MINUTES OF THE MEETING OF THE

LEGISLATIVE COMMISSION ON SCHOOL SAFETY AND JUVENILE VIOLENCE

(Assembly Bill 686, Chapter 607, Statutes of Nevada 1999) May 24, 2000 Carson City, Nevada

The final meeting of Nevada's Legislative Commission on School Safety and Juvenile Violence (Assembly Bill 686, Chapter 607, Statutes of Nevada 1999) during the 1999-2000 interim was held on Wednesday, May 24, 2000, commencing at 9:30 a.m. The meeting was held in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada, and videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Page 2 contains the "Meeting Notice and Agenda" and pages 3 through 10 contain the "Work Session Document" for this meeting.

COMMISSION MEMBERS PRESENT IN CARSON CITY:

Senator Valerie Wiener, Chairwoman Michael E. Johnson, Parent, Vice Chairman Assemblywoman Bonnie L. Parnell Barbara Baxter, Teacher, Sparks High School Tom Burns, Representative of Law Enforcement Annie Rees, Parent, Owner of Annie's Bail Bonds Keith Savage, Principal, Yerington High School

COMMISSION MEMBERS PRESENT IN LAS VEGAS:

Pamela Hawkins, Principal, Western High School M. Kim Radich, Teacher, O'Callaghan Middle School

COMMISSION MEMBERS EXCUSED:

Vince Swinney, Representative of Law Enforcement Marcia R. Bandera, Superintendent, Elko County School District

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT IN CARSON CITY:

Juliann Jenson, Senior Research Analyst, Research Division R. Rene Yeckley Senior Deputy Legislative Counsel, Legal Division Kristin Roberts, Senior Deputy Legislative Counsel, Legal Division Christine Kuhl, Senior Research Secretary, Research Division

MEETING NOTICE AND AGENDA

Name of Organization: Commission on School Safety and Juvenile Violence

(Assembly Bill 686, Chapter 607, Statutes of Nevada 1999)

Date and Time of Meeting: Wednesday, May 24, 2000

9:30 a.m.

Legislative Building Place of Meeting:

Room 3138

401 South Carson Street Carson City, Nevada

Note: Some members of the Commission may be attending the meeting and other persons may

observe the meeting and provide testimony, through a simultaneous videoconference

conducted at the following location:

Grant Sawyer State Office Building Room 4401 555 East Washington Avenue

Las Vegas, Nevada

If you cannot attend the meeting, you can listen to it live over the Internet. The address for the legislative website is http://www.leg.state.nv.us. For audio broadcasts, click on the link "Listen to Meetings Live on the Internet.'

AGENDA

I. Opening Remarks by the Chair and Introductions Senator Valerie Wiener

- *II. Approval of the Minutes of the April 13, 2000, Meeting
- III. Public Comment
- *IV. Work Session Discussion and Action on Final Recommendations (See Attached "Work Session Document" for a Summary of Proposals Compiled from Previous Meetings and Correspondence)
- V. Adjournment

*Denotes items on which the commission may take action.

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Research Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call Christine Kuhl at (775) 684-6825 as soon as nossible

Notice of this meeting was posted in the following Carson City. Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed for posting to the following Las Vegas, Nevada, locations: Clark County Office, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue.

WORK SESSION DOCUMENT

Commission on School Safety and Juvenile Violence (Assembly Bill 686, Chapter 607, Statutes of Nevada 1999)

May 24, 2000

This work session document was prepared by the staff of the Commission on School Safety and Juvenile Violence (Assembly Bill 686). It contains a summary of major recommendations that have been presented in public hearings and correspondence during the course of the study. Organized by topic headings, it is designed as a working document to assist the members of the Commission in making decisions during the work session.

The proposed recommendations do not necessarily have the support or opposition of the Commission. These proposals are simply compiled and organized so the members may review and decide if they should be adopted, changed, rejected, or further considered. The source of each recommendation and date it was submitted is noted in parentheses. Any recommendations adopted by the Commission will be submitted to the Legislative Commission for consideration. The recommendations will be highlighted in the Commission's report, and any recommendations for legislation will be included in the report as bill draft requests (BDRs). The report will be submitted to the Director of the Legislative Counsel Bureau for transmittal to the 2001 Nevada Legislature.

Under the provisions of A.B. 686, the Commission is authorized three BDRs, one of which must be the emergency response plan to incidents of school violence (herein referred to as "emergency response plan").

EMERGENCY RESPONSE PLAN TO INCIDENTS OF SCHOOL VIOLENCE

- 1. Amend section 8 of the emergency response plan, as adopted by the Commission, to include school psychologists as a mandatory member of the district-wide planning committee. (Recommended by William Miller, Psychological Services, Clark County School District, through correspondence dated March 13, 2000. See Exhibit A.)
- 2. Amend section 9 of the emergency response plan, as adopted by the Commission, to include school psychologists as a mandatory member of each school's implementation team. (Recommended by William Miller, Psychological Services, Clark County School District, through correspondence dated March 13, 2000. See Exhibit A.)
- 3. Amend sections 8 and 9 of the emergency response plan, as adopted by the Commission, to allow for a district-wide plan that addresses broad based contents while requiring site-based plans to contain the specifics (as opposed to the district developing the more specific plan and allowing for schools to make exceptions in certain circumstances). (Recommended by Leonard Paul, Assistant Superintendent, Clark County School District, through correspondence, dated April 13, 2000. See Exhibit B.)
- 4. Amend section 8, subsection 2, of the emergency response plan, as adopted by the Commission, to include language concerning communications with the media in the event of a school violence incident. (Recommended by Governor Kenny C. Guinn, through correspondence dated February 2, 2000.)
- 5. Amend the emergency response plan, as adopted by the Commission, to include specific language regarding confidentiality and the dissemination of the plan. (Recommended by Chairwoman Wiener.)
- 6. Amend the emergency response plan, as adopted by the Commission, to grant school districts the authority to seek creative funding mechanisms (i.e., insurance companies) for school safety training. (Recommended by Chairwoman Wiener.)
- 7. Amend the emergency response plan, as adopted by the Commission, to clarify the role of private schools under the plan. (Recommended by the Legal Division of the Legislative Counsel Bureau as "clean-up" language.)
- 8. Draft and enact legislation to codify the emergency response plan in *Nevada Revised Statutes* (NRS), as adopted by the Commission which may include any adopted amendments (such as the ones outlined above), to incidents of school violence. This plan provides a framework for school districts in Nevada to develop local response plans. (Mandated by A.B. 686 and adopted by the Commission at the January 5, 2000,

meeting. See Exhibit C.)

PREVENTION AND INTERVENTION PROGRAMS

Abuse Prevention

9. Include a statement in the final report urging school districts to add or expand upon programs addressing child abuse and neglect, including community awareness, early detection training and treatment options for both the aggressor and victim. (Recommended by D.J. Stutz, Nevada Parent Teacher Association, April 13, 2000.)

After-School Programs

10. Include a statement in the final report encouraging schools to offer a wider variety of after-school programs. Testimony indicated that after-school programs assist in keeping youth occupied during peak crime periods while fostering involvement and interest in productive hobbies. (Recommended by Student Representatives, April 13, 2000.)

Alternative Classrooms

11. Include a statement in the final report encouraging Nevada's Department of Education to offer educator training regarding the key components of Assembly Bill 521 (Chapter 591, Statutes of Nevada 1999). The bill addresses school discipline and provides funding for alternative pilot schools. However, it was reported that schools are inconsistently implementing the bill, which has resulted in many students being expelled or suspended from school without adequate alternatives. (Recommended by Debbie Cahill, Nevada State Education Association, April 13, 2000.)

Asset Building

12. Include a statement in the final report urging local school district board of trustees to implement the assets building approach into school curriculums. The assets approach assists in identifying the positive aspects of a student's life and provides a framework to nurture and build upon such positive attributes. (Recommended by David Bash, Juvenile Justice Consultant, January 5, 2000, and March 7, 2000; and Garth Winckler, United Way, April 13, 2000.)

Bullying

- 13. Include a statement in the final report that encourages schools to address the school bullying problem by placing additional adults on school campuses and playgrounds during specified times. This could be accomplished by using parent volunteers. (Recommended by Student Representatives, April 13, 2000.)
- 14. Include a statement in the final report encouraging school districts to adopt policies, in accordance with the existing provisions of NRS which requires the suspension or expulsion of pupils under certain circumstances, that take into consideration whether a student was acting in defense of another. For example, students who defend a fellow classmate in a bullying situation should not necessarily be suspended or reprimanded for performing a good deed. (Recommended by Stan Olsen, Las Vegas Metropolitan Police Department, April 13, 2000.)

Community-Based Programs

- 15. Include a statement in the final report supporting innovative community-based efforts to prevent school and juvenile violence. Active participants in these efforts should include, but are not limited to, businesses, concerned citizens, local nonprofit organizations, and school districts. For example, the "Zero Tolerance Zero Weapons" program operated by the Clark County Education Association provides community-wide outreach, presentations, and training in an effort to address and prevent juvenile violence. Another example is the "Hands are Not for Hurting" program in Salem, Oregon, which includes a community-wide awareness campaign and asks businesses, parents, and students to make a pledge of nonviolence. (Recommended by Cheri Lovre, Consultant, November 9, 1999, and Kevin Nielsen, Program Director, Family-School-Community Partnership Program, Clark County Education Association, March 7, 2000.)
- 16. Include a statement in the final report encouraging local chambers of commerce to adopt or expand upon programs such as job shadowing, where youth spend time with adults in the workplace. (Recommended by Ruth Urban, Las Vegas Chamber of Commerce, April 13, 2000.)

