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SECOND REPRINT

A.B. 218

ASSEMBLY BILL NO. 218—ASSEMBLYMEN BENITEZ-THOMPSON, KIRKPATRICK, DIAZ, THOMPSON, ELLIOT ANDERSON; ARAUJO, BUSTAMANTE ADAMS, CARLTON, CARRILLO, JOINER, SPIEGEL AND SPRINKLE

MARCH 4, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to emergencies in schools. (BDR 34-666)

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

CONTAINS UNFUNDED MANDATE (§ 3)
(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 education; requiring the board of trustees of each school district and the governing body of a charter school to consult with certain persons and entities before constructing, expanding or remodeling buildings for schools or related facilities; requiring each school district in certain counties to appoint an emergency manager; requiring the Department of Education to conduct an annual conference regarding safety in public schools; requiring the Department, to the extent that money is available for the purpose, to make block grants to provide certain mental health workers in public schools; requiring the board of trustees of each school district and the governing body of a charter school to provide drills to instruct pupils concerning lockdown procedures; requiring that a plan developed to respond to a crisis or an emergency prescribe certain procedures; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 **Section 1** of this bill requires the board of trustees of each school district and
- 2 the governing body of each charter school to consult with an emergency manager,
- 3 the chief of school police or his or her designee, or the Division of Emergency



* A B 2 1 8 R 2 *

4 Management of the Department of Public Safety regarding safety in schools before
5 constructing, expanding or remodeling buildings for schools or related facilities.

6 **Section 2.5** of this bill defines a “school resource officer” as a deputy sheriff or
7 other peace officer who interacts directly with pupils and provides information to
8 pupils, families and educational personnel. **Section 3** of this bill requires each
9 school district in a county whose population is 100,000 or more (currently Clark
10 and Washoe Counties) to designate an employee to serve as an emergency
11 manager.

12 Existing law requires the board of trustees of each school district and the
13 governing body of each charter school to establish a development committee to
14 develop a plan to be used by each public school of the school district in responding
15 to a crisis or an emergency. (NRS 392.616) **Section 7.5** of this bill requires each
16 development committee to consult with an emergency manager, a school resource
17 officer or the chief of school police of the school district, if such a person exists in
18 the school district. **Section 7.5** also requires the plan to include procedures for: (1)
19 effective communication and interoperability among law enforcement and other
20 first responders; (2) securing a school in the event of a lockdown; and (3) assisting
21 a person with a disability with moving to safety during an emergency or crisis.

22 **Section 4** of this bill requires the Department of Education to coordinate with
23 the Division of Emergency Management, any emergency manager, any chief of
24 police of a school district that has police officers and any school resource officer to
25 conduct an annual conference regarding safety in public schools. **Section 4**
26 additionally requires the board of trustees of each school district and the governing
27 body of each charter school to designate certain persons to attend this conference.

28 **Section 5** of this bill requires the Department of Education, to the extent that
29 money is available for the purpose, to: (1) develop and carry into effect a program
30 of block grants; and (2) make and administer block grants to school districts and
31 charter schools to provide for contract social workers and other mental health
32 workers in schools with identified needs.

33 Existing law requires the board of trustees of each school district and the
34 governing body of each charter school to provide certain emergency drills for
35 pupils at least once each month during the school year. Existing law also requires a
36 public school located in a city or town that has a regularly organized, paid fire
37 department or voluntary fire department to conduct such drills under the
38 supervision of: (1) the person designated for this purpose by the board of trustees of
39 the school district; and (2) the chief of the fire department of the city or town in
40 which a school is located. (NRS 392.450) **Section 6** of this bill requires the board
41 of trustees of each school district and the governing body of each charter school to
42 provide drills for schools under their jurisdiction at least once each month during
43 the school year to instruct pupils in the appropriate procedures to be followed in
44 the event of a lockdown. **Section 6** requires at least one-half of these drills to include
45 instruction in appropriate procedures to be followed in the event of a lockdown.
46 **Section 6** also requires: (1) any public school located in a county whose population
47 is less than 100,000 (currently all counties other than Clark and Washoe Counties)
48 to conduct the drills under the supervision of the person designated for that purpose
49 by the board of trustees of the school district or the governing body of the charter
50 school, as applicable; and (2) a public school located in a county whose population
51 is 100,000 or more (currently Clark and Washoe Counties) to conduct such drills
52 under the supervision of an emergency manager.



