* plan developed by the ~~[State Board]~~ *Department*
10 pursuant to subsection 1;

11 (b) A plan developed pursuant to NRS 392.620 or updated
12 pursuant to NRS 392.624;

13 (c) A plan developed pursuant to NRS 394.1687 or updated
14 pursuant to NRS 394.1688; and

15 (d) A deviation approved pursuant to NRS 392.636 or 394.1692.

16 4. *The Department shall, at least once each year, review and*
17 *update as appropriate the model plan developed pursuant to*
18 *subsection 1.*

19 **Sec. 4.** NRS 392.648 is hereby amended to read as follows:

20 392.648 1. If a crisis or an emergency that requires
21 immediate action occurs at a public school, including, without
22 limitation, a charter school, the principal of the school involved, or
23 the principal's designated representative, shall, in accordance with
24 the plan developed for the school pursuant to NRS 392.620 and in
25 accordance with any deviation approved pursuant to NRS 392.636,
26 contact all appropriate local agencies to respond to the crisis or the
27 emergency.

28 2. If a local agency that is responsible for responding to a crisis
29 or an emergency is contacted pursuant to subsection 1 and the local
30 agency determines that the crisis or the emergency requires
31 assistance from a state agency, the local agency may:

32 (a) If a local organization for emergency management has been
33 established in the city or county in which the local agency that was
34 contacted is located, through such local organization for emergency
35 management, notify the Division of Emergency Management of the
36 Department of Public Safety of the crisis or the emergency and
37 request assistance from the Division in responding to the crisis or
38 the emergency; or

39 (b) If a local organization for emergency management has not
40 been established in the city or county in which the local agency that
41 was contacted is located, directly notify the Division of Emergency
42 Management of the Department of Public Safety of the crisis or the
43 emergency and request assistance from the Division in responding
44 to the crisis or the emergency.



1 3. If the Division of Emergency Management of the
2 Department of Public Safety receives notification of a crisis or an
3 emergency and a request for assistance pursuant to subsection 2 and
4 the Governor or the Governor's designated representative
5 determines that the crisis or the emergency requires assistance from
6 a state agency, the Division shall carry out its duties set forth in the
7 *model* plan developed pursuant to NRS 392.640 and its duties set
8 forth in chapter 414 of NRS, including, without limitation,
9 addressing the immediate crisis or emergency and coordinating the
10 appropriate and available local, state and federal resources to
11 provide support services and counseling to pupils, teachers, and
12 parents or legal guardians of pupils, and providing support for law
13 enforcement agencies, for as long as is reasonably necessary.

14 **Sec. 5.** NRS 392.652 is hereby amended to read as follows:

15 392.652 A plan developed pursuant to NRS 392.620 or
16 updated pursuant to NRS 392.624, a deviation and any information
17 submitted to a development committee pursuant to NRS 392.632, a
18 deviation approved pursuant to NRS 392.636 and the *model* plan
19 developed pursuant to NRS 392.640 are confidential and, except as
20 otherwise provided in NRS 239.0115 and 392.600 to 392.656,
21 inclusive, *and section 1 of this act* must not be disclosed to any
22 person or government, governmental agency or political subdivision
23 of a government.

24 **Sec. 6.** NRS 392.656 is hereby amended to read as follows:

25 392.656 The provisions of chapter 241 of NRS do not apply to
26 a meeting of:

27 1. A development committee;

28 2. A school committee; ~~or~~

29 3. The State Board if the meeting concerns a regulation
30 adopted pursuant to NRS 392.644 ; or

31 *4. The Department if the meeting concerns the model* plan
32 developed pursuant to NRS 392.640.

33 **Sec. 7.** NRS 394.1687 is hereby amended to read as follows:

34 394.1687 1. Each development committee shall develop a
35 plan to be used by its school in responding to a crisis or an
36 emergency. Each development committee shall, when developing
37 the plan, consult with:

38 (a) The local social service agencies and local ~~law enforcement~~
39 *public safety* agencies in the county in which its school is located.

40 (b) The director of the local organization for emergency
41 management or, if there is no local organization for
42 emergency management, with the Chief of the Division of
43 Emergency Management of the Department of Public Safety or his
44 or her designee.



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

3 ~~—(a) Assisting persons within the school to communicate with~~
4 ~~each other;~~

5 ~~—(b) Assisting persons within the school to communicate with~~
6 ~~persons located outside the school, including, without limitation,~~
7 ~~relatives of pupils and relatives of employees of the school, the~~
8 ~~news media and persons from local, state or federal agencies that are~~
9 ~~responding to a crisis or an emergency;~~

10 ~~—(c) Immediately]:~~

11 *(a) The plans, procedures and information included in the*
12 *model plan developed by the Department pursuant to*
13 *NRS 392.640;*

14 *(b) A procedure for immediately* responding to a crisis or an
15 emergency and for responding during the period after a crisis or an
16 emergency has concluded, including, without limitation, a crisis or
17 an emergency that results in immediate physical harm to a pupil or
18 employee of the school;

19 ~~[(d) Assisting pupils of the school, employees of the school and~~
20 ~~relatives of such pupils and employees to move safely within and~~
21 ~~away from the school, including, without limitation, a procedure for~~
22 ~~evacuating the school and a procedure for securing the school; and~~

23 ~~—(e) Enforcing] and~~

24 *(c) A procedure for enforcing* discipline within the school and
25 for obtaining and maintaining a safe and orderly environment during
26 a crisis or an emergency.

