

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON EDUCATION**

**Eightieth Session
June 2, 2019**

The Committee on Education was called to order by Chair Edgar Flores at 11:19 a.m. on Sunday, June 2, 2019, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4404B of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/80th2019.

COMMITTEE MEMBERS PRESENT:

Assemblyman Edgar Flores, Chair
Assemblywoman Bea Duran
Assemblywoman Michelle Gorelow
Assemblywoman Alexis Hansen
Assemblywoman Melissa Hardy
Assemblywoman Lisa Krasner
Assemblywoman Brittney Miller
Assemblywoman Connie Munk
Assemblywoman Sarah Peters
Assemblywoman Jill Tolles
Assemblywoman Selena Torres

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Kelly Richard, Committee Policy Analyst
Victoria Gonzalez, Committee Counsel
Sharon McCallen, Committee Secretary
Trinity Thom, Committee Assistant

OTHERS PRESENT:

Bradley Keating, Director, Government Relations, Clark County School District
Lindsay Anderson, Director, Government Affairs, Washoe County School District
Jessica Ferrato, representing Nevada Association of School Boards
Edith Duarte, representing SafeNest
Natha C. Anderson, President, Washoe Education Association; and Member, Board
of Directors, Nevada State Education Association
Dan Musgrove, Private Citizen, Las Vegas, Nevada
Steven Cohen, Private Citizen, Las Vegas, Nevada

Chair Flores:

[Roll was called. Committee protocol and rules were explained.] We have one hearing scheduled for now. What we intend to do is recess upon the conclusion of the hearing. If we have to come back, we anticipate likely having an evening meeting. If we have to do it, we will. I will open the hearing on Senate Bill 80 (2nd Reprint).

Senate Bill 80 (2nd Reprint): Revises provisions relating to providing a safe and respectful learning environment. (BDR 34-502)

Bradley Keating, Director, Government Relations, Clark County School District:

We come to you this morning to discuss Senate Bill 80 (2nd Reprint), which is brought by the Clark County School District, one of our two bill drafts that we are able to bring each session. We call this bill the "Handle with Care Program" within the Office for a Safe and Respectful Learning Environment, Department of Education. It is an initiative, and a partnership between school districts, law enforcement agencies, and SafeVoice to ensure the emotional well-being of all children—making sure that they are top priority. A number of different states—West Virginia, Michigan, and a few others—have implemented this Handle with Care Program, and we look forward to bringing it here to Nevada.

Through the use of SafeVoice, police officers can submit a tip that will be routed to a school-based team, noting that the child has been through a traumatic incident. We feel this is a very good first step as we continue to talk about school safety initiatives throughout this legislative session. This allows us to have a better understanding of what our students are dealing with on a daily basis at the school level so we can provide proper care.

The program works as follows: To respect the child's privacy, an alert would come from the police department that would only contain the child's name, the child's school grade, and the tip that would say, "Handle with Care." Once the alert is received by the school-based team, that team can provide the child access to school and wraparound services that might be necessary. Under state law, the school-based team includes a counselor, a psychologist, a social worker, the principal, and another school administrator. These teams are already created at each school under the SafeVoice Program. We would continue to have those teams help with these situations with students.

Why is a program like this needed? Unfortunately, we do not have huge numbers of statistics here in Nevada tracking students who have gone through traumatic incidents. Just to give you an idea, when they implemented the program in West Virginia, they found that 60 percent of the children in West Virginia had been exposed to violence, crime, or abuse. Of those 60 percent, 40 percent were direct victims of two or more violent acts. Imagine how many of those students come to school the next day and the teacher is working with them. Because of that, we have brought Handle with Care forward. I will quickly walk through the bill.

Sections 2 and 3 of the bill establish the Handle with Care Program under the Office for a Safe and Respectful Learning Environment at the Department of Education.

Section 3, subsection 2, establishes the use of SafeVoice as the network that police departments will use. Washoe County is looking at implementing this program, but using an application other than SafeVoice. This would allow a school district to either use SafeVoice or an application that is chosen by the district to be able to take care of these tips. Section 3, subsection 3, states the information in the report submitted by law include the name and school. Section 3, subsection 5, establishes when a school-based team is notified.