1 WHEREAS, The Legislature recognizes that it is of utmost
2 importance that the public schools in this State are built and
3 maintained in a manner which provides the greatest protection for
4 pupils against harm; and

5 WHEREAS, Each school must be built and maintained to meet or
6 exceed recommended safety standards and be designed to anticipate
7 and protect against modern threats; and

8 WHEREAS, Academic achievement of pupils is adversely
9 affected when the pupils do not feel safe from harm; and

10 WHEREAS, Acts of violence which occur at schools have
11 devastating effects on pupils which may include depression, fear
12 and inappropriate behavior; and

13 WHEREAS, Efforts must be taken to mitigate acts of violence at
14 schools; and

15 WHEREAS, Social workers and other licensed mental health
16 workers who are employed by schools help ensure the safety of
17 pupils, prevent violent and other inappropriate actions by pupils and
18 address the overall well-being of pupils by assessing the needs of
19 pupils and providing pupils with necessary mental health services,
20 counseling and other assistance; and

21 WHEREAS, The Legislature hereby finds and declares that it is
22 optimal to have a ratio of at least 1 social worker or licensed health
23 worker per 250 pupils; and

24 WHEREAS, Each school district must ensure that administrators,
25 teachers and other staff are properly trained regarding the
26 appropriate response to a crisis and crisis management, prevention
27 of violence and emergency response planning so that all schools are
28 prepared to respond appropriately to a crisis or emergency and to
29 quickly mitigate any effects of such a crisis or emergency; now,
30 therefore,

31
32 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
33 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
34

35 **Section 1.** Chapter 386 of NRS is hereby amended by adding
36 thereto a new section to read as follows:

37 *1. The board of trustees of each school district and the*
38 *governing body of each charter school shall consult with the*
39 *person described in subsection 2 or 3, as applicable, regarding*
40 *safety in schools before:*

41 *(a) Designing, constructing or purchasing new buildings for*
42 *schools or related facilities;*

43 *(b) Enlarging, remodeling or renovating existing buildings for*
44 *schools or related facilities; and*

45 *(c) Acquiring sites for building schools or related facilities.*



1 2. *In a county whose population is 100,000 or more, the*
2 *board of trustees of a school district or the governing body of a*
3 *charter school that plans to take an action described in subsection*
4 *1 shall consult with the emergency manager designated pursuant*
5 *to section 3 of this act or, if the school district has school police*
6 *officers, the chief of school police of the school district or a person*
7 *designated by him or her.*

8 3. *In a county whose population is less than 100,000, the*
9 *board of trustees of a school district or the governing body of a*
10 *charter school that plans to take an action described in subsection*
11 *1 shall consult with:*

12 (a) *If the school district has school police officers, the chief of*
13 *school police of the school district or a person designated by him*
14 *or her or, if the school district has designated a full-time employee*
15 *to serve as an emergency manager, the emergency manager; or*

16 (b) *If the county has not designated a full-time employee to*
17 *serve as an emergency manager and does not have school police*
18 *officers, the Division of Emergency Management of the*
19 *Department of Public Safety.*

20 **Sec. 2.** Chapter 392 of NRS is hereby amended by adding
21 thereto the provisions set forth as sections 2.25 to 5, inclusive, of
22 this act.

23 **Sec. 2.25.** *“Lockdown” means a circumstance in which the*
24 *persons on school property are restricted to the interior of a school*
25 *building and isolated from threats until the school property and*
26 *surrounding vicinity are deemed to be secure by:*

27 1. *If the school district has school police officers, the chief of*
28 *school police of a school district or a person designated by him or*
29 *her; or*

30 2. *If the school district does not have school police officers,*
31 *the school resource officer or a person designated by him or her*
32 *or, if the school district does not have school resource officers, a*
33 *local law enforcement agency.*

