

Amendment No. 272

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| Senate Amendment to Senate Bill No. 205 | (BDR 34-404) |
| Proposed by: Senate Committee on Education | |
| Amendment Box: Replaces Amendment No. 123. | |
| Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes | |

| ASSEMBLY ACTION | | | | Initial and Date | SENATE ACTION | | | | Initial and Date |
|-----------------|--------------------------|------|--------------------------|------------------|---------------|--------------------------|------|--------------------------|------------------|
| Adopted | <input type="checkbox"/> | Lost | <input type="checkbox"/> | _____ | Adopted | <input type="checkbox"/> | Lost | <input type="checkbox"/> | _____ |
| Concurred In | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ | Concurred In | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ |
| Receded | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ | Receded | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ |

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

KRO/RBL



Date: 4/3/2015

S.B. No. 205—Revises provisions relating to plans to be used by a school in responding to a crisis or emergency. (BDR 34-404)



SENATE BILL NO. 205—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON EDUCATION)

MARCH 3, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to plans to be used by a school in responding to a crisis or emergency. (BDR 34-404)

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.

AN ACT relating to schools; requiring the Department of Education to develop a model plan for the management of a crisis or emergency that involves a public or private school; requiring plans for responding to a crisis or emergency in public schools, charter schools and private schools to include the plans, procedures and information included in the model plan developed by the Department; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Education to develop a plan for the management of a crisis or an emergency that involves a public or private school. (NRS 392.640) **Section 3** of this bill instead requires the Department of Education to develop a model plan for the management of a crisis or an emergency that involves a public school or private school. **Section 3** requires this model plan to include certain procedures, plans and information.

Existing law requires the board of trustees of each school district or the governing body of a charter school or private school to establish a development committee to develop a plan to be used by a school in responding to a crisis or an emergency. (NRS 392.616, 392.620, 394.1685, 394.1687) **Sections 4, 5, 6, 7 and 8** of this bill require such plans to include, without limitation, the plans, procedures and information included in the model plan developed by the Department.

Existing law requires each development committee to: (1) review and update the plan it developed for the management of a crisis or an emergency; (2) post a notice of the completion of such a review at each school; and (3) provide a copy of the plan to the State Board. (NRS 392.624, 394.1688) **Sections 2 and 8** of this bill remove the requirement that a development committee provide a copy of each plan to the State Board and instead requires each committee to file a copy of the notice of completion of its review with the Department. **Sections 4-6** of this bill make conforming changes to refer to the model plan developed by the Department.

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 a new section to read as follows:

"Public safety agency" means:

1. A public fire department, fire protection district or other agency of this State or a political subdivision of this State, the primary functions of which are to control, extinguish and suppress fires;

2. A law enforcement agency as defined in NRS 277.035; or

3. An emergency medical service.

Sec. 1.3. NRS 392.600 is hereby amended to read as follows:

392.600 As used in NRS 392.600 to 392.656, inclusive, **and section 1 of this act**, unless the context otherwise requires, the words and terms defined in NRS 392.604 to 392.612, inclusive, **and section 1 of this act** have the meanings ascribed to them in those sections.

~~Section 1.~~ **Sec. 1.7. NRS 392.620 is hereby amended to read as follows:**

392.620 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 or an emergency. 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 or an emergency. Each development committee shall, when developing the plan, consult with:

(a) The local social service agencies and local ~~law enforcement~~ **public safety** agencies in the county in which its school district or charter school is located.

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

2. The plan developed pursuant to subsection 1 must include, without limitation: ~~1. 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 or an emergency;~~

~~—(c) Immediately; The plans, procedures and information included in the model plan developed by the Department pursuant to NRS 392.640;~~

(b) **A procedure for** responding to a crisis or an emergency and for responding during the period after a crisis or an emergency has concluded, including, without limitation, a crisis or an emergency 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; and~~

(c) *A procedure for 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 or an emergency.

3. 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.

