

Senate Bill No. 289—Committee on Human
Resources and Facilities

CHAPTER.....

AN ACT relating to schools; requiring the board of trustees of each school district and the governing body of each charter school and private school to establish a committee to develop a plan to be used in responding to certain crises involving violence on school property, at school activities or on school buses; requiring each school to establish a committee to review such a plan developed for the school; requiring the state board of education to develop a statewide plan for the management of certain crises that involve violence on school property, at school activities or on school buses and that require immediate action; requiring the division of emergency management of the department of motor vehicles and public safety to assist, under certain circumstances, with such crises; and providing other matters properly relating thereto.

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

Section 1. Chapter 392 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 16, inclusive, of this act.

Sec. 2. *As used in sections 2 to 16, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Crisis” means a traumatic and sudden event or emergency condition that:*

- 1. Involves violence;*
- 2. Profoundly and negatively affects or will affect pupils or employees of a public school, or both;*
- 3. Occurs on the property of a public school, at an activity sponsored by a public school or on a school bus while the bus is engaged in its official duties for a public school; and*
- 4. May involve serious injury or death.*

Sec. 4. *“Development committee” means a committee established pursuant to section 6 of this act.*

Sec. 5. *“School committee” means a committee established pursuant to section 9 of this act.*

Sec. 6. *1. The board of trustees of each school district shall establish a development committee to develop one plan to be used by all the public schools other than the charter schools in the school district in responding to a crisis. The governing body of each charter school shall establish a development committee to develop a plan to be used by the charter school in responding to a crisis.*

2. The membership of a development committee must consist of:
(a) At least one member of the board of trustees or of the governing body that established the committee;

(b) At least one administrator of a school in the school district or of the charter school;

(c) At least one licensed teacher of a school in the school district or of the charter school;

(d) At least one employee of a school in the school district or of the charter school who is not a licensed teacher and who is not responsible for the administration of the school;

(e) At least one parent or legal guardian of a pupil who is enrolled in a school in the school district or in the charter school;

(f) At least one representative of a local law enforcement agency in the county in which the school district or charter school is located; and

(g) At least one school police officer, including, without limitation, a chief of school police of the school district if the school district has school police officers.

3. The membership of a development committee may also include any other person whom the board of trustees or the governing body deems appropriate, including, without limitation:

(a) A counselor of a school in the school district or of the charter school;

(b) A psychologist of a school in the school district or of the charter school;

(c) A licensed social worker of a school in the school district or of the charter school;

(d) A pupil in grade 10 or higher of a school in the school district or a pupil in grade 10 or higher of the charter school if a school in the school district or the charter school includes grade 10 or higher; and

(e) An attorney or judge who resides or works in the county in which the school district or charter school is located.

4. The board of trustees of each school district and the governing body of each charter school shall determine the term of each member of the development committee that it establishes. Each development committee may adopt rules for its own management and government.

Sec. 7. 1. Each development committee established by the board of trustees of a school district shall develop one plan to be used by all the public schools other than the charter schools in the school district in responding to a crisis. Each development committee established by the governing body of a charter school shall develop a plan to be used by the charter school in responding to a crisis. Each development committee shall, when developing the plan, consult with the local social service agencies and local law enforcement agencies in the county in which its school district or charter school is located. The plan must include, without limitation, a procedure for:

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

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

(c) Immediately responding to a crisis and for responding during the period after a crisis has concluded, including, without limitation, a crisis that results in immediate physical harm to a pupil or employee of a school in the school district or the charter school;

(d) Assisting pupils of a school in the school district or the charter school, employees of the school and relatives of such pupils and employees to move safely within and away from the school, including,

without limitation, a procedure for evacuating the school and a procedure for securing the school; and

(e) Enforcing discipline within a school in the school district or the charter school and for obtaining and maintaining a safe and orderly environment during a crisis.

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

3. Except as otherwise provided in sections 10 and 11 of this act, each public school, including, without limitation, each charter school, must comply with the plan developed for it pursuant to this section.