34 **Sec. 2.5.** *“School resource officer” means a deputy sheriff or*
35 *other peace officer employed by a local law enforcement agency*
36 *who is assigned to duty at one or more schools, interacts directly*
37 *with pupils and whose responsibilities include, without limitation,*
38 *providing guidance and information to pupils, families and*
39 *educational personnel concerning the avoidance and prevention*
40 *of crime.*

41 **Sec. 3.** *Each school district in a county whose population is*
42 *100,000 or more shall designate a full-time employee to serve as*
43 *an emergency manager. As used in this section, “emergency*
44 *manager” means a person whose job responsibilities are focused*
45 *solely on the planning and coordination of available resources for*



1 *the mitigation of, preparation and training for, response to and*
2 *recovery from emergencies or crises.*

3 **Sec. 4. 1.** *The Department of Education shall, at least once*
4 *each year, coordinate with the Division of Emergency*
5 *Management of the Department of Public Safety, any emergency*
6 *manager designated pursuant to section 3 of this act, any chief of*
7 *police of a school district that has police officers and any school*
8 *resource officer to conduct a conference regarding safety in public*
9 *schools.*

10 **2.** *The board of trustees of each school district and the*
11 *governing body of each charter school shall designate persons to*
12 *attend the conference held pursuant to subsection 1. The persons*
13 *so designated must include, without limitation:*

14 *(a) An administrator from the school district or charter school,*
15 *as applicable;*

16 *(b) If the school district has school resource officers, a school*
17 *resource officer or a person designated by him or her;*

18 *(c) If the school district has school police officers, the chief of*
19 *school police of the school district or a person designated by him*
20 *or her; and*

21 *(d) If the school district has an emergency manager designated*
22 *pursuant to section 3 of this act, the emergency manager.*

23 **3.** *The conference conducted pursuant to subsection 1 may be*
24 *attended by:*

25 *(a) A licensed teacher of a school or charter school;*

26 *(b) Educational support personnel employed by a school*
27 *district or charter school;*

28 *(c) The parent or legal guardian of a pupil who is enrolled in a*
29 *public school; and*

30 *(d) An employee of a local law enforcement agency.*

31 **Sec. 4.5.** (Deleted by amendment.)

32 **Sec. 5.** *To the extent that money is available for the purpose,*
33 *the Department shall:*

34 **1.** *Develop and carry into effect a program of block grants for*
35 *the purposes described in subsection 2; and*

36 **2.** *Make and administer block grants to school districts and*
37 *charter schools to provide for contract social workers and other*
38 *mental health workers in schools with identified needs.*

39 **Sec. 6.** NRS 392.450 is hereby amended to read as follows:

40 392.450 1. The board of trustees of each school district and
41 the governing body of each charter school shall provide drills for the
42 pupils in the schools in the school district or the charter schools at
43 least once each month during the school year to instruct those pupils
44 in the appropriate procedures to be followed in the event of a
45 **lockdown**, fire or other emergency . ~~†, except a crisis governed by~~



1 ~~NRS 392.600 to 392.656, inclusive.~~ Not more than three of ~~those~~
2 *the drills provided pursuant to this subsection* may include
3 instruction in the appropriate procedures to be followed in the event
4 of a chemical explosion, related emergencies and other natural
5 disasters. *At least one-half of the drills provided pursuant to this*
6 *subsection must include instruction in appropriate procedures to*
7 *be followed in the event of a lockdown.*

8 2. In all cities or towns, ~~which have regularly organized, paid~~
9 ~~fire departments or voluntary fire departments.~~ the drills required
10 by subsection 1 must be conducted under the supervision of the ~~;~~
11 *chief of the fire department of the city or town, if the city or town*
12 *has a regularly organized, paid fire department or voluntary fire*
13 *department, and the:*

14 (a) Person designated for this purpose by the board of trustees of
15 the school district or the governing body of a charter school ~~;~~
16 *in a county whose population is less than 100,000; or*

17 (b) ~~Chief of the fire department of the city or town.~~
18 *Emergency manager designated pursuant to section 3 of this act in*
19 *a county whose population is 100,000 or more.*

20 3. A diagram of the approved escape route and any other
21 information related to the drills required by subsection 1 which is
22 approved by the chief of the fire department or, if there is no fire
23 department, the State Fire Marshal must be kept posted in every
24 classroom of every public school by the principal or teacher in
25 charge thereof.