Firearms

17. Include a statement in the final report that supports community efforts to restrict the accessibility of firearms to juveniles. For example, "Operation Cease Fire" in Boston, Massachusetts, has successfully disrupted the flow of firearms within the community by prioritizing firearm-related prosecutions and suppressing firearm possession in areas with a large concentration of gang activity. (Recommended by Julie Thomerson, National Conference of State Legislatures, March 7, 2000.)

Gangs

18. Include a statement in the final report that strongly encourages Nevada's Department of Education and Office of the Attorney General to include within their budgets, funding for a gang prevention pilot program. For example, the pilot program could be based on the "Gang Resistance Education and Training" program (G.R.E.A.T.) that has been implemented across the country. The program uses law enforcement to teach conflict resolution skills and gang resistance to middle school children. (Recommended by Julie Thomerson, National Conference of State Legislatures, March 7, 2000.)

Mentoring Programs

19. Include a statement in the final report urging schools and communities to adopt or expand upon mentoring programs. Mentoring

programs place a caring adult with a child, and services range from tutoring to other personal and family support. (Recommended by Garth Winckler, United Way, April 13, 2000.)

Parental Involvement

- 20. Include a statement in the final report encouraging local youth and family services departments to establish programs specifically targeted for parents whose children are beginning to demonstrate warning signs of violence. Testimony indicated that parents often only have access to programs once their child has actually committed a violent act, whereas it may be more beneficial and preventative to receive such services on the front end. (Recommended by Stan Olsen, Las Vegas Metropolitan Police Department, April 13, 2000.)
- 21. Include a statement in the final report encouraging schools to implement a parent network program, such as the one used at various schools in Clark County. Participating parents sign a pledge stating that all activities hosted by their household will be supervised and free of alcohol, drugs, and weapons. (Recommended by Chairwoman Wiener, March 7, 2000.)
- 22. Include a statement in the final report urging local departments of youth and family services to provide parenting skills, problem-solving, and support programs for parents whose children are involved in the juvenile justice system. (Recommended by Assemblywoman Bonnie L. Parnell, Commission member, March 7, 2000.)

Peer Mediation and Counseling

- 23. Include a statement in the final report encouraging schools to expand upon or implement peer mediation programs. Additionally, encourage schools that have such programs to use participating students in the promotional and recruiting aspects of the program. (Recommended by Student Representatives, April 13, 2000.)
- 24. Include a statement in the final report supporting schools to implement or expand upon "peer hotlines," which provide students with an anonymous opportunity to discuss issues of importance and problems with peers. (Recommended by Student Representatives, April 13, 2000.)
- 25. Compose a letter from the Chairwoman and the Commission to the Nevada State Bar Association, encouraging the solicitation of attorneys to form a cooperative relationship with local school districts, in order to teach alternative dispute resolution and mediation skills to both staff and students. (Recommended by Chairwoman Wiener, April 13, 2000.)

Research and Evaluation

- Include a statement in the final report urging Nevada's Department of Education to adopt program evaluation standards to better identify effective programs currently used by school districts throughout the State. Rather than implementing new programs, resources could be better spent on identifying the components of effective programming and duplicating the results. (Recommended by Michael Fitzgerald, Nevada's Department of Education, April 13, 2000.)
- 27. Compose a letter from the Chairwoman and the Commission to local school districts encouraging them to consider implementing or adapting components from the "Blue Prints for Violence Prevention" list. The "Blue Prints" identify ten exemplary programs that have proven to be successful in deterring delinquency, substance abuse, and violence. (Recommended by Jane Grady, Center for the Study and Prevention of Violence, University of Colorado, March 7, 2000.)

School Assemblies/Pep Rallies

28. Include a statement in the final report encouraging schools to hold antiviolence school assemblies. Such an assembly would ideally be organized by students and include entertainment, motivational speakers, and police officers. (Recommended by Student Representatives, April 13, 2000.)

School Counselors

- 29. Include a statement in the final report encouraging schools to inform parents and students about the differing roles of school counselors and school psychologists. Testimony indicated that there has been some confusion about the role of the school counselor and students are confused as to who they should access for academic guidance, personal advice or general assistance. (Recommended by Student Representatives and Barbara Baxter, Commission member, April 13, 2000.)
- 30. Include a statement in the final report encouraging school counselors to seek continuing education that encompasses asset building and risk factor identification. (Recommended by Chairwoman Wiener, March 7, 2000.)
- 31. Include a statement in the final report which supports the continuing efforts of school districts, within the state education budget process, to request special funding for elementary school counseling positions. Testimony indicated that these positions assist in providing early intervention and prevention services. (Recommended by Jane Kadoich, Assistant Director, Clark County School District Guidance Program, March 7, 2000.)

School Staffing

32. Include a statement in the final report which supports the continuing efforts of school districts, within the state education budget process, to hire additional school support staff that assist with providing services for youth at risk (i.e., counselors and nurses). Testimony indicated that programs cannot be implemented to their full potential without the proper staffing. (Recommended by Assemblywoman Bonnie L. Parnell, Commission member, April 13, 2000.)

Social Workers

33. Draft legislation to require school districts to employ professional social workers, particularly in at-risk schools. Correspondence indicated that social workers offer unique intervention and prevention services and are able to link families and students to community support

services. (Recommended by the National Association of Social Workers, Nevada Chapter, through correspondence dated December 20, 1999.)

Training

34. Include a statement in the final report encouraging school districts to provide faculty training about crime reporting and student discipline at a combined education/training day. (Recommended by Phil Gervasi, Clark County School District Police Officer's Association, April 13, 2000.)

School Uniforms

35. Include a statement in the final report that encourages schools to adopt school uniform policies, in accordance with NRS 392.458, which authorizes the boards of trustees of school districts to establish school uniform policies. Testimony indicated that uniforms have been successful in reducing school violence and assist in providing the school with a sense of equality. (Recommended by Student Representatives, April 13, 2000.)

Zero Tolerance

36. Draft legislation requiring Nevada's Department of Education to adopt a zero-tolerance program based on a point system. Further, require each school district to develop policies outlining each violation and the point value attached to it. The school district would also need to develop, in accordance with the existing provisions of NRS requiring the suspension or expulsion of pupils under certain circumstances, the point value threshold and determine the point at which a student would be removed from the traditional school setting and placed in an alternative environment. (See NRS 392.4655, which sets forth the conditions under which a pupil is deemed a habitual disciplinary problem and NRS 392.466, which requires the expulsion or suspension of a pupil under certain circumstances.) (Recommended by Student Representatives, April 13, 2000.)

OTHER RECOMMENDATIONS CONCERNING SCHOOL SAFETY

Reporting

- 37. Draft legislation requiring school administrators to report criminal and violent acts perpetrated by students to the appropriate law enforcement authority. Additionally, provide penalties for failure to accurately do so. In particular, use NRS 432B.220 (reports of abuse or neglect) as model language for the mandatory reporting and associated penalties. (See NRS 202.870 to 202.894, inclusive, requiring the reporting of certain sexual or violent offenses against children.) (Recommended by Phil Gervasi, Clark County School District Police Officer's Association, October 7, 1999; December 2, 1999; January 5, 2000; March 7, 2000; and April 13, 2000.)
- 38. Draft legislation that mandates campus police and school officials to report felonies or delinquent acts (under NRS 62.040) that occur on school campuses to the appropriate law enforcement authorities. (Recommended by Stan Olsen, Las Vegas Metropolitan Police Department, April 13, 2000.)
- 39. Draft legislation that would allow for school police departments to expand their jurisdiction to premises immediately adjacent to, or within a specified radius of, a school campus. This would allow for school police to make arrests outside of school property and would also assist with the reporting of criminal activity and other unusual incidents in and around school campuses. (Recommended by Walter C. Lyman, Washoe County School District Police Officer's Association, through correspondence dated November 17, 1999, and Phil Gervasi, Clark County School District Police Officer's Association, April 13, 2000.)

OPENING REMARKS BY THE CHAIR

Senator Valerie Wiener called the meeting to order at 9:55 a.m. and directed the Secretary to call roll. Chairwoman Wiener thanked the Commission members for the service they provided the State of Nevada during the 1999-2000 Legislative Interim.

Next, Chairwoman Wiener reviewed the "Rules and Procedures for the Work Session of the Commission on School Safety and Juvenile Violence" (Exhibit A).

APPROVAL OF THE MINUTES OF THE APRIL 13, 2000, MEETING

Chairwoman Wiener called for action on the minutes of the previous meeting.

MR. JOHNSON MOVED TO APPROVE THE MINUTES OF THE MEETING HELD ON APRIL 13, 2000, IN LAS VEGAS, NEVADA. THE MOTION WAS SECONDED BY MS. REES AND CARRIED UNANIMOUSLY.

PUBLIC COMMENT

Alicia Smalley

Alicia Smalley, President, Nevada Chapter, National Association of Social Workers (NASW), and Field Coordinator, School of Social Work, University of Nevada, Reno (UNR), explained how school social workers link both the student and family to community resources from the home setting. The goal of school social workers is to prevent campus violence through intervention in areas of drug abuse, suicide, and other mental health issues. School counselors work with the student within the school setting. Both school counselors and social workers work together to provide group therapy during class time.

