

Amendment No. 612

Senate Amendment to Senate Bill No. 394	(BDR 38-264)
Proposed by: Senate Committee on Health and Human Services	
Amendment Box: Replaces Amendment No. 582.	
Amends: Summary: No Title: Yes 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.

DLJ/MSM



Date: 4/16/2015

S.B. No. 394—Revises provisions relating to the protection of children.
(BDR 38-264)



SENATE BILL NO. 394—SENATORS ROBERSON, HARDY, FARLEY, HAMMOND AND
HARRIS

MARCH 17, 2015

JOINT SPONSORS: ASSEMBLYMEN HICKEY AND WOODBURY

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to the protection of children.
(BDR 38-264)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 children; ~~revising provisions relating to foster care;~~ revising provisions relating to guardians ad litem for a child in certain circumstances; requiring the instruction of pupils in personal safety; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~Under existing law, a child placed in a foster home by an agency which provides child welfare services has the right to participate in extracurricular, cultural and personal enrichment activities which are consistent with the age and developmental level of the child. (NRS 422.525, 422.525) Pursuant to the federal law, Pub. L. No. 112-182, a state plan for foster care and adoption assistance must, after September 29, 2015, provide that prospective foster parents have knowledge and skills relating to the reasonable and prudent parent standard for determining whether a foster child may participate in age and developmentally appropriate extracurricular, enrichment, cultural and social activities. (42 U.S.C. § 671) Section 2 of this bill provides that the reasonable and prudent parent standard is characterized by the use of careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child. Section 2 of this bill requires training in the reasonable and prudent parent standard for all providers of foster care, employees of a foster care agency, and any employee of the Division of Child and Family Services of the Department of Health and Human Services or any agency which provides child welfare services who is responsible for the placement of children in foster care or the inspection or investigation of foster homes. Section 5 of this bill provides that a foster home may not receive a child for foster care until the training required pursuant to section 2 has been completed, and section 18 of this bill allows any such existing provider 2 years to complete the training.~~

~~Section 6 of this bill requires the licensing authority to discuss with an applicant for licensure as a foster home and, to the extent possible, ensure that the applicant understands that the provider of foster care is a partner with the licensing authority in the supervision and care of a child placed in that foster home, and that the provider of foster care will, whenever practicable, be consulted and included in making decisions relating to the child. (NRS 424.026) Section 9 of this bill provides immunity from liability for a provider of foster care in~~

~~the event of any injury to a child in the provider's care that results from the child's participation in an extra-curricular, enrichment, cultural or social activity so long as the provider of foster care acted in accordance with the reasonable and prudent parent standard. (NRS 424.085)~~

Existing law authorizes certain courts to appoint an attorney to serve as a guardian ad litem to represent a child in certain matters concerning child welfare, and further provides that an attorney may not receive any compensation for services as a guardian ad litem. (NRS 432B.420) Existing law also requires certain courts to appoint a guardian ad litem, who must be a volunteer and who has had certain training, to represent a child in a proceeding to determine if a child is in need of protection, and provides that no compensation may be allowed a person serving as such a guardian ad litem. (NRS 432B.500, 432B.505) **Sections 11 and 12** of this bill remove the prohibition on a guardian ad litem receiving compensation, and **section 13** of this bill removes the requirement that a guardian ad litem be a volunteer.

Sections 15 and 16 of this bill require pupils in public schools to be provided with age-appropriate instruction in personal safety. **Section 15** requires the Department of Education, in consultation with persons and organizations who possess knowledge and expertise in the personal safety of children, to develop age-appropriate curriculum standards for teaching personal safety to children. The Department must also develop recommendations to assist ~~the board of trustees of~~ a school district or ~~the governing body of~~ a charter school to develop and implement various programs related to the personal safety of children. **Section 16** requires the board of trustees of each school district and the governing body of each charter school to ~~direct~~ ensure that instruction on the personal safety of children be carried out as part of a course of study in health and based on the standards developed by the Department. The ~~board of trustees of~~ school district or governing body of ~~charter school~~ is required to determine the appropriate grade levels, course content and materials for such instruction, and the instruction must be provided by: (1) a licensed teacher; (2) an employee of the school district with special knowledge or training in the teaching of personal safety to children; (3) an employee of an agency which has as its primary purpose the teaching of personal safety to children; ~~or~~ (4) an employee of a law enforcement agency; ~~or~~ or (5) a volunteer of an agency which has as its primary purpose the teaching of personal safety to children who has undergone a background investigation and has special training in the teaching of personal safety. **Section 16** also provides that the parent or guardian of each pupil to whom such instruction will be provided must be notified of such instruction and provided with an opportunity to review the instructional materials to be used and to submit a written request that the pupil be excused from the instruction, unless the course in which the instruction is provided is required for graduation.

