

ASSEMBLY BILL NO. 145—ASSEMBLYMEN MILLER,
ASSEFA, NEAL; AND MUNK

FEBRUARY 14, 2019

Referred to Committee on Education

SUMMARY—Revises provisions governing school safety.
(BDR 34-23)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 board of trustees of a school district to ensure a school police officer or person who provides police services is located in each middle school, junior high school and high school; requiring the Department of Education to provide a gate or similar device that controls access to a school upon the request of the principal; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the board of trustees of a school district to employ or
2 appoint persons to serve as school police officers. Existing law also authorizes the
3 board trustees of a school district to contract with a metropolitan police department
4 or sheriff of the county, as applicable, for the provision and supervision of police
5 services in a public school. (NRS 391.281) **Section 1** of this bill requires the board
6 of trustees of a school district to ensure that a school police officer or person who
7 provides police services is located in each middle school, junior high school and
8 high school during times the school is in session or school-related activities are in
9 progress.

10 Existing law requires the board of trustees of a school district to manage and
11 control the school property within its district. (NRS 393.010) **Section 2** of this bill
12 requires that, upon the request of a principal of a public school, the Department of
13 Education provide a gate or similar device that controls access to the school.



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

1 **Section 1.** NRS 391.281 is hereby amended to read as follows:

2 391.281 1. Each applicant for employment or appointment
3 pursuant to this section or employee, except a teacher or other
4 person licensed by the Superintendent of Public Instruction, must,
5 before beginning his or her employment or appointment and at least
6 once every 5 years thereafter, submit to the school district:

7 (a) A full set of the applicant's or employee's fingerprints and
8 written permission authorizing the school district to forward the
9 fingerprints to the Central Repository for Nevada Records of
10 Criminal History for its report on the criminal history of the
11 applicant or employee and for submission to the Federal Bureau of
12 Investigation for its report on the criminal history of the applicant or
13 employee.

14 (b) Written authorization for the board of trustees of the school
15 district to obtain any information concerning the applicant or
16 employee that may be available from the Statewide Central Registry
17 and any equivalent registry maintained by a governmental entity in a
18 jurisdiction in which the applicant or employee has resided within
19 the immediately preceding 5 years.

20 2. In conducting an investigation into the background of an
21 applicant or employee, a school district may cooperate with any
22 appropriate law enforcement agency to obtain information relating
23 to the criminal history of the applicant or employee, including,
24 without limitation, any record of warrants for the arrest of or
25 applications for protective orders against the applicant or employee.

26 3. The board of trustees of a school district may use a
27 substantiated report of the abuse or neglect of a child, as defined in
28 NRS 392.281, or a violation of NRS 201.540, 201.560, 392.4633 or
29 394.366 obtained from the Statewide Central Registry or an
30 equivalent registry maintained by a governmental agency in another
31 jurisdiction:

32 (a) In making determinations concerning assignments, requiring
33 retraining, imposing discipline, hiring or termination; and

34 (b) In any proceedings to which the report is relevant, including,
35 without limitation, an action for trespass or a restraining order.

36 4. The board of trustees of a school district:

37 (a) May accept any gifts, grants and donations to carry out the
38 provisions of subsections 1 and 2.

39 (b) May not be held liable for damages resulting from any action
40 of the board of trustees authorized by subsection 2 or 3.

41 5. The board of trustees of a school district may employ or
42 appoint persons to serve as school police officers. If the board of



1 trustees of a school district employs or appoints persons to serve as
2 school police officers, the board of trustees shall employ a law
3 enforcement officer to serve as the chief of school police who is
4 supervised by the superintendent of schools of the school district.
5 The chief of school police shall supervise each person appointed or
6 employed by the board of trustees as a school police officer,
7 including any school police officer that provides services to a
8 charter school pursuant to a contract entered into with the board of
9 trustees pursuant to NRS 388A.384. In addition, persons who
10 provide police services pursuant to subsection 6 or 7 shall be
11 deemed school police officers.

12 6. The board of trustees of a school district in a county that has
13 a metropolitan police department created pursuant to chapter 280 of
14 NRS may contract with the metropolitan police department for the
15 provision and supervision of police services in the public schools
16 within the jurisdiction of the metropolitan police department and on
17 property therein that is owned by the school district and on property
18 therein that is owned or occupied by a charter school if the board of
19 trustees has entered into a contract with the charter school for the
20 provision of school police officers pursuant to NRS 388A.384. If a
21 contract is entered into pursuant to this subsection, the contract must
22 make provision for the transfer of each school police officer
23 employed by the board of trustees to the metropolitan police
24 department. If the board of trustees of a school district contracts
25 with a metropolitan police department pursuant to this subsection,
26 the board of trustees shall, if applicable, cooperate with appropriate
27 local law enforcement agencies within the school district for the
28 provision and supervision of police services in the public schools
29 within the school district, including, without limitation, any charter
30 school with which the school district has entered into a contract for
31 the provision of school police officers pursuant to NRS 388A.384,
32 and on property owned by the school district and, if applicable, the
33 property owned or occupied by the charter school, but outside the
34 jurisdiction of the metropolitan police department.

35 7. The board of trustees of a school district in a county that
36 does not have a metropolitan police department created pursuant to
37 chapter 280 of NRS may contract with the sheriff of that county for
38 the provision of police services in the public schools within the
39 school district, including, without limitation, in any charter school
40 with which the board of trustees has entered into a contract for the
41 provision of school police officers pursuant to NRS 388A.384, and
42 on property therein that is owned by the school district and, if
43 applicable, the property owned or occupied by the charter school.

44 ***8. The board of trustees of a school district shall ensure that***
45 ***at least one school police officer who is employed or appointed***



1 *pursuant to subsection 5 or at least one person who provides*
2 *police services pursuant to subsection 6 or 7 is located in each*
3 *public middle school, junior high school and high school within*
4 *the school district, including, without limitation, in any such*
5 *charter school with which the board of trustees has entered into a*
6 *contract for the provision of school police officers pursuant to*
7 *NRS 388A.384, during times that school is in session or school-*
8 *related activities are in progress.*

9 **Sec. 2.** Chapter 393 of NRS is hereby amended by adding
10 thereto a new section to read as follows:

11 *1. The Department shall, by regulation, adopt and enforce a*
12 *plan setting forth procedures for each principal of a public school,*
13 *other than a charter school, to request a gate or similar device*
14 *designed to control access to the school.*

15 *2. A request made pursuant to subsection 1 must be granted*
16 *and paid for by the Department.*

17 **Sec. 3.** The provisions of NRS 354.599 do not apply to any
18 additional expenses of a local government that are related to the
19 provisions of this act.

20 **Sec. 4.** This act becomes effective upon passage and approval.

