

ASSEMBLY BILL NO. 221—ASSEMBLYWOMAN BILBRAY-AXELROD

PREFILED FEBRUARY 13, 2017

Referred to Committee on Education

SUMMARY—Revises provisions governing the model plan developed for the management of a crisis or an emergency that involves a public school to include a procedure for the evacuation of a charter school. (BDR 34-594)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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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 model plan developed for the management of a crisis or an emergency that involves a public school to include a procedure for evacuating pupils and employees of a charter school to an identified public school if necessary during a crisis or emergency; requiring a charter school to indemnify a school district to which it evacuates during a crisis or emergency; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the Department of Education, with the assistance of other
2 state agencies, to develop a model plan for the management of a crisis or an
3 emergency that involves a public school and to review and update that plan at least
4 once each year. (NRS 388.253) This bill requires the Department of Education to
5 include in the model plan for the management of a crisis or an emergency that
6 involves public school procedures for the evacuation of the pupils and employees
7 of a charter school during a crisis or an emergency to a designated space within an
8 identified public school in a school district that is separate from the general
9 population of the school. This bill further requires the school district to ensure that
10 such a school in the school district is prepared to allow such an evacuation in
11 accordance with the procedure in the model plan when necessary during a crisis or
12 an emergency. Additionally, this bill requires a charter school to hold harmless,
13 indemnify and defend a school district against any claim or liability arising from an
14 evacuation of pupils and employees of the charter school to a school in the school
15 district during a crisis or an emergency.



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

1 **Section 1.** NRS 388.253 is hereby amended to read as follows:
2 388.253 1. The Department shall, with assistance from other
3 state agencies, including, without limitation, the Division of
4 Emergency Management, the Investigation Division, and the
5 Nevada Highway Patrol Division of the Department of Public
6 Safety, develop a model plan for the management of a crisis or an
7 emergency that involves a public school, including, without
8 limitation, a charter school, or a private school and that requires
9 immediate action. The model plan must include, without limitation,
10 a procedure for:

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

13 (b) Accounting for all persons within a school;

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

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

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

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

28 (g) Providing any necessary medical assistance;

29 (h) Recovering from a crisis or an emergency;

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

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

33 (k) *Evacuating pupils and employees of a charter school to a*
34 *designated space within an identified public middle school, junior*
35 *high school or high school in a school district that is separate*
36 *from the general population of the school and large enough to*
37 *accommodate the charter school, and such a space may include,*
38 *without limitation, a gymnasium or multipurpose room of the*
39 *public school; and*

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

42 (1) An incident involving hazardous materials;



- 1 (2) An incident involving mass casualties;
- 2 (3) An incident involving an active shooter;
- 3 (4) An outbreak of disease;
- 4 (5) Any threat or hazard identified in the hazard mitigation
- 5 plan of the county in which the school district is located, if such a
- 6 plan exists; or
- 7 (6) Any other situation, threat or hazard deemed appropriate.
- 8 2. In developing the model plan, the Department shall consider
- 9 the plans developed pursuant to NRS 388.243 and 394.1687 and
- 10 updated pursuant to NRS 388.245 and 394.1688.
- 11 3. *The Department shall require a school district to ensure*
- 12 *that each public school in the school district identified pursuant to*
- 13 *paragraph (k) of subsection 1 is prepared to allow a charter school*
- 14 *to evacuate to the school when necessary in accordance with the*
- 15 *procedure included in the model plan developed pursuant to*
- 16 *subsection 1. A charter school shall hold harmless, indemnify and*
- 17 *defend the school district to which it evacuates during a crisis or*
- 18 *an emergency against any claim or liability arising from an act or*
- 19 *omission by the school district or an employee or officer of the*
- 20 *school district.*
- 21 4. The Department may disseminate to any appropriate local,
- 22 state or federal agency, officer or employee, as the Department
- 23 determines is necessary:
- 24 (a) The model plan developed by the Department pursuant to
- 25 subsection 1;
- 26 (b) A plan developed pursuant to NRS 388.243 or updated
- 27 pursuant to NRS 388.245;
- 28 (c) A plan developed pursuant to NRS 394.1687 or updated
- 29 pursuant to NRS 394.1688; and
- 30 (d) A deviation approved pursuant to NRS 388.251 or 394.1692.
- 31 ~~4.1~~ 5. The Department shall, at least once each year, review
- 32 and update as appropriate the model plan developed pursuant to
- 33 subsection 1.
- 34 **Sec. 2.** This act becomes effective on July 1, 2017.