Finally, **section 19** of this bill gives the Department until July 1, 2016, to develop the age-appropriate curriculum standards, and gives the board of trustees of each school district and the governing board of each charter school until July 1, 2020, to begin providing instruction in the personal safety of children.

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

Section 1. ~~Chapter 424 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.~~ (Deleted by amendment.)

Sec. 2. ~~“Reasonable and prudent parent standard” means a standard, characterized by careful and sensible parental decisions that maintain the health, safety and best interests of the child while at the same time encouraging the emotional and developmental growth of the child, used by a provider of foster care when determining whether to allow a child in the care of the provider of foster care to participate in extra-curricular, enrichment, cultural and social activities which are consistent with the age and developmental level of the child. The term does not include determinations that would violate a court order regarding the child, including, without limitation, an order relating to visitation,~~

~~counseling or therapy, unless the provider of foster care has obtained prior approval from the court that issued the order or the licensing authority.] (Deleted by amendment.)~~

~~Sec. 3. 1. The Division shall, in consultation with each licensing authority in a county whose population is 100,000 or more:~~

~~(a) Adopt regulations that require training regarding the reasonable and prudent parent standard for each:~~

~~(1) Provider of foster care;~~

~~(2) Employee of a foster care agency; and~~

~~(3) Employee of the Division or a licensing agency who is responsible for the placement of children in foster care or the inspection and investigation of foster homes.~~

~~(b) Provide or contract with a third party for the provision of the training required pursuant to paragraph (a). Such training must include, without limitation:~~

~~(1) Strategies to assist a provider of foster care in applying the reasonable and prudent parent standard in a manner that protects child safety, while also allowing children to experience normal and beneficial activities, including, without limitation, sports, field trips and overnight activities lasting 1 or more days;~~

~~(2) Methods for appropriately considering the concerns of the biological parent or parents of a child in decisions related to participation of the child in activities, with the understanding that those concerns should not necessarily determine the participation of the child in the activities; and~~

~~(3) Examples of the types of extracurricular, enrichment, cultural and social activities that are appropriate for children at various levels of age or maturity.~~

~~(c) Adopt such policies, procedures or regulations as determined necessary to support, encourage and reinforce the use of the reasonable and prudent parent standard by providers of foster care in this State to give children in foster care regular, ongoing opportunities to participate in developmentally and age-appropriate extracurricular, enrichment, cultural and social activities.~~

~~2. The Division may apply for and accept grants, gifts, donations, bequests or devises from any public or private source to carry out the provisions of this section.] (Deleted by amendment.)~~

~~Sec. 4. [NRS 424.010 is hereby amended to read as follows:~~

~~424.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 424.012 to 424.018, inclusive, and section 2 of this act have the meanings ascribed to them in those sections.] (Deleted by amendment.)~~

~~Sec. 5. [NRS 424.030 is hereby amended to read as follows:~~

~~424.030 1. No person may conduct a family foster home, a specialized foster home, an independent living foster home or a group foster home without receiving a license to do so from the licensing authority.~~

~~2. No license may be issued to a family foster home, a specialized foster home, an independent living foster home or a group foster home until a fair and impartial investigation of the home and its standards of care has been made by the licensing authority or its designee.~~

~~3. Any family foster home, specialized foster home, independent living foster home or group foster home that conforms to the established standards of care and prescribed rules must receive a regular license from the licensing authority, which may be in force for 2 years after the date of issuance. On reconsideration of the standards maintained, the license may be renewed upon expiration.~~

~~4. If a family foster home, a specialized foster home, an independent living foster home or a group foster home does not meet minimum licensing standards but offers values and advantages to a particular child or children and will not jeopardize the health and safety of the child or children placed therein, the family foster home, specialized foster home, independent living foster home or group foster home may be issued a special license, which must be in force for 1 year after the date of issuance and may be renewed annually. No foster children other than those specified on the license may be cared for in the home.~~