Sec. 8. *1. Each development committee shall, at least once each year, review and update as appropriate the plan that it developed pursuant to section 7 of this act, and provide an updated copy of the plan to the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee.*

2. The board of trustees of each school district and the governing body of each charter school shall:

(a) Post a notice of the completion of each review and update that its development committee performs pursuant to subsection 1 at each school in its school district or at its charter school;

(b) Post a copy of sections 2 to 16, inclusive, of this act at each school in its school district or at its charter school;

(c) Retain a copy of each plan developed pursuant to section 7 of this act, each plan updated pursuant to subsection 1 and each deviation approved pursuant to section 11 of this act;

(d) Provide a copy of each plan developed pursuant to section 7 of this act and each plan updated pursuant to subsection 1 to:

(1) The state board;

(2) Each local law enforcement agency in the county in which the school district or charter school is located; and

(3) The division of emergency management of the department of motor vehicles and public safety;

(e) Upon request, provide a copy of each plan developed pursuant to section 7 of this act and each plan updated pursuant to subsection 1 to a local agency that is included in the plan and to an employee of a school who is included in the plan;

(f) Upon request, provide a copy of each deviation approved pursuant to section 11 of this act to:

(1) The state board;

(2) A local law enforcement agency in the county in which the school district or charter school is located;

(3) The division of emergency management of the department of motor vehicles and public safety;

(4) A local agency that is included in the plan; and

(5) An employee of a school who is included in the plan; and

(g) At least once each year, provide training in responding to a crisis to each employee of the school district or of the charter school,

including, without limitation, training concerning drills for evacuating and securing schools.

3. The board of trustees of each school district and the governing body of each charter school may apply for and accept gifts, grants and contributions from any public or private source to carry out the provisions of sections 2 to 16, inclusive, of this act.

Sec. 9. *1. The principal of each public school, including, without limitation, each charter school, shall establish a school committee to review the plan developed for the school pursuant to section 7 of this act.*

2. The membership of a school committee must consist of:

- (a) The principal of the school;*
- (b) Two licensed employees of the school;*
- (c) One employee of the school who is not a licensed employee and who is not responsible for the administration of the school;*
- (d) One school police officer of the school if the school has school police officers; and*
- (e) One parent or legal guardian of a pupil who is enrolled in the school.*

3. The membership of a school committee may also include any other person whom the principal of the school deems appropriate, including, without limitation:

- (a) A member of the board of trustees of the school district in which the school is located or a member of the governing body of the charter school;*
- (b) A counselor of the school;*
- (c) A psychologist of the school;*
- (d) A licensed social worker of the school;*
- (e) A representative of a local law enforcement agency in the county, city or town in which the school is located; and*
- (f) A pupil in grade 10 or higher from the school if the school includes grade 10 or higher.*

4. The principal of a public school, including, without limitation, a charter school, shall determine the term of each member of the school committee. Each school committee may adopt rules for its own management and government.

Sec. 10. *1. Each school committee shall, at least once each year, review the plan developed for the school pursuant to section 7 of this act and determine whether the school should deviate from the plan. Each school committee shall, when reviewing the plan, consult with the local social service agencies and law enforcement agencies in the county, city or town in which its school is located. If a school committee determines that the school should deviate from the plan, the school committee shall notify the development committee that developed the plan, describe the proposed deviation and explain the reason for the proposed deviation. The school may deviate from the plan only if the deviation is approved by the development committee pursuant to section 11 of this act.*

2. Each public school, including, without limitation, each charter school, shall post at the school a notice of the completion of each review that the school committee performs pursuant to this section.

Sec. 11. *1. A development committee that receives a proposed deviation from a school committee pursuant to section 10 of this act shall, within 60 days after it receives the proposed deviation:*

(a) Review the proposed deviation and any information submitted with the proposed deviation; and

(b) Notify the school committee that submitted the proposed deviation whether the proposed deviation has been approved.

2. A development committee shall provide a copy of each deviation that it approves pursuant to this section to the board of trustees of the school district that established the committee or to the governing body of the charter school that established the committee.

Sec. 12. *1. The state board shall adopt regulations setting forth requirements for:*

(a) The plan required to be developed pursuant to section 7 of this act; and

(b) Reviewing and approving a deviation pursuant to section 11 of this act.

2. The regulations adopted pursuant to this section must include, without limitation, requirements concerning training and practice in procedures for responding to a crisis.

