

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.

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**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 Program; requiring the establishment of the Handle with Care Program; requiring officers and employees of law enforcement 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 certain events; 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 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



\* S B 8 0 R 1 \*

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 or  
16 a similar program as identified by a school district for such reports. **Section 3** limits  
17 the information to be included in the report to only certain identifying information  
18 regarding the child, except that, an officer or employee of a law enforcement  
19 agency may include additional information about the event if the officer or  
20 employee believes that disclosing such information is in the best interest of the  
21 child or is necessary for reasons related to school safety. Upon receipt of a report,  
22 **section 3** requires the support center to determine whether the child attends a public  
23 school and if so, to notify certain trained personnel of the public school of the  
24 report. **Section 7** of this bill requires those trained personnel to take appropriate  
25 action in accordance with their training when they receive a report that a pupil has  
26 been exposed to a traumatic event. (NRS 388.14553)

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

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

38 Under **section 14**, a traumatic event must be reported if it involves: (1)  
39 domestic violence in the presence of the child; (2) the death of a member of the  
40 family or household of the child; (3) the arrest of a parent or guardian of the child  
41 in the presence of the child; and (4) child abuse or neglect. **Section 14** also  
42 authorizes an officer or employee of a law enforcement agency to submit a report to  
43 the Program if the officer or employee reasonably believes a child has been  
44 exposed to any other event that may affect his or her ability to succeed at school.  
45 **Section 14** provides that a report is not required if disclosure of information that  
46 would be contained in the report may compromise an ongoing investigation.

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

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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 or other event that may affect his or her*  
11 *ability to succeed at school as described in section 14 of this act.*



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

8       3. *A report submitted by a law enforcement officer or*  
9 *employee of a law enforcement agency must include only*  
10 *identifying information about the child. Such information must*  
11 *include, to the extent that it is available, the name of the child, the*  
12 *grade and school where the child is enrolled and the date of birth*  
13 *of the child.*

14       4. *The report may include basic information about the*  
15 *traumatic event if the law enforcement officer or employee*  
16 *reasonably believes that disclosing such information is in the best*  
17 *interest of the child or necessary for reasons related to school*  
18 *safety.*

19       5. *Upon receipt of a report, the support center shall determine*  
20 *whether the child attends a public school in this State. If so, the*  
21 *team appointed pursuant to NRS 388.14553 must be notified that*  
22 *the child has been exposed to a traumatic event.*

23       6. *The Director shall provide training regarding:*

24       (a) *The Handle with Care Program to law enforcement*  
25 *agencies and employees of law enforcement agencies that may*  
26 *respond to a traumatic event involving a child, the board of*  
27 *trustees of a school district, the governing body of a charter school*  
28 *and any other entity whose employees and volunteers the Director*  
29 *determines should receive training regarding the Program;*

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

32       (c) *Properly responding to a report received from the support*  
33 *center, including without limitation, the manner in which to*  
34 *respond to a report through the Handle with Care Program to*  
35 *each member of a team appointed pursuant to NRS 388.14553;*  
36 *and*

37       (d) *Collaboration with teachers and other members of the staff*  
38 *of a school, pupils, family members of pupils and other persons, as*  
39 *appropriate, to reduce the negative impact of the traumatic event*  
40 *on the affected pupil and appropriate interventions that may be*  
41 *available to assist the pupil.*

42       7. *The State Board shall adopt regulations necessary to carry*  
43 *out the provisions of this section.*



1       **Sec. 4.** NRS 388.1451 is hereby amended to read as follows:  
2       388.1451 As used in NRS 388.1451 to 388.1459, inclusive,  
3       *and sections 2 and 3 of this act*, unless the context otherwise  
4       requires, the words and terms defined in NRS 388.1452 to  
5       388.14535, inclusive, *and section 2 of this act* have the meanings  
6       ascribed to them in those sections.

7       **Sec. 5.** NRS 388.1453 is hereby amended to read as follows:  
8       388.1453 ~~["Safe to Tell Program" or "Program"]~~ *"SafeVoice*  
9       *Program"* means the ~~[Safe to Tell]~~ *SafeVoice* Program established  
10       within the Office for a Safe and Respectful Learning Environment  
11       pursuant to NRS 388.1455.

12       **Sec. 6.** NRS 388.1454 is hereby amended to read as follows:  
13       388.1454 The Legislature hereby finds and declares that ~~[ ]~~ *a*  
14       *SafeVoice Program is necessary because:*

15       1. The ability to anonymously report information about  
16       dangerous, violent or unlawful activities, or the threat of such  
17       activities, conducted on school property, at an activity sponsored by  
18       a public school, on a school bus of a public school or by a pupil  
19       enrolled at a public school is critical in preventing, responding to  
20       and recovering from such activities.