~~5. A family foster home, a specialized foster home, an independent living foster home or a group foster home may not accept the placement of a child by a juvenile court unless licensed by the licensing authority to accept children placed by a juvenile court or otherwise approved to accept the placement by the licensing authority. A foster home that accepts the placement of such a child shall work cooperatively with the juvenile court, the licensing authority, any other children placed in the foster home and the legal guardian or other person or agency with legal authority over the child to ensure the safety of all children placed in the foster home. Nothing in this subsection shall be construed to allow the placement of a child that would otherwise be prohibited by subsection 7 of NRS 432B.390.~~

~~6. A license must not be issued to a specialized foster home or a group foster home unless the specialized foster home or group foster home maintains a policy of general liability insurance in an amount determined to be sufficient by the licensing authority.~~

~~7. The license must show:~~

~~(a) The name of the persons licensed to conduct the family foster home, specialized foster home, independent living foster home or group foster home.~~

~~(b) The exact location of the family foster home, specialized foster home, independent living foster home or group foster home.~~

~~(c) The number of children that may be received and cared for at one time.~~

~~(d) If the license is a special license issued pursuant to subsection 4, the name of the child or children for whom the family foster home, specialized foster home, independent living foster home or group foster home is licensed to provide care.~~

~~(e) Whether the family foster home, specialized foster home, independent living foster home or group foster home is approved to receive and care for children placed by a juvenile court.~~

~~8. A family foster home, specialized foster home, independent living foster home or group foster home may not receive a child for care until the training required pursuant to section 3 of this act has been completed.~~

~~9. No family foster home, specialized foster home, independent living foster home or group foster home may receive for care more children than are specified in the license.~~

~~[9.] 10. In consultation with each licensing authority in a county whose population is 100,000 or more, the Division may adopt regulations regarding the issuance of special licenses.] (Deleted by amendment.)~~

Sec. 6. ~~NRS 424.036 is hereby amended to read as follows:~~

~~424.036 Before issuing a license to conduct a foster home pursuant to NRS 424.030, the licensing authority shall discuss with the applicant and, to the extent possible, ensure that the applicant understands:~~

~~1. The role of a provider of foster care, the licensing authority and the members of the immediate family of a child placed in a foster home; [and]~~

~~2. The personal skills which are required of a provider of foster care and the other residents of a foster home to provide effective foster care [.] and~~

~~3. That the provider of foster care is a partner with the licensing authority in the supervision and care of a child placed in the care of the provider, and that~~

~~the provider will, whenever practicable, be consulted and included in the making of decisions relating to the child.] (Deleted by amendment.)~~

Sec. 7. ~~[NRS 424.0265 is hereby amended to read as follows:~~

~~424.0365 1. A licensee that operates a family foster home, a specialized foster home, an independent living foster home or a group foster home shall ensure that each employee who comes into direct contact with children in the home receives training within 30 days after employment and annually thereafter. Such training must include, without limitation, instruction concerning:~~

- ~~(a) Controlling the behavior of children;~~
- ~~(b) Policies and procedures concerning the use of force and restraint on children;~~
- ~~(c) The rights of children in the home;~~
- ~~(d) Suicide awareness and prevention;~~
- ~~(e) The administration of medication to children;~~
- ~~(f) Applicable state and federal constitutional and statutory rights of children in the home;~~
- ~~(g) Policies and procedures concerning other matters affecting the health, welfare, safety and civil and other rights of children in the home; [and]~~
- ~~(h) The use of the reasonable and prudent parent standard; and~~
- ~~(i) Such other matters as required by the licensing authority or pursuant to regulations of the Division.~~

~~2. The Division shall adopt regulations necessary to carry out the provisions of this section.] (Deleted by amendment.)~~

Sec. 8. ~~[NRS 424.038 is hereby amended to read as follows:~~

~~424.038 1. Before placing, and during the placement of, a child in a foster home, the licensing authority shall provide to the provider of foster care such information relating to the child as is necessary to [ensure]:~~

- ~~(a) Ensure the health and safety of the child and the other residents of the foster home []; and~~
- ~~(b) Make decisions about the child using the reasonable and prudent parent standard.~~

~~This information must include the medical history and previous behavior of the child to the extent that such information is available.~~