Sec. 13. *1. The state board shall, with assistance from other state agencies, including, without limitation, the division of emergency management, the investigation division, and the Nevada highway patrol of the department of motor vehicles and public safety, develop a plan for the management of a crisis that involves a public school, including, without limitation, a charter school, or a private school and that requires immediate action. The plan must include, without limitation, a procedure for coordinating the resources of local, state and federal agencies, officers and employees, as appropriate. In developing the plan, the state board shall consider the plans to respond to crises developed pursuant to sections 7 and 25 of this act and updated pursuant to sections 8 and 26 of this act.*

2. The state board may disseminate to any appropriate local, state or federal agency, officer or employee, as the state board determines is necessary:

(a) The plan developed by the state board pursuant to subsection 1;

(b) A plan developed pursuant to section 7 of this act or updated pursuant to section 8 of this act;

(c) A plan developed pursuant to section 25 of this act or updated pursuant to section 26 of this act; and

(d) A deviation approved pursuant to section 11 or 29 of this act.

Sec. 14. *1. If a crisis that requires immediate action occurs at a public school, including, without limitation, a charter school, the principal of the school involved, or his designated representative, shall, in accordance with the plan to respond to a crisis developed for the school pursuant to section 7 of this act and in accordance with any deviation approved pursuant to section 11 of this act, contact all appropriate local agencies to respond to the crisis.*

2. *If a local agency that is responsible for responding to a crisis is contacted pursuant to subsection 1 and the local agency determines that the crisis requires assistance from a state agency, the local agency may:*

(a) If a local organization for emergency management has been established in the city or county in which the local agency that was contacted is located, through such local organization for emergency management, notify the division of emergency management of the department of motor vehicles and public safety of the crisis and request assistance from the division in responding to the crisis; or

(b) If a local organization for emergency management has not been established in the city or county in which the local agency that was contacted is located, directly notify the division of emergency management of the department of motor vehicles and public safety of the crisis and request assistance from the division in responding to the crisis.

3. *If the division of emergency management of the department of motor vehicles and public safety receives notification of a crisis and a request for assistance pursuant to subsection 2 and the governor or his designated representative determines that the crisis requires assistance from a state agency, the division shall carry out its duties set forth in the plan developed pursuant to section 13 of this act and its duties set forth in chapter 414 of NRS, including, without limitation, addressing the immediate crisis and coordinating the appropriate and available local, state and federal resources to provide support services and counseling to pupils, teachers, and parents or legal guardians of pupils, and providing support for law enforcement agencies, for as long as is reasonably necessary.*

Sec. 15. *A plan developed pursuant to section 7 of this act or updated pursuant to section 8 of this act, a deviation and any information submitted to a development committee pursuant to section 10 of this act, a deviation approved pursuant to section 11 of this act and the plan developed pursuant to section 13 of this act are confidential and, except as otherwise provided in sections 2 to 16, inclusive, of this act, must not be disclosed to any person or government, governmental agency or political subdivision of a government.*

Sec. 16. *The provisions of chapter 241 of NRS do not apply to a meeting of:*

- 1. A development committee;*
- 2. A school committee; or*
- 3. The state board if the meeting concerns a regulation adopted pursuant to section 12 of this act or the plan developed pursuant to section 13 of this act.*

Sec. 17. NRS 392.375 is hereby amended to read as follows:

392.375 1. At least twice each school year, a school district shall require all the pupils in the school district who ride a school bus to practice the evacuation of a school bus *for a purpose other than a crisis governed by sections 2 to 16, inclusive, of this act* and to receive instruction in the responsibility of a passenger of a school bus to use the emergency exit doors on the bus during *such* an evacuation.

2. Each school district shall adopt a safety program which *does not concern a crisis governed by sections 2 to 16, inclusive, of this act and which* includes, without limitation:

- (a) The procedure for pupils to safely enter and exit a school bus, including entering and exiting with a driver of a school bus as an escort;
- (b) Proper behavior and conduct of pupils while in areas around a school bus where a high risk of danger to pupils exists, including the area that is used to load and unload school buses;
- (c) Behavior and conduct of pupils while on a school bus that will enhance the safety of the pupils;
- (d) Evacuation of pupils from a school bus; and
- (e) The location of emergency equipment on a school bus.

At least annually, a school district shall require all pupils who are enrolled in preschool, kindergarten and in grades 1 to 4, inclusive, in the school district who ride a school bus to participate in the safety program created pursuant to this section.

