



MINUTES OF THE MEETING
OF THE
LEGISLATIVE COMMISSION ON SCHOOL SAFETY AND JUVENILE VIOLENCE
(Assembly Bill 686, Chapter 607, *Statutes of Nevada 1999*)
January 5, 2000
Carson City, Nevada

The fourth meeting of the Nevada Legislature's 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, January 5, 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, Grant Sawyer State Office Building, Las Vegas, Nevada. Pages 2 and 3 contain the "Meeting Notice and Agenda" for this meeting.

COMMISSION MEMBERS PRESENT IN CARSON CITY:

Senator Valerie Wiener, Chairman

Michael E. Johnson, Parent, Vice Chairman

Assemblywoman Bonnie L. Parnell

Barbara Baxter, Teacher, Sparks High School

Annie Rees, Parent, Owner of Annie's Bail Bonds

Keith Savage, Principal, Yerington High School

Vince Swinney, Representative of Law Enforcement

COMMISSION MEMBERS PRESENT IN LAS VEGAS:

Tom Burns, Representative of Law Enforcement

Pamela Hawkins, Principal, Western High School

M. Kim Radich, Teacher, O'Callaghan Middle School

COMMISSION MEMBERS EXCUSED:

Marcia R. Bandera, Superintendent, Elko County School District

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT IN CARSON CITY:

Juliann K. Jenson, Senior Research Analyst

R. Rene Yeckley, Senior Deputy Legislative Counsel

Leslie Hamner, Senior Deputy Legislative Counsel

Linda Chandler Law, Senior Research Secretary

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, January 5, 2000

9:30 a.m.

Place of Meeting: Legislative Building

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 video conference conducted at the following location:

Grant Sawyer State Office Building

Room 4401

555 East Washington Avenue

Las Vegas, Nevada

A G E N D A

I. Opening Remarks by the Chair and Introductions

Senator Valerie Wiener

***II. Approval of the Minutes from the November 9, 1999, and December 2, 1999, Meetings**

III. Report on Conference Sponsored by the National Conference of State Legislatures: Legislative Responses to Youth Violence

Senator Valerie Wiener

IV. Status Report on Progress of the Subcommittee to Study the System of Juvenile Justice in Nevada (Assembly Concurrent Resolution No. 13)

Senator Valerie Wiener

*V. Discussion and Approval of Statewide Plan of Emergency Response to Incidents of School Violence

*VI. Review of Model Prevention and Intervention Programs to Reduce the Incidents of School Violence

Juliann K. Jenson, Senior Research Analyst, Research Division, Legislative Counsel Bureau

VII. Public Comment

*VIII. Discussion of Future Meeting Dates and Topics

IX. Adjournment

*Denotes items on which the committee may take action.

Note: 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 Linda Chandler Law, at (775) 684-6825, as soon as possible.

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: Grant Sawyer State Office Building, 555 East Washington Avenue; and Clark County Office, 500 South Grand Central Parkway.

OPENING REMARKS BY THE CHAIRMAN AND INTRODUCTIONS

Senator Valerie Wiener called the meeting to order at 9:30 a.m. Roll was called and a quorum was present.

APPROVAL OF THE MINUTES FROM THE NOVEMBER 9, 1999, AND DECEMBER 2, 1999, MEETINGS

MR. JOHNSON MOVED TO APPROVE THE MINUTES OF THE MEETINGS HELD ON NOVEMBER 9, 1999, IN RENO, AND ON DECEMBER 2, 1999, IN LAS VEGAS. MR. SAVAGE SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

REPORT ON CONFERENCE SPONSORED BY THE NATIONAL CONFERENCE OF STATE LEGISLATURES (NCSL): LEGISLATIVE RESPONSES TO YOUTH VIOLENCE

Senator Valerie Wiener explained that she, along with Senators Lawrence E. Jacobsen and Joseph M. Neal Jr., and Assemblyman John C. Carpenter, attended a NCSL conference regarding youth violence, on December 10, 1999, in Santa Fe, New Mexico. At that meeting, which 50 state representatives attended, the topics discussed were:

- School violence. She explained that, during a luncheon meeting, one group composed of a seventh grade peer mediator; a former gang member turned youth counselor; a state senator from Littleton, Colorado; and a state senator from Jonesboro, Arkansas, discussed the legislative responses to the incidences of violence in their communities.

