

CHAPTER.....

AN ACT relating to education; requiring school districts in certain counties to appoint an emergency manager; requiring boards of trustees of school districts and governing bodies of charter schools to consult with certain persons and entities before constructing, expanding or remodeling buildings for schools or related facilities or acquiring sites for those purposes; requiring the Department of Education to conduct an annual conference regarding safety in public schools; requiring the State Public Charter School Authority to annually discuss safety in charter schools at a meeting, workshop or conference; requiring the Department, to the extent that money is available, to make block grants to provide certain mental health workers in public schools; revising provisions governing the development and contents of a plan to respond to a crisis or an emergency in a school; revising provisions governing emergency drills in schools; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for crisis and emergency response in public schools. (NRS 388.229-388.261) **Section 4** of this bill requires each school district in a county whose population is 100,000 or more (currently Clark and Washoe Counties) to designate an employee to serve as an emergency manager, whose duties are defined in that section. **Section 5** of this bill requires the board of trustees of each school district and the governing body of each charter school to consult with the emergency manager, the chief of school police or his or her designee, or the Division of Emergency Management of the Department of Public Safety, as applicable, before: (1) designing, constructing or purchasing new school buildings or related facilities; (2) enlarging, remodeling or renovating existing school buildings or related facilities; or (3) acquiring sites for building schools or related facilities.

Section 6 of this bill requires the Department of Education to coordinate with the Division of Emergency Management, any emergency manager, any chief of police of a school district that has police officers and any school resource officer to conduct an annual conference regarding safety in public schools. **Section 6** additionally requires the board of trustees of each school district to designate certain persons to attend this conference and authorizes certain other persons to attend the conference. **Section 6** also requires the State Public Charter School Authority to annually discuss safety in charter schools at a designated meeting of the Authority or at a workshop or conference coordinated by the Authority. Finally, **section 6** requires the governing body of each charter school to designate persons to attend such a meeting, workshop or conference.

Section 7 of this bill requires the Department of Education, to the extent that money is available for the purpose, to: (1) develop and carry into effect a program of block grants; and (2) make and administer block grants to school districts and charter schools to employ or contract with social workers and other mental health workers in schools with identified needs.



Existing law requires the Department of Education to develop a model plan for the management of a crisis or emergency in a public school, including a charter school, and a private school. Among other requirements, the model plan must include a procedure for carrying out a lockdown at a school. (NRS 388.253) **Section 2** of this bill defines “lockdown” for these purposes. Existing law also requires the board of trustees of a school district and the governing body of a charter school to establish a development committee to develop a plan to be used by each public school of the school district or the charter school, as applicable, in responding to a crisis or an emergency and requires the development committee to consult with certain persons and entities when developing the plan. (NRS 388.241, 388.243) **Section 9** of this bill requires each development committee, when developing the plan, to also consult with an emergency manager, a school resource officer or the chief of school police of the school district, if such a person exists in the school district.

Existing law requires each school district, each charter school and each private school to provide drills for pupils at least once each month during the school year to instruct those pupils in the procedures to be followed in the event of a fire or other emergency. (NRS 392.450, 394.170) **Sections 13 and 14** of this bill require at least one-half of these drills to include instruction in appropriate procedures to be followed in the event of a lockdown, as defined in **section 2** of this bill. **Sections 13 and 14** also revise provisions governing the emergency drills conducted at a school located in a city or town to require the drills to be approved by the chief of the fire department of the city or town or voluntary fire department, as applicable. Finally, **section 13** requires: (1) any public school located in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties) to conduct the drills under the supervision of the person designated for that purpose by the board of trustees of the school district or the governing body of the charter school, as applicable; and (2) a public school located in a county whose population is 100,000 or more (currently Clark and Washoe Counties) to conduct such drills under the supervision of the emergency manager.

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

WHEREAS, The Legislature recognizes that it is of utmost importance that the public schools in this State are built and maintained in a manner which provides the greatest protection for pupils and staff against harm; and

WHEREAS, Each school must be built and maintained to meet or exceed recommended safety standards and be designed to anticipate and protect against modern threats; and

WHEREAS, Academic achievement of pupils is adversely affected when the pupils do not feel safe from harm; and

WHEREAS, Acts of violence which occur at schools have devastating effects on pupils which may include depression, fear and inappropriate behavior; and

WHEREAS, Efforts must be taken to mitigate acts of violence at schools; and



WHEREAS, Social workers and other licensed mental health workers who are employed by schools help ensure the safety of pupils, prevent violent and other inappropriate actions by pupils and address the overall well-being of pupils by assessing the needs of pupils and providing pupils with necessary mental health services, counseling and other assistance; and

WHEREAS, The Legislature hereby finds and declares that it is optimal to have a ratio of at least 1 social worker or licensed health worker per 250 pupils; and

WHEREAS, Each school district must ensure that administrators, teachers and other staff are properly trained regarding the appropriate response to a crisis and crisis management, prevention of violence and emergency response planning so that all schools are prepared to respond appropriately to a crisis or emergency and to quickly mitigate any effects of such a crisis or emergency; now, therefore,

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 2 to 7, inclusive, of this act.

