
SENATE BILL NO. 80—COMMITTEE ON EDUCATION

(ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT)

PREFILED NOVEMBER 20, 2018

Referred to Committee on Education

SUMMARY—Revises provisions relating to providing a safe and respectful learning environment. (BDR 34-502)

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 the welfare of pupils; renaming the Safe-to-Tell Program within the Office for a Safe and Respectful Learning Environment within the Department of Education as the SafeVoice Nevada Program; requiring the establishment of the Handle with Care Program; requiring law enforcement officers and agencies to report to the Handle with Care Program certain information about a child who may attend a public school and has been exposed to a traumatic event; requiring information submitted to the Handle with Care Program to be provided to certain school personnel; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the establishment of the Safe-to-Tell Program within the
2 Office for a Safe and Respectful Learning Environment within the Department of
3 Education. That Program allows a person to make an anonymous report to a
4 support center regarding dangerous, violent or unlawful activity that is conducted,
5 or threatened to be conducted, on property of a public school or in certain other
6 circumstances related to public schools. (NRS 388.1455) Any anonymous tip made
7 through the Safe-to-Tell Program is then forwarded to certain trained personnel at
8 the public school to take appropriate action. (NRS 388.14553) **Sections 5 and 7** of
9 this bill change the name of the Safe-to-Tell Program to instead be the SafeVoice
10 Nevada Program. **Sections 3-13** of this bill make conforming changes.
11 **Section 3** of this bill similarly requires the establishment of the Handle with
12 Care Program within the Office for a Safe and Respectful Learning Environment to
13 receive reports from law enforcement officers or agencies when a child is exposed



14 to a traumatic event as required by **section 14** of this bill. **Section 3** requires the
15 Handle with Care Program to use the support center of the Safe-to-Tell Program for
16 such reports. **Section 3** limits the information to be included in the report to only
17 certain identifying information regarding the child. Upon receipt of a report,
18 **section 3** requires the support center to determine whether the child attends a public
19 school and if so, to notify certain trained personnel of the public school of the
20 report. **Section 7** of this bill requires those trained personnel to take appropriate
21 action in accordance with their training when they receive a report that a pupil has
22 been exposed to a traumatic event. (NRS 388.14553)

23 Existing law requires the Director of the Office for a Safe and Respectful
24 Learning Environment to provide training related to the Safe-to-Tell Program to
25 certain public school personnel. (NRS 388.1455) **Section 3** additionally requires
26 the Director to provide training regarding the Handle with Care Program to certain
27 persons who will be involved with the Program.

28 Existing law provides immunity from liability to certain trained personnel of
29 the public school appointed to respond to reports submitted to the Safe-to-Tell
30 Program for acts or omissions of those personnel in carrying out their duties
31 relating to the Program. (NRS 388.14555) **Section 9** of this bill expands that
32 immunity to when such personnel carry out their duties relating to the Handle with
33 Care Program.

34 **Sections 4 and 10** of this bill make conforming changes.

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

1 **Section 1.** Chapter 388 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** *“Handle with Care Program” means the Program*
4 *established pursuant to section 3 of this act.*

5 **Sec. 3. 1.** *The Director shall establish the Handle with*
6 *Care Program within the Office for a Safe and Respectful*
7 *Learning Environment. The Handle with Care Program must*
8 *enable a law enforcement officer or agency to report to the*
9 *Program when a child who may attend a public school is exposed*
10 *to a traumatic event. Such an event may include, without*
11 *limitation:*

12 (a) *Domestic violence;*

13 (b) *Substance abuse by a member of the family or household*
14 *of the child;*

15 (c) *Death of a member of the family or household of the child;*

16 (d) *Emotional abuse or neglect;*

17 (e) *Physical abuse or neglect;*

18 (f) *Removal of the child from his or her home;*

19 (g) *Incarceration of a member of the family or household of*
20 *the child;*

21 (h) *Sexual abuse; or*

22 (i) *Exposure to violence.*



1 2. *The Handle with Care Program must use the support*
2 *center established for the SafeVoice Nevada Program and teams*
3 *appointed pursuant to NRS 388.14553. The support center shall*
4 *establish a separate hotline and any other appropriate method to*
5 *allow a law enforcement officer or agency to submit a report*
6 *pursuant to subsection 1.*

