
SENATE BILL NO. 318—SENATOR HAMMOND

MARCH 18, 2019

Referred to Committee on Education

SUMMARY—Revises provisions relating to school safety.
(BDR 34-281)

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

CONTAINS UNFUNDED MANDATE (§§ 2, 4, 7, 18, 30)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ***omitted material*** is material to be omitted.

AN ACT relating to education; prescribing the duties of a threat assessment team established for a public school; requiring the Office for a Safe and Respectful Learning Environment of the Department of Education to perform certain duties related to school safety and security; requiring the designation of a school safety specialist for each school district and charter school in this State; requiring each school safety specialist to conduct an annual school security risk assessment and perform certain other duties; establishing programs to award grants for certain purposes related to school safety and security and mental health; requiring the board of trustees of each school district to provide for school resource officers at certain public schools; revising the contents of certain policies and plans relating to school safety and security; requiring the testing of emergency communications systems at a school; establishing certain programs to provide behavioral health services to children; requiring certain governmental entities to share information concerning certain at-risk children; and providing other matters properly relating thereto.



* S B 3 1 8 *

Legislative Counsel's Digest:

Existing law establishes the Office for a Safe and Respectful Learning Environment within the Department of Education. (NRS 388.1323) Existing law requires the Director of the Office to establish the Safe-to-Tell Program, which allows any person to report anonymously to the Program any dangerous, violent or unlawful activity which is being conducted, or is threatened to be conducted, on school property, at an activity sponsored by a public school or on a school bus of a public school. (NRS 388.1455) Existing law requires the board of trustees of a school district or the governing body of a charter school to appoint a team of at least three members of the staff of each public school in the district to receive reports of such activity from the support center of the Program. (NRS 388.14553) **Section 12** of this bill names these teams "threat assessment teams." **Section 2** of this bill requires a threat assessment team to: (1) respond to any report of dangerous, violent or unlawful activity on school property, at a school activity, on a school bus or by a pupil enrolled at the school; (2) establish a policy to address a mental health or substance abuse crisis experienced by a pupil; and (3) perform certain other duties related to the recognition of and response to threats.

Section 3 of this bill requires the Director to enter into a contract to develop and maintain a computerized tool for assessing security risks at public schools in this State. **Section 4** of this bill requires the designation of an administrative employee as the school safety specialist for a school district or charter school. **Section 4** requires the school safety specialist to perform certain duties concerning school safety and security, including providing training concerning school safety and security to school employees and pupils and conducting an annual school security risk assessment using the computerized tool developed by the Director. **Section 8** of this bill requires the Office to: (1) provide technical assistance and guidance for school districts and charter schools concerning safety and security; (2) provide training to school safety specialists; (3) review and provide recommendations concerning school security risk assessments; and (4) award grants to school districts and charter schools for the purpose of improving the safety and security of school buildings in accordance with those recommendations.

Section 5 of this bill requires the Director to establish and make available to employees of school districts a computerized program that consists of: (1) a database containing information relevant to school safety and security; and (2) tools and resources for analyzing such data. **Section 6** of this bill requires the Director to award grants to school districts and charter schools to establish a school crime watch program at schools in the district and charter schools.

Existing law authorizes the board of trustees of a school district to employ, appoint or contract for the provision of school police officers and school resource officers. (NRS 388.2358, 391.281) **Section 7** of this bill requires the board of trustees of a school district to enter into a cooperative agreement with a local law enforcement agency to provide one or more school resource officers, which is a peace officer employed by the local law enforcement agency, for each school in the district that is not served by a school police officer. **Section 7** also allows a charter school to enter into such an agreement and prescribes certain required training for and powers of a school resource officer.

Existing law requires the Department to prescribe a policy to provide a safe and respectful learning environment. (NRS 388.133) **Section 9** of this bill requires that policy to include procedures to identify and stop threatening behavior. **Sections 17 and 35** of this bill require the plan to be used by a public or private school in response to a crisis, emergency or suicide to designate a school employee who is responsible for contacting a public safety agency in response to a crisis or emergency and the public safety agencies that will be contacted in response to different types of crisis or emergency. **Section 18** of this bill requires the State Board of Education to adopt regulations that require training and practice in



procedures for responding to an active shooter or the taking of a hostage. **Section 30** of this bill requires the board of trustees of a school district to establish a schedule to test the emergency communications systems at each school in the district.

Existing law requires the Department of Education to award block grants to school districts and charter schools to employ or contract with social workers and other mental health workers in schools with identified needs. (NRS 388.266) **Section 19** of this bill expands this program to instead award block grants to expand school-based mental health and substance abuse services in such schools. **Section 20** of this bill requires the Department to establish an evidence-based youth mental health awareness and assistance training program to assist school employees in the identification of and response to emotional disturbance, mental illness and substance abuse disorders.

Section 22 of this bill requires the Superintendent of Public Instruction to establish a network of persons to provide integrated services to pupils with severe emotional disturbance. **Sections 23, 33, 38, 39, 44, 45 and 49** of this bill require sharing of information concerning a child who is at risk of an emotional disturbance or a mental health or substance abuse crisis among schools and certain state and local governmental entities as necessary to ensure: (1) the safety of the child and other persons; and (2) that the child receives appropriate services. **Sections 27 and 28** of this bill require certain plans relating to the discipline of pupils to provide for the referral of a pupil to behavioral health services when appropriate. **Section 37** of this bill requires a court that refers a child for mental health services to notify the school district or school in which the child is currently enrolled of the referral. **Section 51** of this bill requires the Division of Child and Family Services of the Department of Health and Human Services to provide community-based behavioral health and support services to persons with serious behavioral health conditions who are under 21 years of age.

Sections 10-16, 24-26, 29, 32, 34, 36, 40-42, 46-48 and 50 of this bill make conforming changes.

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

Section 1. Chapter 388 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

Sec. 2. 1. *A threat assessment team appointed pursuant to NRS 388.14553 shall:*

(a) Identify school employees to whom threatening behavior should be reported.

(b) Provide guidance to pupils and school employees concerning the manner in which to recognize threatening or aberrant behavior that may represent a threat to any member of the school community, including, without limitation, the person exhibiting the behavior.

(c) Establish a policy to address a mental health or substance abuse crisis experienced by a pupil. Such a policy must:

(1) Provide for a response to such a mental health or substance abuse crisis by a person with appropriate training,



1 including, without limitation, a school employee trained in crisis
2 intervention or by a mobile unit that provides mental health
3 services, that consists of emergency intervention and assessment,
4 recommendations and referral for appropriate services; and

5 (2) Require a school employee who responds to such a
6 mental health or substance abuse crisis to report to the threat
7 assessment team the actions taken as part of that response.

8 (d) After a pupil experiences a mental health or substance
9 abuse crisis, provide relevant information about the crisis and the
10 response to the crisis to any agency or person that has provided
11 services to the pupil, if known, and coordinate any subsequent
12 actions that are necessary.

13 (e) Annually submit a report concerning the performance of
14 the duties prescribed by this section to the Office for a Safe and
15 Respectful Learning Environment.

16 2. A member of a threat assessment team shall:

17 (a) Upon receiving notification from the support center or any
18 other source of dangerous, violent or unlawful activity which is
19 taking place, or is threatened to take place, on the property of a
20 public school, at an activity sponsored by a public school, on a
21 school bus of a public school or by a pupil enrolled at a public
22 school, take appropriate action in accordance with the training he
23 or she has received pursuant to NRS 388.1455. Such action must
24 include, without limitation, immediately:

25 (1) Consulting a local law enforcement agency that has
26 jurisdiction over the school; and

27 (2) Reporting the dangerous, violent or unlawful activity or
28 threat and the name of any pupil involved in the activity or threat
29 to the superintendent of the school district or his or her designee.
30 Upon receiving such a report, the superintendent or his or her
31 designee shall immediately attempt to notify the parent or
32 guardian of each such pupil.

33 (b) If a pupil commits an act that would be a felony if
34 committed by an adult or two or more acts that would each be a
35 crime if committed by an adult, consult a local law enforcement
36 agency that has jurisdiction over the school to determine whether
37 to file a report with the law enforcement agency.

38 3. Upon determining that a pupil poses a threat of violence to
39 himself or herself or others or exhibits highly disruptive behavior
40 or a need for assistance, a threat assessment team may request
41 juvenile justice information concerning the pupil from a juvenile
42 justice agency. A juvenile justice agency shall provide juvenile
43 justice information to a threat assessment team that makes such a
44 request. Juvenile justice information disclosed to a threat
45 assessment team is confidential and is not a public record.



4. This section shall not be construed to:

(a) Require a threat assessment team to consult with a law enforcement agency except as prescribed by subsection 2; or

(b) Prohibit any person from taking any action not described in this section that is necessary to protect the health and safety of pupils or school employees in response to a threat.

5. The provisions of chapter 241 of NRS do not apply to any meeting of a threat assessment team.

6. As used in this section:

(a) "Juvenile justice agency" has the meaning ascribed to it in NRS 62H.025.

(b) "Juvenile justice information" has the meaning ascribed to it in NRS 62H.025.

Sec. 3. 1. The Director shall enter into a contract with a person experienced in developing software to assess security risks and assessing the security of public facilities to develop and maintain a computerized tool for assessing security risks at public schools in this State.

2. The computerized tool must be designed to assist school safety specialists designated pursuant to section 4 of this act to identify threats, vulnerabilities and necessary safety measures through school security risk assessments conducted pursuant to that section. The computerized tool must generate automated reports of the results of such an assessment. The computerized tool must address, without limitation:

(a) Planning for emergencies;

(b) Policies for security and the prevention of crime and violence;

(c) Measures to improve physical security;

(d) Needs for professional development and training relating to school safety and security;

(e) The identification of persons necessary to provide support for school safety, security and emergency planning and the roles of such persons in the provision of such support;

(f) Staffing and practices for school police officers, school resource officers and other persons who are responsible for the provision of security services in schools;

(g) Collaboration between a school and the community in which the school is located concerning school safety and security; and

(h) The cost effectiveness of physical security measures employed by schools.

3. A contract entered into pursuant to this section must require the contractor to provide training, advice and technical support to employees of the Department, school districts and



1 charter schools, including, without limitation, school safety
2 specialists, concerning the use of the program.

3 4. On or before December 1 of each year, the Director shall:

4 (a) Develop a report concerning the implementation and use of
5 the computerized tool developed pursuant to subsection 1 which
6 includes, without limitation, a summary of measures taken to
7 improve school safety and security as a result of security risk
8 assessments and recommendations to facilitate continued
9 improvements relating to school safety and security; and

10 (b) Submit the report to the Governor and the Director of the
11 Legislative Counsel Bureau for transmittal to:

12 (1) In odd-numbered years, the Legislative Committee on
13 Education; and

14 (2) In even-numbered years, the next regular session of the
15 Legislature.

16 5. A report submitted pursuant to subsection 4, any
17 information contained therein and any other information related
18 to a security risk assessment, including, without limitation,
19 information entered into the computerized tool developed pursuant
20 to subsection 1 or an automated report created by the
21 computerized tool, is confidential and not a public record.

22 6. As used in this section, "school resource officer" has the
23 meaning ascribed to it in NRS 388.2358.