Section 3, subsection 6, establishes the subject areas in which the Department of Education will provide training to those multidisciplinary teams which already receive training on an annual basis.

Sections 5 to 13 rename the Safe-to-Tell Program to SafeVoice Program. Currently it has been known as Safe-to-Tell. That change was made per law, so we are changing it to SafeVoice.

Section 14 is the meat and potatoes of this bill and how the Handle with Care Program will work. That provides the type of events that will be considered under this program. If you look at section 14, subsection 1, paragraphs (a) through (d), we identify four different categories where schools shall be notified: "(a) Domestic violence in the presence of a child; (b) Death of a member of the family or household of the child; (c) Arrest of a parent or guardian of the child in the presence of the child; or (d) Child abuse or neglect." These are the four mandatory categories that would come to the school level. If it rose to a level of those four, the police would submit that tip.

Section 14, subsection 2, allows that if the law enforcement agency reasonably believes a child who attends a public school has been exposed to any other event that may affect his or her ability to succeed at school, they could also notify us through Handle with Care.

There are four required areas. We had to narrow it down to start off, to make sure we are moving this in the right direction, but it still offers the officers the leniency to let us know of any other traumatic incidents that are occurring.

Assemblywoman Tolles:

I appreciate this program and I definitely think it is a step in the right direction to provide wraparound services to these kids in the midst of traumatic events. In looking at the language, I notice there is amending language that adds "or notification" or "and notification" to mentions of "report." You spoke briefly to what that notification may or may not look like, but I am wondering, is that a written notification? Is it a phone call? Is it an electronic means of communication to notify the proper individuals at the school?

Bradley Keating:

Yes. There have been some amendments. We have worked with a number of stakeholders on this—police departments, counties, cities—and we were able to get to a place where everyone was happy with this bill. The reason that the change was made from notification to a tip in the Senate Committee on Finance was because the Department of Education originally had a fiscal note on this bill where if we were to create a notification-type feature in SafeVoice, it would have been an additional charge for \$25,000. However, if they created a tip with all of the same information, it was no additional charge. So we changed it from notification to a tip. Nothing has been changed in the bill as to how or what will be included in the tip, such as the child's name, school, and Handle with Care. That tip will come through an electronic system that is then delivered to everyone in that school-based team. They receive that in an immediate flow of communication.

Assemblywoman Hansen:

I have a question on section 14 where we get into the different categories of trauma that may cause a child to qualify for the Handle with Care program. Section 14, subsection 1, paragraph (a) states, "Domestic violence in the presence of the child." I am assuming that comes from a record somewhere—the school district or the officers. How do we know this child and the labeling? How are we notifying? Are we basing it on records that have come from law enforcement because there has been a domestic dispute in the home? I am trying to understand how that process works.

Bradley Keating:

We worked closely with law enforcement on these four categories. For instance, the police department is involved in a scene at a home that includes domestic violence. If there are children present who have seen whatever has taken place, the police at that point immediately—as they are writing their report—are also able to go into the system of SafeVoice and send a tip directly to the school district. Due to a number of privacy issues, we have no idea at the school district level what the student has gone through and we do not want labeling of the child. We just want to make sure that when the child comes to school the next day—I think about it as an educator all the time—they might be acting a little differently. They may push back on the teacher in some cases, and you have no idea as to why or what the student has gone through. This allows us to understand when the student comes to school that something happened, and we can keep a better eye on the student.

Assemblywoman Hansen:

The intent here is so great. How are the mechanisms going to work? I think back to my day when it was really just word of mouth—Oh my gosh, did you hear what happened, their parents were killed in a car accident—things like that. Essentially, just so I understand in a nutshell, it is law enforcement having a way to offer that tip, respecting the privacy of the child in the sense that it is a tip, and then the officials at school are able to be the first to know when the child shows up at school. Is that correct?

Bradley Keating:

You are 100 percent correct.

Assemblywoman Hardy:

Thank you for bringing forward this bill. I think it is important for those who work with students to be aware of what children are going through. Following up on my colleague's question, once the people at the school are notified, what happens? Is it just for them to know? Do they reach out to the child once they are notified? What happens?