26 4. The principal, teacher or other person in charge of each
27 school building shall cause the provisions of this section to be
28 enforced.

29 5. Any violation of the provisions of this section is a
30 misdemeanor.

31 6. *As used in this section, "lockdown" has the meaning*
32 *ascribed to it in section 2.25 of this act.*

33 **Sec. 7.** NRS 392.600 is hereby amended to read as follows:

34 392.600 As used in NRS 392.600 to 392.656, inclusive, *and*
35 *sections 2.25 to 5, inclusive of this act*, unless the context otherwise
36 requires, the words and terms defined in NRS 392.604 to 392.612,
37 inclusive, *and sections 2.25 and 2.5 of this act* have the meanings
38 ascribed to them in those sections.

39 **Sec. 7.5.** NRS 392.620 is hereby amended to read as follows:

40 392.620 1. Each development committee established by the
41 board of trustees of a school district shall develop one plan to be
42 used by all the public schools other than the charter schools in the
43 school district in responding to a crisis or an emergency. Each
44 development committee established by the governing body of a
45 charter school shall develop a plan to be used by the charter school



1 in responding to a crisis or an emergency. Each development
2 committee shall, when developing the plan, consult with:

3 (a) The local social service agencies and local law enforcement
4 agencies in the county in which its school district or charter school
5 is located.

6 (b) *If the school district has an emergency manager designated*
7 *pursuant to section 3 of this act, the emergency manager.*

8 (c) *If the school district has school resource officers, a school*
9 *resource officer or a person designated by him or her.*

10 (d) *If the school district has school police officers, the chief of*
11 *school police of the school district or a person designated by him*
12 *or her.*

13 (e) The director of the local organization for emergency
14 management or, if there is no local organization for
15 emergency management, with the Chief of the Division of
16 Emergency Management of the Department of Public Safety or his
17 or her designee.

18 2. The plan developed pursuant to subsection 1 must include,
19 without limitation, a procedure for:

20 (a) Assisting persons within a school in the school district or the
21 charter school to communicate with each other;

22 (b) Assisting persons within a school in the school district or the
23 charter school to communicate with persons located outside the
24 school, including, without limitation, relatives of pupils and
25 relatives of employees of the school, the news media and persons
26 from local, state or federal agencies that are responding to a crisis or
27 an emergency;

28 (c) *Effective communication and interoperability among*
29 *federal, state and local law enforcement and other first*
30 *responders;*

31 (d) Immediately responding to a crisis or an emergency and for
32 responding during the period after a crisis or an emergency has
33 concluded, including, without limitation, a crisis or an emergency
34 that results in immediate physical harm to a pupil or employee of a
35 school in the school district or the charter school;

36 ~~(d)~~ (e) Assisting pupils of a school in the school district or the
37 charter school, employees of the school and relatives of such pupils
38 and employees to move safely within and away from the school,
39 including, without limitation, a procedure for evacuating the school
40 and a procedure for securing the school ~~and~~

41 ~~(e)~~ *in the event of a lockdown;*

42 (f) *Assisting any person with an intellectual or physical*
43 *disability, including, without limitation, a pupil or teacher, who is*
44 *on school property to move safely within and away from the*
45 *school, including, without limitation, a procedure for assisting*



1 *such a pupil or person with evacuating the school or participating*
2 *in a lockdown; and*

3 (g) Enforcing discipline within a school in the school district or
4 the charter school and for obtaining and maintaining a safe and
5 orderly environment during a crisis or an emergency.

6 3. Each development committee shall provide a copy of the
7 plan that it develops pursuant to this section to the board of trustees
8 of the school district that established the committee or the governing
9 body of the charter school that established the committee.

10 4. Except as otherwise provided in NRS 392.632 and 392.636,
11 each public school, including, without limitation, each charter
12 school, must comply with the plan developed for it pursuant to this
13 section.

14 **Sec. 8.** The provisions of NRS 354.599 do not apply to any
15 additional expenses of a local government that are related to the
16 provisions of this act.

17 **Sec. 9.** This act becomes effective on July 1, 2015.