~~2. The provider of foster care may, at any time before, during or after the placement of the child in the foster home, request information about the child from the licensing authority. After the child has left the care of the provider, the licensing authority shall provide the information requested by the provider, unless the information is otherwise declared to be confidential by law or the licensing authority determines that providing the information is not in the best interests of the child.~~

~~3. The provider of foster care shall maintain the confidentiality of information obtained pursuant to this section under the terms and conditions otherwise required by law.~~

~~4. The Division shall adopt regulations specifying the procedure and format for the provision of information pursuant to this section, which may include the provision of a summary of certain information. If a summary is provided pursuant to this section, the provider of foster care may also obtain the information set forth in subsections 1 and 2.] (Deleted by amendment.)~~

Sec. 9. ~~[NRS 424.085 is hereby amended to read as follows:~~

~~424.085 1. Except as otherwise provided by specific statute, a person who is licensed by the licensing authority pursuant to NRS 424.030 to conduct a family foster home, a specialized foster home, an independent living foster home or a group foster home is not liable for any [act].~~

~~(a) Act of a child in his or her foster care unless the person licensed by the licensing authority took an affirmative action that contributed to the act of the child.~~

~~(b) Injury to a child in his or her foster care as a result of the child's participation in an extracurricular, enrichment, cultural or social activity, provided that the person acted in accordance with the reasonable and prudent parent standard.~~

~~2. The immunity from liability provided pursuant to this section includes, without limitation, immunity from any fine, penalty, debt or other liability incurred as a result of the act of the child.] (Deleted by amendment.)~~

Sec. 10. ~~[NRS 424.090 is hereby amended to read as follows:~~

~~424.090 The provisions of NRS 424.020 to 424.090, inclusive, and section 3 of this act do not apply to homes in which:~~

~~1. Care is provided only for a neighbor's or friend's child on an irregular or occasional basis for a brief period, not to exceed 90 days.~~

~~2. Care is provided by the legal guardian.~~

~~3. Care is provided for an exchange student.~~

~~4. Care is provided to enable a child to take advantage of educational facilities that are not available in his or her home community.~~

~~5. Any child or children are received, cared for and maintained pending completion of proceedings for adoption of such child or children, except as otherwise provided in regulations adopted by the Division.~~

~~6. Except as otherwise provided in regulations adopted by the Division, care is voluntarily provided to a minor child who is related to the caregiver by blood, adoption or marriage.~~

~~7. Care is provided to a minor child who is in the custody of an agency which provides child welfare services pursuant to chapter 432B of NRS or a juvenile court pursuant to title 5 of NRS if:~~

~~(a) The caregiver is related to the child within the fifth degree of consanguinity; and~~

~~(b) The caregiver is not licensed pursuant to the provisions of NRS 424.020 to 424.090, inclusive [], and section 3 of this act.] (Deleted by amendment.)~~

Sec. 11. NRS 432B.420 is hereby amended to read as follows:

432B.420 1. A parent or other person responsible for the welfare of a child who is alleged to have abused or neglected the child may be represented by an attorney at all stages of any proceedings under NRS 432B.410 to 432B.590, inclusive. Except as otherwise provided in subsection 2, if the person is indigent, the court may appoint an attorney to represent the person. The court may, if it finds it appropriate, appoint an attorney to represent the child. The child may be represented by an attorney at all stages of any proceedings held pursuant to NRS 432B.410 to 432B.590, inclusive. If the child is represented by an attorney, the attorney has the same authority and rights as an attorney representing a party to the proceedings.

2. If the court determines that the parent of an Indian child for whom protective custody is sought is indigent, the court:

(a) Shall appoint an attorney to represent the parent;

(b) May appoint an attorney to represent the Indian child; and

(c) May apply to the Secretary of the Interior for the payment of the fees and expenses of such an attorney,

↳ as provided in the Indian Child Welfare Act.