21       2. It is in the best interest of this State to ensure the anonymity  
22       of a person who reports such an activity, or the threat of such an  
23       activity, and who wishes to remain anonymous and to ensure the  
24       confidentiality of any record or information associated with such a  
25       report.

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

34       **Sec. 7.** NRS 388.1455 is hereby amended to read as follows:

35       388.1455 1. The Director shall establish the ~~[Safe to Tell]~~  
36       *SafeVoice* Program within the Office for a Safe and Respectful  
37       Learning Environment. The Program must enable any person to  
38       report anonymously to the Program any dangerous, violent or  
39       unlawful activity which is being conducted, or is threatened to be  
40       conducted, on school property, at an activity sponsored by a public  
41       school, on a school bus of a public school or by a pupil enrolled at a  
42       public school. Any information relating to any such dangerous,  
43       violent or unlawful activity, or threat thereof, received by the  
44       Program is confidential and, except as otherwise authorized



1 pursuant to paragraph (a) of subsection 2 and NRS 388.1458, must  
2 not be disclosed to any person.

3 2. The *SafeVoice* Program must include, without limitation,  
4 methods and procedures to ensure that:

5 (a) Information reported to the Program is promptly forwarded  
6 to the appropriate public safety agencies, the Department and other  
7 appropriate state agencies, school administrators and other school  
8 employees, including, without limitation, the teams appointed  
9 pursuant to NRS 388.14553; and

10 (b) The identity of a person who reports information to the  
11 Program:

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

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

18 (3) Is not disclosed to any person.

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

33 4. The Director shall provide training regarding:

34 (a) The Program to employees and volunteers of each public  
35 safety agency, public safety answering point, board of trustees of a  
36 school district, governing body of a charter school and any other  
37 entity whose employees and volunteers the Director determines  
38 should receive training regarding the Program.

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

44 (c) The procedure for making a report to the support center  
45 using the hotline, Internet website, mobile telephone application and



1 text messaging application and collaborating to prevent dangerous,  
2 violent and unlawful activity directed at teachers and other members  
3 of the staff of a school, pupils, family members of pupils and other  
4 persons.

5 5. The Director shall:

6 (a) Post information concerning the *SafeVoice* Program on an  
7 Internet website maintained by the Director;

8 (b) Provide to each public school educational materials  
9 regarding the *SafeVoice* Program, including, without limitation,  
10 information about the telephone number, address of the Internet  
11 website, mobile telephone application, text messaging application  
12 and any other methods by which a report may be made; and

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

20 6. As used in this section:


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

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

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

26 388.14553 1. The board of trustees of a school district or the  
27 governing body of a charter school shall:

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

35 (1) *Through the SafeVoice Program*, of any dangerous,  
36 violent or unlawful activity which is being conducted, or is  
37 threatened to be conducted, on the property of the school, at an  
38 activity sponsored by the school, on a school bus of the school or by  
39 a pupil enrolled at the school  ; or

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

42 (b) Ensure that information concerning the *SafeVoice* Program,  
43 including, without limitation, the telephone number for the hotline  
44 established pursuant to NRS 388.1455:



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

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

6 2. Upon receiving notification from the support center ~~of~~  
7 ~~dangerous, violent or unlawful activity which is being conducted, or~~  
8 ~~is threatened to be conducted, on the property of a public school, at~~  
9 ~~an activity sponsored by a public school, on a school bus of a public~~  
10 ~~school or by a pupil enrolled at a public school,] through the~~  
11 *SafeVoice Program or the Handle with Care Program*, a member  
12 of the appropriate team appointed pursuant to paragraph (a) of  
13 subsection 1 shall take appropriate action in accordance with the  
14 training he or she has received pursuant to NRS 388.1455 *or section*  
15 *3 of this act* to respond to the activity, ~~or~~ threat ~~or~~ *or traumatic*  
16 *event, as applicable.*

17 3. The team appointed pursuant to paragraph (a) of subsection  
18 1 may:

19 (a) Include a person appointed by the public school pursuant to  
20 NRS 388.247 to a committee to review the plan developed for the  
21 school pursuant to NRS 388.243.