24 **Sec. 4. 1.** The superintendent of schools of each school
25 district shall designate an administrative employee to serve as the
26 school safety specialist for the district. The principal of each
27 charter school shall designate an administrative employee to serve
28 as the school safety specialist for the charter school. Not later than
29 1 year after being designated pursuant to this subsection, a school
30 safety specialist shall complete the training for school safety
31 specialists provided by the Office for a Safe and Respectful
32 Learning Environment pursuant to NRS 388.1323.

33 2. A school safety specialist shall:

34 (a) Review policies and procedures of the school district or
35 charter school, as applicable, that relate to school safety to
36 determine whether those policies and procedures comply with state
37 laws and regulations;

38 (b) Obtain certification as a youth mental health awareness
39 and assistance trainer pursuant to subsection 2 of section 20 of
40 this act or designate at least one employee of the school district or
41 charter school, as applicable, to obtain such certification;

42 (c) Ensure that each school employee who interacts directly
43 with pupils as part of his or her job duties receives:



(1) Training pursuant to subsection 3 of section 20 of this act from a certified youth mental health awareness and assistance trainer; and

(2) Information concerning mental health services available in the school district or charter school, as applicable, and persons to contact if a pupil needs such services;

(d) Ensure the provision to school employees and pupils of appropriate training, in addition to the training described in paragraph (c), concerning:

(1) Mental health;

(2) Emergency procedures, including, without limitation, the plan developed pursuant to NRS 388.243; and

(3) Other matters relating to school safety and security;

(e) Annually conduct a school security risk assessment using the computerized tool developed pursuant to section 3 of this act and submit the school security risk assessment to the Office for a Safe and Respectful Learning Environment for review pursuant to NRS 388.1323;

(f) Present the findings of the school security risk assessment conducted pursuant to paragraph (e) and any recommendations to improve school safety and security based on the assessment at a public meeting of the board of trustees of the school district or governing body of the charter school, as applicable;

(g) Not later than 30 days after the meeting described in paragraph (f), provide to the Director a summary of the findings of the school security risk assessment, any recommendations to improve school safety and security based on the assessment and any actions taken by the board of trustees or governing body, as applicable, based on those recommendations;

(h) Serve as the liaison for the school district or charter school with local public safety agencies, other governmental agencies, nonprofit organizations and the public regarding matters relating to school safety and security;

(i) At least once every 3 years, provide a tour of each school in the district or the charter school, as applicable, to employees of public safety agencies that are likely to be first responders to a crisis, emergency or suicide at the school; and

(j) Provide a written record to the board of trustees of the school district or the governing body of the charter school, as applicable, of any recommendations made by an employee of a public safety agency as a result of a tour provided pursuant to paragraph (i). The board of trustees or governing body, as applicable, shall maintain a record of such recommendations.

3. In a school district in a county whose population is 100,000 or more, the school safety specialist shall collaborate with



1 the emergency manager appointed pursuant to NRS 388.262
2 where appropriate in the performance of the duties prescribed in
3 subsection 2.

4 4. As used in this section:

5 (a) "Administrative employee" means any person who holds a
6 license as an administrator, issued by the Superintendent of Public
7 Instruction, and is employed in that capacity by a school district or
8 charter school.

9 (b) "Crisis" has the meaning ascribed to it in NRS 388.231.

10 (c) "Emergency" has the meaning ascribed to it in
11 NRS 388.233.

12 Sec. 5. 1. The Director, in coordination with the
13 Department of Public Safety, shall establish and make available to
14 employees of school districts and charter schools a computerized
15 program that consists of:

16 (a) A database containing information relevant to school
17 safety and security, including, without limitation, threats of
18 violence, that is obtained from:

19 (1) Social media;

20 (2) The Division of Child and Family Services of the
21 Department of Health and Human Services;

22 (3) The Department of Public Safety;

23 (4) Juvenile justice agencies, as defined in NRS 62H.025;
24 and

25 (5) Law enforcement agencies; and

26 (b) Tools and resources for analyzing the data described in
27 paragraph (a).

28 2. Data maintained in the database of the computerized
29 program established pursuant to subsection 1 is confidential and
30 is not a public record.

31 3. The Director shall take any measures necessary, including,
32 without limitation, role-based security, data encryption and data
33 anonymization and aggregation and auditing, to ensure that the
34 confidentiality of information contained in the database of the
35 computerized program is maintained in accordance with
36 subsection 2.

37 4. The Department shall adopt regulations prescribing
38 criteria for determining which school employees are authorized to
39 access the database of the computerized program. Such
40 regulations must require a school employee who wishes to access
41 information provided to the database by a state or local agency to
42 meet the criteria established for access to the information by the
43 agency that provided the information.

44 Sec. 6. 1. To the extent that money is available, the
45 Director shall award grants to school districts and charter schools



1 *to establish a school crime watch program at schools in the district*
2 *or charter schools, as applicable.*

3 2. *A school crime watch program established pursuant to this*
4 *section must encourage pupils, school employees and members of*
5 *the community in which a school is located to report to the Safe-*
6 *to-Tell Program information concerning any dangerous, violent or*
7 *unlawful activity which is being conducted, or is threatened to be*
8 *conducted, on school property, at an activity sponsored by a public*
9 *school or on a school bus of a public school.*

10 3. *Any person or entity who in good faith shares information*
11 *as authorized by this section is immune from criminal or civil*
12 *liability for any act or omission which arises out of the sharing of*
13 *that information.*

14 **Sec. 7. 1.** *The board of trustees of a school district shall*
15 *enter into a cooperative agreement with a local law enforcement*
16 *agency to provide one or more school resource officers for each*
17 *school in the district that is not served by school police officers*
18 *pursuant to NRS 391.281. The governing body of a charter school*
19 *that is not served by school police officers pursuant to NRS*
20 *388A.384 may enter into such an agreement.*

21 2. *Before serving as a school resource officer, a peace officer*
22 *must complete training concerning intervention in a mental health*
23 *crisis. Such training must:*

24 (a) *Use a curriculum developed by a nationally recognized*
25 *organization with expertise in intervention in a mental health*
26 *crisis;*

27 (b) *Be designed to improve skills for responding to incidents*
28 *involving pupils with a mental illness or emotional disturbance;*
29 *and*

30 (c) *Include, without limitation, training concerning the de-*
31 *escalation of an incident involving a pupil with a mental illness or*
32 *emotional disturbance.*

33 3. *A school resource officer, while serving on school*
34 *grounds:*

35 (a) *Retains the powers of a peace officer; and*

36 (b) *Shall adhere to all policies adopted by the board of trustees*
37 *of the school district or governing body of the charter school, as*
38 *applicable, and coordinate his or her activities with the principal*
39 *of the school.*

40 **Sec. 8.** *NRS 388.1323 is hereby amended to read as follows:*
41 *388.1323 1. The Office for a Safe and Respectful Learning*
42 *Environment is hereby created within the Department.*

43 2. *The Superintendent of Public Instruction shall appoint a*
44 *Director of the Office, who shall serve at the pleasure of the*
45 *Superintendent.*



3. The Director of the Office shall ensure that the Office:

(a) Maintains a 24-hour, toll-free statewide hotline and Internet website by which any person can report a violation of the provisions of NRS 388.121 to 388.1395, inclusive, and obtain information about anti-bullying efforts and organizations; ~~and~~

(b) Provides outreach , ~~and anti-bullying~~ education and training for pupils, parents and guardians, teachers, administrators, coaches and other staff members and the members of a governing body. The outreach and training must include, without limitation:

(1) Training regarding methods, procedures and practice for recognizing bullying and cyber-bullying behaviors;

(2) Training regarding effective intervention and remediation strategies regarding bullying and cyber-bullying;

(3) Training regarding methods for reporting violations of NRS 388.135; ~~and~~

(4) Information on and referral to available resources regarding suicide prevention and the relationship between bullying or cyber-bullying and suicide ~~H~~ ;

(5) Technical assistance and guidance for school districts and charter schools concerning safety and security; and

(6) Training for school safety specialists designated pursuant to section 4 of this act that:

(I) Is based on national best practices for safety and security in schools;

(II) Includes, without limitation, training on the response to an incident involving an active shooter;

(III) Is available in person or online; and

(IV) Awards a certificate of completion to a school safety specialist who completes the training;

(c) Reviews and provides recommendations concerning each school security risk assessment submitted to the Office pursuant to section 4 of this act; and

(d) To the extent that money is available for this purpose, awards grants of money to school districts and charter schools for the purpose of improving the safety and security of school buildings in accordance with recommendations provided pursuant to paragraph (c).

4. The Director of the Office shall establish procedures by which the Office may receive reports of bullying and cyber-bullying and complaints regarding violations of the provisions of NRS 388.121 to 388.1395, inclusive.

5. The Director of the Office or his or her designee shall investigate any complaint that a teacher, administrator, coach or other staff member or member of a governing body has violated a provision of NRS 388.121 to 388.1395, inclusive. If a complaint



alleges criminal conduct or an investigation leads the Director of the Office or his or her designee to suspect criminal conduct, the Director of the Office may request assistance from the Investigation Division of the Department of Public Safety.

6. The Director of the Office may enter into a contract with security personnel, engineers, architects and other experts on security to assist with reviews of school security risk assessments conducted pursuant to paragraph (c) of subsection 3.

Sec. 9. NRS 388.133 is hereby amended to read as follows:

388.133 1. The Department shall, in consultation with the governing bodies, educational personnel, local associations and organizations of parents whose children are enrolled in schools throughout this State, and individual parents and legal guardians whose children are enrolled in schools throughout this State, prescribe by regulation a policy for all school districts and schools to provide a safe and respectful learning environment that is free of bullying and cyber-bullying.

2. The policy must include, without limitation:

(a) Requirements and methods for reporting violations of NRS 388.135, including, without limitation, violations among teachers and violations between teachers and administrators, coaches and other personnel of a school district or school;

(b) Requirements and methods for addressing the rights and needs of persons with diverse gender identities or expressions; ~~and~~

(c) Procedures to identify behavior that poses a threat to the safety of members of the school community and intervene to stop such behavior; and

(d) A policy for use by school districts and schools to train members of the governing body and all administrators, teachers and all other personnel employed by the governing body. The policy must include, without limitation:

(1) Training in the appropriate methods to facilitate positive human relations among pupils by eliminating the use of bullying and cyber-bullying so that pupils may realize their full academic and personal potential;

(2) Training in methods to prevent, identify and report incidents of bullying and cyber-bullying;

(3) Training concerning the needs of persons with diverse gender identities or expressions;

(4) Training concerning the needs of pupils with disabilities and pupils with autism spectrum disorder;

(5) Methods to promote a positive learning environment;

(6) Methods to improve the school environment in a manner that will facilitate positive human relations among pupils; and



(7) Methods to teach skills to pupils so that the pupils are able to replace inappropriate behavior with positive behavior.

Sec. 10. NRS 388.1451 is hereby amended to read as follows:

388.1451 As used in NRS 388.1451 to 388.1459, inclusive, *and sections 2 to 6, inclusive, of this act*, unless the context otherwise requires, the words and terms defined in NRS 388.1452 to 388.14535, inclusive, have the meanings ascribed to them in those sections.