3. Each attorney, other than a public defender, if appointed under the provisions of subsection 1, is entitled to the same compensation and payment for expenses from the county as provided in NRS 7.125 and 7.135 for an attorney appointed to represent a person charged with a crime. Except as otherwise provided

1 in NRS 432B.500, an attorney appointed to represent a child may also be appointed
2 as guardian ad litem for the child. ~~{An attorney may not receive any compensation~~
3 ~~for services as a guardian ad litem.}~~

4 **Sec. 12.** NRS 432B.500 is hereby amended to read as follows:

5 432B.500 1. After a petition is filed that a child is in need of protection
6 pursuant to NRS 432B.490, the court shall appoint a guardian ad litem for the child.
7 The person so appointed:

8 (a) Must meet the requirements of NRS 432B.505 or, if such a person is not
9 available, a representative of an agency which provides child welfare services, a
10 juvenile probation officer, an officer of the court or another volunteer.

11 (b) Must not be a parent or other person responsible for the child's welfare.

12 2. ~~{No compensation may be allowed a person serving as a guardian ad litem~~
13 ~~pursuant to this section.~~

14 ~~—3—~~ A guardian ad litem appointed pursuant to this section shall:

15 (a) Represent and protect the best interests of the child until excused by the
16 court;

17 (b) Thoroughly research and ascertain the relevant facts of each case for which
18 the guardian ad litem is appointed, and ensure that the court receives an
19 independent, objective account of those facts;

20 (c) Meet with the child wherever the child is placed as often as is necessary to
21 determine that the child is safe and to ascertain the best interests of the child;

22 (d) Explain to the child the role of the guardian ad litem and, when appropriate,
23 the nature and purpose of each proceeding in the case;

24 (e) Participate in the development and negotiation of any plans for and orders
25 regarding the child, and monitor the implementation of those plans and orders to
26 determine whether services are being provided in an appropriate and timely
27 manner;

28 (f) Appear at all proceedings regarding the child;

29 (g) Inform the court of the desires of the child, but exercise independent
30 judgment regarding the best interests of the child;

31 (h) Present recommendations to the court and provide reasons in support of
32 those recommendations;

33 (i) Request the court to enter orders that are clear, specific and, when
34 appropriate, include periods for compliance;

35 (j) Review the progress of each case for which the guardian ad litem is
36 appointed, and advocate for the expedient completion of the case; and

37 (k) Perform such other duties as the court orders.

38 **Sec. 13.** NRS 432B.505 is hereby amended to read as follows:

39 432B.505 1. To qualify for appointment as a guardian ad litem pursuant to
40 NRS 432B.500 in a judicial district that includes a county whose population is less
41 than 100,000, a special advocate must ~~{be a volunteer from the community who~~
42 ~~completes}~~ **complete** an initial 12 hours of specialized training and, annually
43 thereafter, ~~{completes}~~ **complete** 6 hours of specialized training. The training must
44 be approved by the court and include information regarding:

45 (a) The dynamics of the abuse and neglect of children;

46 (b) Factors to consider in determining the best interests of a child, including
47 planning for the permanent placement of the child;

48 (c) The interrelationships between the family system, legal process and system
49 of child welfare;

50 (d) Skills in mediation and negotiation;

51 (e) Federal, state and local laws affecting children;

52 (f) Cultural, ethnic and gender-specific issues;

53 (g) Domestic violence;

(h) Resources and services available in the community for children in need of protection;

(i) Child development;

(j) Standards for guardians ad litem;

(k) Confidentiality issues; and

(l) Such other topics as the court deems appropriate.

2. To qualify for appointment as a guardian ad litem pursuant to NRS 432B.500 in a judicial district that does not include a county whose population is less than 100,000, a special advocate must be qualified pursuant to the standards for training of the National Court Appointed Special Advocate Association or its successor. If such an Association ceases to exist, the court shall determine the standards for training.

Sec. 14. Chapter 389 of NRS is hereby amended by adding thereto the provisions set forth as sections 15 and 16 of this act.

Sec. 15. 1. *The Department, in consultation with persons and organizations who possess knowledge and expertise in the teaching of personal safety of children, shall develop:*

(a) *Age-appropriate curriculum standards based on best practices for teaching the personal safety of children to pupils in kindergarten and grades 1 to 12, inclusive.* ~~It and~~

(b) *Recommendations to assist* ~~the board of trustees of~~ a school district or ~~the governing body of a~~ charter school in developing:

(1) *A training plan to ensure that* ~~all school employees receive~~ at least one employee at each school, as designated by the principal, receives training on ~~the teaching of~~ the personal safety of children;

(2) Educational materials and information to be distributed to parents, guardians or other caretakers of pupils regarding the personal safety of children and how and when to teach and reinforce concepts and skills of the personal safety of children; and

(3) Policies and procedures for the referral of a child who ~~may face unique or particular challenges related to the~~ has reported or experienced an incident that did or could have threatened his or her personal safety, ~~for children,~~ and his or her family or guardian, if appropriate, to various services, including, without limitation, counseling or any other available services or resources.