3. If a parent or legal guardian enrolls his child in preschool, kindergarten or grades 1 to 6, inclusive, and the child will be riding a school bus for the first time, the school shall provide the parent or legal guardian, upon enrollment, with written information concerning the safety of pupils on a school bus. The information must include, without limitation:

- (a) A description of each location that is designated to load and unload a school bus which is in geographical proximity to the pupil's residence;
- (b) Rules of conduct for pupils on a school bus and at an area that is designated for pupils to enter and exit a school bus;
- (c) Instructions for the operation of a motor vehicle:
 - (1) At school crossing zones and in areas that are designated to load and unload a school bus; and
 - (2) When a driver of a school bus operates a system of flashing red lights;
- (d) A description of the area around a school bus that poses a high risk of danger to pupils and other pedestrians; and
- (e) Behavior and conduct for pupils who walk to and from an area that is designated for pupils to enter and exit a school bus that will enhance the safety of the pupils.

4. The board of trustees of each school district shall adopt regulations regarding practices conducted pursuant to subsection 1 and participation in safety programs required by subsection 2, including the requirement of such practices and participation in such programs at the beginning of any field trip by school bus.

Sec. 18. NRS 392.450 is hereby amended to read as follows:

392.450 1. The board of trustees of each school district and the governing body of each charter school shall provide drills for the pupils in the schools in the school district or the charter schools at least once each month during the school year to instruct those pupils in the appropriate procedures to be followed in the event of a fire or other emergency ~~§~~, *except a crisis governed by sections 2 to 16, inclusive, of this act*. Not more than three of those drills may include instruction in the appropriate

procedures to be followed in the event of a chemical explosion, related emergencies and other natural disasters.

2. In all cities or towns which have regularly organized, paid fire departments or voluntary fire departments, the drills required by subsection 1 must be conducted under the supervision of the:

- (a) Person designated for this purpose by the board of trustees of the school district or the governing body of a charter school; and
- (b) Chief of the fire department of the city or town.

3. A diagram of the approved escape route and any other information related to the drills *required by subsection 1* which is approved by the chief of the fire department or, if there is no fire department, the state fire marshal must be kept posted in every classroom of every public school by the principal or teacher in charge thereof.

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

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

Sec. 19. Chapter 394 of NRS is hereby amended by adding thereto the provisions set forth as sections 20 to 33, inclusive, of this act.

Sec. 20. *As used in sections 20 to 33, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 21, 22 and 23 of this act have the meanings ascribed to them in those sections.*

Sec. 21. *“Crisis” means a traumatic and sudden event or emergency condition that:*

- 1. Involves violence;*
- 2. Profoundly and negatively affects or will affect pupils or employees of a private school;*
- 3. Occurs on the property of a private school, at an activity sponsored by a private school or on a school bus while the bus is engaged in its official duties for a private school; and*
- 4. May involve serious injury or death.*

Sec. 22. *“Development committee” means a committee established pursuant to section 24 of this act.*

Sec. 23. *“School committee” means a committee established for each private school pursuant to section 27 of this act.*

Sec. 24. *1. The governing body of each private school shall establish a development committee to develop a plan to be used by the private school in responding to a crisis.*

- 2. The membership of a development committee consists of:*
 - (a) At least one member of the governing body;*
 - (b) At least one administrator of the school;*
 - (c) At least one teacher of the school;*
 - (d) At least one employee of the school who is not a teacher and who is not responsible for the administration of the school;*
 - (e) At least one parent or legal guardian of a pupil who is enrolled in the school; and*
 - (f) At least one representative of a local law enforcement agency in the county in which the school is located.*

3. *The membership of a development committee may also include any other person whom the governing body deems appropriate, including, without limitation:*

- (a) A counselor of the school;*
- (b) A psychologist of the school;*
- (c) A licensed social worker of the school;*
- (d) A pupil in grade 10 or higher of the school if the school includes grade 10 or higher; and*
- (e) An attorney or judge who resides or works in the county in which the school is located.*

4. *The governing body of each private school shall determine the term of each member of the development committee that it established. Each development committee may adopt rules for its own management and government.*

Sec. 25. 1. *Each development committee shall develop a plan to be used by its school in responding to a crisis. Each development committee shall, when developing the plan, consult with the local social service agencies and local law enforcement agencies in the county in which its school is located. The plan must include, without limitation, a procedure for:*