Sec. 11. NRS 388.1455 is hereby amended to read as follows:

388.1455 1. The Director shall establish the Safe-to-Tell Program within the Office for a Safe and Respectful Learning Environment. The Program must enable any person to report anonymously to the Program any dangerous, violent or unlawful activity which is being conducted, or is threatened to be conducted, on school property, at an activity sponsored by a public school, on a school bus of a public school or by a pupil enrolled at a public school. Any information relating to any such dangerous, violent or unlawful activity, or threat thereof, received by the Program is confidential and, except as otherwise authorized pursuant to paragraph (a) of subsection 2 and NRS 388.1458 *and section 23 of this act*, must not be disclosed to any person.

2. The Program must include, without limitation, methods and procedures to ensure that:

(a) Information reported to the Program is promptly forwarded to the appropriate public safety agencies, the Department and other appropriate state agencies, school administrators and other school employees, including, without limitation, the *threat assessment* teams appointed pursuant to NRS 388.14553; and

(b) The identity of a person who reports information to the Program:

(1) Is not known by any person designated by the Director to operate the Program;

(2) Is not known by any person employed by, contracting with, serving as a volunteer with or otherwise assisting an organization with whom the Director enters into an agreement pursuant to subsection 3; and

(3) Is not disclosed to any person.

3. On behalf of the Program, the Director or his or her designee shall establish and operate a support center that meets the requirements of NRS 388.14557, which includes, without limitation, a hotline, Internet website, mobile telephone application and text messaging application or enter into an agreement with an organization that the Director determines is appropriately qualified and experienced, pursuant to which the organization will establish and operate such a support center, which includes, without



1 limitation, a hotline, Internet website, mobile telephone application
2 and text messaging application. The support center shall receive
3 initial reports made to the Program through the hotline, Internet
4 website, mobile telephone application and text messaging
5 application and forward the information contained in the reports in
6 the manner required by subsection 2.

7 4. The Director shall provide training regarding:

8 (a) The Program to employees and volunteers of each public
9 safety agency, public safety answering point, board of trustees of a
10 school district, governing body of a charter school and any other
11 entity whose employees and volunteers the Director determines
12 should receive training regarding the Program.

13 (b) Properly responding to a *report of dangerous, violent or*
14 *unlawful activity taking place or a threat of such activity,*
15 *including, without limitation, such a* report received from the
16 support center ~~[, including,]~~ , *to each member of a threat*
17 *assessment team appointed pursuant to NRS 388.14553. Such*
18 *training must include, without limitation, training concerning* the
19 manner in which to respond to reports of different types of
20 dangerous, violent and unlawful activity and threats of such activity
21 . ~~[, to each member of a team appointed pursuant to~~
22 ~~NRS 388.14553.]~~

23 (c) The procedure for making a report to the support center
24 using the hotline, Internet website, mobile telephone application and
25 text messaging application and collaborating to prevent dangerous,
26 violent and unlawful activity directed at teachers and other members
27 of the staff of a school, pupils, family members of pupils and other
28 persons.

29 5. The Director shall:

30 (a) Post information concerning the Program on an Internet
31 website maintained by the Director;

32 (b) Provide to each public school educational materials
33 regarding the Program, including, without limitation, information
34 about the telephone number, address of the Internet website, mobile
35 telephone application, text messaging application and any other
36 methods by which a report may be made; and

37 (c) On or before July 1 of each year, submit to the Director of
38 the Legislative Counsel Bureau for transmittal to the Legislative
39 Committee on Education a report containing a summary of the
40 information reported to the Director pursuant to NRS 388.14557
41 during the immediately preceding 12 months and any other
42 information that the Director determines would assist the Committee
43 to evaluate the Program.

44 6. As used in this section:



(a) "Public safety agency" has the meaning ascribed to it in NRS 239B.020.

(b) "Public safety answering point" has the meaning ascribed to it in NRS 707.500.

Sec. 12. NRS 388.14553 is hereby amended to read as follows:

388.14553 1. The board of trustees of a school district or the governing body of a charter school shall:

(a) Appoint a *threat assessment* team of at least three members of the staff of each public school, other than a charter school, that is located in the school district or of the charter school, as applicable, including, without limitation, a school counselor, psychologist, social worker or a similar person, if the school employs such a person on a full-time basis, and a school administrator. The *threat assessment* team must receive notification if the support center receives a report of any dangerous, violent or unlawful activity which is being conducted, or is threatened to be conducted, on the property of the school, at an activity sponsored by the school, on a school bus of the school or by a pupil enrolled at the school.

(b) Ensure that information concerning the Program, including, without limitation, the telephone number for the hotline established pursuant to NRS 388.1455:

(1) Appears on the back of any identification card issued to pupils and staff at the school; and

(2) Is posted in conspicuous locations around the school, which may include, without limitation, the front office, the cafeteria or a school bus.

~~2. Upon receiving notification from the support center of dangerous, violent or unlawful activity which is being conducted, or is threatened to be conducted, on the property of a public school, at an activity sponsored by a public school, on a school bus of a public school or by a pupil enrolled at a public school, a member of the appropriate team appointed pursuant to paragraph (a) of subsection 1 shall take appropriate action in accordance with the training he or she has received pursuant to NRS 388.1455 to respond to the activity or threat.~~

~~—3.1~~ The *threat assessment* team appointed pursuant to paragraph (a) of subsection 1 may:

(a) Include a person appointed by the public school pursuant to NRS 388.247 to a committee to review the plan developed for the school pursuant to NRS 388.243 ~~or~~ *or a school safety specialist designated pursuant to section 4 of this act.*

(b) Allow another person to temporarily serve on the team if a member of the team is unavailable.



Sec. 13. NRS 388.14555 is hereby amended to read as follows:

388.14555 The *threat assessment* team appointed pursuant to NRS 388.14553 and each member of the *threat assessment* team are immune from civil liability for any damages resulting from an act or omission of the team or the member or another member of the team in performing the duties set forth in NRS 388.1455 and ~~388.14553.~~ *section 2 of this act.*

Sec. 14. NRS 388.1458 is hereby amended to read as follows:

388.1458 1. Except as otherwise provided in this section or as otherwise authorized pursuant to paragraph (a) of subsection 2 of NRS 388.1455 ~~§~~ *and section 23 of this act*, a person must not be compelled to produce or disclose any record or information provided to the Safe-to-Tell Program.

2. A defendant in a criminal action may file a motion to compel a person to produce or disclose any record or information provided to the Program. A defendant in a criminal action who files such a motion shall serve a copy of the motion upon the prosecuting attorney and upon the Director, either or both of whom may file a response to the motion not later than a date determined by the court.

3. If the court grants a motion filed by a defendant in a criminal action pursuant to subsection 2, the court may conduct an in camera review of the record or information or make any other order which justice requires. Counsel for all parties shall be permitted to be present at every stage at which any counsel is permitted to be present. If the court determines that the record or information includes evidence that could be offered by the defendant to exculpate the defendant or to impeach the testimony of a witness, the court shall order the record or information to be provided to the defendant. The identity of any person who reported information to the Safe-to-Tell Program must be redacted from any record or information provided pursuant to this subsection, and the record or information may be subject to a protective order further redacting the record or information or otherwise limiting the use of the record or information.

4. The record of any information redacted pursuant to subsection 3 must be sealed and preserved to be made available to the appellate court in the event of an appeal. If the time for appeal expires without an appeal, the court shall provide the record to the Safe-to-Tell Program.

Sec. 15. NRS 388.1459 is hereby amended to read as follows:

388.1459 Except as otherwise provided in NRS 388.1458 or as otherwise authorized pursuant to paragraph (a) of subsection 2 of NRS 388.1455 ~~§~~ *and section 23 of this act*, the willful disclosure of a record or information of the Safe-to-Tell Program, including,



without limitation, the identity of a person who reported information to the Program, or the willful neglect or refusal to obey any court order made pursuant to NRS 388.1458, is punishable as criminal contempt.

Sec. 16. NRS 388.229 is hereby amended to read as follows:

388.229 As used in NRS 388.229 to 388.266, inclusive, *and section 7 of this act*, unless the context otherwise requires, the words and terms defined in NRS 388.231 to 388.2359, inclusive, have the meanings ascribed to them in those sections.

Sec. 17. NRS 388.243 is hereby amended to read as follows:

388.243 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, emergency or suicide. 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, emergency or suicide. Each development committee shall, when developing the plan:

(a) Consult with local social service agencies and local public safety agencies in the county in which its school district or charter school is located.

(b) If the school district has an emergency manager designated pursuant to NRS 388.262, consult with the emergency manager.

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

(d) If the school district has school police officers, consult with the chief of school police of the school district or a person designated by him or her.

(e) 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.

(f) Determine which persons and organizations in the community, including, without limitation, a provider of mental health services which is operated by a state or local agency, that could be made available to assist pupils and staff in recovering from a crisis, emergency or suicide.

2. The plan developed pursuant to subsection 1 must include, without limitation:

(a) The plans, procedures and information included in the model plan developed by the Department pursuant to NRS 388.253;

(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;

(c) *The designation of a school employee who is responsible for contacting a public safety agency in response to a crisis or emergency and the public safety agencies that will be contacted in response to different types of crises or emergencies;*

(d) 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;

~~(d)~~ (e) The names of persons and organizations in the community, including, without limitation, a provider of mental health services which is operated by a state or local agency, that are available to provide counseling and other services to pupils and staff of the school to assist them in recovering from a crisis, emergency or suicide; and

~~(e)~~ (f) A plan for making the persons and organizations described in paragraph ~~(d)~~ (e) available to pupils and staff after a crisis, emergency or suicide.

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 388.249 and 388.251, each public school must comply with the plan developed for it pursuant to this section.

Sec. 18. NRS 388.255 is hereby amended to read as follows:

388.255 1. The State Board shall adopt regulations setting forth requirements for:

(a) The plan required to be developed pursuant to NRS 388.243; and

(b) Reviewing and approving a deviation pursuant to NRS 388.251.

2. The regulations adopted pursuant to this section must ~~include,~~ :

(a) *Include*, without limitation, requirements concerning training and practice in procedures for responding to a crisis, emergency or suicide ~~;~~ ; and

(b) *Require training and practice in procedures for responding to an active shooter or the taking of a hostage to:*

(1) *Be conducted at least as often as practice and procedures for responding to other crises or emergencies and in collaboration with the law enforcement agency or agencies*



1 *responsible for responding to an incident involving an active*
2 *shooter or the taking of a hostage at a school; and*

3 *(2) Engage the participation of the school safety specialist*
4 *designated pursuant to section 4 of this act, threat assessment*
5 *teams appointed pursuant to NRS 388.14533, any emergency*
6 *manager designated pursuant to NRS 388.262, school employees*
7 *and pupils.*

8 **Sec. 19.** NRS 388.266 is hereby amended to read as follows:

9 388.266 1. To the extent that money is available for the
10 purpose, the Department shall:

11 ~~{1-}~~ (a) Develop and carry into effect a program of block grants
12 for the purposes described in ~~{subsection 2-}~~ *paragraph (b)*; and

13 ~~{2-}~~ (b) Make and administer block grants to school districts and
14 charter schools to ~~{employ}~~ *expand school-based mental health*
15 *and substance abuse services in schools with identified needs.*

16 2. A school district or charter school that wishes to receive a
17 grant pursuant to this section must submit to the Department a
18 detailed plan describing the manner in which the money will be
19 used. Such a plan must be focused on delivering evidence-based
20 mental health and substance abuse services to pupils and must
21 include, without limitation, plans to:

22 (a) Provide services for mental health and substance abuse
23 screening, assessment, diagnosis, intervention, treatment and
24 recovery to pupils with a mental health or substance abuse
25 diagnosis or a high risk of such a diagnosis;

26 (b) Coordinate the services described in paragraph (a) with
27 any primary care provider for the pupil and any other person who
28 provides mental health services to the pupil; and

29 (c) Employ or contract with social workers and other mental
30 health workers ~~{in schools with identified needs.}~~ *to provide the*
31 *services described in paragraph (a).*

32 3. Any grant of money awarded to a school district or charter
33 school pursuant to this section must not be used to replace money
34 that the school district or charter school would otherwise spend for
35 mental health or substance abuse services.