7 3. *A report submitted by a law enforcement officer or agency*
8 *must include only identifying information about the child. Such*
9 *information must include, to the extent that it is available, the*
10 *name of the child, the grade and school where the child is enrolled*
11 *and the date of birth of the child. The report must not include*
12 *information about the traumatic event.*

13 4. *Upon receipt of a report, the support center shall determine*
14 *whether the child attends a public school in this State. If so, the*
15 *team appointed pursuant to NRS 388.14553 must be notified that*
16 *the child has been exposed to a traumatic event.*

17 5. *The Director shall provide training regarding:*

18 (a) *The Handle with Care Program to law enforcement*
19 *agencies and employees of law enforcement agencies that may*
20 *respond to a traumatic event involving a child, the board of*
21 *trustees of a school district, the governing body of a charter school*
22 *and any other entity whose employees and volunteers the Director*
23 *determines should receive training regarding the Program;*

24 (b) *The procedure for making a report to the support center*
25 *and the information to provide when making a report;*

26 (c) *Properly responding to a report received from the support*
27 *center, including without limitation, the manner in which to*
28 *respond to a report through the Handle with Care Program to*
29 *each member of a team appointed pursuant to NRS 388.14553;*
30 *and*

31 (d) *Collaboration with teachers and other members of the staff*
32 *of a school, pupils, family members of pupils and other persons, as*
33 *appropriate, to reduce the negative impact of the traumatic event*
34 *on the affected pupil and appropriate interventions that may be*
35 *available to assist the pupil.*

36 6. *The State Board shall adopt regulations necessary to carry*
37 *out the provisions of this section.*

38 **Sec. 4.** NRS 388.1451 is hereby amended to read as follows:

39 388.1451 As used in NRS 388.1451 to 388.1459, inclusive,
40 *and sections 2 and 3 of this act*, unless the context otherwise
41 requires, the words and terms defined in NRS 388.1452 to
42 388.14535, inclusive, *and section 2 of this act* have the meanings
43 ascribed to them in those sections.



1 **Sec. 5.** NRS 388.1453 is hereby amended to read as follows:
2 388.1453 ~~["Safe to Tell Program" or "Program"]~~ *"SafeVoice*
3 *Nevada Program"* means the ~~Safe to Tell~~ *SafeVoice Nevada*
4 Program established within the Office for a Safe and Respectful
5 Learning Environment pursuant to NRS 388.1455.

6 **Sec. 6.** NRS 388.1454 is hereby amended to read as follows:
7 388.1454 The Legislature hereby finds and declares that ~~[]~~ *a*
8 *SafeVoice Nevada Program is necessary because:*

9 1. The ability to anonymously report information about
10 dangerous, violent or unlawful activities, or the threat of such
11 activities, conducted on school property, at an activity sponsored by
12 a public school, on a school bus of a public school or by a pupil
13 enrolled at a public school is critical in preventing, responding to
14 and recovering from such activities.

15 2. It is in the best interest of this State to ensure the anonymity
16 of a person who reports such an activity, or the threat of such an
17 activity, and who wishes to remain anonymous and to ensure the
18 confidentiality of any record or information associated with such a
19 report.

20 3. It is the intent of the Legislature ~~[in enacting NRS 388.1451~~
21 ~~to 388.1459, inclusive,]~~ to enable the people of this State to easily
22 and anonymously provide to appropriate state or local public safety
23 agencies and to school administrators information about dangerous,
24 violent or unlawful activities, or the threat of such activities,
25 conducted on school property, at an activity sponsored by a public
26 school, on a school bus of a public school or by a pupil enrolled at a
27 public school.

28 **Sec. 7.** NRS 388.1455 is hereby amended to read as follows:
29 388.1455 1. The Director shall establish the ~~Safe to Tell~~
30 *SafeVoice Nevada* Program within the Office for a Safe and
31 Respectful Learning Environment. The Program must enable any
32 person to report anonymously to the Program any dangerous, violent
33 or unlawful activity which is being conducted, or is threatened to be
34 conducted, on school property, at an activity sponsored by a public
35 school, on a school bus of a public school or by a pupil enrolled at a
36 public school. Any information relating to any such dangerous,
37 violent or unlawful activity, or threat thereof, received by the
38 Program is confidential and, except as otherwise authorized
39 pursuant to paragraph (a) of subsection 2 and NRS 388.1458, must
40 not be disclosed to any person.