- •Community approaches to violence. San Diego, California, was used as the model community.
- •Federal and state partnerships. The Executive Director of the Office of Juvenile Justice and Delinquency Prevention spoke about this issue and noted that a significant amount of funding has been made available for various related programs and projects.
- •Systems approaches. Taking the "whole child" into consideration to resolve juvenile issues has been recognized as necessary.
- •Tax-dollar savings. Reducing the burden on taxpayers, through economic analysis, has been undertaken in the state of Washington to estimate the potential return on investment for various legislative proposals to curb juvenile violence.
- •Statewide juvenile justice reform and state team planning. Nevada needs to address these issues at the state level.

Chairman Wiener noted that she would provide information collected at the conference to the appropriate divisions of the Legislative Counsel Bureau (LCB).

Also at the conference, Senator Wiener contacted a NCSL representative who has expertise in intervention and prevention methods. This topic will be discussed during the next stage of the commission's meetings. Staff is working to arrange a presentation by Ms. Julie Thomerson at a future meeting.

STATUS REPORT ON PROGRESS OF THE SUBCOMMITTEE TO
STUDY THE SYSTEM OF JUVENILE JUSTICE IN NEVADA
(ASSEMBLY CONCURRENT RESOLUTION NO. 13)

Senator Wiener reported that during the 1997 Legislative Session, Assembly Concurrent Resolution No. 57 (File No. 152, *Statutes of Nevada 1997*) created the first interim study subcommittee on juvenile justice, but it was anticipated that a second interim period would be needed to complete the subcommittee's work. Therefore, the goal of the first interim was to set a direction for the second study committee, which was authorized by Assembly Concurrent Resolution No. 13 (File No. 139, *Statutes of Nevada 1999*). She described the makeup of the subcommittee and said that it had met on November 4, 1999, and on December 9, 1999.

The subcommittee's mission, carried over from the initial subcommittee, is to study and develop immediate, two-year and ten-year plans for developing juvenile justice policy and avoid "band-aid legislation." Dr. Buddy Howell, a nationally known expert in the field, assisted the subcommittee in determining existing Nevada policy by developing a system to obtain status reports from all state agencies and related commissions that are involved with juvenile justice issues. When that process is completed, the subcommittee will seek the assistance of NCSL in establishing a comprehensive policy strategy for Nevada.

Some of the issues that have been addressed and status reports that have been received by the subcommittee this interim include:

- Alternative education;
- Assessment and placement;
- Corrections and institutions, their facilities, operation, staffing, and standards;
- Data retrieval and sharing;
- Juvenile justice programs;
- Juvenile violence and youth gangs;
- Mental health;
- Substance abuse; and
- Truancy.

The subcommittee will continue to work to develop the comprehensive plan.

DISCUSSION AND APPROVAL OF STATEWIDE PLAN OF EMERGENCY

RESPONSE TO INCIDENTS OF SCHOOL VIOLENCE

Chairman Wiener thanked staff for its work on the draft document titled "Statewide Plan of Emergency Response to Incidents of School Violence -- Proposed by the Commission on School Safety and Juvenile Violence" (see Exhibit A that includes a cover memorandum dated December 29, 1999, from R. Rene Yeckley, Senior Deputy Legislative Counsel, to the members of the commission), which was presented for discussion. She also noted that a significant amount of time has been invested in the draft based on testimony and information received during prior meetings. The draft was put into bill draft request (BDR) form to:

- Follow the commission's legislative mandate to submit a BDR to the 2001 Session; and
- Expedite the commission's review of the plan.

Ms. Yeckley provided an overview of the draft proposal, noting that she; Leslie Hamner, Senior Deputy Legislative Counsel; Senator Wiener; Michael Fitzgerald with Nevada's Department of Education; and Jim Walker of the Division of Emergency Management, Nevada's Department of Motor Vehicles and Public Safety (DMV&PS), had worked closely to review information from previous meetings and incorporate that into this first draft.