Bradley Keating:

I think the reason that we do not have it included in the bill today is because we do not know fully what will happen moving forward. I think it is going to be at the discretion of the administrator, that team, and the teacher as to how to deal with the situation. In many cases now, if there is an incident at home, potentially, the child may come back to school. If the child has a good relationship with the teacher, they may inform the teacher of what happened, or they might go see a counselor. What this bill helps us do is arm the teachers and the school counselors to be ready for that child to walk in, to be able to address the issue, and to be able to provide the wraparound services that are available. This is a great first step in the bill. You will probably see us expand this bill in the future—probably with the categories listed in section 14. Students face trauma every single day. How do we take a first stab at addressing that? Then we will build on that moving forward.

Assemblywoman Hardy:

I would agree. I think this is a great first step to build on.

Assemblywoman Krasner:

Once one of these four occurrences is reported to the school, how will it be noted in the child's permanent file? Obviously, if mom, dad, and the child all live together with their 85-year-old grandma, it is a normal thing that at a certain age someone might pass away. That is very different than a notation in a file that says that dad committed a violent battery against mom and little Johnny watched. How will that be noted in the child's permanent file?

Bradley Keating:

That will not be noted anywhere in a permanent file. The only place that tip will exist, per se, is through the SafeVoice system. They keep all of the tips, just like SafeVoice with regard to bullying and how it runs through the SafeVoice system. It would be no different than that. The tip would lie within that SafeVoice system. It would not tell us any

information about what the mom or dad did that day. It would simply say, "Brad Keating, Coronado High School, Handle with Care," and the tip would live there. It would never move to the student's school or personal file in any way at the district level.

Assemblywoman Krasner:

In the Handle with Care tip, would it at least state which of the four categories it is? Whether it is the domestic violence issue or someone passing away, which is a much more natural event at a certain age? You can see the difference in the four types of tips.

Bradley Keating:

No, it would not. These are just the four mandatory tip notifications that have to be sent in by the police department. It would not say within the tip which piece of the puzzle it is. We would have issues with some of the privacy of the students and families at that point. All it would say is, Handle with Care. We would know at the district level in most cases that it is one of these four areas, but we would not know what it falls under.

Assemblywoman Peters:

My first question is following up on my colleague's question about the types of mandatory notification traumas. I am thinking of some examples: you are held up in your car at gunpoint when your parents are being robbed, your house is broken into, or you see your friend get hit on his bike. Is it limited to these four incidents listed in section 14, or is it at the discretion of a law enforcement officer?

My other question is on parent notification. When the school receives this tip, is there a process for outreach to the parents that just says, Hey, we are going to be offering some additional services to your child and just wanted you to be aware that they may be coming home with some materials to help process a trauma?

Bradley Keating:

The answer to your first question is yes, these four items plus any additional item that the police officer deems necessary. The discretion is 100 percent there. Also, it is not written into this bill because it is already in *Nevada Revised Statutes* (NRS) in the Safe-to-Tell Program [NRS Chapter 388]—which is changed to SafeVoice here—that notification has to be made with the parents already.

Assemblywoman Krasner:

When the law enforcement officer or agency gives the tip to the school district, are the parents notified?

Bradley Keating:

It would not be that the parents are notified at the start when the tip is delivered. It would be whenever we provide services or work with that student in any way. If the student comes to us and we have that conversation, then at that point, by law, we are required to notify the parent.

Assemblywoman Krasner:

Prior to getting services?

Bradley Keating:

Yes.

Assemblywoman Duran:

At that point, if you reach out to the parents where there is a situation, and the student has little brothers and sisters at home, are those services also going to be provided for the family if needed?

Bradley Keating:

I can say with certainty that if they are school district children, they will receive services. What we are working on right now at the school district level is creating a list of services and working with different community partners that would be able to serve a wider net so we would be able to serve all of the students at the house. Right now we only have control over the students who would be in our care during the day.

