Nevada Statewide School Safety Task Force

DATE: **July 20, 2018**
TO: **The Honorable Brian Sandoval**
FROM: **Dale Erquiaga, Task Force Chairman**
RE: **Initial Report**

Pursuant to the provisions of Executive Order 2018-05, it is my honor to transmit this initial report of the activities of your Statewide School Safety Task Force. The Task Force met twice since it was established, and two Workgroups have held additional meetings. We heard from students, parents, educators, and members of the public – all of whom share your commitment to school safety and concern for Nevada's students. Task Force deliberations focused on two broad themes: Student Well Being and Physical Infrastructure Coordination.

For this required initial report, we prepared recommendations related to legislative Bill Draft Requests and the Executive Budget, knowing of the deadlines associated with both. We also considered items that should be addressed before the start of School Year 2018-19. You will find these recommendations attached, all of them approved unanimously. Minor edits have been made by the Chair with authorization from the full Task Force.

By way of summary, I wish to call your attention to three key components of the attached documents, recommending:

1. An omnibus act to update NRS Chapter 388 and statutes related thereto, all dealing with safety and crisis planning, response, and recovery;
2. Special attention and funding in the Executive Budget for additional school resource officers (to be defined as including school police where applicable), and for infrastructure needs related to school safety on Nevada's diverse school campuses; and
3. Legislation and budgetary authority focused on programs and interventions to support mental and behavioral health, your social-workers-in-schools initiative from 2015, and social emotional learning more broadly.

In addition, an emergency regulation and a series of executive orders or other communiques are contemplated in our recommendations. These range from student identification concerns, to the training of medical professionals, to enhanced communication with families whose children will soon return to school.

You should know that Superintendent Canavero and his staff at the Nevada Department of Education have provided invaluable support to the Task Force. I know they will work closely with your office on translating these initial recommendations into bill draft language. The subject matter experts you wisely appointed to the Task Force stand ready to provide insights and recommendations before bill drafts are finalized for introduction; the Task Force respectfully requests that when such language is returned from the Legislative Counsel Bureau it be shared with members of our group, even if the Task Force itself has ceased operation.

Thank you for the opportunity to serve in this role and contribute to this important work.

Recommended Bill Draft Request Regarding School Safety Planning

Chapter 388 of the Nevada Revised Statutes (NRS) provides for the establishment of school safety teams, committees to develop crisis plans, and the content/requirements of crisis plans. It is the recommendation of this Task Force that the Governor request a bill be drafted for the 2019 Legislative Session including the following provisions:

1. Individual school safety teams include representation from law enforcement (with allowance for flexibility for rural school districts due to availability of these personnel); that the existing requirement for a counselor be amended to be "school counselor, social worker or mental and behavioral health professional"; and that middle school and high school student voice be included when possible.

2. School crisis plans should ensure that drills occur at different times during the school day, in order for students to be familiar with safe routes to take and procedures to follow in different parts of the school building and under different circumstances. (Cross reference to NRS 392.450)

3. If not already provided for by law, provide a means for districts to require individualized plans for schools, in lieu of the "one plan to be used by all public schools" in the district to account for significant differences and needs, but at the discretion of the local board.

4. Require that district crisis plans include representation of a mental and behavioral health professional.

5. Require that district crisis plans include provisions related to recovery strategies at a school following a crisis, emergency or suicide.

6. Annual plans required pursuant to NRS 388.243 should be uniformly required to be complete and filed by July 1st of each year (rather than simply "at least once each year" as now stated in law). The same filing date should be required for charter and private schools.

7. Provide authority for the Chief of the Division of Emergency Management to approve, and if necessary randomly audit, plans required to be filed with the Division to ensure compliance with statutory all requirements.

8. Require the Governor to create a statewide committee on school safety as an additional component of these teams and committees contemplated by this chapter, to include representation from state agencies such as Education, Public Safety, Emergency Management, and Health & Human Services.

NOTE: additional recommendations in the following Workgroup Reports might be included with these provisions in an omnibus act regarding school safety.

Physical Infrastructure Workgroup Recommendations

Recommendation #1 – Amend state law as follows:

a) Amend Nevada Revised Statutes to categorize school police officers as Category I peace officers [NRS 289.470 and NRS 432B.610].
b) Include school police officers in the Nevada definition of "school resource officer."
c) Include school police departments in the Nevada definition of "law enforcement agency" for the purpose of NRS 289.030 which requires certain peace officers to wear a portable event recording device and requires certain law enforcement agencies to adopt policies and procedures governing the use of portable event recording devices.
d) Increase jurisdiction of school police officers to include all property, buildings and facilities beyond school property while investigating matters related to personnel, pupils, or real or personal property of the school district; further expand jurisdiction of school police officers to enforce violations of traffic laws and ordinances 24 hours each day.

Recommendation #2 – Amend state law to refine Emergency Response Plans (NRS 388.245) as follows:

a) Division of Emergency Management to provide NDE/Legislature annual report of compliance with plans. a. Division of Emergency Management may request other agencies to contribute to the plan review, at their sole discretion.
b) Require plans to address extracurricular activities (e.g., sporting events)
c) From Attorney General's Summit: Ensure building plans are shared among and across law enforcement jurisdictions; establish clear incident command hierarchy in an emergency.

Recommendation #3 – Require the Department of Education to develop a model plan to incorporate the following changes (NRS 388.253):

a) Include a Model Threat Assessment (individual student) [NRS 388.253(2)];
b) Include a Behavioral Health Disaster Response element [NRS 388.253(2)b)]; and
c) Require annual exercises of plans including external response agencies.