The three major components of the draft plan include:

- The requirement for the board of trustees of each school district and the governing body of each charter school to develop and adopt a model crisis response plan;
- A requirement that the State Board of Education develop, with assistance from various state agencies, regulations for the management of emergencies involving incidents of school violence; and
- Provisions for the amendment of various portions of the *Nevada Revised Statutes* (NRS), that would: (1) provide specifically, in Chapter 353, "State Financial Administration," that funds from the Disaster Relief Fund may be used, as necessary and appropriate, to address incidents of school violence that warrant emergency action; and (2) provide, within NRS 414.135, "Emergency assistance account: Creation; administration by division of emergency management; expenditures; report; regulations" (see Exhibit B), for school districts or local governments, in the event an incident of school violence severely and adversely affects its ability to pay actual expenses incurred during the incident, to qualify for monetary assistance.

The actual language of the BDR begins on page 4 of Exhibit A.

She also noted that NRS 414.135 may also provide money for training of school employees as provided in other portions of the plan.

Assemblywoman Bonnie Parnell questioned whether a representative of the State Board of Education had been included in this process. Ms. Yeckley noted that the board had referred her to Mr. Fitzgerald for this project.

Michael Fitzgerald

Michael Fitzgerald, Education Consultant, Nevada's Department of Education, stated that he had contacted Mary L. Peterson, Superintendent of Public Instruction, Nevada's Department of Education, to review the draft and receive her input and direction. He thanked the commission for their efforts in making Nevada's schools safe. The comments he would offer, which address intent, are:

- It is unfortunate that recent incidents have brought the issue of school safety to the forefront.
- A clarification of the term "crisis." He offered sample language, based on the definition in Virginia state law (see Exhibit C), which defines crisis as: "A sudden, generally unanticipated event that profoundly and negatively affects a significant segment of the school population and often involves serious injury or death." A discussion regarding "crisis" followed.
- Related to the development of plans by schools and local boards, the relative time lines are not defined. Ms. Yeckley noted that under current law the deadline is July 1, 2000.
- Schools have "a lot of things" to integrate at this time, including new content standards and so forth, and some schools may be overwhelmed by the myriad challenges and tasks to be addressed simultaneously.
- Site and local plans statewide will total more than 500, and it is likely that the state board will not need to be in receipt of them all. What the board is expected to do with them should be clarified.
- It is critical that staff development occur, based on these plans, or the plans will never be effectively

implemented. That training can be costly and time-consuming. Perhaps some of the funding can come from emergency management.

- There will be an interplay between the requirements of the state plan and the local plans that will require close monitoring by staff and agency representatives.

Senator Wiener stated that, in her view, the site plans would go to the districts to ensure compliance, and the 17 districts' plans would go to the state board.

Ms. Yeckley noted that this legislation applies only to kindergarten through twelfth grade. It does not encompass private day care centers, preschool programs, or home-school students.

Jim Walker

Jim Walker, Planning, Training, Exercise, and Mitigation Supervisor, Nevada's Division of Emergency Management, commended the staff on its drafting of the plan and the commission on its efforts. He explained that:

- From an emergency management standpoint, school safety is a "tough assignment." It requires developing a state plan for an incident that happens at the local level and needs to be responded to quickly at the local level first.
- The systems the state has established for emergency management are designed to simply support that kind of system.
- The division's purpose is to provide support to local governments' emergency managers when they have exhausted their local resources, and that has been incorporated by staff into the plan as drafted.
- It is not and should not be the responsibility of the state to send in first responders. However, local authorities can look to the state for support, as is already provided under the state's Comprehensive Emergency Management Plan that goes into effect during various types of emergencies and disasters, including school violence.
- The law enforcement aspect will be important in these instances and cooperative agreements are already in place to draw state law enforcement personnel in when local agencies require assistance.

- Making provision for school violence in existing response plans, rather than writing new plans, should be the task at hand. Keeping things as unencumbered as possible is the goal.