Sec. 2. *“Lockdown” means a circumstance in which the persons on school property are restricted to the interior of a school building and isolated from threats until the school property and surrounding vicinity are deemed to be secure by:*

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

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

Sec. 3. *“School resource officer” means a deputy sheriff or other peace officer employed by a local law enforcement agency who is assigned to duty at one or more schools, interacts directly with pupils and whose responsibilities include, without limitation, providing guidance and information to pupils, families and educational personnel concerning the avoidance and prevention of crime.*

Sec. 4. *Each school district in a county whose population is 100,000 or more shall designate a full-time employee to serve as an emergency manager whose job responsibilities are focused*



solely on the planning and coordination of available resources for the mitigation of, preparation and training for, response to and recovery from emergencies or crises.

Sec. 5. 1. *The board of trustees of each school district and the governing body of each charter school shall consult with the person described in subsection 2 or 3, as applicable, regarding safety in schools before:*

(a) Designing, constructing or purchasing new buildings for schools or related facilities;

(b) Enlarging, remodeling or renovating existing buildings for schools or related facilities; or

(c) Acquiring sites for building schools or related facilities.

2. *In a county whose population is 100,000 or more, the board of trustees of a school district or the governing body of a charter school that plans to take an action described in subsection 1 shall consult with the emergency manager designated pursuant to section 4 of this act or, if the school district has school police officers, the chief of school police of the school district or a person designated by him or her.*

3. *In a county whose population is less than 100,000, the board of trustees of a school district or the governing body of a charter school that plans to take an action described in subsection 1 shall consult with:*

(a) If the school district has school police officers, the chief of school police of the school district or a person designated by him or her or, if the school district has designated a full-time employee to serve as an emergency manager, the emergency manager; or

(b) If the county has not designated a full-time employee to serve as an emergency manager and does not have school police officers, the Division of Emergency Management of the Department of Public Safety.

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

2. *The board of trustees of each school district shall designate persons to attend the conference held pursuant to subsection 1. The persons so designated must include, without limitation:*

(a) An administrator from the school district;



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

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

(d) If the school district has an emergency manager designated pursuant to section 4 of this act, the emergency manager.

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

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

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

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

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

4. The State Public Charter School Authority shall annually, at a designated meeting of the State Public Charter School Authority or at a workshop or conference coordinated by the State Public Charter School Authority, discuss safety in charter schools. The governing body of each charter school shall designate persons to attend a meeting, workshop or conference at which such a discussion will take place pursuant to this subsection.

Sec. 7. To the extent that money is available for the purpose, the Department shall:

1. Develop and carry into effect a program of block grants for the purposes described in subsection 2; and

2. Make and administer block grants to school districts and charter schools to employ or contract with social workers and other mental health workers in schools with identified needs.

Sec. 8. NRS 388.229 is hereby amended to read as follows:

388.229 As used in NRS 388.229 to 388.261, inclusive, and sections 2 to 7, inclusive, of this act, unless the context otherwise requires, the words and terms defined in NRS 388.231 to 388.235, inclusive, and sections 2 and 3 of this act have the meanings ascribed to them in those sections.

Sec. 9. NRS 388.243 is hereby amended to read as follows:

388.243 1. Each development committee established by the board of trustees of a school district shall develop one plan to be used by all the public schools other than the charter schools in the school district in responding to a crisis or an emergency. Each development committee established by the governing body of a charter school shall develop a plan to be used by the charter school



in responding to a crisis or an emergency. Each development committee shall, when developing the plan, consult with:

(a) The local social service agencies and local public safety agencies in the county in which its school district or charter school is located.

(b) *If the school district has an emergency manager designated pursuant to section 4 of this act, the emergency manager.*

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

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

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

2. The plan developed pursuant to subsection 1 must include, without limitation:

(a) The plans, procedures and information included in the model plan developed by the Department pursuant to NRS 388.253;

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

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

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

4. Except as otherwise provided in NRS 388.249 and 388.251, each public school, including, without limitation, each charter school, must comply with the plan developed for it pursuant to this section.

