

SENATE BILL NO. 80—COMMITTEE ON EDUCATION

(ON BEHALF OF THE CLARK COUNTY SCHOOL DISTRICT)

PREFILED NOVEMBER 20, 2018

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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 notify the Handle with Care Program of 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 notifications from law enforcement officers or agencies when a child is



\* S B 8 0 R 2 \*

14 exposed to a traumatic event as required by **section 14** of this bill. **Section 3**  
15 requires the Handle with Care Program to use the support center of the Safe-to-Tell  
16 Program or a similar program as identified by a school district for such  
17 notifications. **Section 3** limits the information to be included in the notification to  
18 only certain identifying information regarding the child, except that, an officer or  
19 employee of a law enforcement agency may include additional information about  
20 the event if the officer or employee believes that disclosing such information is in  
21 the best interest of the child or is necessary for reasons related to school safety.  
22 Upon receipt of notification, **section 3** requires the support center to determine  
23 whether the child attends a public school and if so, to notify certain trained  
24 personnel of the public school of the traumatic event. **Section 8** of this bill requires  
25 those trained personnel to take appropriate action in accordance with their training  
26 when they receive notification that a pupil has been exposed to a traumatic event.  
27 (NRS 388.14553)

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

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

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

50 **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 notify the Program*  
9 *when a child who may attend a public school is exposed to a*



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

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

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

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

21 *5. Upon receiving notification from a law enforcement officer*  
22 *or employee of a law enforcement agency, the support center shall*  
23 *determine whether the child attends a public school in this State.*  
24 *If so, the team appointed pursuant to NRS 388.14553 must be*  
25 *notified that the child has been exposed to a traumatic event.*

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

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

33 *(b) The procedure for notifying the support center when a*  
34 *child who may attend a public school is exposed to a traumatic*  
35 *event or other event that may affect his or her ability to succeed at*  
36 *school and the information to include in the notification;*

37 *(c) Properly responding to notification received from the*  
38 *support center, including, without limitation, the manner in which*  
39 *to respond to notification through the Handle with Care Program,*  
40 *to each member of a team appointed pursuant to NRS 388.14553;*  
41 *and*

42 *(d) Collaboration with teachers and other members of the staff*  
43 *of a school, pupils, family members of pupils and other persons, as*  
44 *appropriate, to reduce the negative impact of the traumatic event*



1 *on the affected pupil and appropriate interventions that may be*  
2 *available to assist the pupil.*

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

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

6 388.1451 As used in NRS 388.1451 to 388.1459, inclusive,  
7 *and sections 2 and 3 of this act*, unless the context otherwise  
8 requires, the words and terms defined in NRS 388.1452 to  
9 388.14535, inclusive, *and section 2 of this act* have the meanings  
10 ascribed to them in those sections.

11 **Sec. 5.** NRS 388.1453 is hereby amended to read as follows:

12 388.1453 ~~["Safe to Tell Program" or "Program"]~~ *"SafeVoice*  
13 *Program"* means the ~~[Safe to Tell]~~ *SafeVoice* Program established  
14 within the Office for a Safe and Respectful Learning Environment  
15 pursuant to NRS 388.1455.

16 **Sec. 6.** NRS 388.1454 is hereby amended to read as follows:

17 388.1454 The Legislature hereby finds and declares that ~~[ ]~~ *a*  
18 *SafeVoice Program is necessary because:*

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

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

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

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

39 388.1455 1. The Director shall establish the ~~[Safe to Tell]~~  
40 *SafeVoice* Program within the Office for a Safe and Respectful  
41 Learning Environment. The Program must enable any person to  
42 report anonymously to the Program any dangerous, violent or  
43 unlawful activity which is being conducted, or is threatened to be  
44 conducted, on school property, at an activity sponsored by a public  
45 school, on a school bus of a public school or by a pupil enrolled at a



1 public school. Any information relating to any such dangerous,  
2 violent or unlawful activity, or threat thereof, received by the  
3 Program is confidential and, except as otherwise authorized  
4 pursuant to paragraph (a) of subsection 2 and NRS 388.1458, must  
5 not be disclosed to any person.

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

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

13 (b) The identity of a person who reports information to the  
14 Program:

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

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

21 (3) Is not disclosed to any person.

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

36 4. The Director shall provide training regarding:

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

42 (b) Properly responding to a report received from the support  
43 center, including, without limitation, the manner in which to  
44 respond to reports of different types of dangerous, violent and



1 unlawful activity and threats of such activity, to each member of a  
2 team appointed pursuant to NRS 388.14553.

3 (c) The procedure for making a report to the support center  
4 using the hotline, Internet website, mobile telephone application and  
5 text messaging application and collaborating to prevent dangerous,  
6 violent and unlawful activity directed at teachers and other members  
7 of the staff of a school, pupils, family members of pupils and other  
8 persons.