Recommendation #4 – Make any necessary changes to ensure sustainability of Safe-Voice and ability of first responders to provide support to students, including:

a) Amend "Safe-to-Tell" to "Safe Voice" in all relevant statutes; and
b) If a student provides his/her own contact information, then law enforcement may provide the student's personally identifiable information to the school and local law enforcement. **[NOTE: The Governor should consider approving an emergency regulation for this purpose before the new school year begins.]**

Recommendation #5 – Make necessary statutory or regulatory changes regarding disproportionality of school discipline, including a requirement for additional school discipline data, including but not limited to removal of pupil, to be disaggregated by race/ethnicity and special education status, and for such data to be reported annually.

Recommendation #6 – Provide funding the Executive Budget as follows:

a) Expand access to School Resource Officers (as redefined above).
    1. Establish a categorical fund at the State dedicated for this purpose.
    2. Applications for funding come through District and must be made in conjunction with their school police department or local law enforcement agency, as applicable.
    3. Applications for funding come through SPCSA for any charter schools.
b) Enhance school building safety to ensure safe learning environments.
    1. Establish a categorical fund at the State dedicated for this purpose.
    2. Applications for funding from Districts or SPCSA based on school safety assessment that is aligned with state standards for such an assessment(s).
    3. Distribution of funds based on "guided autonomy" that includes the school safety assessment to identify school needs and distributed on a block plus per pupil basis.
c) $200,000/year to support district/school and charter school training to supplement and refine training programs;
d) Addition of one FTE to support Safe Voice within the Safe and Respectful Learning Environments; and
e) Funding for required training/professional development for administrators and staff on matters pertaining to threat assessment and behavioral health disaster response.

Recommendation #7 – Direct the Department of Education to:

a) Encourage charter and private schools to enter into an agreement (e.g., Memorandum of Understanding) with local school police or law enforcement agencies to provide school safety support.
b) Develop evidence-based resources for schools/districts including but not limited to:
    1. Individual threat assessment,
    2. Standards for school safety assessments,
    3. Partnerships with Emergency Management to support districts in Nevada's mutual aid program, and
    4. A list of resources to improve safety of school buildings.
c) Work with the Nevada Attorney General's Office and law enforcement immediately to establish working relationships with principals and obtain access to emergency response plans.

Student Well Being Workgroup Recommendations

Recommendation #1 – Provide legislation and budgetary authority that would grant districts funds to ensure students and school staff have the prevention skills needed to be successful and safe in school. This would accomplish the following:

a) Proactively integrate Social Emotional Learning (SEL) into the fabric of all Nevada schools to help teachers and students remain motivated to develop skills to navigate and

succeed within their 21st learning communities and to serve as responsible, contributing, and safe members of society.
b) Require statewide Social-Emotional-Behavioral programming (SEB) as part of a multi-tiered system of support framework (MTSS) that requires each school to implement an integrated program with screenings, interventions, and progress monitoring. Establish administrator accountability standards to ensure that the framework is implemented with fidelity on every campus.
c) Require a statewide framework for and encourage the use of restorative practices in schools as an alternative to out of school consequences for behavioral infractions and the accompanying frustration that sometimes leads students to engage in antisocial or other behaviors that threaten the safety and/or learning of others.
d) Encourage Districts throughout the Nevada to institutionalize restorative practices as a preventative measure for antisocial behavior on campuses. Consider Fairfax County Public Schools (in Virginia) as a model.
e) Use and fund equitable instructional practices to promote inclusion and school climate.
f) Fund one new FTE to create a school climate and equity framework at state level that contributes to school improvement planning.

Recommendation #2 – Amend AB 127 of the 2017 Legislative Session to establish statewide recommended ratios for all school-based mental health providers (school counselors, school psychologists, and school social workers) that align with their respective national association recommended ratios, and require each school district to establish a school-based mental health ratio improvement plan for each of the three professions to achieve this ratio within 15 years; include a definition of each profession and supervision structure as part of the improvement plan; consider including school nurses in this initiative.

Recommendation #3 – Include school nurses, school counselors, and school psychologists in the Nevada Department of Education pilot Medicaid program and Social Work Block Grant. Enable the Department to use funds (one new FTE) from the current Social Work Block Grant Program to immediately expand school district capacity for Medicaid billing for behavioral health services and support.

Recommendation #4 – Issue an Executive Order directing the licensing boards for physicians, physician assistances, advance practice registered nurses, and all other professionals authorized to practice medicine in the state of Nevada to implement regulations:

a) requiring professionals initially licensed by their respective boards to complete at least two hours of continuous medical education on gun safety and self-harm and harm-to-others risk reduction during their first two years from initially being licensed; and
b) requiring professionals currently licensed to complete at least two hours of the continuous medical education during the next licensing period.

Recommendation #5 – Issue an Executive Order directing the Nevada Department of Education to produce a statement/documents with a title such as “Our Kids, Our Schools, Our Duty to Help Protect.” This school safety document could be distributed by the Department to all district, charter, and private schools in Nevada before the start of the 2019 school year. This optional

document could be used by school leaders, principals and staff—to help communicate with parents, students and caregivers:

a) What state-wide safety precautions are in place in their school, as allowed by law;
b) Crucial tips on responding to children's emotional needs during times of crisis; and
c) Examples of early warning signs in children, etc.

Recommendation #6 – The Task Force recommends that the Nevada Department of Education add input from parents, staff, and students on school climate, safety, programs currently available and utilized, and a SWOT analysis (strengths, weaknesses, opportunities and threats) to the statewide school climate survey. The Task Force further recommends that the State Board of Education adopt regulations or issue guidance such that School Improvement Plans (SIP) or School Performance Plans (SPP) for individual schools include:

a) Goals to increase positive school climate; and
b) Goals to improve family involvement.