(c) Recommendations of existing research-based programs and curriculum samples to be considered for implementation.

2. The Department will review the standards and recommendations developed pursuant to subsection 1 on an annual basis to ensure that those standards and recommendations contain current information.

3. The Department may apply for and accept grants, gifts, donations, bequests or devises from any public or private source to carry out the provisions of this section.

4. As used in this section, "personal safety of children" means an age-appropriate recognition of various hazards and dangers that are particular to children, including, without limitation, the danger associated with ~~strangers, playground accidents, car, bicycle or pedestrian accidents,~~ unsafe persons, both known and unknown to the child, abuse, animal bites, becoming lost or separated from a parent or guardian, and an awareness of age-appropriate steps a child may take to avoid, lessen or alleviate those hazards and dangers, including, without limitation, ~~simple first aid,~~ reporting threats of harm to a responsible adult, ~~the use of seat belts, bicycle and playground safety and rules applicable to pedestrians.~~

1 Sec. 16. 1. The board of trustees of each school district and the governing
2 body of each charter school shall ~~direct~~ ensure that instruction in the personal
3 safety of children, based on the standards developed by the Department pursuant
4 to section 15 of this act, be implemented as part of a course of study in health
5 prescribed pursuant to paragraph (c) of subsection 3 of NRS 389.018.

6 2. The ~~board of trustees~~ school district and the ~~governing body~~ charter
7 school, in accordance with the recommendations provided by the Department
8 pursuant to subsection 1 of section 15 of this act, shall determine, for the
9 instruction required ~~pursuant to~~ by subsection 1:

- 10 (a) The content of and materials to be used to provide the instruction; and
11 (b) The grade levels in which the instruction will be provided.

12 3. A person who provides the instruction required by subsection 1 must be:

- 13 (a) A licensed teacher;
14 (b) An employee of the school district with special knowledge or training in
15 the teaching of the personal safety of children;
16 (c) An employee of an agency which has as its primary purpose the teaching
17 of the personal safety of children; ~~or~~

18 (d) An employee of a law enforcement agency ~~or~~; or

19 ~~(e) A volunteer of an agency which has as its primary purpose the teaching~~
20 ~~of the personal safety of children and who meets the requirements of subsection~~
21 ~~8.~~

22 4. The school district and the charter school shall develop a procedure for
23 the notification of the parent or guardian of each pupil to whom the instruction
24 required by subsection 1 is to be provided. The procedure must inform the parent
25 or guardian that:

26 (a) The parent or guardian may submit a written request that the pupil be
27 excused from some or all of the instruction, except when the instruction is
28 included in a course which is required for graduation; and

29 (b) All instructional materials to be used in the instruction required by
30 subsection 1 are available for inspection by the parent or guardian at reasonable
31 times and locations before the instruction is provided.

32 5. A pupil whose parent or guardian submits a written request pursuant to
33 paragraph (a) of subsection 4 must be excused from such instruction without any
34 penalty as to credits or academic standing.

35 6. The ~~board of trustees~~ school district and the ~~governing body~~ charter
36 school shall consider the recommendations developed by the Department
37 pursuant to paragraph (b) of subsection 1 of section 15 of this act and, to the
38 extent money is available for this purpose, develop and implement:

39 (a) A training plan to ensure that all school employees receive training as to
40 the teaching of the personal safety of children;

41 (b) Educational materials and information to be distributed to parents,
42 guardians or other caretakers of pupils regarding the teaching of the personal
43 safety of children; and

44 (c) Policies and procedures for the referral of a child who ~~may face unique~~
45 ~~or particular challenges related to the~~ has reported or experienced an incident
46 that did or could have threatened his or her personal safety, ~~of children,~~ and
47 his or her family or guardian, if appropriate, to various services, including,
48 without limitation, counseling or any other available services or resources.