- (a) Assisting persons within the school to communicate with each other;*
- (b) Assisting persons within the school to communicate with persons located outside the school, including, without limitation, relatives of pupils and relatives of employees of the school, the news media and persons from local, state or federal agencies that are responding to a crisis;*
- (c) Immediately responding to a crisis and for responding during the period after a crisis has concluded, including, without limitation, a crisis that results in immediate physical harm to a pupil or employee of the school;*
- (d) Assisting pupils of the school, employees of the school and relatives of such pupils and employees to move safely within and away from the school, including, without limitation, a procedure for evacuating the school and a procedure for securing the school; and*
- (e) Enforcing discipline within the school and for obtaining and maintaining a safe and orderly environment during a crisis.*

2. *Each development committee shall provide a copy of the plan that it develops pursuant to this section to the governing body of the school that established the committee.*

3. *Except as otherwise provided in sections 28 and 29 of this act, each private school must comply with the plan developed for it pursuant to this section.*

Sec. 26. 1. *Each development committee shall, at least once each year, review and update as appropriate the plan that it developed pursuant to section 25 of this act, and provide an updated copy of the plan to the governing body of the school.*

2. *The governing body of each private school shall:*

- (a) Post a notice of the completion of each review and update that its development committee performs pursuant to subsection 1 at the school;*

(b) Post a copy of sections 13 and 20 to 33, inclusive, of this act at the school;

(c) Retain a copy of each plan developed pursuant to section 25 of this act, each plan updated pursuant to subsection 1 and each deviation approved pursuant to section 29 of this act;

(d) Provide a copy of each plan developed pursuant to section 25 of this act and each plan updated pursuant to subsection 1 to:

(1) The board;

(2) Each local law enforcement agency in the county in which the school is located; and

(3) The division of emergency management of the department of motor vehicles and public safety;

(e) Upon request, provide a copy of each plan developed pursuant to section 25 of this act and each plan updated pursuant to subsection 1 to a local agency that is included in the plan and to an employee of the school who is included in the plan;

(f) Upon request, provide a copy of each deviation approved pursuant to section 29 of this act to:

(1) The board;

(2) A local law enforcement agency in the county in which the school is located;

(3) The division of emergency management of the department of motor vehicles and public safety;

(4) A local agency that is included in the plan; and

(5) An employee of the school who is included in the plan; and

(g) At least once each year, provide training in responding to a crisis to each employee of the school, including, without limitation, training concerning drills for evacuating and securing the school.

Sec. 27. *1. The principal or other person in charge of each private school shall establish a school committee to review the plan developed for the private school pursuant to section 25 of this act.*

2. The membership of a school committee consists of:

(a) The principal or other person in charge of the school;

(b) Two employees of the school;

(c) One employee of the school who is not responsible for the administration of the school; and

(d) One parent or legal guardian of a pupil who is enrolled in the school.

3. The membership of a school committee may include any other person whom the principal or other person in charge of the school deems appropriate, including, without limitation:

(a) A member of the governing body of the school;

(b) A counselor of the school;

(c) A psychologist of the school;

(d) A licensed social worker of the school;

(e) A representative of a local law enforcement agency in the county, city or town in which the school is located; and

(f) A pupil in grade 10 or higher from the school if the school includes grade 10 or higher.

4. *The principal or other person in charge of a private school shall determine the term of each member of the school committee established for the school. Each school committee may adopt rules for its own management and government.*

Sec. 28. 1. *Each school committee shall, at least once each year, review the plan developed for its school pursuant to section 25 of this act and determine whether the school should deviate from the plan. Each school committee shall, when reviewing the plan, consult with the local social service agencies and law enforcement agencies in the county, city or town in which its school is located. If a school committee determines that its school should deviate from the plan, the school committee shall notify the development committee that developed the plan, describe the proposed deviation and explain the reason for the proposed deviation. The school may deviate from the plan only if the deviation is approved by the development committee pursuant to section 29 of this act.*

2. *Each private school shall post at the school a notice of the completion of each review that its school committee performs pursuant to this section.*

Sec. 29. 1. *A development committee that receives a proposed deviation from a school committee pursuant to section 28 of this act shall, within 60 days after it receives the proposed deviation:*

(a) *Review the proposed deviation and any information submitted with the proposed deviation; and*

(b) *Notify the school committee that submitted the proposed deviation whether the proposed deviation has been approved.*

2. *A development committee shall provide a copy of each deviation that it approves pursuant to this section to the governing body of the private school that established the committee.*