9 5. The Director shall:

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

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

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

24 6. As used in this section:

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

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

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

30 388.14553 1. The board of trustees of a school district or the  
31 governing body of a charter school shall:

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

39 (1) *A report through the SafeVoice Program* of any  
40 dangerous, violent or unlawful activity which is being conducted, or  
41 is threatened to be conducted, on the property of the school, at an  
42 activity sponsored by the school, on a school bus of the school or by  
43 a pupil enrolled at the school ~~[-]~~; or

44 (2) *Notification through the Handle with Care Program of*  
45 *a pupil who was exposed to a traumatic event.*



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

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

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

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

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

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

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

**Sec. 9.** NRS 388.14555 is hereby amended to read as follows:  
388.14555 The team appointed pursuant to NRS 388.14553 and each member of the team are immune from civil liability for any damages resulting from an act or omission of the team or the member or another member of the team in performing the duties set forth in NRS 388.1455 and 388.14553 ~~[-]~~ *and section 3 of this act.*

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

388.14557 The support center must:

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

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

3. Establish a process for handling a report *or notification* if personnel at the support center are unable to determine the location





1 of the school or the person about whom the report *or notification* is  
2 made, or if the report *or notification* concerns a private school or an  
3 entity other than a school;

4 4. Train personnel at the support center who are involved in  
5 responding to reports *and notifications* to follow up on each report  
6 *or notification* by gathering information necessary to determine the  
7 validity of the report *or notification* and the severity of any threat;

8 5. Use a software system that is resistant to hacking and  
9 copying of information to protect the anonymity of persons who  
10 submit reports ~~{}~~ *and notifications*;

11 6. Develop and implement a standardized procedure for  
12 tracking the outcome of reports ~~{}~~ *and notifications*;

13 7. Compile statistics to determine:

14 (a) The most frequent days of the week on which reports *and*  
15 *notifications* are made;

16 (b) The most frequent times of the day for making reports ~~{}~~  
17 *and providing notifications*;

18 (c) The types of dangerous, violent or unlawful activity that are  
19 reported and the frequency of reports of each type of dangerous,  
20 violent or unlawful activity;

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

24 (e) The outcome of reports ~~{}~~ *and notifications*;

25 8. Submit to the Director a quarterly report that contains the  
26 information compiled pursuant to subsection 7 and any other  
27 information necessary for the Director to evaluate the ~~{Program}~~  
28 *Programs* or that is requested by the Director; and

29 9. Provide each report received *through the SafeVoice*  
30 *Program* to the appropriate law enforcement agency.

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

32 388.1457 1. The ~~{Safe-to-Tell}~~ *SafeVoice* Program Account  
33 is hereby created in the State General Fund.

34 2. Except as otherwise provided in subsection 4, the money in  
35 the Account may be used only to implement and operate the ~~{Safe-~~  
36 ~~to-Tell}~~ *SafeVoice* Program.

37 3. The Account must be administered by the Director, who  
38 may:

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

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

43 4. The interest and income earned on the money in the  
44 Account, after deducting any applicable charges, must be credited to  
45 the Account.





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

3 6. The Director shall:

4 (a) Post on the Internet website maintained by the Department a  
5 list of each gift, donation, bequest, grant or other source of money,  
6 if any, received pursuant to subsection 3 for deposit in the Account  
7 and the name of the donor of each gift, donation, bequest, grant or  
8 other source of money;

9 (b) Update the list annually; and

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

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

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

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

18 388.1458 1. Except as otherwise provided in this section or  
19 as otherwise authorized pursuant to paragraph (a) of subsection 2 of  
20 NRS 388.1455, a person must not be compelled to produce or  
21 disclose any record or information provided to the ~~{Safe-to-Tell}~~  
22 *SafeVoice* Program.

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

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



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

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

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

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

- 22 *(a) Domestic violence in the presence of the child;*  
23 *(b) Death of a member of the family or household of the child;*  
24 *(c) Arrest of a parent or guardian of the child in the presence*  
25 *of the child; or*  
26 *(d) Child abuse or neglect.*

27 *2. In addition to providing the notification required by*  
28 *subsection 1, any officer or employee of a law enforcement agency*  
29 *may notify the Handle with Care Program established pursuant to*  
30 *section 3 of this act if the officer or employee of a law enforcement*  
31 *agency reasonably believes a child who attends a public school has*  
32 *been exposed to any other event that may affect his or her ability*  
33 *to succeed at school.*

34 *3. Nothing in this section shall be construed to require an*  
35 *officer or employee of a law enforcement agency to provide*  
36 *notification pursuant to this section if the disclosure of*  
37 *information may compromise an ongoing investigation.*

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

44 **Sec. 15.** This act becomes effective upon passage and approval  
45 for the purposes of adopting regulations and performing any other



1 preparatory administrative tasks that are necessary to carry out the  
2 provisions of this act, and on January 1, 2020, for all other purposes.

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