41 2. The *SafeVoice Nevada* Program must include, without
42 limitation, methods and procedures to ensure that:

43 (a) Information reported to the Program is promptly forwarded
44 to the appropriate public safety agencies, the Department and other
45 appropriate state agencies, school administrators and other school



1 employees, including, without limitation, the teams appointed
2 pursuant to NRS 388.14553; and

3 (b) The identity of a person who reports information to the
4 Program:

5 (1) Is not known by any person designated by the Director to
6 operate the Program;

7 (2) Is not known by any person employed by, contracting
8 with, serving as a volunteer with or otherwise assisting an
9 organization with whom the Director enters into an agreement
10 pursuant to subsection 3; and

11 (3) Is not disclosed to any person.

12 3. On behalf of the *SafeVoice Nevada* Program, the Director or
13 his or her designee shall establish and operate a support center that
14 meets the requirements of NRS 388.14557, which includes, without
15 limitation, a hotline, Internet website, mobile telephone application
16 and text messaging application or enter into an agreement with an
17 organization that the Director determines is appropriately qualified
18 and experienced, pursuant to which the organization will establish
19 and operate such a support center, which includes, without
20 limitation, a hotline, Internet website, mobile telephone application
21 and text messaging application. The support center shall receive
22 initial reports made to the Program through the hotline, Internet
23 website, mobile telephone application and text messaging
24 application and forward the information contained in the reports in
25 the manner required by subsection 2.

26 4. The Director shall provide training regarding:

27 (a) The Program to employees and volunteers of each public
28 safety agency, public safety answering point, board of trustees of a
29 school district, governing body of a charter school and any other
30 entity whose employees and volunteers the Director determines
31 should receive training regarding the Program.

32 (b) Properly responding to a report received from the support
33 center, including, without limitation, the manner in which to
34 respond to reports of different types of dangerous, violent and
35 unlawful activity and threats of such activity, to each member of a
36 team appointed pursuant to NRS 388.14553.

37 (c) The procedure for making a report to the support center
38 using the hotline, Internet website, mobile telephone application and
39 text messaging application and collaborating to prevent dangerous,
40 violent and unlawful activity directed at teachers and other members
41 of the staff of a school, pupils, family members of pupils and other
42 persons.

43 5. The Director shall:

44 (a) Post information concerning the *SafeVoice Nevada* Program
45 on an Internet website maintained by the Director;



1 (b) Provide to each public school educational materials
2 regarding the *SafeVoice Nevada* Program, including, without
3 limitation, information about the telephone number, address of the
4 Internet website, mobile telephone application, text messaging
5 application and any other methods by which a report may be made;
6 and

7 (c) On or before July 1 of each year, submit to the Director of
8 the Legislative Counsel Bureau for transmittal to the Legislative
9 Committee on Education a report containing a summary of the
10 information reported to the Director pursuant to NRS 388.14557
11 during the immediately preceding 12 months and any other
12 information that the Director determines would assist the Committee
13 to evaluate the *SafeVoice Nevada* Program.

14 6. As used in this section:

15 (a) "Public safety agency" has the meaning ascribed to it in
16 NRS 239B.020.

17 (b) "Public safety answering point" has the meaning ascribed to
18 it in NRS 707.500.

19 **Sec. 8.** NRS 388.14553 is hereby amended to read as follows:

20 388.14553 1. The board of trustees of a school district or the
21 governing body of a charter school shall:

22 (a) Appoint a team of at least three members of the staff of each
23 public school, other than a charter school, that is located in the
24 school district or of the charter school, as applicable, including,
25 without limitation, a school counselor, psychologist, social worker
26 or a similar person, if the school employs such a person on a full-
27 time basis, and a school administrator. The team must receive
28 notification if the support center receives a report :

29 (1) *Through the SafeVoice Nevada Program*, of any
30 dangerous, violent or unlawful activity which is being conducted, or
31 is threatened to be conducted, on the property of the school, at an
32 activity sponsored by the school, on a school bus of the school or by
33 a pupil enrolled at the school ~~☒~~; or

34 (2) *Through the Handle with Care Program, of a pupil who*
35 *was exposed to a traumatic event.*

36 (b) Ensure that information concerning the *SafeVoice Nevada*
37 Program, including, without limitation, the telephone number for the
38 hotline established pursuant to NRS 388.1455:

39 (1) Appears on the back of any identification card issued to
40 pupils and staff at the school; and

41 (2) Is posted in conspicuous locations around the school,
42 which may include, without limitation, the front office, the cafeteria
43 or a school bus.