Chairman Wiener noted that many of the concerns expressed at past meetings have been resolved during the drafting of the plan. The purpose of the commission was not to reinvent the wheel, but to utilize existing services and agencies.

Mr. Walker explained that the division has a staff of about 15 employees; however, about 4 are administrative, and the remainder is directly involved in the coordination and support of emergency management programs through other state agencies and resources. In an incident of school violence that support function would probably defer to the state's law enforcement personnel, including the Nevada Highway Patrol Division and the Investigation Division of the DMV&PS, because they have the expertise to deal with such situations.

Senator Wiener reiterated that another goal of the commission is to retain as much local control as possible, while bringing in expertise as needed.

A brief discussion followed regarding the procedures that would be followed by a district that might want to qualify for funding after a violent incident.

The Chairman led the members through the draft in a work session format, section by section, beginning with Section 6, on page 4 of Exhibit A. There were no questions on subsection 1 or 2.

Assemblywoman Parnell questioned whether, in Section 6, subsection 3, it should be made clear that the school should not be the place for people in the community to gather. Ms. Baxter said that, in her view, paragraph (d) would provide that latitude, and so long as the person assigned to communicate with the outside emphasized that rushing to the school would have an adverse effect. Chairman Wiener stated that communicating with the community should be flexible and left up to the on-site people, based on circumstances. Mr. Burns added that, in such instances, a school usually would be coordinating its efforts with local law enforcement, and they need to have parallel policies and procedures in place. Ms. Baxter noted that school police also need to be integrated into those efforts.

Discussion followed regarding the need to use common sense and avoid "turf battles" between school administration and law enforcement, and regarding the need to keep response and police plans secure.

Stan Olsen

Stan Olsen, Las Vegas Metropolitan Police Department (Metro), clarified that Metro, and most other police departments, will not share tactical plans with this commission or with schools. Those plans are kept confidential for many reasons. Senator Wiener noted that Lieutenant Rod Jett of Metro, who spoke at a previous meeting, had stated that emphatically.

Jim Nadeau

Captain Jim Nadeau, Washoe County Sheriff's Office, said that although school police would be involved in any incident on school grounds, local law enforcement must take charge so that an adequate response force can be allocated. The goal, however, should be cooperation so that those involved are not working against one another. Chairman Wiener assured Mr. Nadeau that law enforcement agencies would be provided copies of the final state plan.

Chairman Wiener led a discussion of the definition of "crisis" using Mr. Fitzgerald's suggested language.

Mr. Johnson offered a slightly changed version (see Exhibit D for his suggestion). Discussion regarding the definition continued. Ms. Yeckley, based on the previous discussion, proposed the following definition of crisis (see Exhibit E):

"Crisis" means a traumatic and sudden event or emergency condition that:

1. Involves violence;
2. Profoundly and negatively affects a school population;
3. Occurs on the property of a school, at an activity sponsored by a school or on a school bus while the bus is engaged in its official duties; and
4. May involve serious injury or death.

No one questioned the clarity or accuracy of this definition and the commission proceeded.

Mr. Olsen underscored the need to have district-level response plans, and that school-site evacuation plans should follow that plan, noting any site-specific exceptions to the district plan. The primary law enforcement agencies that deal with the district should be closely involved in the development of the district's plan. If a crime emergency is involved, the local law enforcement agency will be in command; and law enforcement must have a working agreement among themselves in addition to the working relationship with the affected school. Rancho High School, which is located on the border between the jurisdictions of Metro and the North Las Vegas Police Department, has had occasion to call in both agencies. Therefore, if the planning committee at the district level includes law enforcement representatives, then the actual local evacuation plans that are based on the configuration of each school can be designed and reported to the district.

Captain Nadeau noted that Washoe County has plans in place that have been the subject of practice training. In areas such as Clark and Washoe Counties, which are experiencing population growth and land annexation, the use of a district-wide plan has inherent benefits. Regardless of the agency primarily responsible for responding to a specific school site, everyone is able to "work under the same game plan and rules." That will make any response more simple.