36 4. On or before September 30 of each year, a school district
37 or charter school that receives a grant pursuant to this section
38 shall submit to the Department a report which must include,
39 without limitation, the number of pupils in the district or at the
40 charter school who, during the immediately preceding calendar
41 year:

42 (a) Received screenings or assessments for mental illness or
43 substance abuse disorders;

44 (b) Were referred for services or assistance; and

45 (c) Received services or assistance.



Sec. 20. Chapter 391A of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall establish an evidence-based youth mental health awareness and assistance training program to assist school employees in the identification of and response to emotional disturbance, mental illness and substance abuse disorders.

2. The Department shall enter into a contract with a nationally recognized organization that provides training concerning youth mental health awareness and assistance to:

(a) Provide to school safety specialists designated pursuant to section 4 of this act or designees thereof direct, intensive training that qualifies recipients to train other school employees concerning the subjects described in subsection 3; and

(b) Award certification as a youth mental health awareness and assistance trainer to a school safety specialist or designee thereof who completes the intensive training provided pursuant to paragraph (a).

3. A youth mental health awareness and assistance trainer shall provide training to school employees that includes, without limitation:

(a) An overview of mental illnesses and substance abuse disorders and the need to reduce the stigma surrounding such disorders;

(b) Information on the risk factors and warning signs of and common treatments for emotional disturbance, mental illness and substance abuse disorders, including, without limitation, depression, anxiety, psychosis, eating disorders and self-injury; and

(c) Instructions for assessing risk posed by a pupil with emotional disturbance, mental illness or a substance abuse disorder and engaging such a pupil in a manner that encourages the pupil to seek and utilize appropriate support, including, without limitation, self-help, assistance from peers and the services of mental health professionals.

4. As used in this section, "mental health professional" includes:

(a) A physician or psychiatrist licensed to practice medicine in this State pursuant to chapter 630 or 633 of NRS;

(b) A psychologist who is licensed to practice psychology pursuant to chapter 641 of NRS or authorized to practice psychology in this State pursuant to the Psychology Interjurisdictional Compact enacted in NRS 641.227;

(c) A clinical social worker licensed pursuant to chapter 641B of NRS; and



(d) *A registered nurse who:*

(1) *Is licensed to practice professional nursing pursuant to chapter 632 of NRS; and*

(2) *Holds a master's degree in psychiatric nursing or a related field;*

(e) *A marriage and family therapist licensed pursuant to chapter 641A of NRS; and*

(f) *A clinical professional counselor licensed pursuant to chapter 641A of NRS.*

Sec. 21. Chapter 392 of NRS is hereby amended by adding thereto the provisions set forth as sections 22 and 23 of this act.

Sec. 22. 1. *The Superintendent of Public Instruction shall establish a network of persons to provide integrated services to pupils with severe emotional disturbance. The network must consist of persons employed in the fields of education, mental health, child welfare, juvenile justice and related fields.*

2. *The Department shall use the network established pursuant to subsection 1 to:*

(a) *Develop individual programs of integrated services for pupils with severe emotional disturbance, including, without limitation, necessary educational, residential and mental health services. Such services must be provided:*

(1) *As close as possible to the home of the pupil; and*

(2) *In the least restrictive manner possible that meets the needs of the pupil;*

(b) *Identify critical issues relating to the provision of services to pupils with severe emotional disturbance and barriers to the provision of such services and make recommendations to other state and local agencies that provide services to pupils with severe emotional disturbance, including, without limitation, the Division of Child and Family Services of the Department of Health and Human Services;*

(c) *Develop local response teams to facilitate connections between the families of pupils with severe emotional disturbance and the schools in which such pupils are enrolled;*

(d) *Conduct outreach to pupils with severe emotional disturbance and their families to increase their involvement with entities that provide mental health services in the areas in which they reside;*

(e) *Facilitate the access of pupils with severe emotional disturbance and their families to available services for such persons; and*

(f) *Improve the coordination and integration of services for pupils with severe emotional disturbance and their families.*



3. The Department shall obtain input from the network concerning the expenditure of money allocated by the Department for purposes related to the mental health of pupils and the implementation of programs relating to the mental health of pupils.

4. The Department may apply for and accept gifts, grants and donations to carry out the provisions of this section.

5. As used in this section, "pupil with severe emotional disturbance" means a pupil who is a child with an emotional disturbance, as defined in NRS 433B.045.

Sec. 23. 1. To the extent not prohibited by federal law, the Department, the board of trustees of a school district, the governing body of a charter school and the principal of a school shall share information concerning a pupil who is at risk of an emotional disturbance or a mental health or substance abuse crisis with any state or local governmental entity or contractor thereof as necessary to ensure:

(a) The safety of the pupil or any other person; or

(b) That the pupil receives appropriate services.

2. Any confidential information disclosed pursuant to this section must remain confidential after the disclosure. Any agency or contractor to whom such information is disclosed pursuant to this section shall not use or disclose the information for any purpose other than the purpose for which the information is disclosed to the agency or contractor.

3. Any person or entity who in good faith shares information as authorized by this section is immune from criminal or civil liability for any act or omission which arises out of the sharing of that information.

Sec. 24. NRS 392.315 is hereby amended to read as follows:

392.315 1. Except as otherwise provided in NRS 239.0115 and NRS 392.317 to 392.337, inclusive, information maintained by an agency which provides child welfare services pursuant to NRS 392.275 to 392.365, inclusive, is confidential.

2. Any person, law enforcement agency or public agency, institution or facility who willfully releases or disseminates such information, except:

(a) Pursuant to a criminal prosecution relating to the abuse or neglect of a child;

(b) As otherwise authorized pursuant to NRS 432B.165 and 432B.175;

(c) As otherwise authorized or required pursuant to NRS 432B.290;

(d) As otherwise authorized or required pursuant to NRS 439.538;



(e) As otherwise required pursuant to NRS 432B.513; ~~for~~

(f) As otherwise authorized or required pursuant to NRS 392.317 to 392.337, inclusive ~~for~~ ; or

(g) As otherwise required by section 45 of this act,

➔ is guilty of a gross misdemeanor.

Sec. 25. NRS 392.317 is hereby amended to read as follows:

392.317 Except as otherwise provided in NRS 392.317 to 392.337, inclusive, *and in section 45 of this act*, information maintained by an agency which provides child welfare services pursuant to NRS 392.275 to 392.365, inclusive, may, at the discretion of the agency which provides child welfare services, be made available only to:

1. The child who is the subject of the report, the parent or guardian of the child and an attorney for the child or the parent or guardian of the child, if the identity of the person responsible for reporting the abuse or neglect of the child or the violation of NRS 201.540, 201.560, 392.4633 or 394.366 to a public agency is kept confidential and the information is reasonably necessary to promote the safety, permanency and well-being of the child and is limited to information concerning that parent or guardian;

2. A physician, if the physician has before him or her a child who the physician has reasonable cause to believe has been abused or neglected or subject to a violation of NRS 201.540, 201.560, 392.4633 or 394.366;

3. An agency, including, without limitation, an agency in another jurisdiction, responsible for or authorized to undertake the care or treatment or supervision of the child or investigate the allegations in the report;

4. A district attorney or other law enforcement officer who requires the information in connection with an investigation or prosecution of the conduct alleged in the report;

5. A court, other than a juvenile court, for in camera inspection only, unless the court determines that public disclosure of the information is necessary for the determination of an issue before it;

6. A person engaged in bona fide research or an audit, but information identifying the subjects of a report must not be made available to the person;

7. A grand jury upon its determination that access to these records and the information is necessary in the conduct of its official business;

8. A federal, state or local governmental entity, or an agency of such an entity, or a juvenile court, that needs access to the information to carry out its legal responsibilities to protect children from abuse and neglect and violations of NRS 201.540, 201.560, 392.4633 or 394.366 or similar statutes in another jurisdiction;



9. A person or an organization that has entered into a written agreement with an agency which provides child welfare services to provide assessments or services and that has been trained to make such assessments or provide such services;

10. A team organized pursuant to NRS 432B.405 to review the death of a child;

11. Upon written consent of the parent, any officer of this State or a city or county thereof or Legislator authorized by the agency or department having jurisdiction or by the Legislature, acting within its jurisdiction, to investigate the activities or programs of an agency which provides child welfare services if:

(a) The identity of the person making the report is kept confidential; and

(b) The officer, Legislator or a member of the family of the officer or Legislator is not the person alleged to have engaged in the conduct described in the report;

12. The Division of Parole and Probation of the Department of Public Safety for use pursuant to NRS 176.135 in making a presentence investigation and report to the district court or pursuant to NRS 176.151 in making a general investigation and report;

13. A public school, private school, school district or governing body of a charter school or private school in this State or any other jurisdiction that employs a person named in the report, allows such a person to serve as a volunteer or is considering employing such a person or accepting such a person as a volunteer;

14. The school attended by the child who is the subject of the report and the board of trustees of the school district in which the school is located or the governing body of the school, as applicable;

15. An employer in accordance with subsection 3 of NRS 432.100; and

16. The Committee to Review Suicide Fatalities created by NRS 439.5104.

Sec. 26. NRS 392.335 is hereby amended to read as follows:

392.335 1. Except as otherwise provided in NRS 392.317 to 392.337, inclusive, any person who is provided with information maintained by an agency which provides child welfare services pursuant to NRS 392.275 to 392.365, inclusive, and who further disseminates the information or makes the information public is guilty of a gross misdemeanor. This section does not apply to:

(a) A district attorney or other law enforcement officer who uses the information solely for the purpose of initiating legal proceedings;

(b) An employee of the Division of Parole and Probation of the Department of Public Safety making a presentence investigation and



1 report to the district court pursuant to NRS 176.135 or making a
2 general investigation and report pursuant to NRS 176.151; ~~for~~

3 (c) An employee of a juvenile justice agency who provides the
4 information to the juvenile court ~~H~~ ; or

5 *(d) An employee or contractor of a state or local governmental*
6 *entity to whom information is disclosed pursuant to section 45 of*
7 *this act disclosing the information for the purposes prescribed by*
8 *that section.*

9 2. As used in this section, "juvenile justice agency" means the
10 Youth Parole Bureau or a director of juvenile services.

11 **Sec. 27.** NRS 392.4644 is hereby amended to read as follows:

12 392.4644 1. The principal of each public school shall
13 establish a plan to provide for the progressive discipline of pupils
14 and on-site review of disciplinary decisions. The plan must:

15 (a) Be developed with the input and participation of teachers and
16 other educational personnel and support personnel who are
17 employed at the school, and the parents and guardians of pupils who
18 are enrolled in the school.