Continuing, she said NASW is preparing a grant request entitled "The Counseling Demonstration Act," to seek funding for expansion of services in atrisk schools through the addition of counselors, psychologists, and social workers. Additionally, six UNR social work interns will work directly in schools and will assist in demonstrating the variety of services available through the university. She provided Commission members with a document entitled "Alternative Education Division, Attendance Enhancement Project, School Social Work Student Partnership Program" (Exhibit B).

Concluding, Ms. Smalley suggested adding the language "and school social workers" in Recommendation No. 29 (see page 8 of these minutes), and adding "professional" before "support staff" in Recommendation No. 32 (see page 9 of these minutes). She said the NASW supports Recommendation No. 33.

Ina Dorman

Ina Dorman, School of Social Work Specialist, Clark County School District (CCSD), Alternative Education Division; and Affirmative Action Chair, NASW, Las Vegas, said she advocated the use of school social workers in the recommended programs listed in the "Work Session Document," specifically those requiring additional professional support staff and liaisons to work within the community.

Continuing, Ms. Dorman said that the development of the Partnership Program in 1999 was the joint effort between the CCSD Alternative Education Program and the University of Nevada, Las Vegas (UNLV) School of Social Work. This program is designed to allow social work students to complete required coursework in a school while simultaneously providing assistance to "field personnel" assigned to at-risk schools. Ms. Dorman, a supervisor of the interns, said the program's success is evidenced by the reports of resolution of many negative behaviors. She noted that a direct result of the influences of school social workers is measurable improvement in student achievement, attendance, attitude, and behavior.

Concluding, Ms. Dorman suggested that Recommendation No. 33 (see page 9 of these minutes) be expanded to include all schools and not be limited to at-risk schools because campus violence happens indiscriminately. She said that excluding social workers is a "critical oversight" in team efforts to support children, and suggested flexibility in programs offering school social worker accreditation as one method to utilize Nevada's higher education institutions.

Responding to a question from Ms. Rees, Ms. Dorman said that the demography of participants in the Partnership Program includes bachelor degree, master, and post-master level social work students.

Ms. Smalley, previously identified, noted that the Commission on Professional Standards in Education, Department of Education, recognizes that a school social worker in Nevada must have a master's degree in social work and two years experience in a school setting.

Evan Malish

Evan Malish, Sergeant, Clark County School District Police Department (CCSDPD), Las Vegas, stated he is the appointed liaison from the CCSDPD to the Legislative Commission on School Safety and Juvenile Violence and there is no official comment on the proposed recommendations at this time. However, Sgt. Malish noted the following:

- The CCSDPD is neutral regarding Recommendation No. 37 (see page 10 of these minutes) as well as any legislation requiring a wider reporting of criminal or felony activity.
- Recommendation No. 38 (see page 10 of these minutes) contains definitions that are vague, such as "campus police" versus "school police," and "delinquent acts" versus "felonies." The summary is unclear.
- In Sgt. Malish's opinion, CCSDPD has not inappropriately managed felony cases on school campus.
- Recommendation No. 38 (see page 10 of these minutes) is not an effective solution for the current situation because it will increase the Las Vegas Metropolitan Police Department's (Metro) workload and "usurp the authority" of the CCSDPD by requiring the reporting of every felony crime committed on campus. Some felonies, such as credit card theft, are non violent.

Chairwoman Wiener explained that it is not the intent of the Commission members to mandate the reporting of nonviolent activities. She expressed concern that the scope of Recommendation No. 38 may be too broad if it requires that all felonies occurring on school grounds be reported to the local authorities.

Continuing, Sgt. Malish commented:

- Nevada school district police departments are responsible for handling criminal activity and investigations in their jurisdictions. If approved, Recommendation No. 38 will redefine a school district police department as a subdivision of the local police department thus "creating a big brother aspect" which suggests that CCSDPD needs oversight by an outside agency.
- Representatives from the CCSDPD and the District Attorney's Office meet regularly to ensure that perpetrators of criminal activity on school grounds
 are prosecuted.

Mr. Johnson opined that it is not the intent of Metro to "usurp jurisdiction" but rather the intent of Recommendation No. 38 is to provide suggestions regarding school safety and juvenile violence. He said that the purpose of the Commission is not to "sort out a turf war."

Ms. Hawkins expressed concern that Recommendation No. 38 will generate unnecessary paperwork, which may cause delays in the investigation and judicial process.

R. Rene Yeckley, Senior Deputy Legislative Counsel, Legislative Counsel Bureau (LCB), Carson City, suggested that the language in Recommendation No. 38 be changed to "criminal offenses and delinquent acts" to indicate criminal activity encompassing delinquent acts, felonies, gross misdemeanors, and misdemeanors.

Stan Olsen

Stan Olsen, Lieutenant, Metro; and member, Nevada Sheriffs and Chiefs Association, Las Vegas, clarified the intent of Recommendation No. 38 to mandate the reporting of all violent felony crimes. He acknowledged that it is unnecessary for Metro for respond to every fistfight on school campus.

Continuing, Lt. Olsen explained that law enforcement agencies in Nevada have dedicated units, such as sexual assault and homicide units, which are better equipped to address specific violent felony crime, whereas school police departments do not train campus officers in specialized fields or "critical crimes." The purpose of Recommendation No. 38 is to utilize local police force resources to ensure that felony cases are properly investigated, which, in turn, will improve the prosecutorial process. He said he did not intend to imply that school police department officers are unable to properly handle felony cases, but rather, the case will benefit from the specialized training and resources of the local jurisdiction when trial begins.

Chairwoman Wiener said the school district police will determine when to notify the local police department unless language removes the ambiguity of "all felonies" versus "violent felonies." She further noted that in previous testimony, Lt. Olsen did not use the term "violent" when referring to felony crimes. This situation invites discretionary judgment without the benefit of a definition for the term "felony." She suggested the use of a "trigger mechanism" to determine which felony crimes mandate local police department notification.

Lt. Olsen reminded Commission members that legislation from the 1999 Session allows for school and local police departments to enter into an agreement where school operational duties are transferred to the local police department. The presiding sheriff of the jurisdiction appoints an overseer to this joint effort. He noted that while both local and school district police officers undergo similar training, the training of local police enforcement is specialized. Campus police officers do not have the resources to conduct sexual assault examinations, handwriting investigations for fraud/forgery, narcotic analysis, et cetera. The lack of school district police specialization can cause a felony investigation to "go awry."

Sgt. Malish responded to Lt. Olsen's testimony saying that CCSDPD will seek the assistance of Metro when expertise is needed, however, the discretion to make that decision still belongs to the CCSDPD. He said it is his opinion that the Legislative Commission on School Safety and Juvenile Violence is inappropriately addressing the friction between the school district police and Metro.

Lt. Olsen clarified that there is not a "turf war" between the CCSDPD and Metro since both entities have open lines of communication with one another. He explained that his primary concern is securing prosecution of felony activity perpetrated on school campuses. He recommended that this issue be addressed from a training standpoint and an examination of policies. He urged CCSDPD to seek Metro's assistance earlier in campus felony investigations.

Mr. Burns stated that this is a policy issue between the school police and Metro, which is outside the scope of the Commission. He said that Recommendation Nos. 37 and 38 will not change the practice of inaccurate crime reporting on campus by school administrators and those individuals need to be held accountable. Regarding the "turf war," the school district police chief and sheriff of the local jurisdiction need to address this at an administrative level to find resolution. He suggested that the layering of accountability increases the possibility of agencies submitting duplicate information to the Uniform Crime Reporting Center.

Chairwoman Wiener reminded members that it is the Commission's duty to address violent acts.

Commission member Rees said that school campuses can be "training grounds for criminals" and it degrades the morale of students who witness unpunished crime. She said that this discussion is evolving into a jurisdictional battle between departments while the real issue of school safety is overlooked. She suggested that the Commission make an immediate decision on what steps are taken by whom when a crime occurs in school. This information needs to be clearly conveyed to parents, police entities, the public, and students.

Commission member Baxter said she teaches at-risk high school students in the Washoe County School District (WCSD), and is aware of numerous felonies that have occurred on campus. It is her opinion that mistakes could have been avoided if the local police department and specialized units were involved. She stated her support for notification of primary law enforcement authorities in cases involving felony crimes and suggested amending the language in Recommendation No. 38 to read "[report felonies] that occur on school campuses to the **primary** law enforcement authorities."

Lt. Olsen stressed that the emphasis needs to be on timing, not the semantics of "primary" versus "appropriate." He said that officers with specialized training should fully and properly investigate any felony, regardless of which jurisdiction it occurred in. Metro must not be excluded early in investigations because the felony occurred on a school campus. He said if Metro is contacted weeks after a crime has occurred the opportunity to prosecute is hampered by a "cold" investigative trail and the nonexistence of a crime scene.

Chairwoman Wiener said the legal language of expanding the recommendation to include "felony or delinquent acts" should take into consideration the age of the perpetrator. It may be necessary to certify a juvenile offender as an adult in order to fully prosecute a felony. She urged members of the Commission to consider amending language in Recommendation No. 38 to "criminal offenses and delinquent acts" to maintain the prosecutorial range for minors who commit adult crimes.