Mr. Olsen noted that the more consistent response plans are kept, the more prepared police can be. When officers move from area to area, becoming familiar with different plans for each school would be impossible. Mr. Nadeau noted that the same problem would be faced by substitute teachers who move from school to school. Consistency in reporting and response is a benefit.

Debbie Cahill

Debbie Cahill, Nevada State Education Association, explained that there is some validity in retaining a site committee to review the district plan, determine how that plan will be communicated to school personnel, and to ascertain whether deviations from the district are required to accommodate the specific requirements of that school site or its community. In that way the district and law enforcement would use the information provided by the site committee to be aware of unique needs.

In her view, this issue is of such importance that it deserves to be dealt with thoroughly.

Chairman Wiener also pointed out that the site committee would be an effective vehicle to use to ensure that the school is in compliance with the plan and posting requirements. She noted that legal staff will continue working on this portion of the plan, based on discussions during this meeting.

Ms. Baxter explained that, to her knowledge, Washoe County utilizes a relatively small number of building layouts in

many of its schools. Recognizing that similarity in facilities might help to reduce the number of exceptional response options that might be needed.

Ms. Hawkins said that she senses much of this process "reinvents the wheel." In her view, many schools and law enforcement agencies already have response plans in place that do exactly what is being discussed here. She questioned whether staff had thoroughly reviewed existing documents and guidelines. Senator Wiener noted that the legislative charge was clear; that a statewide plan was to be developed to ensure consistency in times of emergency response on school campuses. A general discussion followed. Ms. Hawkins, in conclusion, said that any administrator will find it difficult to sit before a committee and try to anticipate what will be required during a violent incident because the response in each instance will be unique to the situation.

Following an exchange regarding duties and responsibilities at the site and district levels, Chairman Wiener noted that planning generally should be done by the district and implementation at the site.

Ms. Cahill noted that the site committee should represent the stakeholders in that school's community, and should review the district plan as it applies to the site and note any deviations or exceptions. Whatever exceptions are identified should be communicated to the district and to law enforcement so that everyone is aware of special circumstances at the site. Then the on-site committee should post notice that the district plan has been reviewed to assure school personnel and the public that information is current. A discussion followed regarding the makeup of the site committee.

Mr. Fitzgerald said that the value of the school site committee lies in its making the district plan "real" for that particular school and environment because it will recognize peculiarities in public address systems, facilities, and so forth. Chairman Wiener and Mr. Nadeau concurred.

In summary, at the request of Ms. Yeckley, Senator Wiener said that the on-site and district plans are not necessarily in conflict. She clarified that:

- The general development of the plan, based on regulations that are developed by the Division of Emergency Management and Nevada's Department of Education, will establish the "umbrella";
- The school districts will work from those regulations that pertain to the resolution of an emergency that occurs on a school site, and so forth, to develop a district plan, which will be accepted as "the plan" for the district; and
- The on-site committee will have the responsibility to address issues that are specific to that school or that the

general district plan does not address adequately or appropriately.

In addition, local law enforcement will be represented on the school district team. The people cited in the draft, together with an additional support staff person, will comprise the basic site committee, and flexibility will be provided for.

Steve Mulvenon

Steve Mulvenon, Director of Communications, Washoe County School District (WCSD), explained that:

- •The WCSD has already accomplished much of what has been suggested for the district planning process and the plan has been put in place;
- •The plan has also been transmitted to the schools and they are in the process of fine tuning their individual responses to it;
- •Consistency and uniformity, as identified by law enforcement previously, are important to how any plan is implemented because it allows people to think ahead and respond quickly and effectively;
- •If a school calls in a "code red," for instance, to the local police department, everyone needs to understand what a "code red" is;
- •The WCSD district team included law enforcement, e.g., the local office of the Federal Bureau of Investigation (FBI), Nevada Highway Patrol Division, Reno and Sparks Police Departments, and school police, all of whom now have copies of the WCSD plan so that they can formulate their tactical responses to various situations;
- •Also included on that team were central office personnel, teachers, classified employees, and parents; however, since each district is a little different, flexibility should be allowed;
- •Clark and Washoe Counties have the "luxury" of employing trained people whose primary function is emergency management planning; and
- •Many rural districts do not have such local expertise.