Assemblywoman Duran:

Basically, with those other outreach programs, would you be able to suggest that to the family? For example, if I am the parent of a student and I felt that I needed to talk to Principal Keating for some help, would you recommend other agencies to the family at that point?

Bradley Keating:

I want to start by saying that I think Assemblywoman Miller and Assemblywoman Torres would probably think it is a terrible idea for anyone to put "principal" in front of my name. But, yes, we would immediately reach out and say that here are the services, and we would work to make sure that all of the children were taken care of.

Assemblywoman Miller:

To one of my colleague's question about privacy, in the current system we have, about the most information in that record is maybe if a student has a guardian rather than a parent. We would know those students are not within the custody of the parents. We would know if students may be in a foster care situation—different addresses, different households—but this kind of personal information is not in our system.

When it comes to services for the children and the family as a whole, each student is completely different. Some students walk in first thing that morning and the first thing they do is tell the first teacher they see what happened. Sometimes kids tell stuff that they do not even realize is traumatic. They say it nonchalantly, and as a teacher it is like, Okay, we need to talk to a counselor. We need to go into service mode. Sometimes these instances have become pretty normalized for the student. In many cases, speaking as a teacher, sometimes families are already engaged in a process of therapy or support. Parents are already doing what they need to be doing for their kids, but in the classroom, sometimes just knowing it—if

there is a change of behavior, maybe that child is a little more aggressive today, maybe sleepy, maybe just more withdrawn than usual—so that student is not disciplined for a natural reaction. Just having Handle with Care—if I come in the morning and they say to handle this student with care, then I know the student is going to be a little different and I may give him or her a little space. Sometimes when children are acting out or reacting, remember, they do not know how to handle their stress or articulate it. In the classroom, this kid just needs a little more space today and, perhaps, the counselor and all of the other services that we can offer. That is the part that I appreciate the most, knowing that this kid just needs a little space today at least in the classroom setting as I am conducting class for everyone else.

Chair Flores:

Members, is there any additional discussion or questions? Seeing none, I will invite forward those wishing to speak in support of Senate Bill 80 (2nd Reprint).

Lindsay Anderson, Director, Government Affairs, Washoe County School District:

I am here in support of this legislation on the Handle with Care Program. We started engaging with the Clark County School District in this conversation very early on since this was a prefiled bill.

To Assemblywoman Peters, we actually have a partnership in the Washoe County School District (WCSD) right now with Join Together Northern Nevada (JTNN), to do some training and initial steps around our own Handle with Care Program. In fact, there was some modification to the language to make sure that what we are doing in the WCSD would fit into this framework as well.

We have sent some of our administrators to a national training around Handle with Care. It is not just the tip, but as you have alluded to, it is training on the responses at the school level. The idea that trauma has a singular approach is problematic. Assemblywoman Miller, you really stole my thunder in articulating the different approach we might have for students.

To Assemblywoman Duran's question, it is important to keep in mind that often the schools are not the service providers. We understand what is going on and then we can refer families to services that are available in the community from a wraparound perspective.

We think this is an important step since we do have so many students experiencing trauma in their life, making sure we have a custom approach for how that is handled at the school level and using either SafeVoice or something different we develop through our partnership with JTNN and local law enforcement in Washoe County.

Jessica Ferrato, representing Nevada Association of School Boards:

We are in support of the bill. I just want to echo the comments of Washoe County School District and Clark County School District. As we know, more and more students in our schools are encountering traumas, and I think that this helps open the line of communications.

To Assemblywoman Miller's point that every child has different needs, it will help assist our teachers as well as our facilitators in the schools to make sure we are wrapping around these students and supporting them to the best of our abilities.

Edith Duarte, representing SafeNest:

We are the largest nonprofit provider for domestic violence services in the state. SafeNest is located in Clark County and is in full support of this bill. We have been working with Clark County School District on this during the interim. Adverse childhood experiences that go unaddressed can have lifelong impacts on a person, and this is just another tool to ensure that a child who has been witness to domestic violence as a secondary victim also receives the appropriate services and intervention.

The Las Vegas Metropolitan Police Department annually receives approximately 70,000 calls dealing with domestic violence, about 40,000 of which involve a child as a secondary victim or as a witness. We just want to make sure that they do get those services and intervention.