Commission member Burns stated his opposition to Recommendation No. 38 saying it is irrelevant how the reporting occurs if Recommendation No. 37 includes a mandatory requirement for reporting crimes on school campuses. He identified the primary problem as teachers or principals failing to report a crime based on the rationale that "they did not know it was a crime." He suggested the presence of a school district officer on campus who is available at all times and is aware of the definition of "crime." He said that the plea of ignorance will no longer be accepted and school administrators must be held accountable. He clarified his remarks by saying this does not imply that all crimes must be reported to the local jurisdiction, but that school district police be held to mandatory reporting of all crimes on campus. He suggested the inclusion of language in Recommendation No. 37 to mandate reporting of all crimes on campus, regardless of who committed them.

Chairwoman Wiener said the issue of mandatory reporting raises complex questions such as: (1) who will be required to make the report? (2) what levels of administration will be held accountable? (3) what are the penalties? (4) what due process issues are required?; (5) what acts must be reported?; and (6) where will the report be submitted? She pointed out that current law mandates the reporting of crimes against children age 12 or younger, but this does not address the age group of students 17 and younger.

Commission member Burns stated that hospital staffs are held to mandatory reporting statutes when children are treated for suspicious wounds. He said that it is an automatic response for hospitals to call the police and it has eliminated many opportunities for litigation against medical professionals or

establishments because clear mandatory reporting policies are adhered to. He said that schools need to incorporate a similar type of vigilance.

Ms. Yeckley confirmed that NRS 202.882, "Duty to report violent or sexual offense against child 12 years of age or younger..." contains provisions regarding the Sherrice Iverson Act of 1999 and reporting mandates for sexual or violence acts against children age 12 or younger. There are also provisions in Chapter 445 of NRS, which addresses child abuse and neglect and certain reporting requirements.

Lt. Olsen said he is aware of the differences between delinquent acts versus felonious acts, but the concerns of Metro Police Department include crimes that are classified by NRS as felonies with the emphasis on violent crimes. He said that Metro does not need to be involved in CCSDPD misdemeanor crimes, such as a student who damages the property of another, or engages in a fist fight in a school building hallway.

Sgt. Malish responded to Lt. Olsen's remarks by saying that the adoption of Recommendation No. 38 will result in legislation, which effectively makes the CCSDPD a "subdivision" of Metro. From a qualification standpoint, the CCSDPD and Metro participate in shared training sessions, and there are not wide disparities in officer ability. He said he agrees that these matters are inappropriate for resolution by the Commission, or subsequent legislation, and suggested to Commission members that CCSDPD and Metro be allowed to "work it out" at a local level.

Responding to a scenario by Commission member Johnson, Sgt. Malish said that CCSDPD recognizes the experience and expertise of Metro and there is no hesitation to notify them in the event of homicides. The CCSDPD does not attempt to investigate homicides. However, the CCSDPD has successfully investigated sexual assaults and serious felonies. When specialized expertise is required, such as crime lab assistance, CCSDPD contacts Metro. There are working agreements in place at all levels mandating the notification of Metro. Sgt. Malish said that many of these issues have policies and procedures in place, making Recommendation No. 38 a "non issue."

Lt. Olsen said he would not attempt to address school district policy but he agrees that CCSDPD and Metro do work cooperatively on crimes of a "serious matter."

Chairwoman Wiener summarized the amendment to Recommendation No. 38 as identification of specific violent crimes committed within the CCSDPD jurisdiction causing automatic notification of Metro. She acknowledged that Metro is asking for a broader list of violent crimes.

Lt. Olsen corrected the summation to apply to primary law enforcement agencies statewide and not limited to CCSDPD and Metro.

Phil Gevasi, representative, Clark County School District Police Officer's Association, Las Vegas, offered clarification on the assault of a high school student saying that it was the school administrator's decision not to notify parents or Metro. Three hours later, the investigation revealed facts in the case, which led CCSDPD to arrest the responsible party, who was then successfully prosecuted. Mr. Gevasi said that CCSDPD's caseload is approximately 10,000 per year, 45 percent of which are felonies including burglaries. He summarized the CCSDPD's performance by listing: (1) a high conviction rate of those parties arrested; (2) officers are trained side-by-side with Metro officers, and (3) no complaints have been received regarding improper crime scene handling. He suggested that legislation list specific crimes but not the broad scope of felony.

Ms. Baxter reiterated her concern that this statewide topic be examined outside the scope of CCSDPD and Metro. Other counties in Nevada may not have local and school officers who benefit from the caliber of training received in Clark County, and the disparities in officer abilities statewide must be carefully considered.

Mr. Gevasi acknowledged that he represented CCSDPD and could not speak for other counties in Nevada. He cautioned that legislation may create a situation where CCSDPD is bypassed by citizens calling Metro directly, thereby interfering with CCSDPD's charge to report all crimes. This situation would duplicate officer's efforts on a CCSDPD crime scene and possibly overload Metro's roster.

Chairwoman Wiener proposed language for Recommendation No. 38 to specify that school district police are the notifying body and the conduit to the local jurisdictional law enforcement entity, in order to eliminate unauthorized individuals from calling. Campus police and/or school officials are required to report all crimes and the word "felony" be replaced with "violent criminal offenses and violent delinquent acts."

Ms. Yeckley recommended that the Commission define "violent acts." A discussion ensued regarding definitions such as: (1) this term is highly subjective; (2) violence is addressed legally and differently between individuals; (3) a list of specific acts can be identified in an "umbrella approach"; and (4) it is any act resulting in physical injury or death.

Allen Chandler

Allen Chandler, Executive Director, Clark County Association of School Administrators, Las Vegas, said that there are overlapping issues in Recommendation Nos. 37 and 38. He spoke on the similarities and pointed out to members that school principals do not know the difference between "criminal and violent acts" versus "felonies and delinquent acts." He said that it is clear the Commission is uncertain of those differences too. He discussed other ambiguities in the two recommendations, such as the difficulty in identifying which primary law enforcement agency is appropriate; the sheriff or the police?

Mr. Chandler said that most crimes are reported and that is in keeping with CCSD policy and procedure. He refuted earlier testimony that indicated that schools habitually fail to report crime "occurring all day long."

Continuing, Mr. Chandler questioned the creation of special legislation to address these issues and agreed with the idea that it be resolved on the local level as a policy matter. The formation of legislation will require the creation of penalties and the Commission may be outside the scope of its duty by deciding whom to punish and how. He said that when school administrators fail to carry out a district policy, the punishment is typically progressive disciplinary action beginning with oral warning and ending with dismissal.

Concluding, Mr. Chandler then addressed Recommendation No. 33 (see page 9 of these minutes) and said that school social workers are capable of making a big difference in the lives of young students. He cautioned that legislation mandating the hiring of social workers may place an undue financial burden on some schools. He suggested that funding mechanisms be drafted into legislation as a way to ensure that schools can comply with mandates and avoid bankruptcy.

Chairwoman Wiener agreed that the Commission will note the pitfalls of "unfunded mandates."

Diane Loper

Diane Loper, representative, Nevada Women's Lobby (NWL), Carson City, said she supported the work of the Commission. She stated the views of the NWL and stressed the importance of intervention and preventative programs listed in Recommendation Nos. 9 through 36, especially Recommendation No. 33.

Concluding, Ms. Loper pointed out that recommendations authored by student representatives reflect a unique perspective and understanding of campus

Deke DiMarzo

Deke DiMarzo, Police Officer, Carson City, and President, Washoe County School District Police Department (WCSDPD), testified on Recommendation Nos. 37 and 38 saying WCSDPD similarly shares the concerns of Mr. Gervasi and Sgt. Galish. He concurred with the idea that this issue be resolved outside the legislative structure. He said that WCSDPD is, in his opinion, a very competent and independent agency. Assistance is requested by WCSDPD through officer and supervisor discretion in situations where the crime is determined to be "outside the realm" of campus expertise. The WCSDPD enjoys a good track record with the District Attorney's Office and there are few blemishes.

Continuing, Officer DiMarzo questioned the credentials of Ms. Baxter in her ability to identify mistakes made by law enforcement. He said that every police department has lesser experienced officers or "rookies," but there is a team effort by seasoned officers to make the department effective and vital.

Concluding, Officer DiMarzo said that school district police departments are capable of receiving specialized training and that is an administrative decision. He identified his specialty as that of a crime scene investigator. After listing his credentials, Officer DiMarzo stated that it is necessary for the administrator of the school to report all crimes to the primary law enforcement agency. However, it should be the discretion of the local school district police department to call for assistance in investigations. He said that WCSDPD is not experiencing felony crimes on campus and the suggestion of a statewide mandate to correct the problem of one county (Clark County) seems disproportionate.

Ms. Baxter stated that she has five years experience in the Washoe County Public Defender's Office prior to teaching at Sparks High School. Ms. Baxter stated that she teaches on a "high-risk" campus and has concerns about police response times and the safety of the faculty and students. She agreed that teachers should not summon primary law enforcement assistance but report problems to the school district police department. She said that, in her opinion, teachers at Sparks High School are more comfortable with the presence of a uniformed Sparks Police Department Officer.

Officer DiMarzo pointed out that Sparks High School has a unique arrangement with its local law enforcement agencies whereas other high schools in the area utilize the school district police services.