27 3. Each development committee shall provide a copy of the
28 plan that it develops pursuant to this section to the governing body
29 of the school that established the committee.

30 4. Except as otherwise provided in NRS 394.1691 and
31 394.1692, each private school must comply with the plan developed
32 for it pursuant to this section.

33 **Sec. 8.** NRS 394.1688 is hereby amended to read as follows:

34 394.1688 1. Each development committee shall, at least once
35 each year, review and update as appropriate the plan that it
36 developed pursuant to NRS 394.1687. In reviewing and updating
37 the plan, the development committee shall consult with the director
38 of the local organization for emergency management or, if there is
39 no local organization for emergency management, with the Chief of
40 the Division of Emergency Management of the Department of
41 Public Safety or his or her designee.

42 2. Each development committee shall provide an updated copy
43 of the plan to the governing body of the school.

44 3. The governing body of each private school shall:



1 (a) Post a notice of the completion of each review and update
2 that its development committee performs pursuant to subsection 1 at
3 the school;

4 (b) *File with the Department a copy of the notice provided*
5 *pursuant to paragraph (a);*

6 (c) Post a copy of NRS 392.640 and 394.168 to 394.1699,
7 inclusive, at the school;

8 ~~[(e)]~~ (d) Retain a copy of each plan developed pursuant to NRS
9 394.1687, each plan updated pursuant to subsection 1 and each
10 deviation approved pursuant to NRS 394.1692;

11 ~~[(d)]~~ (e) Provide a copy of each plan developed pursuant to NRS
12 394.1687 and each plan updated pursuant to subsection 1 to:

13 (1) ~~[(The Board;]~~

14 ~~—(2)]~~ Each local ~~[(Law enforcement)]~~ *public safety* agency in the
15 county in which the school is located;

16 ~~[(3)]~~ (2) The Division of Emergency Management of the
17 Department of Public Safety; and

18 ~~[(4)]~~ (3) The local organization for emergency management,
19 if any;

20 ~~[(e)]~~ (f) Upon request, provide a copy of each plan developed
21 pursuant to NRS 394.1687 and each plan updated pursuant to
22 subsection 1 to a local agency that is included in the plan and to an
23 employee of the school who is included in the plan;

24 ~~[(f)]~~ (g) Upon request, provide a copy of each deviation
25 approved pursuant to NRS 394.1692 to:

26 (1) The ~~[(Board;)]~~ *Department;*

27 (2) A local ~~[(Law enforcement)]~~ *public safety* agency in the
28 county in which the school is located;

29 (3) The Division of Emergency Management of the
30 Department of Public Safety;

31 (4) The local organization for emergency management, if
32 any;

33 (5) A local agency that is included in the plan; and

34 (6) An employee of the school who is included in the plan;

35 and

36 ~~[(g)]~~ (h) At least once each year, provide training in responding
37 to a crisis and training in responding to an emergency to each
38 employee of the school, including, without limitation, training
39 concerning drills for evacuating and securing the school.

40 **Sec. 9.** NRS 394.1696 is hereby amended to read as follows:

41 394.1696 1. If a crisis or an emergency that requires
42 immediate action occurs at a private school, the principal or other
43 person in charge of the private school involved, or his or her
44 designated representative, shall, in accordance with the plan
45 developed for the school pursuant to NRS 394.1687 and in



1 accordance with any deviation approved pursuant to NRS 394.1692,
2 contact all appropriate local agencies to respond to the crisis or the
3 emergency.

4 2. If a local agency that is responsible for responding to a crisis
5 or an emergency is contacted pursuant to subsection 1 and the local
6 agency determines that the crisis or the emergency requires
7 assistance from a state agency, the local agency may:

8 (a) If a local organization for emergency management has been
9 established in the city or county in which the local agency that was
10 contacted is located, through such local organization for emergency
11 management, notify the Division of Emergency Management of the
12 Department of Public Safety of the crisis or the emergency and
13 request assistance from the Division in responding to the crisis or
14 the emergency; or

15 (b) If a local organization for emergency management has not
16 been established in the city or county in which the local agency that
17 was contacted is located, directly notify the Division of Emergency
18 Management of the Department of Public Safety of the crisis or the
19 emergency and request assistance from the Division in responding
20 to the crisis or the emergency.

21 3. If the Division of Emergency Management of the
22 Department of Public Safety receives notification of a crisis or an
23 emergency and a request for assistance pursuant to subsection 2 and
24 the Governor or the Governor's designated representative
25 determines that the crisis or the emergency requires assistance from
26 a state agency, the Division shall carry out its duties set forth in the
27 *model* plan developed pursuant to NRS 392.640 and its duties set
28 forth in chapter 414 of NRS, including, without limitation,
29 addressing the immediate crisis or emergency and coordinating the
30 appropriate and available local, state and federal resources to
31 provide support services and counseling to pupils, teachers, and
32 parents or legal guardians of pupils, and providing support for law
33 enforcement agencies, for as long as is reasonably necessary.

34 **Sec. 10.** This act becomes effective on July 1, 2015.