19 (b) Be consistent with the written rules of behavior prescribed in
20 accordance with NRS 392.463.

21 (c) Include, without limitation, provisions designed to address
22 the specific disciplinary needs and concerns of the school.

23 (d) Provide for the temporary removal of a pupil from a
24 classroom or other premises of a public school in accordance with
25 NRS 392.4645.

26 (e) Include the names of any members of a committee to review
27 the temporary alternative placement of pupils required by
28 NRS 392.4647.

29 *(f) Provide for the referral of a pupil to behavioral health*
30 *services when appropriate.*

31 2. On or before September 15 of each year, the principal of
32 each public school shall:

33 (a) Review the plan in consultation with the teachers and other
34 educational personnel and support personnel who are employed at
35 the school;

36 (b) Based upon the review, make revisions to the plan, as
37 recommended by the teachers and other educational personnel and
38 support personnel, if necessary;

39 (c) Post a copy of the plan or the revised plan, as applicable, on
40 the Internet website maintained by the school or school district;

41 (d) Distribute to each teacher and all educational support
42 personnel who are employed at or assigned to the school a written or
43 electronic copy of the plan or the revised plan, as applicable; and

44 (e) Submit a copy of the plan or the revised plan, as applicable,
45 to the superintendent of schools of the school district.



3. On or before October 15 of each year, the superintendent of schools of each school district shall submit a report to the board of trustees of the school district that includes:

(a) A compilation of the plans submitted pursuant to this subsection by each school within the school district.

(b) The name of each principal, if any, who has not complied with the requirements of this section.

4. On or before November 15 of each year, the board of trustees of each school district shall:

(a) Submit a written report to the Superintendent of Public Instruction based upon the compilation submitted pursuant to subsection 3 that reports the progress of each school within the district in complying with the requirements of this section; and

(b) Post a copy of the report on the Internet website maintained by the school district.

Sec. 28. NRS 392.4655 is hereby amended to read as follows:

392.4655 1. Except as otherwise provided in this section, a principal of a school shall deem a pupil enrolled in the school a habitual disciplinary problem if the school has written evidence which documents that in 1 school year:

(a) The pupil has threatened or extorted, or attempted to threaten or extort, another pupil or a teacher or other personnel employed by the school two or more times or the pupil has a record of five suspensions from the school for any reason; and

(b) The pupil has not entered into and participated in a plan of behavior pursuant to subsection 5.

2. At least one teacher of a pupil who is enrolled in elementary school and at least two teachers of a pupil who is enrolled in junior high, middle school or high school may request that the principal of the school deem a pupil a habitual disciplinary problem. Upon such a request, the principal of the school shall meet with each teacher who made the request to review the pupil's record of discipline. If, after the review, the principal of the school determines that the provisions of subsection 1 do not apply to the pupil, a teacher who submitted a request pursuant to this subsection may appeal that determination to the board of trustees of the school district. Upon receipt of such a request, the board of trustees shall review the initial request and determination pursuant to the procedure established by the board of trustees for such matters.

3. If a pupil is suspended, the school in which the pupil is enrolled shall provide written notice to the parent or legal guardian of the pupil that contains:

(a) A description of the act committed by the pupil and the date on which the act was committed;



(b) An explanation that if the pupil receives five suspensions on his or her record during the current school year and has not entered into and participated in a plan of behavior pursuant to subsection 5, the pupil will be deemed a habitual disciplinary problem;

(c) An explanation that, pursuant to subsection 3 of NRS 392.466, a pupil who is deemed a habitual disciplinary problem may be:

(1) Suspended from school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or

(2) Expelled from school under extraordinary circumstances as determined by the principal of the school;

(d) If the pupil has a disability and is participating in a program of special education pursuant to NRS 388.419, an explanation of the effect of subsection 8 of NRS 392.466, including, without limitation, that if it is determined in accordance with 20 U.S.C. § 1415 that the pupil's behavior is not a manifestation of the pupil's disability, he or she may be suspended or expelled from school in the same manner as a pupil without a disability; and

(e) A summary of the provisions of subsection 5.

4. A school shall provide the notice required by subsection 3 for each suspension on the record of a pupil during a school year. Such notice must be provided at least 7 days before the school deems the pupil a habitual disciplinary problem.

5. If a pupil is suspended, the school in which the pupil is enrolled may develop, in consultation with the pupil and the parent or legal guardian of the pupil, a plan of behavior for the pupil. Such a plan must be designed to prevent the pupil from being deemed a habitual disciplinary problem and may include, without limitation:

(a) A plan for graduating if the pupil is deficient in credits and not likely to graduate according to schedule.

(b) Information regarding schools with a mission to serve pupils who have been:

(1) Expelled or suspended from a public school, including, without limitation, a charter school; or

(2) Deemed to be a habitual disciplinary problem pursuant to this section.

(c) A voluntary agreement by the parent or legal guardian to attend school with his or her child.

(d) A voluntary agreement by the pupil and the pupil's parent or legal guardian to attend counseling, programs or services available in the school district or community.

(e) A voluntary agreement by the pupil and the pupil's parent or legal guardian that the pupil will attend summer school, intersession



1 school or school on Saturday, if any of those alternatives are offered
2 by the school district.

3 ***(f) Referrals to appropriate behavioral health services.***

4 6. If a pupil commits the same act for which notice was
5 provided pursuant to subsection 3 after he or she enters into a plan
6 of behavior pursuant to subsection 5, the pupil shall be deemed to
7 have not successfully completed the plan of behavior and may be
8 deemed a habitual disciplinary problem.

9 7. A pupil may, pursuant to the provisions of this section, enter
10 into one plan of behavior per school year.

11 8. The parent or legal guardian of a pupil who has entered into
12 a plan of behavior with a school pursuant to this section may appeal
13 to the board of trustees of the school district a determination made
14 by the school concerning the contents of the plan of behavior or
15 action taken by the school pursuant to the plan of behavior. Upon
16 receipt of such a request, the board of trustees of the school district
17 shall review the determination in accordance with the procedure
18 established by the board of trustees for such matters.

19 **Sec. 29.** NRS 392.860 is hereby amended to read as follows:

20 392.860 ~~1A-1~~ ***Except as otherwise required by section 23 of***
21 ***this act, an*** employee of a school district, including, without
22 limitation, a teacher, an administrator or an instructional aide, shall
23 not disclose to any person who is not employed by the school
24 district the fact that a pupil is a child who has been placed in a foster
25 home or any related information.

26 **Sec. 30.** Chapter 393 of NRS is hereby amended by adding
27 thereto a new section to read as follows:

28 ***The board of trustees of each school district shall:***

29 ***1. Establish a schedule to test the functionality and coverage***
30 ***capacity of the emergency communication systems at each school***
31 ***in the district; and***

32 ***2. Take any measures necessary to ensure that the emergency***
33 ***communication systems at each school function adequately in all***
34 ***areas on the grounds of a school.***

35 **Sec. 31.** Chapter 394 of NRS is hereby amended by adding
36 thereto the provisions set forth as sections 32 and 33 of this act.

37 **Sec. 32.** ***“Public safety agency” has the meaning ascribed to***
38 ***it in NRS 388.2345.***

39 **Sec. 33. 1. To the extent not prohibited by federal law, the**
40 ***governing body and principal of a private school shall share***
41 ***information concerning a pupil who is at risk of an emotional***
42 ***disturbance or a mental health or substance abuse crisis with any***
43 ***state or local governmental entity or contractor thereof as***
44 ***necessary to ensure:***



(a) *The safety of the pupil or any other person; or*

(b) *That the pupil receives appropriate services.*

2. *Any confidential information disclosed pursuant to this section must remain confidential after the disclosure. Any agency or contractor to whom such information is disclosed pursuant to this section shall not use or disclose the information for any purpose other than the purpose for which the information is disclosed to the agency or contractor.*

3. *Any person or entity who in good faith shares information as authorized by this section is immune from criminal or civil liability for any act or omission which arises out of the sharing of that information.*

Sec. 34. NRS 394.168 is hereby amended to read as follows:

394.168 As used in NRS 394.168 to 394.1699, inclusive, *and section 32 of this act*, unless the context otherwise requires, the words and terms defined in NRS 394.1681 to 394.1684, inclusive, *and section 32 of this act* have the meanings ascribed to them in those sections.

Sec. 35. 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, emergency or suicide. Each development committee shall, when developing the plan:

(a) Consult with local social service agencies and local public safety agencies in the county in which its school is located.

(b) 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. The plan developed pursuant to subsection 1 must include, without limitation:

(a) The plans, procedures and information included in the model plan developed by the Department pursuant to NRS 388.253;

(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; ~~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 ~~and~~ ; *and*

(d) The designation of a school employee who is responsible for contacting a public safety agency in response to a crisis or



emergency and the public safety agencies that will be contacted in response to different types of crises or emergencies.

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. 36. 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 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 governing body of the school.

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

(c) Post a copy of NRS 388.253 and 394.168 to 394.1699, inclusive, *and section 32 of this act* at the school;

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

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

(1) Each local public safety agency in the county in which the school is located;

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

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

(f) Upon request, provide a copy of each plan developed pursuant to NRS 394.1687 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;

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



- 1 (1) The Department;
- 2 (2) A local public safety agency in the county in which the
- 3 school is located;
- 4 (3) The Division of Emergency Management of the
- 5 Department of Public Safety;
- 6 (4) The local organization for emergency management, if
- 7 any;
- 8 (5) A local agency that is included in the plan; and
- 9 (6) An employee of the school who is included in the plan;
- 10 and

11 (h) At least once each year, provide training in responding to a
12 crisis and training in responding to an emergency to each employee
13 of the school, including, without limitation, training concerning
14 drills for evacuating and securing the school.

15 ~~{4. As used in this section, "public safety agency" has the~~
16 ~~meaning ascribed to it in NRS 388.2345.}~~

17 **Sec. 37.** NRS 62E.030 is hereby amended to read as follows:

18 62E.030 1. If a court determines that a child who is currently
19 enrolled in school unlawfully caused or attempted to cause serious
20 bodily injury to another person, the court shall provide the
21 information specified in subsection 2 to the school district in which
22 the child is currently enrolled.

23 2. The information required to be provided pursuant to
24 subsection 1 must include:

- 25 (a) The name of the child;
- 26 (b) A description of any injury sustained by the other person;
- 27 (c) A description of any weapon used by the child; and
- 28 (d) A description of any threats made by the child against the
- 29 other person before, during or after the incident in which the child
- 30 injured or attempted to injure the person.

31 3. If a court determines that a child who is currently enrolled in
32 school unlawfully engaged in bullying or cyber-bullying, the court
33 shall provide the information specified in subsection 4 to the school
34 district in which the child is currently enrolled.

35 4. The information required to be provided pursuant to
36 subsection 3 must include:

- 37 (a) The name of the child;
- 38 (b) The name of the person who was the subject of the bullying
- 39 or cyber-bullying; and
- 40 (c) A description of any bullying or cyber-bullying committed
- 41 by the child against the other person.