Ms. Yeckley suggested that the commission leave the composition of the district team open to direction from the district's board of trustees or governing body, especially if it has already created a plan. Senator Wiener concurred; however, she reiterated the need to ensure that law enforcement, the superintendent, and various bargaining units are identified participants at the district level, in a form similar to that used in school accountability statutes.

Ms. Jenson noted that she solicited copies of existing district plans when the commission was formed. Some of those plans were quite sophisticated and some were drafted in the 1980s and had never been updated. Some districts had no plans. Ms. Jenson explained:

- The makeup of the WCSD School Violence Prevention Planning and Response Task Force; and
- Clark County had not provided such task force composition information to her with its Emergency Action Plan.

Following further dialogue, Senator Wiener suggested that the district team would mandatorily include a member of the school district administration, teachers, support staff, law enforcement, and a parent. Then the language should allow others in addition to those who are mandated.

Senator Wiener asked if members had questions regarding Section 7 on page 5. It was noted that:

- Section 7, subsection 1(d), should reflect only those site plans with approved deviations from the norm;
- The Division of Emergency Management and local law enforcement agencies should also receive copies of each district plan;
- Copies also should be made available to other affected agencies in the district who are included in the plan; and
- Section 7, subsection 1(g) might be considered an unfunded mandate and funding sources should be considered and sought out.

Ms. Yeckley, referring the members to Exhibit B, noted that there is a provision in NRS 414.130, "Appropriations; acceptance of services, gifts, grants and loans," for the Division of Emergency Management to receive gifts, grants, and donations that may be made for emergency management by either the Federal Government or private persons or

corporations. Another source referred to in that exhibit is in NRS 414.135, "Emergency assistance account: Creation; administration by division of emergency management; expenditures; report; regulations," which refers to the Emergency Assistance Account within the Disaster Relief Fund, that can be used to cover costs incurred by local governments during a time of crisis if they had insufficient resources to pay obligations. In subsection 4 of NRS 414.135, there is also a provision for the funding of training.

Senator Wiener also noted that Cheri Lovre had mentioned during the November 9, 1999, meeting of the commission that some funds for training might be solicited from insurance companies, who have a vested interest in reducing liability by deflecting incidents of school violence.

There were no questions relative to Section 7, subsection 2 (a) through (c) or Section 8, subsections 1 and 2. Ms. Yeckley noted, however, that 8(b) would need to recognize site plans with deviations.

Mike Fitzgerald, responding to a concern voiced by Ms. Parnell, explained that the State Board of Education neither writes plans nor drafts regulations, those duties are carried out through staff. If Nevada's Department of Education or a local district does not write the regulation or whatever is required, then the State Board of Education has the ability by its oversight to ensure that it is completed. The wording is similar to other statutes, however, and the Department of Education, in a sense, acts as staff to the board to carry out these functions.

Ms. Yeckley indicated that she would work with Mr. Fitzgerald, Mr. Wilson, and other agencies to facilitate drafting the wording for the district level to eliminate any conflicts. Chairman Wiener said that there needs to be some coordination between how the state board would act in response to the development of district and local plans. In part, the statewide plan would be in response to how those district plans unfolded. Mr. Fitzgerald concurred.

Ms. Parnell noted that Part B requires the state board to develop a state plan "for the management" of emergencies. Therefore, this is only an "umbrella" for the management of the emergency, and perhaps it could work with the Division of Emergency Management to ensure logistical success.

Ms. Yeckley explained what was discussed during previous meetings with Mr. Fitzgerald and Mr. Walker, and noted that:

- The Division of Emergency Management has mechanisms in place which allow for a response to an emergency involving school violence;

- Those mechanisms, however, are triggered when another response agency presents a plan to the division that is specific to an issue; and
- In this instance, the State Board of Education will approach the division with a plan for response to school violence and together, they will coordinate the involvement of other state and local agencies.

That is why the BDR was worded in a way that would put primary responsibility for the plan on the State Board of Education. Senator Wiener also explained that the division was brought in early to effect that "marriage" of purpose. Mr. Fitzgerald added that one of the important determinations will be to ensure the "doability" of the needs assessment aspect of developing the district plans.