Sec. 30. 1. *The board shall adopt regulations setting forth requirements for:*

(a) *The plan required to be developed pursuant to section 25 of this act; and*

(b) *Reviewing and approving a deviation pursuant to section 29 of this act.*

2. *The regulations adopted pursuant to this section must include, without limitation, requirements concerning training and practice in procedures for responding to a crisis.*

Sec. 31. 1. *If a crisis that requires immediate action occurs at a private school, the principal or other person in charge of the private school involved, or his designated representative, shall, in accordance with the plan to respond to a crisis developed for the school pursuant to section 25 of this act and in accordance with any deviation approved pursuant to section 29 of this act, contact all appropriate local agencies to respond to the crisis.*

2. *If a local agency that is responsible for responding to a crisis is contacted pursuant to subsection 1 and the local agency determines that the crisis requires assistance from a state agency, the local agency may:*

(a) *If a local organization for emergency management has been established in the city or county in which the local agency that was contacted is located, through such local organization for emergency*

management, notify the division of emergency management of the department of motor vehicles and public safety of the crisis and request assistance from the division in responding to the crisis; or

(b) If a local organization for emergency management has not been established in the city or county in which the local agency that was contacted is located, directly notify the division of emergency management of the department of motor vehicles and public safety of the crisis and request assistance from the division in responding to the crisis.

3. If the division of emergency management of the department of motor vehicles and public safety receives notification of a crisis and a request for assistance pursuant to subsection 2 and the governor or his designated representative determines that the crisis requires assistance from a state agency, the division shall carry out its duties set forth in the plan developed pursuant to section 13 of this act and its duties set forth in chapter 414 of NRS, including, without limitation, addressing the immediate crisis and coordinating the appropriate and available local, state and federal resources to provide support services and counseling to pupils, teachers, and parents or legal guardians of pupils, and providing support for law enforcement agencies, for as long as is reasonably necessary.

Sec. 32. A plan developed pursuant to section 25 of this act or updated pursuant to section 26 of this act, a deviation and any information submitted to a development committee pursuant to section 28 of this act and a deviation approved pursuant to section 29 of this act are confidential and, except as otherwise provided in sections 13 and 20 to 33, inclusive, of this act, must not be disclosed to any person or government, governmental agency or political subdivision of a government.

Sec. 33. The provisions of chapter 241 of NRS do not apply to a meeting of:

- 1. A development committee;*
- 2. A school committee; or*
- 3. The board if the meeting concerns a regulation adopted pursuant to section 30 of this act.*

Sec. 34. NRS 394.170 is hereby amended to read as follows:

394.170 1. The authorities in charge of every private school within this state shall provide drills for the pupils in the schools at least twice in each month during the school year to instruct those pupils in the appropriate procedures to be followed in the event of a fire or other emergency ~~H~~, *except a crisis governed by sections 20 to 33, inclusive, of this act.* Not more than three of those drills may include instruction in the appropriate procedures to be followed in the event of a chemical explosion, related emergencies and other natural disasters.

2. In all cities or towns which have regularly organized, paid fire departments or voluntary fire departments, the drills required by subsection 1 must be conducted under the supervision of the chief of the fire department of the city or town.

3. The state fire marshal shall prescribe general regulations governing the drills *required by subsection 1* and shall, with the cooperation of the

superintendent of public instruction, arrange for the supervision of drills in schools where the drills are not supervised pursuant to subsection 2.

4. A copy of this section must be kept posted in every classroom of every private school by the principal or teacher in charge thereof.

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

6. Any violation of the provisions of this section is a misdemeanor.

Sec. 35. NRS 233B.039 is hereby amended to read as follows:

233B.039 1. The following agencies are entirely exempted from the requirements of this chapter:

- (a) The governor.
- (b) The department of prisons.
- (c) The University and Community College System of Nevada.
- (d) The office of the military.
- (e) The state gaming control board.
- (f) The Nevada gaming commission.
- (g) The welfare division of the department of human resources.
- (h) The division of health care financing and policy of the department of human resources.
- (i) The state board of examiners acting pursuant to chapter 217 of NRS.
- (j) Except as otherwise provided in NRS 533.365, the office of the state engineer.
- (k) The division of industrial relations of the department of business and industry acting to enforce the provisions of NRS 618.375.
- (l) The board to review claims in adopting resolutions to carry out its duties pursuant to NRS 590.830.