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

Sec. 2. NRS 392.624 is hereby amended to read as follows:

392.624 1. Each development committee shall, at least once each year, review and update as appropriate the plan that it developed pursuant to NRS 392.620. In reviewing and updating the plan, the development committee shall consult with the director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the Department of Public Safety or his or her designee.

2. Each development committee shall 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.

3. 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) *File with the Department a copy of the notice provided pursuant to paragraph (a);*

(c) Post a copy of NRS 392.600 to 392.656, inclusive, *and section 1 of this act*, at each school in its school district or at its charter school;

~~(e)~~ (d) Retain a copy of each plan developed pursuant to NRS 392.620, each plan updated pursuant to subsection 1 and each deviation approved pursuant to NRS 392.636;

~~(e)~~ (e) Provide a copy of each plan developed pursuant to NRS 392.620 and each plan updated pursuant to subsection 1 to:

(1) ~~The State Board;~~

~~(2)~~ (2) Each local ~~law enforcement~~ *public safety* agency in the county in which the school district or charter school is located;

~~(3)~~ (2) The Division of Emergency Management of the Department of Public Safety; and

~~(4)~~ (3) The local organization for emergency management, if any;

~~(f)~~ (f) Upon request, provide a copy of each plan developed pursuant to NRS 392.620 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*

(g) *Provide* a copy of each deviation approved pursuant to NRS 392.636 *as soon as practicable* to:

(1) ~~The State Board;~~ *Department;*

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

(3) The Division of Emergency Management of the Department of Public Safety;

(4) The local organization for emergency management, if any;

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

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

~~[(e)]~~ *(h)* At least once each year, provide training in responding to a crisis and training in responding to an emergency to each employee of the school district or of the charter school, including, without limitation, training concerning drills for evacuating and securing schools.

4. 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 NRS 392.600 to 392.656, inclusive. *H*, and section 1 of this act.

Sec. 3. NRS 392.640 is hereby amended to read as follows:

392.640 1. The ~~State Board~~ *Department* shall, with assistance from other state agencies, including, without limitation, the Division of Emergency Management, the Investigation Division, and the Nevada Highway Patrol Division of the Department of Public Safety, develop a *model* plan for the management of a crisis or an emergency that involves a public school, including, without limitation, a charter school, or a private school and that requires immediate action. The *model* plan must include, without limitation, a procedure for ~~coordinating~~ :

(a) Coordinating the resources of local, state and federal agencies, officers and employees, as appropriate ~~H~~ ;

(b) Accounting for all persons within a school;

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

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

(e) Assisting pupils of a school in the school district, a charter school or a private school, employees of such a 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;

(f) Reunifying a pupil with his or her parent or legal guardian;

(g) Providing any necessary medical assistance;

(h) Recovering from a crisis or an emergency;

(i) Carrying out a lockdown at a school in which persons are not allowed to enter or exit the school;

(j) Providing shelter in specific areas of a school; and

(k) Providing specific information relating to managing a crisis or an emergency that is a result of:

~~(1) A severe storm;~~

~~(2) An earthquake;~~

~~(3) A fire;~~

~~(4) A flood;~~

~~(5) An incident involving hazardous materials;~~

~~[(6)]~~ *(2) An incident involving mass casualties;*

~~[(7)]~~ *(3) An incident involving an active shooter; for*

~~(8)]~~ *(4) An outbreak of disease* ~~H~~ ;

(5) Any threat or hazard identified in the hazard mitigation plan of the county in which the school district is located, if such a plan exists; or

(6) Any other situation, threat or hazard deemed appropriate.

2. In developing the *model* plan, the ~~{State Board}~~ Department shall consider the plans developed pursuant to NRS 392.620 and 394.1687 and updated pursuant to NRS 392.624 and 394.1688.