Responding to a question on primary jurisdiction by Chairwoman Wiener, Officer DiMarzo said that routes to and from school are considered within the jurisdiction of school district police departments. Mr. Burns challenged this testimony. Officer DiMarzo stated that WCSDPD posts officers at school events (proms at casinos) located off campus. Mr. Burns said jurisdiction only applies to actual school grounds. Officer DiMarzo stated that the Washoe District Attorney's Office is not interpreting jurisdiction in that manner, but rather that all routes to and from school are within WCSDPD protection.

Commission member Johnson said he has witnessed a WCSDPD officer refuse to intervene during the commission of a crime occurring across the street from school property. Mr. Johnson noted his law enforcement credentials. He agreed that law enforcement officers need to defer to a higher level of expertise. Although school district police officers are trained side-by-side with city and county law enforcement entities, the difference begins with the on-the-job, day-to-day duties and experiences. There are significant differences between the activities of civic versus campus life.

Officer DiMarzo said that WCSDPD uses discretion when calling for assistance, yet recognizes the situations where it is appropriate. The WCSDPD evolved a decade ago out of a security agency and appears to remain seen in the guard role by administrators. However, the former security officers have been replaced by experienced police officers.

Ms. Rees stated that although it appears that Commission members take an adversarial approach to law officers, this is not the case. Each member of the Commission was chosen for their expertise and experience.

Charlotte Brothwell

Charlotte Brothwell, Director, Nevada Classified School Employees Association (NCSEA), Reno, submitted a packet of materials to members (Exhibit C). She suggested the creation of a task force to foster relationships and interactions between different agencies serving students. Suggested task force membership could include individuals from law enforcement, welfare, and other family support agencies.

Concluding, Ms. Brothwell stated that NCSEA is interested in prevention of violence in schools and advocates the adoption of Recommendation No. 32 (see page 8 of these minutes). She said that language should include "to hire additional school support staff as well as professional staff..." She said that classified employees offer insight and firsthand knowledge of student activities. Bus drivers, for example, are the first and last employees to interact with students each day. She asked the Commission to be aware of the fact that bus drivers currently have no training, support, or assistance.

WORK SESSION - DISCUSSION ON FINAL RECOMMENDATIONS
(SEE ATTACHED "WORK SESSION DOCUMENT" FOR A
SUMMARY OF PROPOSALS COMPILED FROM
PREVIOUS MEETINGS AND CORRESPONDENCE

Chairwoman Wiener referred to the Commission's "Work Session Document." (The recommendations contained in the "Work Session Document" are listed below in italics and precede the actions of the commission.)

EMERGENCY RESPONSE PLAN TO INCIDENTS OF SCHOOL VIOLENCE

1. Amend section 8 of the emergency response plan, as adopted by the Commission, to include school psychologists as a mandatory member of the district-wide planning committee.

Chairwoman Wiener referred Commission members' attention to section 8 of the *Statewide Plan of Emergency Response to Incidents of School Violence* (Exhibit D) and said the original plan lists the membership of the committee by position.

Mr. Savage said the roles of school counselor and psychologist are negligible on the planning committee and said he would not support this recommendation.

Ms. Rees suggested the language be expanded to include "social worker" as well as "school psychologist."

Chairwoman Wiener summarized discussion on Recommendation No. 1 as the addition of language "social worker or psychologist."

2. Amend section 9 of the emergency response plan, as adopted by the Commission, to include school psychologists as a mandatory member of each school's implementation team.

Ms. Hawkins said that this recommendation is cumbersome and some schools may not be able to comply with the fiscal implications.

Chairwoman Wiener summarized discussion on Recommendation No. 2 as the change of language to "a counselor employed by the school." She said this change reflects the Commission's intent to include counselors where appropriate without imposing a mandate.

3. Amend sections 8 and 9 of the emergency response plan, as adopted by the Commission, to allow for a district-wide plan that addresses broad based contents while requiring site-based plans to contain the specifics (as opposed to the district developing the more specific plan and allowing for schools to make exceptions in certain circumstances).

Chairwoman Wiener referred to a document listing CCSD's proposed language changes to Recommendation No. 3 (Exhibit E). She said the CCSD proposes that each school develop a plan (site-specific) and noted this proposal takes the opposite direction of the Commission.

Ms. Hawkins disagreed and said that Recommendation No. 3 requires a school to ask for a variance to the district emergency plan. She said that CCSD intended to keep a district-wide plan and allow for each school to "massage" it to fit their needs.

Lt. Olsen, previously identified, commented that law enforcement cannot respond to each individual school's site emergency plan, but would perform better within the first 2 to 20 minutes to an emergency with a district-wide plan. He acknowledged that schools with higher populations of exceptional students would naturally have a different type of plan, but a "general plan" will allow the professionals to react with consistency during an emergency.

Responding to Ms. Hawkins statement, Chairwoman Wiener noted the Commission's reluctance to impose a plan that is inclusive to the needs of all schools. It is not the intent of the Commission to "micro-manage" the schools and therefore school districts can determine the specificity of plans.

Chairwoman Wiener summarized discussion on Recommendation No. 3 to amend sections 8 and 9 to show clear intent that the school district is not going to design an emergency plan for each school. Rather, they will design a district-wide plan and each school will develop its own plan if circumstances necessitate a deviation to it. If so, the schools must submit the deviated plan to its school board or board of trustees for approval.

4. Amend section 8, subsection 2, of the emergency response plan, as adopted by the Commission, to include language concerning communications with the media in the event of a school violence incident.

Chairwoman Wiener stated that Recommendation No. 4 might place an unnecessary burden on communities that should focus on the crisis and not the media coverage of it. While it is not the intent of the Commission to be exclusionary, the media are simply not specified in the language, but are included in the "without limitation" phrase.

Lt. Olsen agreed and pointed out that some crisis events require zero media exposure to avoid jeopardizing the victims or tactical maneuvers. Also, only authorized individuals should be allowed to speak to the press in some situations.

Ms. Rees said that most law enforcement offices have a public relations staff member and Recommendation No. 4 is duplicative of this service. She reminded members of the Commission that the plan is about the safety of children and communicating crisis situations to parents and not about which media source gets to broadcast the story first on the evening news.

Assemblywoman Parnell suggested the inclusion of the word "media" in the section regarding communication with those outside of the school.

Chairwoman Wiener summarized discussion on Recommendation No. 4 to amend section 8, subsection 2b, as recommended by Assemblywoman Parnell, by inserting the language "the media" after the word "school."

5. Amend the emergency response plan, as adopted by the Commission, to include specific language regarding confidentiality and the dissemination of the plan.

Chairwoman Wiener expressed concern that the annual review requirement be satisfied. Adherence to the confidentiality rule ensures that emergency response plans are never posted in public. However, a statement that the plan has been reviewed may be posted. Furthermore, "cautious dissemination" of the plan also maintains security, as does careful consideration of recruiting a student to the panel. There are no specific penalties currently for individuals who breach the confidentiality rule.

Commission discussion included the point that confidential language will allow the report to remain secure and unpublished under the freedom of information act. There are exceptions to the public document and open meeting law when certain safety issues are at stake.

Ms. Hawkins noted the differences between strategic plans developed by law enforcement agencies and those prepared for the district school level. She

said it is her understanding that critical police action is not contained in the emergency response plan and then questioned the usefulness of any emergency plan for schools given the limited scope of dissemination.

Lt. Olsen clarified that sensitive tactical information will not be included in the plan, however, strategic information will be shared. He said school districts can share the general plan with the public but there should be a "tactical plan" protected by confidentiality clauses. He pointed out that sharing the plan with 20,000 school employees makes it a public document.

Assemblywoman Parnell advised the Commission to keep some school employees on a "need-to-know" basis. Speaking as a teacher, she said she is primarily concerned with evacuating her students in an emergency and does not need to know whom the office staff is contacting, nor does she need to know every detail of the entire emergency plan. The real issue is what is available to the community. She cautioned the Commission to avoid taking a micromanaging approach.

Chairwoman Wiener asked staff counsel to make the distinction between strategic and tactical types of information.

Ms. Yeckley suggested incorporating language into section 11 to allow the author(s) of emergency plans to decide what information is released to employees.

Steven Mulvenon, Communications Director, WCSD, said the WCSD plan uses a disclaimer in its plan saying "not for general distribution," but it is intended to be shared with law enforcement agencies and other individuals on a need-to-know basis. He noted that the execution of a plan, in the form of a drill, makes that plan public from that point forward. He said it is appropriate for parents to be aware of school emergency plans, but not sensitive police tactical information.

6. Amend the emergency response plan, as adopted by the Commission, to grant school districts the authority to seek creative funding mechanisms (i.e., insurance companies) for school safety training.

Chairwoman Wiener stated that this recommendation is to implement funding for school safety training programs.

7. Amend the emergency response plan, as adopted by the Commission, to clarify the role of private schools under the plan.

Chairwoman Wiener said Recommendation No. 7 addresses grades kindergarten through 12 and not preschools. She suggested that language be added to state that the governing body of the private school is responsible for the emergency plan. The private school will draft its deviation and then answer to its governing body instead of Nevada's Board of Education.

8. Draft and enact legislation to codify the emergency response plan in Nevada Revised Statutes (NRS), as adopted by the Commission which may include any adopted amendments (such as the ones outlined above), to incidents of school violence. This plan provides a framework for school districts in Nevada to develop local response plans.