44 2. Upon receiving notification from the support center ~~☒~~
45 ~~dangerous, violent or unlawful activity which is being conducted, or~~



1 ~~is threatened to be conducted, on the property of a public school, at~~
2 ~~an activity sponsored by a public school, on a school bus of a public~~
3 ~~school or by a pupil enrolled at a public school,] through the~~
4 *SafeVoice Nevada Program or the Handle with Care Program*, a
5 member of the appropriate team appointed pursuant to paragraph (a)
6 of subsection 1 shall take appropriate action in accordance with the
7 training he or she has received pursuant to NRS 388.1455 *or section*
8 *3 of this act* to respond to the activity, ~~for~~ threat ~~of~~ *or traumatic*
9 *event, as applicable.*

10 3. The team appointed pursuant to paragraph (a) of subsection
11 1 may:

12 (a) Include a person appointed by the public school pursuant to
13 NRS 388.247 to a committee to review the plan developed for the
14 school pursuant to NRS 388.243.

15 (b) Allow another person to temporarily serve on the team if a
16 member of the team is unavailable.

17 **Sec. 9.** NRS 388.14555 is hereby amended to read as follows:

18 388.14555 The team appointed pursuant to NRS 388.14553
19 and each member of the team are immune from civil liability for any
20 damages resulting from an act or omission of the team or a
21 member or another member of the team in performing the duties set
22 forth in NRS 388.1455 and 388.14553 ~~of~~ *and section 3 of this act.*

23 **Sec. 10.** NRS 388.14557 is hereby amended to read as
24 follows:

25 388.14557 The support center must:

26 1. Be capable of receiving reports made ~~using the hotline,~~
27 ~~Internet website, mobile telephone application and text messaging~~
28 ~~application established pursuant to NRS 388.1455;] through the~~
29 *SafeVoice Nevada Program and Handle with Care Program;*

30 2. Be available to receive reports and staffed with trained
31 personnel 24 hours a day, 7 days a week, including holidays and
32 other days when school is not in session;

33 3. Establish a process for handling a report if personnel at the
34 support center are unable to determine the location of the school or
35 the person about whom the report is made, or if the report concerns
36 a private school or an entity other than a school;

37 4. Train personnel at the support center who are involved in
38 responding to reports to follow up on each report by gathering
39 information necessary to determine the validity of the report and the
40 severity of any threat;

41 5. Use a software system that is resistant to hacking and
42 copying of information to protect the anonymity of persons who
43 submit reports;

44 6. Develop and implement a standardized procedure for
45 tracking the outcome of reports;



- 1 7. Compile statistics to determine:
2 (a) The most frequent days of the week on which reports are
3 made;
4 (b) The most frequent times of the day for making reports;
5 (c) The types of dangerous, violent or unlawful activity that are
6 reported and the frequency of reports of each type of dangerous,
7 violent or unlawful activity;
8 (d) The frequency with which reports are submitted using the
9 hotline, Internet website, mobile telephone application and text
10 messaging application, respectively; and
11 (e) The outcome of reports;

12 8. Submit to the Director a quarterly report that contains the
13 information compiled pursuant to subsection 7 and any other
14 information necessary for the Director to evaluate the ~~[Program]~~
15 *Programs* or that is requested by the Director; and

16 9. Provide each report received to the appropriate law
17 enforcement agency.

18 **Sec. 11.** NRS 388.1457 is hereby amended to read as follows:
19 388.1457 1. The ~~[Safe-to-Tell]~~ *SafeVoice Nevada* Program
20 Account is hereby created in the State General Fund.

21 2. Except as otherwise provided in subsection 4, the money in
22 the Account may be used only to implement and operate the ~~[Safe-~~
23 ~~to-Tell]~~ *SafeVoice Nevada* Program.