~~2-3~~ 3. The ~~{State Board}~~ Department may disseminate to any appropriate local, state or federal agency, officer or employee, as the ~~{State Board}~~ Department determines is necessary:

(a) The *model* plan developed by the ~~{State Board}~~ Department pursuant to subsection 1;

(b) A plan developed pursuant to NRS 392.620 or updated pursuant to NRS 392.624;

(c) A plan developed pursuant to NRS 394.1687 or updated pursuant to NRS 394.1688; and

(d) A deviation approved pursuant to NRS 392.636 or 394.1692.

4. *The Department shall, at least once each year, review and update as appropriate the model plan developed pursuant to subsection 1.*

Sec. 4. NRS 392.648 is hereby amended to read as follows:

392.648 1. If a crisis or an emergency that requires immediate action occurs at a public school, including, without limitation, a charter school, the principal of the school involved, or the principal's designated representative, shall, in accordance with the plan developed for the school pursuant to NRS 392.620 and in accordance with any deviation approved pursuant to NRS 392.636, contact all appropriate local agencies to respond to the crisis or the emergency.

2. If a local agency that is responsible for responding to a crisis or an emergency is contacted pursuant to subsection 1 and the local agency determines that the crisis or the emergency 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 Public Safety of the crisis or the emergency and request assistance from the Division in responding to the crisis or the emergency; 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 Public Safety of the crisis or the emergency and request assistance from the Division in responding to the crisis or the emergency.

3. If the Division of Emergency Management of the Department of Public Safety receives notification of a crisis or an emergency and a request for assistance pursuant to subsection 2 and the Governor or the Governor's designated representative determines that the crisis or the emergency requires assistance from a state agency, the Division shall carry out its duties set forth in the *model* plan developed pursuant to NRS 392.640 and its duties set forth in chapter 414 of NRS, including, without limitation, addressing the immediate crisis or emergency 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. 5. NRS 392.652 is hereby amended to read as follows:

392.652 A plan developed pursuant to NRS 392.620 or updated pursuant to NRS 392.624, a deviation and any information submitted to a development committee pursuant to NRS 392.632, a deviation approved pursuant to NRS 392.636 and the *model* plan developed pursuant to NRS 392.640 are confidential

and, except as otherwise provided in NRS 239.0115 and 392.600 to 392.656, inclusive, and section 1 of this act must not be disclosed to any person or government, governmental agency or political subdivision of a government.

Sec. 6. NRS 392.656 is hereby amended to read as follows:

392.656 The provisions of chapter 241 of NRS do not apply to a meeting of:

1. A development committee;

2. A school committee; ~~for~~

3. The State Board if the meeting concerns a regulation adopted pursuant to NRS 392.644 ; or

4. *The Department if the meeting concerns the model plan developed pursuant to NRS 392.640.*

Sec. 7. NRS 394.1687 is hereby amended to read as follows:

394.1687 1. Each development committee shall develop a plan to be used by its school in responding to a crisis or an emergency. Each development committee shall, when developing the plan, consult with:

(a) The local social service agencies and local ~~(law enforcement)~~ public safety agencies in the county in which its school is located.

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

2. The plan developed pursuant to subsection 1 must include, without limitation ~~1, 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 or an emergency;~~

~~— (c) Immediately ;~~

(a) *The plans, procedures and information included in the model plan developed by the Department pursuant to NRS 392.640;*

(b) *A procedure for immediately* responding to a crisis or an emergency and for responding during the period after a crisis or an emergency has concluded, including, without limitation, a crisis or an emergency 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 ; and~~

(c) *A procedure for enforcing* discipline within the school and for obtaining and maintaining a safe and orderly environment during a crisis or an emergency.

3. 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.

4. Except as otherwise provided in NRS 394.1691 and 394.1692, each private school must comply with the plan developed for it pursuant to this section.

Sec. 8. NRS 394.1688 is hereby amended to read as follows:

394.1688 1. Each development committee shall, at least once each year, review and update as appropriate the plan that it developed pursuant to NRS 394.1687. In reviewing and updating the plan, the development committee shall consult with the director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the

1 Division of Emergency Management of the Department of Public Safety or his or
2 her designee.

3 2. Each development committee shall provide an updated copy of the plan to
4 the governing body of the school.