42 5. *If a court refers a child who is enrolled in school for*
43 *mental health services, the court shall provide to the school district*
44 *or school in which the child is currently enrolled the name and*



address of the child and a description of the services for which the child was referred.

6. As used in this section:

(a) "Bullying" has the meaning ascribed to it in NRS 388.122.

(b) "Cyber-bullying" has the meaning ascribed to it in NRS 388.123.

Sec. 38. NRS 62E.620 is hereby amended to read as follows:

62E.620 1. The juvenile court shall order a delinquent child to undergo an evaluation to determine whether the child is an abuser of alcohol or other drugs if the child committed:

(a) An unlawful act in violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430;

(b) The unlawful act of using, possessing, selling or distributing a controlled substance; or

(c) The unlawful act of purchasing, consuming or possessing an alcoholic beverage in violation of NRS 202.020.

2. Except as otherwise provided in subsection 3, an evaluation of the child must be conducted by:

(a) A clinical alcohol and drug abuse counselor who is licensed, an alcohol and drug abuse counselor who is licensed or certified, or an alcohol and drug abuse counselor intern or a clinical alcohol and drug abuse counselor intern who is certified, pursuant to chapter 641C of NRS, to make that classification; or

(b) A physician who is certified to make that classification by the Board of Medical Examiners.

3. If the child resides in this State but the nearest location at which an evaluation may be conducted is in another state, the court may allow the evaluation to be conducted in the other state if the person conducting the evaluation:

(a) Possesses qualifications that are substantially similar to the qualifications described in subsection 2;

(b) Holds an appropriate license, certificate or credential issued by a regulatory agency in the other state; and

(c) Is in good standing with the regulatory agency in the other state.

4. The evaluation of the child may be conducted at an evaluation center.

5. The person who conducts the evaluation of the child shall report to the juvenile court the results of the evaluation and make a recommendation to the juvenile court concerning the length and type of treatment required for the child.

6. The juvenile court shall:

(a) Order the child to undergo a program of treatment as recommended by the person who conducts the evaluation of the child.



(b) Require the treatment provider to submit monthly reports on the treatment of the child pursuant to this section.

(c) Order the child or the parent or guardian of the child, or both, to the extent of their financial ability, to pay any charges relating to the evaluation and treatment of the child pursuant to this section. If the child or the parent or guardian of the child, or both, do not have the financial resources to pay all those charges:

(1) The juvenile court shall, to the extent possible, arrange for the child to receive treatment from a treatment provider which receives a sufficient amount of federal or state money to offset the remainder of the costs; and

(2) The juvenile court may order the child, in lieu of paying the charges relating to the child's evaluation and treatment, to perform community service.

7. After a treatment provider has certified a child's successful completion of a program of treatment ordered pursuant to this section, the treatment provider is not liable for any damages to person or property caused by a child who:

(a) Drives, operates or is in actual physical control of a vehicle or a vessel under power or sail while under the influence of intoxicating liquor or a controlled substance; or

(b) Engages in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130, 484C.430, subsection 2 of NRS 488.400, NRS 488.410, 488.420 or 488.425 or a law of any other jurisdiction that prohibits the same or similar conduct.

8. The provisions of this section do not prohibit the juvenile court from:

(a) Requiring an evaluation to be conducted by a person who is employed by a private company if the company meets the standards of the Division of Public and Behavioral Health of the Department of Health and Human Services. The evaluation may be conducted at an evaluation center.

(b) Ordering the child to attend a program of treatment which is administered by a private company.

9. Except as otherwise provided in NRS 239.0115, all information relating to the evaluation or treatment of a child pursuant to this section is confidential and, except as otherwise authorized by the provisions of this title or the juvenile court, must not be disclosed to any person other than:

(a) The juvenile court;

(b) The child;

(c) The attorney for the child, if any;

(d) The parents or guardian of the child;

(e) The district attorney; ~~and~~



(f) Any other person for whom the communication of that information is necessary to effectuate the evaluation or treatment of the child **H**; and

(g) Any state or local governmental entity or contractor thereof for whom the communication of that information is necessary to ensure:

(1) The safety of the child or any other person; or

(2) That the child receives appropriate services.

10. A record of any finding that a child has violated the provisions of NRS 484C.110, 484C.120, 484C.130 or 484C.430 must be included in the driver's record of that child for 7 years after the date of the offense.

Sec. 39. Chapter 62H of NRS is hereby amended by adding thereto a new section to read as follows:

1. To the extent not prohibited by federal law, a juvenile justice agency shall share information concerning a child who is at risk of an emotional disturbance or a mental health or substance abuse crisis with any state or local governmental entity or contractor thereof as necessary to ensure:

(a) The safety of the child or any other person; or

(b) That the child receives appropriate services.

2. Any confidential information disclosed pursuant to this section must remain confidential after the disclosure. Any agency or contractor to whom such information is disclosed pursuant to this section shall not use or disclose the information for any purpose other than the purpose for which the information is disclosed to the agency or contractor.

3. Any person or entity who in good faith shares information as authorized by this section is immune from criminal or civil liability for any act or omission which arises out of the sharing of that information.

4. As used in this section, "juvenile justice agency" has the meaning ascribed to it in NRS 62H.025.

Sec. 40. NRS 62H.025 is hereby amended to read as follows:

62H.025 1. Juvenile justice information is confidential and may only be released in accordance with the provisions of this section or as expressly authorized by other federal or state law.

2. For the purpose of ensuring the safety, permanent placement, rehabilitation, educational success and well-being of a child or the safety of the public, a juvenile justice agency may release juvenile justice information to:

(a) A director of juvenile services or his or her designee;

(b) The Chief of the Youth Parole Bureau or his or her designee;

(c) The Chief Parole and Probation Officer or his or her designee;



(d) The Director of the Department of Corrections or his or her designee;

(e) A district attorney or his or her designee;

(f) An attorney representing the child;

(g) The director, chief or sheriff of a state or local law enforcement agency or his or her designee;

(h) The director of a state or local agency which administers juvenile justice or his or her designee;

(i) A director of a state or local facility for the detention of children or regional facility for the treatment and rehabilitation of children or his or her designee;

(j) The director of an agency which provides child welfare services or his or her designee;

(k) The director of an agency which provides mental health services or his or her designee;

(l) *A threat assessment team as required by section 2 of this act;*

(m) *Any other state or local governmental entity or contractor thereof as required by section 39 of this act;*

(n) A guardian ad litem or court appointed special advocate who represents the child;

~~(m)~~ (o) A parent or guardian of the child;

~~(n)~~ (p) The child to whom the juvenile justice information pertains if the child has reached the age of majority, or a person who presents a release that is signed by the child who has reached the age of majority and which specifies the juvenile justice information to be released and the purpose for the release;

~~(o)~~ (q) A school district, if the juvenile justice agency and the school district have entered into a written agreement to share juvenile justice information and data from an educational record of a child maintained by the school district for a purpose consistent with the purposes of this section;

~~(p)~~ (r) A person or organization who has entered into a written agreement with the juvenile justice agency to provide assessments or juvenile justice services;

~~(q)~~ (s) A person engaged in bona fide research that may be used to improve juvenile justice services or secure additional funding for juvenile justice services if the juvenile justice information is provided in the aggregate and without any personal identifying information;

~~(r)~~ (t) A person who is authorized by a court order to receive the juvenile justice information, if the juvenile justice agency was provided with notice and opportunity to be heard before the issuance of the order; or



~~(s)~~ (u) A law enforcement agency in the course of a criminal investigation, a delinquency proceeding conducted pursuant to the provisions of this title or a situation involving a child who is subject to the jurisdiction of the juvenile court and who poses a threat to himself or herself or to the safety or well-being of others.

3. A juvenile justice agency may deny a request for juvenile justice information if:

(a) The request does not, in accordance with the purposes of this section, demonstrate good cause for the release of the information; or

(b) The release of the information would cause material harm to the child or would prejudice any court proceeding to which the child is subject.

➤ A denial pursuant to this subsection must be made in writing to the person requesting the information not later than 5 business days after receipt of the request.

4. Any juvenile justice information provided pursuant to this section may not be used to deny a child access to any service for which the child would otherwise be eligible, including, without limitation:

- (a) Educational services;
- (b) Social services;
- (c) Mental health services;
- (d) Medical services; or
- (e) Legal services.

5. Except as otherwise provided in this subsection, any person who is provided with juvenile justice information pursuant to this section and who further disseminates the information or makes the information public is guilty of a gross misdemeanor. This subsection does not apply to:

(a) A district attorney who uses the information solely for the purpose of initiating legal proceedings; or

(b) A person or organization described in subsection 2 who provides a report concerning juvenile justice information to a court or other party pursuant to this title or chapter 432B of NRS.

6. As used in this section:

(a) "Juvenile justice agency" means the Youth Parole Bureau or a director of juvenile services.

(b) "Juvenile justice information" means any information which is directly related to a child in need of supervision, a delinquent child or any other child who is otherwise subject to the jurisdiction of the juvenile court.

Sec. 41. NRS 62H.220 is hereby amended to read as follows:

62H.220 1. For each child adjudicated delinquent for an unlawful act that would have been a sexual offense if committed by



1 an adult, the Division of Child and Family Services shall collect
2 from the juvenile courts, local juvenile probation departments and
3 the staff of the youth correctional services, as directed by the
4 Department of Health and Human Services:

- 5 (a) The information listed in NRS 62H.210;
- 6 (b) The name of the child; and
- 7 (c) All information concerning programs of treatment in which
8 the child participated that:

9 (1) Were directly related to the delinquent act committed by
10 the child; or

11 (2) Were designed or utilized to prevent the commission of
12 another such act by the child in the future.

13 2. The Division of Child and Family Services shall provide the
14 information collected pursuant to subsection 1 to the Director of the
15 Department of Health and Human Services for use in the program
16 established pursuant to NRS 62H.300, 62H.310 and 62H.320.

17 3. Except as otherwise provided in NRS 239.0115, all
18 information containing the name of the child and all information
19 relating to programs of treatment in which the child participated is
20 confidential and must not be used for a purpose other than that
21 provided for in this section and NRS 62H.320 ~~§~~ and section 49 of
22 this act.

23 4. As used in this section, "sexual offense" means:

- 24 (a) Sexual assault pursuant to NRS 200.366;
- 25 (b) Statutory sexual seduction pursuant to NRS 200.368;
- 26 (c) Battery with intent to commit sexual assault pursuant to
27 NRS 200.400;
- 28 (d) An offense involving pornography and a minor pursuant to
29 NRS 200.710 to 200.730, inclusive;
- 30 (e) Incest pursuant to NRS 201.180;
- 31 (f) Open or gross lewdness pursuant to NRS 201.210;
- 32 (g) Indecent or obscene exposure pursuant to NRS 201.220;
- 33 (h) Lewdness with a child pursuant to NRS 201.230;
- 34 (i) Sexual penetration of a dead human body pursuant to NRS
35 201.450;
- 36 (j) Luring a child using a computer, system or network pursuant
37 to NRS 201.560, if punished as a felony;
- 38 (k) Annoyance or molestation of a minor pursuant to
39 NRS 207.260;
- 40 (l) An attempt to commit an offense listed in paragraphs (a) to
41 (k), inclusive;
- 42 (m) An offense that is determined to be sexually motivated
43 pursuant to NRS 175.547; or



(n) An offense committed in another jurisdiction that, if committed in this State, would have been an offense listed in this subsection.