Chairwoman Wiener reminded Commission members that the Legislative Commission mandates this recommendation.

ASSEMBLYWOMAN PARNELL MOVED FOR THE COMMISSION TO ADOPT, DRAFT AND ENACT LEGISLATION TO CODIFY THE EMERGENCY RESPONSE PLAN IN *NEVADA REVISED STATUTES*, WHICH INCLUDES THE FOLLOWING SIX SUGGESTED AMENDMENTS TO RECOMMENDATIONS: (1) RECOMMENDATION NO. 1 AMENDS THE LANGUAGE BY ADDING "SOCIAL WORKER OR PSYCHOLOGIST"; (2) RECOMMENDATION NO. 2 AMENDS THE LANGUAGE TO "A COUNSELOR EMPLOYED BY THE SCHOOL"; (3) RECOMMENDATION NO. 3 AMENDS SECTIONS 8 AND 9 TO SHOW CLEAR INTENT THAT THE SCHOOL DISTRICT IS NOT GOING TO DESIGN AN EMERGENCY PLAN FOR EACH SCHOOL, BUT WILL DESIGN A DISTRICT-WIDE PLAN AND EACH CHARTER SCHOOL WILL DEVELOP ITS OWN PLAN; (4) RECOMMENDATION NO. 4 AMENDS LANGUAGE IN SECTION 8, SUBSECTION 2B, TO INCLUDE "THE MEDIA" AFTER THE WORD "SCHOOL"; (5) RECOMMENDATION NO. 5 AMENDS LANGUAGE IN SECTION 11 TO GRANT SCHOOL DISTRICTS THE DISCRETION TO DECIDE WHAT INFORMATION IS RELEASED TO EMPLOYEES; AND (6) RECOMMENDATION NO. 7 AMENDS LANGUAGE TO YEAR THAT THE GOVERNING BODY OF PRIVATE SCHOOLS WILL BE RESPONSIBLE FOR THE EMERGENCY PLAN AND PRIVATE SCHOOLS WILL DRAFT DEVIATIONS AND REPORT TO THEIR GOVERNING BODIES INSTEAD OF TO THE BOARD OF TRUSTEES. THE MOTION WAS SECONDED BY MS. REES AND CARRIED UNANIMOUSLY.

PREVENTION AND INTERVENTION PROGRAMS

Abuse Prevention

9. Include a statement in the final report urging school districts to add or expand upon programs addressing child abuse and neglect, including community awareness, early detection training and treatment options for both the aggressor and victim.

Chairwoman Wiener said the Commission is required to submit a final report to the Legislative Commission. Recommendation No. 9 is not a mandate and therefore, no fiscal note is attached. A joint resolution, which "urges," is the strongest language to cause action at the city, county, or regional level.

After-School Programs

10. Include a statement in the final report encouraging schools to offer a wider variety of after-school programs. Testimony indicated that after-school programs assist in keeping youths occupied during peak crime periods while fostering involvement and interest in productive hobbies.

Chairwoman Wiener pointed out that this recommendation "encourages" rather than mandates. Commission members suggested that the recommendation be amended to substitute the word "urging" in place of "encouraging." "Urging" causes an issue to be addressed, but action is not required.

Ms. Hawkins noted that after-school programs are costly and expressed hesitancy at imposing fiscal hardships on schools by approving Recommendation No. 10.

Chairwoman Wiener suggested amending the language to "we urge the school districts to collaborate with the public in their community to help in fundraising efforts." She said the Commission can vote to include a series of recommendations within one joint resolution.

Alternative Classrooms

11. Include a statement in the final report encouraging Nevada's Department of Education to offer educator training regarding the key components of Assembly Bill 521 (Chapter 591, Statutes of Nevada 1999). The bill addresses school discipline and provides funding for alternative pilot schools. However, it was reported that schools are inconsistently implementing the bill, which has resulted in many students being expelled or suspended from school without adequate alternatives.

Discussion ensued regarding the difficulty in implementing A.B. 521 due to lack of consistent funding for alternative placement programs. The interpretation of alternative placement includes the removal of a disruptive student to another site, changing schedules, or other options.

Mr. Savage commented that A.B. 521 may offer training and Recommendation No. 11 may be redundant in its efforts.

Michael Fitzgerald, Education Consultant, Nevada's Department of Education, said the language should be shortened to "including a statement in the final report encouraging Nevada's Department of Education to offer educator training regarding the key components of A.B. 521." The rest of the recommendation explains components of A.B. 521, and is irrelevant in his opinion.

Assemblywoman Parnell said that the second half of Recommendation No. 36 references A.B. 521 and demonstrates the level of frustration experienced by education professionals regarding lack of funding and results. She amended Recommendation No. 11 to use the language "to urge full implementation of A.B. 521, including funding."

Asset Building

12. Include a statement in the final report urging local school district boards of trustees to implement the assets building approach into school curriculums. The assets approach assists in identifying the positive aspects of a student's life and provides a framework to nurture and build upon such positive attributes.

Chairwoman Wiener stated that the Legislative Commission's Study of the System of Juvenile Justice in Nevada (S.C.R. 16) is also addressing this issue. She said this recommendation focuses on the positives instead of the risk factors and predictors for juvenile delinquency.

Bullying

13. Include a statement in the final report that encourages schools to address the school bullying problem by placing additional adults on school campuses and playgrounds during specified times. This could be accomplished by using parent volunteers.

Discussion ensued regarding the appropriateness of suggesting the use of parent volunteers. Liability issues arise when persons not employed by a school are put into supervisory positions over students. The alternative is to hire additional "adults" and that may impose a financial hardship on schools.

Commission members were divided on amending language in Recommendation No. 13 to address the liability of volunteers who work with children. It was noted that the Commission does not need to construct language because each school district has policies in place regarding background checks, fingerprinting, and other procedures when staffing parent patrol positions, parent volunteers on field trips, et cetera. This decision can be made at the school district level.

Chairwoman Wiener referred Commission members to a document entitled "The School Bully: Assessing the Problem, Developing Interventions, and Future Research Directions (Exhibit F).

Chairwoman Wiener said the recommendation could be amended to urge school districts to work with local nonprofits, which train teachers to address the bullying on campus issue.

14. Include a statement in the final report encouraging school districts to adopt policies, in accordance with the existing provisions of NRS which require the suspension or expulsion of pupils under certain circumstances, that take into consideration whether a student was acting in defense of another. For example, students who defend a fellow classmate in a bullying situation should not necessarily be suspended or reprimanded for performing a good deed.

Commission member Radich expressed concern for the contradictory tone in Recommendation No. 14, which advocates students not be reprimanded for using violence to stop bullying in a school yet enforces a zero tolerance policy for all fighting.

Mr. Savage said that the Commission will be giving a student "carte blanche" participation in violent activities and said that children should have open lines of communication with the supervising adults instead of relying on peers for resolution.

Ms. Rees responded that this recommendation does not allow for "letting kids off the hook." It applies to situations where the emphasis is more on defense and not on offense. She expressed support for this recommendation.

Chairwoman Wiener said the Commission has the option of remaining neutral on this recommendation.

Mr. Johnson pointed out that students are rarely suspended or expelled for stopping a fight and this is indicative of an unspoken rule already in place. He said that this is a broad recommendation to address isolated incidents.

Mr. Savage noted that the Sherrice Iverson Act of 1999 mandates Nevada citizens to become involved in criminal events, however, the Commission is

entertaining zero tolerance and urging students not to get involved. There appears to be conflicting goals.

Ms. Hawkins said it is problematic to allow children to join a fight instead of using other resources. She said that in her experience, fighting children instinctively claim defense of another classmate. She suggested the elimination of Recommendation No. 14.

MR. SAVAGE MOVED TO DELETE RECOMMENDATION NO. 14 FOR CONSIDERATION. THE MOTION WAS SECONDED BY MS. HAWKINS AND CARRIED WITH 6 YEAS AND 1 DISSENTING VOTE FROM MS. REES.

Community-Based Programs

15. Include a statement in the final report supporting innovative community-based efforts to prevent school and juvenile violence. Active participants in these efforts should include, but are not limited to, businesses, concerned citizens, local nonprofit organizations, and school districts. For example, the "Zero Tolerance – Zero Weapons" program operated by the Clark County Education Association provides community-wide outreach, presentations, and training in an effort to address and prevent juvenile violence. Another example is the "Hands are Not for Hurting" program in Salem, Oregon, which includes a community-wide awareness campaign and asks businesses, parents, and students to make a pledge of nonviolence.

Chairwoman Wiener suggested amended language where "the Safe Schools Project" replaces "Zero Tolerance - Zero Weapons."

Ms. Radich stated her support for this recommendation saying the program includes the distribution of grants, peer mediation programs, and community/teacher training.

16. Include a statement in the final report encouraging local chambers of commerce to adopt or expand upon programs such as job shadowing, where youth spend time with adults in the workplace.

Mr. Johnson said that the Sparks Chamber of Commerce officiates a successful program called "BEST." Other members concurred with him.

Firearms

17. Include a statement in the final report that supports community efforts to restrict the accessibility of firearms to juveniles. For example, "Operation Cease Fire" in Boston, Massachusetts, has successfully disrupted the flow of firearms within the community by prioritizing firearm-related prosecutions and suppressing firearm possession in areas with a large concentration of gang activity.