2. Except as otherwise provided in NRS 391.323 ~~and~~ **and subsection 5**, the department of education, the board of the public employees' benefits program and the commission on professional standards in education are subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

3. The special provisions of:

- (a) Chapter 612 of NRS for the distribution of regulations by and the judicial review of decisions of the employment security division of the department of employment, training and rehabilitation;
 - (b) Chapters 616A to 617, inclusive, of NRS for the determination of contested claims;
 - (c) Chapter 703 of NRS for the judicial review of decisions of the public utilities commission of Nevada;
 - (d) Chapter 91 of NRS for the judicial review of decisions of the administrator of the securities division of the office of the secretary of state; and
 - (e) NRS 90.800 for the use of summary orders in contested cases,
- prevail over the general provisions of this chapter.

4. The provisions of NRS 233B.122, 233B.124, 233B.125 and 233B.126 do not apply to the department of human resources in the adjudication of contested cases involving the issuance of letters of approval for health facilities and agencies.

5. The provisions of this chapter do not apply to:

(a) Any order for immediate action, including, but not limited to, quarantine and the treatment or cleansing of infected or infested animals, objects or premises, made under the authority of the state board of agriculture, the state board of health, the state board of sheep commissioners or any other agency of this state in the discharge of a responsibility for the preservation of human or animal health or for insect or pest control; ~~for~~

(b) An extraordinary regulation of the state board of pharmacy adopted pursuant to NRS 453.2184 ~~+~~; or

(c) A regulation adopted by the state board of education pursuant to section 12 or 30 of this act.

6. The state board of parole commissioners is subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

Sec. 36. NRS 353.271 is hereby amended to read as follows:

353.271 "Disaster" means a fire, flood, earthquake, drought, explosion, civil disturbance, *, crisis involving violence on school property, at a school activity or on a school bus,* or any other occurrence or threatened occurrence that, regardless of cause:

1. Results in, or may result in, widespread or severe damage to property or injury to or the death of persons in this state; and

2. As determined by:

(a) The governor; or

(b) The governing body of a local government pursuant to NRS 414.090 and the division pursuant to NRS 353.2753, requires immediate action to protect the health, safety and welfare of the residents of this state.

Sec. 37. NRS 353.2735 is hereby amended to read as follows:

353.2735 1. The disaster relief fund is hereby created as a special revenue fund. The interim finance committee shall administer the fund.

2. The division may accept grants, gifts or donations for deposit in the fund. Except as otherwise provided in subsection ~~12-~~ 3, money received from:

(a) A direct legislative appropriation to the fund;

(b) A transfer of one-half of the interest earned on money in the fund to stabilize the operation of state government made pursuant to NRS 353.288; and

(c) A grant, gift or donation to the fund, must be deposited in the fund. Except as otherwise provided in NRS 414.135, the interest and income earned on the money in the fund must, after deducting any applicable charges, be credited to the fund.

~~12-~~ 3. If, at the end of each quarter of a fiscal year, the balance in the fund exceeds 0.75 percent of the total amount of all appropriations from the state general fund for the operation of all departments, institutions and agencies of state government and authorized expenditures from the state general fund for the regulation of gaming for that fiscal year, the state controller shall not, until the balance in the fund is 0.75 percent or less of that amount, transfer any interest earned on money in the fund to stabilize the operation of state government from the state general fund to the fund pursuant to the provisions of NRS 353.288.

~~13-1~~ 4. Money in the fund may be distributed through grants and loans to state agencies and local governments as provided in NRS 353.2705 to 353.2771, inclusive. Except as otherwise provided in NRS 353.276, such grants will be disbursed on the basis of reimbursement of costs authorized pursuant to NRS 353.274 and 353.2745.

~~14-1~~ 5. If the governor declares a disaster, the state board of examiners shall estimate:

(a) The money in the fund that is available for grants and loans for the disaster pursuant to the provisions of NRS 353.2705 to 353.2771, inclusive; and

(b) The anticipated amount of those grants and loans for the disaster.

Except as otherwise provided in this subsection, if the anticipated amount determined pursuant to paragraph (b) exceeds the available money in the fund for such grants and loans, all grants and loans from the fund for the disaster must be reduced in the same proportion that the anticipated amount of the grants and loans exceeds the money in the fund that is available for grants and loans for the disaster. If the reduction of a grant or loan from the fund would result in a reduction in the amount of money that may be received by a state agency or local government from the Federal Government, the reduction in the grant or loan must not be made.