Sec. 42. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,



1 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170,
2 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
3 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140,
4 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,
5 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,
6 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 480.940,
7 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363,
8 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452,
9 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964,
10 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710,
11 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341,
12 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327,
13 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047,
14 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368,
15 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055,
16 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087,
17 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730,
18 640C.400, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190,
19 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170,
20 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870,
21 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092,
22 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375,
23 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033,
24 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115,
25 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450,
26 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122,
27 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270,
28 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077,
29 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010,
30 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190,
31 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420,
32 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320,
33 704B.325, 706.1725, 706A.230, 710.159, 711.600 **H and sections**
34 **2, 3, 5, 23, 33, 39, 44, 45 and 49 of this act,** sections 35, 38 and 41
35 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter
36 391, Statutes of Nevada 2013 and unless otherwise declared by law
37 to be confidential, all public books and public records of a
38 governmental entity must be open at all times during office hours to
39 inspection by any person, and may be fully copied or an abstract or
40 memorandum may be prepared from those public books and public
41 records. Any such copies, abstracts or memoranda may be used to
42 supply the general public with copies, abstracts or memoranda of the
43 records or may be used in any other way to the advantage of the
44 governmental entity or of the general public. This section does not
45 supersede or in any manner affect the federal laws governing



1 copyrights or enlarge, diminish or affect in any other manner the
2 rights of a person in any written book or record which is
3 copyrighted pursuant to federal law.

4 2. A governmental entity may not reject a book or record
5 which is copyrighted solely because it is copyrighted.

6 3. A governmental entity that has legal custody or control of a
7 public book or record shall not deny a request made pursuant to
8 subsection 1 to inspect or copy or receive a copy of a public book or
9 record on the basis that the requested public book or record contains
10 information that is confidential if the governmental entity can
11 redact, delete, conceal or separate the confidential information from
12 the information included in the public book or record that is not
13 otherwise confidential.

14 4. A person may request a copy of a public record in any
15 medium in which the public record is readily available. An officer,
16 employee or agent of a governmental entity who has legal custody
17 or control of a public record:

18 (a) Shall not refuse to provide a copy of that public record in a
19 readily available medium because the officer, employee or agent has
20 already prepared or would prefer to provide the copy in a different
21 medium.

22 (b) Except as otherwise provided in NRS 239.030, shall, upon
23 request, prepare the copy of the public record and shall not require
24 the person who has requested the copy to prepare the copy himself
25 or herself.

26 **Sec. 43.** NRS 241.016 is hereby amended to read as follows:

27 241.016 1. The meetings of a public body that are quasi-
28 judicial in nature are subject to the provisions of this chapter.

29 2. The following are exempt from the requirements of this
30 chapter:

31 (a) The Legislature of the State of Nevada.

32 (b) Judicial proceedings, including, without limitation,
33 proceedings before the Commission on Judicial Selection and,
34 except as otherwise provided in NRS 1.4687, the Commission on
35 Judicial Discipline.

36 (c) Meetings of the State Board of Parole Commissioners when
37 acting to grant, deny, continue or revoke the parole of a prisoner or
38 to establish or modify the terms of the parole of a prisoner.

39 3. Any provision of law, including, without limitation, NRS
40 91.270, 219A.210, 228.495, 239C.140, 281A.350, 281A.690,
41 281A.735, 281A.760, 284.3629, 286.150, 287.0415, 287.04345,
42 287.338, 288.220, 289.387, 295.121, 360.247, 388.261, 388A.495,
43 388C.150, 388G.710, 388G.730, 392.147, 392.467, 394.1699,
44 396.3295, 433.534, 435.610, 463.110, 622.320, 622.340, 630.311,



630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170, 696B.550, 703.196 and 706.1725, *and section 2 of this act*, which:

(a) Provides that any meeting, hearing or other proceeding is not subject to the provisions of this chapter; or

(b) Otherwise authorizes or requires a closed meeting, hearing or proceeding,

↳ prevails over the general provisions of this chapter.

4. The exceptions provided to this chapter, and electronic communication, must not be used to circumvent the spirit or letter of this chapter to deliberate or act, outside of an open and public meeting, upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.

Sec. 44. Chapter 289 of NRS is hereby amended by adding thereto a new section to read as follows:

1. To the extent not prohibited by federal law, a law enforcement agency shall share information concerning a child who is at risk of an emotional disturbance or a mental health or substance abuse crisis with any state or governmental entity or contractor thereof as necessary to ensure:

(a) The safety of the child or any other person; or

(b) That the child receives appropriate services.

2. Any confidential information disclosed pursuant to this section must remain confidential after the disclosure. Any agency or contractor to whom such information is disclosed pursuant to this section shall not use or disclose the information for any purpose other than the purpose for which the information is disclosed to the agency or contractor.

3. Any person or entity who in good faith shares information as authorized by this section is immune from criminal or civil liability for any act or omission which arises out of the sharing of that information.

4. As used in this section, "law enforcement agency" means:

(a) The sheriff's office of a county;

(b) A metropolitan police department;

(c) A police department of an incorporated city;

(d) A department, division or municipal court of a city or town that employs marshals; or

(e) The Nevada Highway Patrol.

Sec. 45. Chapter 432 of NRS is hereby amended by adding thereto a new section to read as follows:

1. To the extent not prohibited by federal law, the Division and an agency which provides child welfare services shall share information concerning a child who is at risk of an emotional disturbance or a mental health or substance abuse crisis with any



1 *state or local governmental entity or contractor thereof as*
2 *necessary to ensure:*

3 *(a) The safety of the child or any other person; or*

4 *(b) That the child receives appropriate services.*

5 *2. Any confidential information disclosed pursuant to this*
6 *section must remain confidential after the disclosure. Any agency*
7 *or contractor to whom such information is disclosed pursuant to*
8 *this section shall not use or disclose the information for any*
9 *purpose other than the purpose for which the information is*
10 *disclosed to the agency or contractor.*

11 *3. Any person or entity who in good faith shares information*
12 *as authorized by this section is immune from criminal or civil*
13 *liability for any act or omission which arises out of the sharing of*
14 *that information.*

15 **Sec. 46.** NRS 432.0125 is hereby amended to read as follows:

16 432.0125 1. The Administrator shall appoint, with the
17 approval of the Director, a chief of each of the bureaus in the
18 Division. The chiefs are designated respectively as:

19 (a) The Superintendent of the Nevada Youth Training Center;

20 (b) The Superintendent of the Caliente Youth Center; and

21 (c) The Chief of the Youth Parole Bureau.

22 2. The Administrator is responsible for the administration,
23 through the Division, of the provisions of chapters 63 and 424 of
24 NRS, NRS 127.220 to 127.310, inclusive, 432.010 to 432.085,
25 inclusive, and 433B.010 to 433B.340, inclusive, *and section 51 of*
26 *this act*, and all other provisions of law relating to the functions of
27 the Division, but is not responsible for the professional activities of
28 the components of the Division except as specifically provided by
29 law.

30 **Sec. 47.** NRS 432B.280 is hereby amended to read as follows:

31 432B.280 1. Except as otherwise provided in NRS 239.0115,
32 432B.165, 432B.175 and 439.538 *and section 45 of this act* and
33 except as otherwise authorized or required pursuant to NRS
34 432B.290, information maintained by an agency which provides
35 child welfare services, including, without limitation, reports and
36 investigations made pursuant to this chapter, is confidential.

37 2. Any person, law enforcement agency or public agency,
38 institution or facility who willfully releases or disseminates such
39 information, except:

40 (a) Pursuant to a criminal prosecution relating to the abuse or
41 neglect of a child;

42 (b) As otherwise authorized pursuant to NRS 432B.165 and
43 432B.175;

44 (c) As otherwise authorized or required pursuant to NRS
45 432B.290;



(d) As otherwise authorized or required pursuant to NRS 439.538; ~~for~~

(e) As otherwise required pursuant to NRS 432B.513 ~~H~~; or
(f) *As otherwise required pursuant to section 45 of this act,*

➔ is guilty of a gross misdemeanor.

Sec. 48. NRS 432B.290 is hereby amended to read as follows:
432B.290 1. Information maintained by an agency which provides child welfare services must be maintained by the agency which provides child welfare services as required by federal law as a condition of the allocation of federal money to this State.

2. Except as otherwise provided in this section and NRS 432B.165, 432B.175 and 432B.513, information maintained by an agency which provides child welfare services may, at the discretion of the agency which provides child welfare services, be made available only to:

(a) A physician, if the physician has before him or her a child who the physician has reasonable cause to believe has been abused or neglected;

(b) A person authorized to place a child in protective custody, if the person has before him or her a child who the person has reasonable cause to believe has been abused or neglected and the person requires the information to determine whether to place the child in protective custody;

(c) An agency, including, without limitation, an agency in another jurisdiction, responsible for or authorized to undertake the care, treatment or supervision of:

(1) The child; or

(2) The person responsible for the welfare of the child;

(d) A district attorney or other law enforcement officer who requires the information in connection with an investigation or prosecution of the abuse or neglect of a child;

(e) Except as otherwise provided in paragraph (f), a court other than a juvenile court, for in camera inspection only, unless the court determines that public disclosure of the information is necessary for the determination of an issue before it;

(f) A court, as defined in NRS 159A.015, to determine whether a guardian or successor guardian of a child should be appointed pursuant to chapter 159A of NRS or NRS 432B.466 to 432B.468, inclusive;

(g) A person engaged in bona fide research or an audit, but information identifying the subjects of a report must not be made available to the person;

(h) The attorney and the guardian ad litem of the child, if the information is reasonably necessary to promote the safety, permanency and well-being of the child;



(i) A person who files or intends to file a petition for the appointment of a guardian or successor guardian of a child pursuant to chapter 159A of NRS or NRS 432B.466 to 432B.468, inclusive, if the identity of the person responsible for reporting the abuse or neglect of the child to a public agency is kept confidential and the information is reasonably necessary to promote the safety, permanency and well-being of the child;

(j) The proposed guardian or proposed successor guardian of a child over whom a guardianship is sought pursuant to chapter 159A of NRS or NRS 432B.466 to 432B.468, inclusive, if the identity of the person responsible for reporting the abuse or neglect of the child to a public agency is kept confidential and the information is reasonably necessary to promote the safety, permanency and well-being of the child;

(k) A grand jury upon its determination that access to these records and the information is necessary in the conduct of its official business;

(l) A federal, state or local governmental entity, or an agency of such an entity, or a juvenile court, that needs access to the information to carry out its legal responsibilities to protect children from abuse and neglect;

(m) A person or an organization that has entered into a written agreement with an agency which provides child welfare services to provide assessments or services and that has been trained to make such assessments or provide such services;

(n) A team organized pursuant to NRS 432B.350 for the protection of a child;

(o) A team organized pursuant to NRS 432B.405 to review the death of a child;

(p) A parent or legal guardian of the child and an attorney of a parent or guardian of the child, including, without limitation, the parent or guardian of a child over whom a guardianship is sought pursuant to chapter 159A of NRS or NRS 432B.466 to 432B.468, inclusive, if the identity of the person responsible for reporting the abuse or neglect of the child to a public agency is kept confidential and the information is reasonably necessary to promote the safety, permanency and well-being of the child and is limited to information concerning that parent or guardian;