Chairwoman Wiener said that it is the Commission's charge to address firearms/dangerous weapons, gang activity, and juvenile violence.

Mr. Burns cautioned that Recommendation No. 17 overlaps current law, which restricts firearms to juveniles. Legal questions are raised when considering imposing restrictions on community activities.

Chairwoman Wiener suggested that the language of Recommendation No. 17 include the current NRS laws to restrict accessibility, adopt improved follow-through on the prosecution of possession of illegal firearm cases, and urge renewed support for an adherence to federal and state law in these matters.

Gangs

18. Include a statement in the final report that strongly encourages Nevada's Department of Education and Office of the Attorney General to include within their budgets, funding for a gang prevention pilot program. For example, the pilot program could be based on the "Gang Resistance Education and Training" program (G.R.E.A.T.) that has been implemented across the country. The program uses law enforcement to teach conflict resolution skills and gang resistance to middle school children.

Chairwoman Wiener said that this recommendation is not a mandate, but does impose fiscal responsibilities. She suggested using resources offered by the U.S. Bureau of Alcohol, Tobacco, and Firearms to fund G.R.E.A.T. training programs.

Mr. Burns commented that there are existing programs in Nevada schools that target conflict resolution. He said the Drug Abuse Resistance Education (D.A.R.E.) program begins in elementary school and emphasizes nonparticipation in gang activities. Program funding and personnel are provided by law enforcement agencies.

Assemblywoman Parnell suggested changing the language in Recommendation No. 18 to say "encourages Nevada's law enforcement agencies to include within their budgets."

Mr. Burns suggested that the language be changed to encourage school districts to include funding within their budgets.

Assemblywoman Parnell suggested changing the language in Recommendation No. 18 to say "encourages Nevada's law enforcement agencies and school districts to work jointly to ensure funding for the D.A.R.E. program."

Chairwoman Wiener suggested the amended language "to collaborate between local law enforcement and local school districts" in place of "include in their budgets." Additionally, include the language "D.A.R.E. or G.R.E.A.T. programs."

Mentoring Programs

19. Include a statement in the final report urging schools and communities to adopt or expand upon mentoring programs. Mentoring programs place a caring adult with a child, and services range from tutoring to other personal and family support.

There was no discussion on this item.

Parental Involvement

- 20. Include a statement in the final report encouraging local youth and family services departments to establish programs specifically targeted for parents whose children are beginning to demonstrate warning signs of violence. Testimony indicated that parents often only have access to programs once their child has actually committed a violent act, whereas it may be more beneficial and preventative to receive such services on the front end.
- Lt. Olsen supported approval of Recommendation No. 20 saying there are not enough solutions for parents of troubled juveniles.

Chairwoman Wiener suggested the addition of language "parents whose children are beginning to demonstrate warning signs of violence or are involved in the juvenile justice system."

21. Include a statement in the final report encouraging schools to implement a parent network program, such as the one used at various schools in Clark County. Participating parents sign a pledge stating that all activities hosted by their household will be supervised and free of alcohol, drugs, and weapons.

Chairwoman Wiener briefly explained the network concept and said that school districts have the flexibility to define it further.

22. Include a statement in the final report urging local departments of youth and family services to provide parenting skills, problem-solving, and support programs for parents whose children are involved in the juvenile justice system.

Chairwoman Wiener combined the language of this recommendation with Recommendation No. 20.

Peer Mediation and Counseling

23. Include a statement in the final report encouraging schools to expand upon or implement peer mediation programs. Additionally, encourage schools that have such programs to use participating students in the promotional and recruiting aspects of the program.

Commission members did not participate in comment on this recommendation.

24. Include a statement in the final report supporting schools to implement or expand upon "peer hotlines," which provide students with an anonymous opportunity to discuss issues of importance and problems with peers.

Commission members did not participate in comment on this recommendation.

25. Compose a letter from the Chairwoman and the Commission to the Nevada State Bar Association, encouraging the solicitation of attorneys to form a cooperative relationship with local school districts, in order to teach alternative dispute resolution and mediation skills to both staff and students.

Commission members did not participate in comment on this recommendation.

Research and Evaluation

26. Include a statement in the final report urging Nevada's Department of Education to adopt program evaluation standards to better identify effective programs currently used by school districts throughout the State. Rather than implementing new programs, resources could be better spent on identifying the components of effective programming and duplicating the results.

Commission members did not participate in comment on this recommendation.

27. Compose a letter from the Chairwoman and the Commission to local school districts encouraging them to consider implementing or adapting components from the "Blue Prints for Violence Prevention" list. The "Blue Prints" identify ten exemplary programs that have proven to be successful in deterring delinquency, substance abuse, and violence.

The Commission agreed to amend the recommendation to include a copy of the data on the "Blue Prints" with the letter.

School Assemblies/Pep Rallies

28. Include a statement in the final report encouraging schools to hold antiviolence school assemblies. Such an assembly would ideally be organized by students and include entertainment, motivational speakers, and police officers.

Chairwoman Wiener suggested amended language to use "anti-violence school activities" instead of "assemblies" in order to broaden the activity.

School Counselors

29. Include a statement in the final report encouraging schools to inform parents and students about the differing roles of school counselors and school psychologists. Testimony indicated that there has been some confusion about the role of the school counselor and students are confused as to who they should access for academic guidance, personal advice, or general assistance.

Chairwoman Wiener suggested the addition of "social workers" after "counselors." The professions will define their roles, instead of the schools, and the Commission will work with various professional associations.

Ms. Hawkins said that the school districts should define the roles of their employees rather than associations.

Chairwoman Wiener said as long as someone defines the roles rather than the schools informing parents and students without benefit of any type of

criterion.

30. Include a statement in the final report encouraging school counselors to seek continuing education that encompasses asset building and risk factor identification.

Chairwoman Wiener suggested amending the language to use "school personnel" instead of "school counselors" for the purpose of including support staff

Ms. Hawkins noted that the Commission's report will not reflect activities at the university level on these issues. She pointed out that it is premature to encourage personnel to participate in a continuing education program if the universities do not offer such a curriculum.

Chairwoman Wiener suggested amending the language further to add "University and Community College System of Nevada" to the recommendation.

31. Include a statement in the final report which supports the continuing efforts of school districts, within the state education budget process, to request special funding for elementary school counseling positions. Testimony indicated that these positions assist in providing early intervention and prevention services.

Ms. Hawkins said that this is an issue for school counselors to pursue.

School Staffing

32. Include a statement in the final report which supports the continuing efforts of school districts, within the state education budget process, to hire additional school support staff that assist with providing services for youth at risk (i.e., counselors and nurses). Testimony indicated that programs cannot be implemented to their full potential without the proper staffing.

Chairwoman Wiener suggested using Chapter 535 of NRS as a guide to drafting a bill draft request (BDR) for this recommendation which will "require each school district to develop recommendations for achieving and maintaining a specified number of school workers for each 1,000 pupils enrolled in the school district." Legally, the ratio language may require adjustments because various positions have different requirements. Also, some school districts have populations of less than 1,000, thus, do not have such professional staff.

Michael Fitzgerald, previously identified, said that high schools are currently using a formula of staff-to-student ratios to comply with Northwest Accreditation Association requirements. He said that Chairwoman Wiener's suggestion for a BDR is not new in secondary schools and referred the Commission to utilize Nevada's Department of Education recommended ratios and 1997 accountability reports. He declined to comment on a ratio of students-per-school workers.

Chairwoman Wiener said that data from 1991 required one school nurse per 1,000 students, but the time period for that provision expired and this issue needs to be updated. She said that staff will continue to research appropriate language based on school district populations.

Ms. Hawkins suggested that Commission members and staff use the Northwest Accreditation process to determine an appropriate ratio in the BDR. Also, the rural communities demonstrate that one standard of ratios is not appropriate for statewide application.

Social Workers

33. Draft legislation to require school districts to employ professional social workers, particularly in at-risk schools. Correspondence indicated that social workers offer unique intervention and prevention services and are able to link families and students to community support services.

Chairwoman Wiener suggested the language substitution of "particularly in any school" instead of "particularly in at-risk schools." Additionally, to use the word "urge" instead of "require."

Ms. Hawkins said she disagreed with the suggestion of making Recommendation No. 33 a mandatory requirement or BDR. She said there are more pressing issues requiring funding from the 2001 Legislature.

Training

34. Include a statement in the final report encouraging school districts to provide faculty training about crime reporting and student discipline at a combined education/training day.

Ms. Hawkins said that this recommendation requires school administrators to report crimes.

Mr. Savage said this recommendation is vague and redundant and many issues within it are already implemented in the school districts in accordance with state law.

Chairwoman Wiener withdrew Recommendation No 34.

School Uniforms

35. Include a statement in the final report that encourages schools to adopt school uniform policies, in accordance with NRS 392.458, which authorizes the boards of trustees of school districts to establish school uniform policies. Testimony indicated that uniforms have been successful in reducing school violence and assist in providing the school with a sense of equality.

Responding to Mr. Savage's comment that this issue is a local decision and outside the parameters of the Commission, Chairwoman Wiener withdrew Recommendation No. 35.