Sec. 10. NRS 388.245 is hereby amended to read as follows:

388.245 1. Each development committee shall, at least once each year, review and update as appropriate the plan that it developed pursuant to NRS 388.243. In reviewing and updating the plan, the development committee shall consult with the director of



the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the Department of Public Safety or his or her designee.

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

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

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

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

(c) Post a copy of NRS 388.229 to 388.261, inclusive, *and sections 2 to 7, inclusive, of this act* at each school in its school district or at its charter school;

(d) Retain a copy of each plan developed pursuant to NRS 388.243, each plan updated pursuant to subsection 1 and each deviation approved pursuant to NRS 388.251;

(e) Provide a copy of each plan developed pursuant to NRS 388.243 and each plan updated pursuant to subsection 1 to:

(1) Each local public safety agency in the county in which the school district or charter school is located;

(2) The Division of Emergency Management of the Department of Public Safety; and

(3) The local organization for emergency management, if any;

(f) Upon request, provide a copy of each plan developed pursuant to NRS 388.243 and each plan updated pursuant to subsection 1 to a local agency that is included in the plan and to an employee of a school who is included in the plan;

(g) Provide a copy of each deviation approved pursuant to NRS 388.251 as soon as practicable to:

(1) The Department;

(2) A local public safety agency in the county in which the school district or charter school is located;

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

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

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



- (6) An employee of a school who is included in the plan; and
- (h) At least once each year, provide training in responding to a crisis and training in responding to an emergency to each employee of the school district or of the charter school, including, without limitation, training concerning drills for evacuating and securing schools.

4. The board of trustees of each school district and the governing body of each charter school may apply for and accept gifts, grants and contributions from any public or private source to carry out the provisions of NRS 388.229 to 388.261, inclusive ~~H~~, *and sections 2 to 7, inclusive, of this act.*

Sec. 11. NRS 388.253 is hereby amended to read as follows:

388.253 1. The Department shall, with assistance from other state agencies, including, without limitation, the Division of Emergency Management, the Investigation Division, and the Nevada Highway Patrol Division of the Department of Public Safety, develop a model plan for the management of a crisis or an emergency that involves a public school, including, without limitation, a charter school, or a private school and that requires immediate action. The model plan must include, without limitation, a procedure for:

(a) Coordinating the resources of local, state and federal agencies, officers and employees, as appropriate;

(b) Accounting for all persons within a school;

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

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

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

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

(g) Providing any necessary medical assistance;

(h) Recovering from a crisis or an emergency;

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

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



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

- (1) An incident involving hazardous materials;
- (2) An incident involving mass casualties;
- (3) An incident involving an active shooter;
- (4) An outbreak of disease;
- (5) Any threat or hazard identified in the hazard mitigation plan of the county in which the school district is located, if such a plan exists; or

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

2. In developing the model plan, the Department shall consider the plans developed pursuant to NRS 388.243 and 394.1687 and updated pursuant to NRS 388.245 and 394.1688.

3. The Department may disseminate to any appropriate local, state or federal agency, officer or employee, as the Department determines is necessary:

(a) The model plan developed by the Department pursuant to subsection 1;

(b) A plan developed pursuant to NRS 388.243 or updated pursuant to NRS 388.245;

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

(d) A deviation approved pursuant to NRS 388.251 or 394.1692.

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

Sec. 12. NRS 388.259 is hereby amended to read as follows:

388.259 A plan developed pursuant to NRS 388.243 or updated pursuant to NRS 388.245, a deviation and any information submitted to a development committee pursuant to NRS 388.249, a deviation approved pursuant to NRS 388.251 and the model plan developed pursuant to NRS 388.253 are confidential and, except as otherwise provided in NRS 239.0115 and NRS 388.229 to 388.261, inclusive, *and sections 2 to 7, inclusive, of this act*, must not be disclosed to any person or government, governmental agency or political subdivision of a government.