24 3. The Account must be administered by the Director, who
25 may:

26 (a) Apply for and accept any gift, donation, bequest, grant or
27 other source of money for deposit in the Account; and

28 (b) Expend any money received pursuant to paragraph (a) in
29 accordance with subsection 2.

30 4. The interest and income earned on the money in the
31 Account, after deducting any applicable charges, must be credited to
32 the Account.

33 5. The money in the Account does not revert to the State
34 General Fund at the end of any fiscal year.

35 6. The Director shall:

36 (a) Post on the Internet website maintained by the Department a
37 list of each gift, donation, bequest, grant or other source of money,
38 if any, received pursuant to subsection 3 for deposit in the Account
39 and the name of the donor of each gift, donation, bequest, grant or
40 other source of money;

41 (b) Update the list annually; and

42 (c) On or before February 1 of each year, transmit the list
43 prepared for the immediately preceding year:



1 (1) In odd-numbered years, to the Director of the Legislative
2 Counsel Bureau for transmittal to the next regular session of the
3 Legislature; and

4 (2) In even-numbered years, to the Legislative Committee on
5 Education.

6 **Sec. 12.** NRS 388.1458 is hereby amended to read as follows:

7 388.1458 1. Except as otherwise provided in this section or
8 as otherwise authorized pursuant to paragraph (a) of subsection 2 of
9 NRS 388.1455, a person must not be compelled to produce or
10 disclose any record or information provided to the ~~Safe-to-Tell~~
11 *SafeVoice Nevada* Program.

12 2. A defendant in a criminal action may file a motion to
13 compel a person to produce or disclose any record or information
14 provided to the *SafeVoice Nevada* Program. A defendant in a
15 criminal action who files such a motion shall serve a copy of the
16 motion upon the prosecuting attorney and upon the Director, either
17 or both of whom may file a response to the motion not later than a
18 date determined by the court.

19 3. If the court grants a motion filed by a defendant in a criminal
20 action pursuant to subsection 2, the court may conduct an in camera
21 review of the record or information or make any other order which
22 justice requires. Counsel for all parties shall be permitted to be
23 present at every stage at which any counsel is permitted to be
24 present. If the court determines that the record or information
25 includes evidence that could be offered by the defendant to
26 exculpate the defendant or to impeach the testimony of a witness,
27 the court shall order the record or information to be provided to the
28 defendant. The identity of any person who reported information to
29 the ~~Safe-to-Tell~~ *SafeVoice Nevada* Program must be redacted
30 from any record or information provided pursuant to this subsection,
31 and the record or information may be subject to a protective order
32 further redacting the record or information or otherwise limiting the
33 use of the record or information.

34 4. The record of any information redacted pursuant to
35 subsection 3 must be sealed and preserved to be made available to
36 the appellate court in the event of an appeal. If the time for appeal
37 expires without an appeal, the court shall provide the record to the
38 ~~Safe-to-Tell~~ *SafeVoice Nevada* Program.

39 **Sec. 13.** NRS 388.1459 is hereby amended to read as follows:

40 388.1459 Except as otherwise provided in NRS 388.1458 or as
41 otherwise authorized pursuant to paragraph (a) of subsection 2 of
42 NRS 388.1455, the willful disclosure of a record or information of
43 the ~~Safe-to-Tell~~ *SafeVoice Nevada* Program, including, without
44 limitation, the identity of a person who reported information to the
45 Program, or the willful neglect or refusal to obey any court order



1 made pursuant to NRS 388.1458, is punishable as criminal
2 contempt.

3 **Sec. 14.** Chapter 289 of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *Any officer or employee of a law enforcement agency who, in*
6 *his or her professional or occupational capacity, knows or has*
7 *reasonable cause to believe that a child who may attend a public*
8 *school has been exposed to a traumatic event as described in*
9 *section 3 of this act, shall submit a report to the Handle with Care*
10 *Program established pursuant to section 3 of this act.*

11 **Sec. 15.** This act becomes effective upon passage and approval
12 for the purposes of adopting regulations and performing any other
13 preparatory administrative tasks that are necessary to carry out the
14 provisions of this act, and on January 1, 2020, for all other purposes.