Zero Tolerance

36. Draft legislation requiring Nevada's Department of Education to adopt a zero-tolerance program based on a point system. Further, require each school district to develop policies outlining each violation and the point value attached to it. The school district would also need to develop, in accordance with the existing provisions of NRS requiring the suspension or expulsion of pupils under certain circumstances, the point value threshold and determine the point at which a student would be removed from the traditional school setting and placed in an alternative environment. (See NRS 392.4655, which sets forth the conditions under which a pupil is deemed a habitual disciplinary problem and NRS 392.466, which requires the expulsion or suspension of a pupil under certain circumstances.)

Chairwoman Wiener noted that the concepts of zero tolerance and a point system are conflicting and suggested the withdrawal of Recommendation No. 36.

Mr. Savage commented that in 1999, each school was required to develop a progressive disciplinary plan, which encompassed many points of Recommendation No. 36.

Ms. Hawkins agreed that the point system is a school-based decision and not that of the Commission. Also, progressive disciplinary plans are already in place.

Assemblywoman Parnell said that the second half of Recommendation No. 36 references A.B. 521 and demonstrates the level of frustration experienced by education professionals regarding lack of funding and results. She suggested amending Recommendation No. 11 to use the language "to urge full implementation of A.B. 521, including funding."

Ms. Roberts advised Commission members that pursuant to A.B. 521, Nevada's Department of Education is conducting an evaluation of the pilot programs, and suggested language for Recommendation No. 36 to include, "part of Nevada's Department of Education's evaluation and report to the Legislative Committee on Education." The role of Nevada's Department of Education is unclear with regard to funding in the evaluation of A.B. 521.

Mr. Fitzgerald stated that the Department of Education is currently conducting a comprehensive evaluation of A.B. 521 within eight pilot schools. He said that a report will be submitted to the Legislative Committee on Education, but projected results suggest a need for more resources for students "with multiple pathways to success." He said Nevada's Department of Education is aware of the importance of A.B. 521 and there are gaps in the pilot program's success due to the availability of alternative placement which ultimately speaks to funding.

Chairwoman Wiener stated that the Commission is an independent body created by the Legislature and will make a statement regarding full implementation of A.B. 521. She withdrew Recommendation No. 36.

OTHER RECOMMENDATIONS CONCERNING SCHOOL SAFETY

Reporting

37. Draft legislation requiring school administrators to report criminal and violent acts perpetrated by students to the appropriate law enforcement authority. Additionally, provide penalties for failure to accurately do so. In particular, use NRS 432B.220 (reports of abuse or neglect) as model language for the mandatory reporting and associated penalties. (See NRS 202.870 to 202.894, inclusive, requiring the reporting of certain sexual or violent offenses against children.)

Chairwoman Wiener explained the distinctions between Recommendation Nos. 37 and 38. She also questioned what entity is required to make the report, and the status of the alleged suspect (student or nonstudent).

Commission members engaged in a discussion regarding the differences and similarities between the two recommendations, penalties, and specific crimes.

- 38. Draft legislation that mandates campus police and school officials to report felonies or delinquent acts (under NRS 62.040) that occur on school campuses to the appropriate law enforcement authorities.
- Mr. Johnson and members suggested the following amended language "the Commission recommends a BDR to mandate that school police or school officials/administrators report to or seek appropriate assistance from law enforcement agencies in the investigation of violent felony acts as defined in NRS 202.870 to NRS 202.894 inclusive, that affect the safety of all persons including school personnel and students that occurs within the school jurisdiction in the State of Nevada."
- Lt. Olsen stated that school district police departments should not have the discretion of deciding the extent of primary law enforcement involvement.
- Ms. Hawkins commented on the confusing aspects of: (1) defining "reporting"; (2) the timing of a school administrator reporting a crime to the campus police versus notification of the primary law enforcement agency; and (3) the ability of a school official to determine "criminal" acts.
- Lt. Olsen said that the identification of specific crimes can be determined in the future.
- Ms. Yeckley read a list of crimes requiring notification and Chairwoman Wiener stated that she did not see the relationship between pornography and violent crime, to which Lt. Olsen explained that pornography is based on violence and non-consent.

The Commission members agreed to amend language within Recommendation Nos. 37 and 38 to "by the administrator or school police" or "require the school districts to come up with procedures on who needs to report, whether it is the school police, and if there are no school police, then which administrator(s) are responsible." And "notification requirement in a timely manner, then the school district would determine how that is implemented."

39. Draft legislation that would allow for school police departments to expand their jurisdiction to premises immediately adjacent to, or within a specified radius of, a school campus. This would allow for school police to make arrests outside of school property and would also assist with the reporting of criminal activity and other unusual incidents in and around school campuses.

Mr. Johnson disagreed with the "generic language" of the recommendation saying that the vagueness of the school police officer's scope of duty outside of the school jurisdiction will raise many issues, such as: (1) who are they authorized to arrest?; (2) what is the definition of "outside" school property?; (3) what defines close proximately?; (4) what allows the general public to be under the authority of school police?; (5) will the officer carry a weapon?; and (6) liability issues.

The Commission engaged in a detailed discussion regarding the definition and interpretation of "school property," which includes all leased vehicles and equipment related to school activities on campus or school-sponsored activities off campus.

Chairwoman Wiener withdrew Recommendation No. 39. She called for a motion on a joint resolution combining partial, complete, or amended Recommendation Nos. 9 through 36, unless previously eliminated by the Commission.

MR. JOHNSON MOVED FOR THE COMMISSION ON SCHOOL SAFETY AND JUVENILE VIOLENCE TO DRAFT A CONCURRENT RESOLUTION URGING CERTAIN NONPROFIT ORGANIZATIONS, BUSINESSES, STATE AND LOCAL GOVERNMENTAL AGENCIES, AND SCHOOL DISTRICTS TO IMPLEMENT OR EXPAND UPON PREVENTION AND INTERVENTION PROGRAMS TO REDUCE THE INCIDENCE OF SCHOOL AND JUVENILE VIOLENCE, ADDRESSING: AFTER SCHOOL ACTIVITIES; ALTERNATIVE CLASSROOMS; ANTI-BULLYING; ASSET BUILDING; CHILD ABUSE AND NEGLECT; COMMUNITY-BASED EFFORTS; FIREARMS; GANGS; MENTORING; PARENTAL INVOLVEMENT; PEER MEDIATION; RESEARCH AND EVALUATION; AND SCHOOL STAFFING. THE MOTION WAS SECONDED BY MS. REES AND CARRIED UNANIMOUSLY.

Chairwoman Wiener called for a motion on Recommendation Nos. 37 and 38 combined.

MR. BURNS MOVED FOR THE COMMISSION ON SCHOOL SAFETY AND JUVENILE VIOLENCE TO AMEND NEVADA REVISED STATUTES TO MANDATE THAT CAMPUS POLICE OR SCHOOL OFFICIALS REPORT CERTAIN VIOLENT OR SEXUAL CRIMINAL ACTS, BASED UPON THE CRIMES OUTLINED IN THE SHERRICE IVERSON ACT OF 1999, TO THE APPROPRIATE LOCAL LAW ENFORCEMENT AUTHORITY. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN PARNELL AND CARRIED UNANIMOUSLY.

Mr. Johnson expressed appreciation on behalf of the Commission to Chairwoman Wiener for her leadership and commitment.

Chairwoman Wiener thanked Commission members for their participation and team efforts contributed toward addressing the best interests of and challenges facing Nevada students.

ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 4:55 p.m.	
Exhibit G is the "Attendance Record" for this meeting.	

Respectfully submitted,

Kennedy Senior Research Secretary

Juliann K. Jenson Senior Research Analyst

APPROVED BY:

Date:

Senator Valerie Wiener, Chairwoman

LIST OF EXHIBITS

Exhibit A is a document titled "Rules and Procedures for the Work Session of the Commission on School Safety and Juvenile Violence," prepared by staff of the Legislative Counsel Bureau.

Exhibit B is a document titled "Alternative Education Division, Attendance Enhancement Project, School Social Work Student Partnership Program," provided by Alicia Smalley, President, National Association of Social Workers, Nevada Chapter; and Field Coordinator, School of Social Work, University of Nevada, Reno.

Exhibit C is a packet of information provided by Charlotte Brothwell, Executive Director, Nevada Classified School Employees Association, containing:

• A copy of her testimony.

- A document titled "Lassen View Care Team Referral."
- A letter dated February 28, 2000, from Charlotte Brothwell, Executive Director, Nevada Classified School Employees Association, to the Honorable Valerie Wiener, regarding the Commission on School Safety and Juvenile Violence.
- A publication titled "Coloring Book" designed and written in both English and Spanish.

Exhibit D is a document titled "Statewide Plan of Emergency Response to Incidents of School Violence" proposed by the Commission on School Safety and Juvenile Violence.

Exhibit E is a letter dated April 18, 2000, addressed to Juliann Jenson, Senior Research Analyst, State of Nevada Legislative Counsel Bureau, from Leonard Paul, Assistant Superintendent, Secondary Education and Curriculum Division, Clark County School District.

Exhibit F is an article titled "The School Bully: Assessing the Problem, Developing Interventions, and Future Research Directions," which appeared in the *Journal of Behavioral Education*, Volume 8, Number 3, 1998, pages 293 through 319, provided by Assemblywoman Bonnie L. Parnell.

Exhibit G is the "Attendance Record" for this meeting.

Copies of the material distributed during the meeting are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the library at (775) 684-6827.