Natha C. Anderson, President, Washoe Education Association; and Member, Board of Directors, Nevada State Education Association:

We are also offering support of Senate Bill 80 (2nd Reprint). I am sorry that I missed the earlier presentation. We have been supportive of this since the beginning.

Right now, I am just going to talk as a teacher, as opposed to the association person. I do not always know what is going on in my students' lives. Too often, especially when I have them as high school students, they have perfected the art of acting. They know if they were to show emotion in my classroom, I would ask questions that they would not be able to handle at that time. Sometimes the classrooms are actually the escape, the comfort, and the norm in too many of our students' lives. This legislation would allow us to figure out different ways to help our kids as opposed to just saying, Here is a journal entry, here is a book. Here is a person who is able to talk with you. Sometimes we know that there is something going on, but we do not know what it is. This is just one more way for us to be able to figure that out. It is a tool that every educator needs. I ask for your support.

Dan Musgrove, Private Citizen, Las Vegas, Nevada:

I am here today in a private capacity. I serve as the chair of the Clark County Children's Mental Health Consortium. One of the programs that we have been so very proud of is SafeVoice. I think this is the next logical step and it is all about making our kids feel comfortable about talking about things, and the stigma that surrounds mental health and mental illness. We can give them avenues where they feel safe and where folks can talk about these things and everything that everyone before me has said. We are very much in support. Thank you for the opportunity to testify.

Chair Flores:

Is there anyone else wishing to speak in support of Senate Bill 80 (2nd Reprint) here in Carson City? [There was no one.] Is there anyone wishing to speak in opposition? [There was no one.] Is there anyone wishing to speak in neutral?

Steven Cohen, Private Citizen, Las Vegas, Nevada:

I just submitted my prepared remarks ([Exhibit C](#)), which have been revised throughout the session, and also some conceptual amendments regarding special education ([Exhibit D](#)).

Chair Flores:

We will close the hearing on Senate Bill 80 (2nd Reprint). Members, I anticipate having to meet again later in the evening, at which time we will do the work session. I want to make sure everyone understands, please remain in the building. We may call you on short notice. It is not intentional; it is just the nature of how today is going to function. Is there anyone here for public comment?

Lindsay Anderson, Director, Government Affairs, Washoe County School District:

I am here for your good news minute on this lovely Sunday. Unlike our friends in Clark County, Washoe County School District students are still in school until next Friday. We are really proud of our program called Countdown to Graduation. We are highlighting 22 graduates from the class of 2019, one from each high school who has a particularly interesting story about their pathway to graduation. There are some very inspiring stories to hear about our kids and the things they overcome on their pathway to graduation. I want to draw your attention to the short videos of these stories at washoeschools.net/countdown as we get ready to wrap up the school year in the Washoe County School District.

Bradley Keating, Director, Government Relations, Clark County School District:

I am here with your good news minute. We just quickly want to highlight a high school down south, College of Southern Nevada High School. This is a partnership between Clark County School District and the College of Southern Nevada. They just had their graduation ceremony a few days ago. They had a 100 percent graduation rate, but I think the neatest thing to mention here is that there were 61 students who graduated and at the same exact moment were able to walk across the stage and receive a high school diploma and an associate's degree due to this university and K-12 partnership. We really love our partnership with the Nevada System of Higher Education and the College of Southern Nevada. We are incredibly impressed with, happy for, and proud of these 61 students.

Chair Flores:

Is there anyone else wishing to speak in public comment? Seeing no one, members, again, make sure you are monitoring your emails closely.

The meeting is recessed [at 11:53 a.m.].

The meeting was adjourned [at 11:59 p.m.].

RESPECTFULLY SUBMITTED:

Sharon McCallen
Committee Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a written statement regarding Senate Bill 80 (2nd Reprint) submitted by Steven Cohen, Private Citizen, Las Vegas, Nevada.

[Exhibit D](#) is a proposed amendment to Senate Bill 80 (2nd Reprint) submitted by Steven Cohen, Private Citizen, Las Vegas, Nevada.