Sec. 38. NRS 353.274 is hereby amended to read as follows:

353.274 Money in the fund may be distributed as a grant to a state agency because of a disaster for the payment of expenses incurred by the state agency for:

1. The repair or replacement of public roads, public streets, bridges, water control facilities, public buildings, public utilities, recreational facilities and parks owned by the state and damaged by the disaster;

2. Any emergency measures undertaken to save lives, protect public health and safety or protect public property, *, including, without limitation, an emergency measure undertaken in response to a crisis involving violence on school property, at a school activity or on a school bus,* in the jurisdiction in which the disaster occurred;

3. The removal of debris from publicly or privately owned land and waterways undertaken because of the disaster; and

4. The administration of a disaster assistance program.

Sec. 39. NRS 353.2745 is hereby amended to read as follows:

353.2745 Money in the fund may be distributed as a grant to a local government because of a disaster for:

1. The payment of not more than 50 percent of the expenses incurred by the local government for:

(a) The repair or replacement of public roads, public streets, bridges, water control facilities, public buildings, public utilities, recreational facilities and parks owned by the local government and damaged by the disaster; and

(b) Any emergency measures undertaken to save lives, protect public health and safety or protect public property, *, including, without limitation, an emergency measure undertaken in response to a crisis involving violence on school property, at a school activity or on a school bus,* in the jurisdiction in which the disaster occurred; and

2. The payment of not more than 50 percent of any grant match the local government must provide to obtain a grant from a federal disaster assistance agency for an eligible project to repair damage caused by the disaster within the jurisdiction of the local government.

Sec. 40. NRS 414.035 is hereby amended to read as follows:

414.035 “Emergency management” means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to minimize injury and repair damage resulting from emergencies or disasters caused by enemy attack, sabotage or other hostile action, by fire, flood, earthquake, storm or other natural causes, or by technological or man-made catastrophes ~~and~~ , *including, without limitation, a crisis involving violence on school property, at a school activity or on a school bus.* These functions include, without limitation:

1. The provision of support for search and rescue operations for persons and property in distress.

2. Organized analysis, planning and coordination of available resources for the mitigation of, preparation for, response to or recovery from emergencies or disasters.

Sec. 41. NRS 414.135 is hereby amended to read as follows:

414.135 1. There is hereby created the emergency assistance account within the disaster relief fund created pursuant to NRS 353.2735. Beginning with the fiscal year that begins on July 1, 1999, the state controller shall, at the end of each fiscal year, transfer the interest earned during the previous fiscal year on the money in the disaster relief fund to the account in an amount not to exceed \$500,000.

2. The division of emergency management of the department of motor vehicles and public safety shall administer the account. The division may adopt regulations authorized by this section before, on or after July 1, 1999.

3. All expenditures from the account must be approved in advance by the division. Except as otherwise provided in subsection 4, all money in the account must be expended solely to:

(a) Provide supplemental emergency assistance to this state or to local governments in this state that are severely and adversely affected by a natural, technological or man-made emergency or disaster for which available resources of this state or the local government are inadequate to provide a satisfactory remedy; and

(b) Pay any actual expenses incurred by the division for administration during a natural, technological or man-made emergency or disaster.

4. Beginning with the fiscal year that begins on July 1, 1999, if any balance remains in the account at the end of a fiscal year and the balance has not otherwise been committed for expenditure, the division may, with the approval of the interim finance committee, allocate all or any portion of the remaining balance, not to exceed \$250,000, to this state or to a local government to:

(a) Purchase equipment or supplies required for emergency management; ~~and~~

(b) Provide training to personnel related to emergency management ~~and~~ ;
and

(c) Carry out the provisions of sections 2 to 16, inclusive, of this act.

5. Beginning with the fiscal year that begins on July 1, 1999, the division shall, at the end of each quarter of a fiscal year, submit to the interim finance committee a report of the expenditures made from the account for the previous quarter.

6. The division shall adopt such regulations as are necessary to administer the account.

7. The division may adopt regulations to provide for reimbursement of expenditures made from the account. If the division requires such reimbursement, the attorney general shall take such action as is necessary to recover the amount of any unpaid reimbursement plus interest at a rate determined pursuant to NRS 17.130, computed from the date on which the money was removed from the fund, upon request by the division.

Sec. 42. This act becomes effective on July 1, 2001.