5 3. The governing body of each private school shall:

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

8 (b) *File with the Department a copy of the notice provided pursuant to*
9 *paragraph (a);*

10 (c) Post a copy of NRS 392.640 and 394.168 to 394.1699, inclusive, at the
11 school;

12 ~~13~~ (d) Retain a copy of each plan developed pursuant to NRS 394.1687, each
13 plan updated pursuant to subsection 1 and each deviation approved pursuant to
14 NRS 394.1692;

15 ~~16~~ (e) Provide a copy of each plan developed pursuant to NRS 394.1687 and
16 each plan updated pursuant to subsection 1 to:

17 (1) ~~The Board;~~

18 ~~(2)~~ Each local ~~law enforcement~~ *public safety* agency in the county in
19 which the school is located;

20 ~~(3)~~ (2) The Division of Emergency Management of the Department of
21 Public Safety; and

22 ~~(4)~~ (3) The local organization for emergency management, if any;

23 ~~1687~~ (f) Upon request, provide a copy of each plan developed pursuant to NRS
24 394.1687 and each plan updated pursuant to subsection 1 to a local agency that is
25 included in the plan and to an employee of the school who is included in the plan;

26 ~~1692~~ (g) Upon request, provide a copy of each deviation approved pursuant to
27 NRS 394.1692 to:

28 (1) The ~~Board~~ *Department;*

29 (2) A local ~~law enforcement~~ *public safety* agency in the county in which
30 the school is located;

31 (3) The Division of Emergency Management of the Department of Public
32 Safety;

33 (4) The local organization for emergency management, if any;

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

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

36 ~~1692~~ (h) At least once each year, provide training in responding to a crisis and
37 training in responding to an emergency to each employee of the school, including,
38 without limitation, training concerning drills for evacuating and securing the
39 school.

40 **Sec. 9.** NRS 394.1696 is hereby amended to read as follows:

41 394.1696 1. If a crisis or an emergency that requires immediate action
42 occurs at a private school, the principal or other person in charge of the private
43 school involved, or his or her designated representative, shall, in accordance with
44 the plan developed for the school pursuant to NRS 394.1687 and in accordance
45 with any deviation approved pursuant to NRS 394.1692, contact all appropriate
46 local agencies to respond to the crisis or the emergency.

47 2. If a local agency that is responsible for responding to a crisis or an
48 emergency is contacted pursuant to subsection 1 and the local agency determines
49 that the crisis or the emergency requires assistance from a state agency, the local
50 agency may:

51 (a) If a local organization for emergency management has been established in
52 the city or county in which the local agency that was contacted is located, through
53 such local organization for emergency management, notify the Division of

1 Emergency Management of the Department of Public Safety of the crisis or the
2 emergency and request assistance from the Division in responding to the crisis or
3 the emergency; or

4 (b) If a local organization for emergency management has not been established
5 in the city or county in which the local agency that was contacted is located,
6 directly notify the Division of Emergency Management of the Department of Public
7 Safety of the crisis or the emergency and request assistance from the Division in
8 responding to the crisis or the emergency.

9 3. If the Division of Emergency Management of the Department of Public
10 Safety receives notification of a crisis or an emergency and a request for assistance
11 pursuant to subsection 2 and the Governor or the Governor's designated
12 representative determines that the crisis or the emergency requires assistance from a
13 state agency, the Division shall carry out its duties set forth in the *model* plan
14 developed pursuant to NRS 392.640 and its duties set forth in chapter 414 of NRS,
15 including, without limitation, addressing the immediate crisis or emergency and
16 coordinating the appropriate and available local, state and federal resources to
17 provide support services and counseling to pupils, teachers, and parents or legal
18 guardians of pupils, and providing support for law enforcement agencies, for as
19 long as is reasonably necessary.

20 **Sec. 10.** This act becomes effective on July 1, 2015.