49 ~~5.~~ 7. On or before August 1 of each year, each board of trustees and each
50 governing body shall report to the Department for the preceding year:

51 (a) The ~~number of pupils who received~~ grade levels in which the
52 instruction required by subsection 1 ~~was~~ conducted;

~~(b) *Relevant statistics regarding the personal safety of children in the school district or charter school.*~~ The curriculum content and materials distributed and utilized for the instruction required by subsection 1;

~~(c) *An evaluation of the effectiveness of*~~ The person, persons or agency utilized to provide the instruction required by subsection 1; and

~~(d) *An evaluation of the development and implementation, if any, of the provisions of subsection 4 undertaken by the board of trustees or the governing body; and*~~

~~(e) *Any other information relating to this section that is requested by the Department.*~~

~~6.1~~ The number of reports or disclosures by pupils of incidents that did or could have threatened their personal safety during the preceding school year.

8. An agency which has as its primary purpose the teaching of the personal safety of children, before allowing any volunteer of the agency to provide instruction pursuant to paragraph (e) of subsection 3, must ensure that the volunteer has successfully completed:

(a) A national background check, which must include, without limitation, a report of the criminal history of the volunteer from the Federal Bureau of Investigation and the Central Repository for Nevada Records of Criminal History;

(b) A child abuse and neglect screening through the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established pursuant to NRS 432.100; and

(c) Adequate and appropriate training specific to providing instruction regarding the personal safety of children.

9. An agency which has as its primary purpose the teaching of the personal safety of children shall, upon request from a school district or charter school and to the extent allowed by federal law, make available to the school district or charter school documentation of the agency's conclusions regarding a volunteer's successful completion of the requirements of subsection 8.

10. A board of trustees of a school district and a governing body of a charter school may apply for and accept grants, gifts, donations, bequests or devises from any public or private source to carry out the provisions of this section.

11. As used in this section, "personal safety of children" has the meaning ascribed to it in section 15 of this act.

Sec. 17. NRS 389.018 is hereby amended to read as follows:

389.018 1. The following subjects are designated as the core academic subjects that must be taught, as applicable for grade levels, in all public schools, the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS:

(a) English, including reading, composition and writing;

(b) Mathematics;

(c) Science; and

(d) Social studies, which includes only the subjects of history, geography, economics and government.

2. Except as otherwise provided in this subsection, a pupil enrolled in a public high school must enroll in a minimum of:

(a) Four units of credit in English;

(b) Four units of credit in mathematics, including, without limitation, Algebra I and geometry, or an equivalent course of study that integrates Algebra I and geometry;

(c) Three units of credit in science, including two laboratory courses; and

(d) Three units of credit in social studies, including, without limitation:

- (1) American government;
- (2) American history; and
- (3) World history or geography.

↪ A pupil is not required to enroll in the courses of study and credits required by this subsection if the pupil, the parent or legal guardian of the pupil and an administrator or a counselor at the school in which the pupil is enrolled mutually agree to a modified course of study for the pupil and that modified course of study satisfies at least the requirements for a standard high school diploma or an adjusted diploma, as applicable.

3. Except as otherwise provided in this subsection, in addition to the core academic subjects, the following subjects must be taught as applicable for grade levels and to the extent practicable in all public schools, the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS:

- (a) The arts;
- (b) Computer education and technology;
- (c) Health; and
- (d) Physical education.

↪ If the State Board requires the completion of course work in a subject area set forth in this subsection for graduation from high school or promotion to the next grade, a public school shall offer the required course work. Except as otherwise provided for a course of study in health prescribed by subsection 1 of NRS 389.0185 ~~and the instruction prescribed by subsection 1 of section 16 of this act~~, unless a subject is required for graduation from high school or promotion to the next grade, a charter school is not required to comply with this subsection.

~~**Sec. 18.** [A provider of foster care licensed to conduct a foster home pursuant to NRS 424.030 as of December 31, 2015, is not subject to the provisions of NRS 424.030, as amended by section 5 of this act, until January 1, 2018.] (Deleted by amendment.)~~

Sec. 19. 1. This act becomes effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act.

2. This section and sections 1 to 13, inclusive, and 18 of this act become effective on January 1, 2016, for all other purposes.

3. Sections 14 and 15 of this act become effective on July 1, 2016, for all other purposes.

4. Sections 16 and 17 of this act become effective on July 1, 2020, for all other purposes.