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

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

25 388.14555 The team appointed pursuant to NRS 388.14553  
26 and each member of the team are immune from civil liability for any  
27 damages resulting from an act or omission of the team or the  
28 member or another member of the team in performing the duties set  
29 forth in NRS 388.1455 and 388.14553 ~~or~~ *and section 3 of this act.*

30 **Sec. 10.** NRS 388.14557 is hereby amended to read as  
31 follows:

32 388.14557 The support center must:

33 1. Be capable of receiving reports made ~~using the hotline,~~  
34 ~~Internet website, mobile telephone application and text messaging~~  
35 ~~application established pursuant to NRS 388.1455;] through the~~  
36 *SafeVoice Program and Handle with Care Program;*

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

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

44 4. Train personnel at the support center who are involved in  
45 responding to reports to follow up on each report by gathering



1 information necessary to determine the validity of the report and the  
2 severity of any threat;

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

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

8 7. Compile statistics to determine:

9 (a) The most frequent days of the week on which reports are  
10 made;

11 (b) The most frequent times of the day for making reports;

12 (c) The types of dangerous, violent or unlawful activity that are  
13 reported and the frequency of reports of each type of dangerous,  
14 violent or unlawful activity;

15 (d) The frequency with which reports are submitted using the  
16 hotline, Internet website, mobile telephone application and text  
17 messaging application, respectively; and

18 (e) The outcome of reports;

19 8. Submit to the Director a quarterly report that contains the  
20 information compiled pursuant to subsection 7 and any other  
21 information necessary for the Director to evaluate the ~~Program~~  
22 *Programs* or that is requested by the Director; and

23 9. Provide each report received to the appropriate law  
24 enforcement agency.

25 **Sec. 11.** NRS 388.1457 is hereby amended to read as follows:

26 388.1457 1. The ~~Safe-to-Tell~~ *SafeVoice* Program Account  
27 is hereby created in the State General Fund.

28 2. Except as otherwise provided in subsection 4, the money in  
29 the Account may be used only to implement and operate the ~~Safe-~~  
30 ~~to-Tell~~ *SafeVoice* Program.

31 3. The Account must be administered by the Director, who  
32 may:

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

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

37 4. The interest and income earned on the money in the  
38 Account, after deducting any applicable charges, must be credited to  
39 the Account.

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

42 6. The Director shall:

43 (a) Post on the Internet website maintained by the Department a  
44 list of each gift, donation, bequest, grant or other source of money,  
45 if any, received pursuant to subsection 3 for deposit in the Account





1 and the name of the donor of each gift, donation, bequest, grant or  
2 other source of money;

3 (b) Update the list annually; and

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

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

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

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

12 388.1458 1. Except as otherwise provided in this section or  
13 as otherwise authorized pursuant to paragraph (a) of subsection 2 of  
14 NRS 388.1455, a person must not be compelled to produce or  
15 disclose any record or information provided to the ~~{Safe-to-Tell}~~  
16 *SafeVoice* Program.

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

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

39 4. The record of any information redacted pursuant to  
40 subsection 3 must be sealed and preserved to be made available to  
41 the appellate court in the event of an appeal. If the time for appeal  
42 expires without an appeal, the court shall provide the record to the  
43 ~~{Safe-to-Tell}~~ *SafeVoice* Program.



1       **Sec. 13.** NRS 388.1459 is hereby amended to read as follows:  
2       388.1459 Except as otherwise provided in NRS 388.1458 or as  
3 otherwise authorized pursuant to paragraph (a) of subsection 2 of  
4 NRS 388.1455, the willful disclosure of a record or information of  
5 the ~~[Safe to Tell]~~ *SafeVoice* Program, including, without limitation,  
6 the identity of a person who reported information to the Program,  
7 or the willful neglect or refusal to obey any court order made  
8 pursuant to NRS 388.1458, is punishable as criminal contempt.

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

11       1. *Any officer or employee of a law enforcement agency who,*  
12 *in his or her professional or occupational capacity, knows or has*  
13 *reasonable cause to believe that a child who may attend a public*  
14 *school has been exposed to a traumatic event shall submit a report*  
15 *to the Handle with Care Program established pursuant to section 3*  
16 *of this act any time the traumatic event involves:*

- 17       (i) *Domestic violence in the presence of the child;*  
18       (ii) *Death of a member of the family or household of the child;*  
19       (iii) *Arrest of a parent or guardian of the child in the presence*  
20 *of the child; or*  
21       (iv) *Child abuse or neglect;*

22       2. *In addition to submitting a report required by subsection 1,*  
23 *any officer or employee of a law enforcement agency may submit a*  
24 *report to the Handle with Care Program established pursuant to*  
25 *section 3 of this act if the officer or employee of a law enforcement*  
26 *agency reasonably believes a child who attends a public school has*  
27 *been exposed to any other event that may affect his or her ability*  
28 *to succeed at school.*

29       3. *Nothing in this section shall be construed to require an*  
30 *officer or employee of a law enforcement agency to submit a*  
31 *report pursuant to this section if the disclosure of information may*  
32 *compromise an ongoing investigation.*

33       **Sec. 14.5.** The Legislative Counsel shall in preparing  
34 supplements to the Nevada Administrative Code, appropriately  
35 change any references to an officer, agency or other entity whose  
36 name is changed or whose responsibilities are transferred pursuant  
37 to the provisions of this act to refer to the appropriate officer,  
38 agency or other entity.

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