(q) The child over whom a guardianship is sought pursuant to chapter 159A of NRS or NRS 432B.466 to 432B.468, inclusive, if:

(1) The child is 14 years of age or older; and

(2) The identity of the person responsible for reporting the abuse or neglect of the child to a public agency is kept confidential and the information is reasonably necessary to promote the safety, permanency and well-being of the child;



(r) The persons or agent of the persons who are the subject of a report, if the information is reasonably necessary to promote the safety, permanency and well-being of the child and is limited to information concerning those persons;

(s) An agency that is authorized by law to license foster homes or facilities for children or to investigate persons applying for approval to adopt a child, if the agency has before it an application for that license or is investigating an applicant to adopt a child;

(t) Upon written consent of the parent, any officer of this State or a city or county thereof or Legislator authorized by the agency or department having jurisdiction or by the Legislature, acting within its jurisdiction, to investigate the activities or programs of an agency which provides child welfare services if:

(1) The identity of the person making the report is kept confidential; and

(2) The officer, Legislator or a member of the family of the officer or Legislator is not the person alleged to have committed the abuse or neglect;

(u) The Division of Parole and Probation of the Department of Public Safety for use pursuant to NRS 176.135 in making a presentence investigation and report to the district court or pursuant to NRS 176.151 in making a general investigation and report;

(v) Any person who is required pursuant to NRS 432B.220 to make a report to an agency which provides child welfare services or to a law enforcement agency;

(w) A local advisory board to expedite proceedings for the placement of children created pursuant to NRS 432B.604;

(x) The panel established pursuant to NRS 432B.396 to evaluate agencies which provide child welfare services;

(y) An employer in accordance with subsection 3 of NRS 432.100;

(z) A team organized or sponsored pursuant to NRS 217.475 or 228.495 to review the death of the victim of a crime that constitutes domestic violence;

(aa) The Committee on Domestic Violence appointed pursuant to NRS 228.470; or

(bb) The Committee to Review Suicide Fatalities created by NRS 439.5104.

3. An agency investigating a report of the abuse or neglect of a child shall, upon request, provide to a person named in the report as allegedly causing the abuse or neglect of the child:

(a) A copy of:

(1) Any statement made in writing to an investigator for the agency by the person named in the report as allegedly causing the abuse or neglect of the child; or



(2) Any recording made by the agency of any statement made orally to an investigator for the agency by the person named in the report as allegedly causing the abuse or neglect of the child; or

(b) A written summary of the allegations made against the person who is named in the report as allegedly causing the abuse or neglect of the child. The summary must not identify the person responsible for reporting the alleged abuse or neglect or any collateral sources and reporting parties.

4. Except as otherwise provided by subsection 6, before releasing any information maintained by an agency which provides child welfare services pursuant to this section, an agency which provides child welfare services shall take whatever precautions it determines are reasonably necessary to protect the identity and safety of any person who reports child abuse or neglect and to protect any other person if the agency which provides child welfare services reasonably believes that disclosure of the information would cause a specific and material harm to an investigation of the alleged abuse or neglect of a child or the life or safety of any person.

5. The provisions of this section must not be construed to require an agency which provides child welfare services to disclose information maintained by the agency which provides child welfare services if, after consultation with the attorney who represents the agency, the agency determines that such disclosure would cause a specific and material harm to a criminal investigation.

6. A person who is the subject of an unsubstantiated report of child abuse or neglect made pursuant to this chapter and who believes that the report was made in bad faith or with malicious intent may petition a district court to order the agency which provides child welfare services to release information maintained by the agency which provides child welfare services. The petition must specifically set forth the reasons supporting the belief that the report was made in bad faith or with malicious intent. The petitioner shall provide notice to the agency which provides child welfare services so that the agency may participate in the action through its counsel. The district court shall review the information which the petitioner requests to be released and the petitioner shall be allowed to present evidence in support of the petition. If the court determines that there is a reasonable question of fact as to whether the report was made in bad faith or with malicious intent and that the disclosure of the identity of the person who made the report would not be likely to endanger the life or safety of the person who made the report, the court shall provide a copy of the information to the petitioner and the original information is subject to discovery in a subsequent civil action regarding the making of the report.



7. If an agency which provides child welfare services receives any information that is deemed confidential by law, the agency which provides child welfare services shall maintain the confidentiality of the information as prescribed by applicable law.

8. Pursuant to this section, a person may authorize the release of information maintained by an agency which provides child welfare services about himself or herself, but may not waive the confidentiality of such information concerning any other person.

9. An agency which provides child welfare services may provide a summary of the outcome of an investigation of the alleged abuse or neglect of a child to the person who reported the suspected abuse or neglect.

10. Except as otherwise provided in this subsection, any person who is provided with information maintained by an agency which provides child welfare services and who further disseminates the information or makes the information public is guilty of a gross misdemeanor. This subsection does not apply to:

(a) A district attorney or other law enforcement officer who uses the information solely for the purpose of initiating legal proceedings;

(b) An employee of the Division of Parole and Probation of the Department of Public Safety making a presentence investigation and report to the district court pursuant to NRS 176.135 or making a general investigation and report pursuant to NRS 176.151; ~~for~~

(c) An employee of a juvenile justice agency who provides the information to the juvenile court ~~H~~ ; or

(d) An employee or contractor of a state or local governmental entity to whom information is disclosed pursuant to section 45 of this act disclosing the information for the purposes prescribed by that section.

11. An agency which provides child welfare services may charge a fee for processing costs reasonably necessary to prepare information maintained by the agency which provides child welfare services for release pursuant to this section.

12. An agency which provides child welfare services shall adopt rules, policies or regulations to carry out the provisions of this section.

13. As used in this section, "juvenile justice agency" means the Youth Parole Bureau or a director of juvenile services.

Sec. 49. Chapter 433 of NRS is hereby amended by adding thereto a new section to read as follows:

1. To the extent not prohibited by federal law, the Division shall share information concerning a child who is at risk of an emotional disturbance or a mental health or substance abuse



1 *crisis with any state or local governmental entity or contractor*
2 *thereof as necessary to ensure:*

3 *(a) The safety of the child or any other person; or*

4 *(b) That the child receives appropriate services.*

5 *2. Any confidential information disclosed pursuant to this*
6 *section must remain confidential after the disclosure. Any agency*
7 *or contractor to whom such information is disclosed pursuant to*
8 *this section shall not use or disclose the information for any*
9 *purpose other than the purpose for which the information is*
10 *disclosed to the agency or contractor.*

11 *3. Any person or entity who in good faith shares information*
12 *as authorized by this section is immune from criminal or civil*
13 *liability for any act or omission which arises out of the sharing of*
14 *that information.*

15 **Sec. 50.** NRS 433A.360 is hereby amended to read as follows:

16 433A.360 1. A clinical record for each consumer must be
17 diligently maintained by any division facility, private institution,
18 facility offering mental health services or program of community-
19 based or outpatient services. The record must include information
20 pertaining to the consumer's admission, legal status, treatment and
21 individualized plan for habilitation. The clinical record is not a
22 public record and no part of it may be released, except:

23 (a) If the release is authorized or required pursuant to NRS
24 439.538 ~~§~~ *or section 49 of this act.*

25 (b) The record must be released to physicians, advanced practice
26 registered nurses, attorneys and social agencies as specifically
27 authorized in writing by the consumer, the consumer's parent,
28 guardian or attorney.

29 (c) The record must be released to persons authorized by the
30 order of a court of competent jurisdiction.

31 (d) The record or any part thereof may be disclosed to a
32 qualified member of the staff of a division facility, an employee of
33 the Division or a member of the staff of an agency in Nevada which
34 has been established pursuant to the Developmental Disabilities
35 Assistance and Bill of Rights Act of 2000, 42 U.S.C. §§ 15001 et
36 seq., or the Protection and Advocacy for Mentally Ill Individuals
37 Act of 1986, 42 U.S.C. §§ 10801 et seq., when the Administrator
38 deems it necessary for the proper care of the consumer.

39 (e) Information from the clinical records may be used for
40 statistical and evaluative purposes if the information is abstracted in
41 such a way as to protect the identity of individual consumers.

42 (f) To the extent necessary for a consumer to make a claim, or
43 for a claim to be made on behalf of a consumer for aid, insurance or
44 medical assistance to which the consumer may be entitled,



information from the records may be released with the written authorization of the consumer or the consumer's guardian.

(g) The record must be released without charge to any member of the staff of an agency in Nevada which has been established pursuant to 42 U.S.C. §§ 15001 et seq. or 42 U.S.C. §§ 10801 et seq. if:

(1) The consumer is a consumer of that office and the consumer or the consumer's legal representative or guardian authorizes the release of the record; or

(2) A complaint regarding a consumer was received by the office or there is probable cause to believe that the consumer has been abused or neglected and the consumer:

(I) Is unable to authorize the release of the record because of the consumer's mental or physical condition; and

(II) Does not have a guardian or other legal representative or is a ward of the State.

(h) The record must be released as provided in NRS 433.332 or 433B.200 and in chapter 629 of NRS.

2. As used in this section, "consumer" includes any person who seeks, on the person's own or others' initiative, and can benefit from, care, treatment and training in a private institution or facility offering mental health services, from treatment to competency in a private institution or facility offering mental health services, or from a program of community-based or outpatient services.

Sec. 51. Chapter 433B of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division shall provide community-based behavioral health and support services to persons with serious behavioral health conditions who are:

(a) At least 11 years of age and not more than 21 years of age and:

(1) For whom less intensive services have repeatedly failed to satisfactorily address the behavioral health condition;

(2) Who have been hospitalized at least twice for reasons related to the behavioral health condition;

(3) Who have been involved with the system of juvenile justice or criminal justice in this State or another jurisdiction, either as a victim or as an offender;

(4) Who have been involved in multiple episodes that required a response by law enforcement; or

(5) Who have a record of poor academic performance or suspensions.

(b) Less than 11 years of age and to whom at least two of the factors listed in paragraph (a) apply.



2. *Services provided pursuant to subsection 1 must be delivered in an integrated manner that utilizes teams of providers to comprehensively address the needs of the person, including, without limitation, his or her therapeutic needs, and strengthens his or her family and support systems. Such services must include, without limitation:*

(a) *Referrals to specialized providers of services when necessary; and*

(b) *Assistance for family members and caregivers of the person in obtaining services and support.*

3. *A team of providers that provides services to a person and his or her family pursuant to this section:*

(a) *Must be available to the person and his or her family at all times; and*

(b) *Shall coordinate with other entities providing services and support to the person and his or her family, including, without limitation, any school in which the person is enrolled, the agency which provides child welfare services, the system of juvenile justice and the network of persons to provide integrated services to pupils with severe emotional disturbance established pursuant to section 22 of this act.*

4. *The Division may:*

(a) *Enter into any contract or agreement necessary to carry out the provisions of this section; and*

(b) *Apply for and accept gifts, grants and donations to carry out the provisions of this section.*

5. *As used in this section, “agency which provides child welfare services” has the meaning ascribed to it in NRS 432B.030.*

Sec. 52. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 53. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 54. This act becomes effective:

1. Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On July 1, 2019, for all other purposes.