Sec. 13. NRS 392.450 is hereby amended to read as follows:

392.450 1. The board of trustees of each school district and the governing body of each charter school shall provide drills for the pupils in the schools in the school district or the charter schools at least once each month during the school year to instruct those pupils in the appropriate procedures to be followed in the event of a *lockdown*, fire or other emergency . ~~†, except a crisis governed by~~



~~NRS 388.229 to 388.261, inclusive.~~ Not more than three of ~~those~~ *the drills provided pursuant to this subsection* may include instruction in the appropriate procedures to be followed in the event of a chemical explosion, related emergencies and other natural disasters. *At least one-half of the drills provided pursuant to this subsection must include instruction in appropriate procedures to be followed in the event of a lockdown.*

2. In all cities or towns, ~~which have regularly organized, paid fire departments or voluntary fire departments,~~ the drills required by subsection 1 must be ~~conducted under the supervision of~~ *approved by the chief of the fire department of the city or town, if the city or town has a regularly organized, paid fire department or voluntary fire department. In addition, the drills in each school must be conducted under the supervision of the:*

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

(b) ~~Chief of the fire department of the city or town.~~ *Emergency manager designated pursuant to section 4 of this act in a county whose population is 100,000 or more.*

3. A diagram of the approved escape route and any other information related to the drills required by subsection 1 which is approved by the chief of the fire department or, if there is no fire department, the State Fire Marshal must be kept posted in every classroom of every public school by the principal or teacher in charge thereof.

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

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

6. As used in this section, "lockdown" has the meaning ascribed to it in section 2 of this act.

Sec. 14. NRS 394.170 is hereby amended to read as follows:

394.170 1. The authorities in charge of every private school within this State shall provide drills for the pupils in the schools at least once in each month during the school year to instruct those pupils in the appropriate procedures to be followed in the event of a *lockdown*, fire or other emergency. ~~except a crisis governed by NRS 394.168 to 394.169, inclusive.~~ Not more than two of ~~those~~ *the drills provided pursuant to this subsection* may include instruction in the appropriate procedures to be followed in the event of a chemical explosion, related emergencies and other natural



disasters. *At least one-half of the drills provided pursuant to this subsection must include instruction in the appropriate procedures to be followed in the event of a lockdown.*

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

3. The State Fire Marshal shall prescribe general regulations governing the drills required by subsection 1 and shall, with the cooperation of the Superintendent of Public Instruction, arrange for the supervision of drills in schools . ~~[where the drills are not supervised pursuant to subsection 2.]~~

4. A copy of this section must be kept posted in every classroom of every private school by the principal or teacher in charge thereof.

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

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

7. As used in this section, "lockdown" has the meaning ascribed to it in section 2 of this act.

Sec. 15. NRS 414.135 is hereby amended to read as follows:

414.135 1. There is hereby created in the State General Fund the Emergency Assistance Account. Beginning with the fiscal year that begins on July 1, 1999, the State Controller shall, at the end of each fiscal year, transfer the interest earned during the previous fiscal year on the money in the Disaster Relief Account created pursuant to NRS 353.2735 to the Emergency Assistance Account in an amount not to exceed \$500,000.

2. The Division of Emergency Management of the Department of Public Safety shall administer the Emergency Assistance Account. The Division may adopt regulations authorized by this section before, on or after July 1, 1999.

3. Except as otherwise provided in paragraph (c), all expenditures from the Emergency Assistance Account must be approved in advance by the Division. Except as otherwise provided in subsection 4, all money in the Emergency Assistance Account must be expended:

(a) To provide supplemental emergency assistance to this state or to local governments in this state that are severely and adversely



affected by a natural, technological or man-made emergency or disaster for which available resources of this state or the local government are inadequate to provide a satisfactory remedy;

(b) To pay any actual expenses incurred by the Division for administration during a natural, technological or man-made emergency or disaster; and

(c) For any other purpose authorized by the Legislature.

4. Beginning with the fiscal year that begins on July 1, 1999, if any balance remains in the Emergency Assistance Account at the end of a fiscal year and the balance has not otherwise been committed for expenditure, the Division may, with the approval of the Interim Finance Committee, allocate all or any portion of the remaining balance, not to exceed \$250,000, to this state or to a local government to:

(a) Purchase equipment or supplies required for emergency management;

(b) Provide training to personnel related to emergency management; and

(c) Carry out the provisions of NRS 388.229 to 388.261, inclusive **H**, and sections 2 to 7, inclusive, of this act.

5. Beginning with the fiscal year that begins on July 1, 1999, the Division shall, at the end of each quarter of a fiscal year, submit to the Interim Finance Committee a report of the expenditures made from the Emergency Assistance Account for the previous quarter.

6. The Division shall adopt such regulations as are necessary to administer the Emergency Assistance Account.

7. The Division may adopt regulations to provide for reimbursement of expenditures made from the Emergency Assistance Account. If the Division requires such reimbursement, the Attorney General shall take such action as is necessary to recover the amount of any unpaid reimbursement plus interest at a rate determined pursuant to NRS 17.130, computed from the date on which the money was removed from the Disaster Relief Account, upon request by the Division.

Sec. 16. 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. 17. This act becomes effective on July 1, 2017.