The commission has a duty to submit its draft plan to Nevada's Department of Education and the Governor, representing the executive branch, and then to the superintendents so they can develop district plans. The commission will then submit the BDR for legislative consideration of the emergency response plan. Therefore, those stakeholders who have vested interests in the legislative outcome of the process will have ample opportunity during the 2001 Legislative Session to provide additional input and testimony and help refine the plan.

Regarding Section 5 on page 7 of the draft, Chairman Wiener noted that language should be added to allow "designees" to perform some functions. She noted that the ultimate impact on communities, as cited in subsection 3, is unknowable until an incident occurs; however, it is now known that communities and schools will need to be involved with the division for training and planning purposes.

Part C of the BDR language adds incidents of school violence to NRS 353.271, "'Disaster' defined"; NRS 353.274, "Authorized grants to state agencies"; and NRS 353.2745, "Authorized grants to local governments."

Phil Gervasi

Phil Gervasi, Clark County School District Police Department and representative for the Police Officers' Association, briefly discussed the need to expand reporting of violent incidents that occur on school property prior to large-scale incidents. He provided an excerpt from Chapter 432B, "Protection of Children from Abuse and Neglect," that he volunteered to participate in amending to address that need.

Chairman Wiener asked Ms. Yeckley to review those areas of the draft plan that might be questionable or unclear.

Ms. Yeckley said it was her understanding that the following provisions would be redrafted:

- The definition of crisis will be amended as agreed upon in Exhibit E, without amendment.
- In Section 6, the portion pertaining to the board of trustees and the governing body of a charter school shall establish a committee to develop a plan to respond to a crisis that occurs in its district, the membership of that committee will consist of at least one member of law enforcement; one district administrator; one administrator from a school in that district, one teacher, one parent, one support staff, and at least one each of some "discretionary, without limitation persons."
- Section 6, subsection 3(c) through 3(g) will be the elements of the district plan.
- That board of trustees' committee shall consult with law enforcement agencies, as provided by language already in the draft, and local social services agencies in the county in which the district is located, and make the plan available to affected agencies that are included in the plan.
- The district plans will be provided to law enforcement and to the Division of Emergency Management.
- Section 6, subsection 2 on page 4, will provide that the site level committee will be established at each school and it will review the district plan to determine if any specific deviations or exceptions are necessary to allow for procedures unique to their school and, if so, the committee will submit those specific provisions for approval to the district.
- The members of the site level committee will include those currently noted in the draft together with a representative of the support staff and allowing for a discretionary member of law enforcement.
- Section 7 will be reworded to allow for the foregoing changes regarding deviation and exception reports from specific schools and to provide that each school and the district will be required to review and update the plans each year.
- Section 8 will provide that the regulations promulgated by the State Board of Education must include requirements concerning training and practice in emergency response procedures, and the language will comply with other statutory provisions that place the duties for compliance on the state board, recognizing that the staff work will be delegated to others.

Following a discussion on district versus site committee responsibilities, Ms. Yeckley continued and further explained:

- The district's plan would be the school's plan unless an exception was approved.
- Part B, Section 4, will reflect that the State Board of Education will be required to work with various state agencies, including the Division of Emergency Management, to create a cooperative statewide response plan that designates the state agencies that may assist with or participate in an incident of school violence.
- Section 5 provides a chain of command that will be codified and will ensure that the principal of an affected school, or his designee, will be responsible for contacting local agencies to respond through their local emergency management office, which would, in turn, call the state division. The Division of Emergency Management would, then, follow the statewide plan and provide services as set forth in Chapter 414, "Emergency Management," of NRS.
- Part C would be amended to incorporate school violence into existing language that describes disaster for the purposes of emergency management.

MR. SWINNEY MOVED TO AUTHORIZE STAFF TO AMEND THE DRAFT STATEWIDE PLAN IN ACCORDANCE WITH THE FOREGOING REVIEW. MR. JOHNSON SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY. (MS. BAXTER WAS NOT PRESENT FOR THIS VOTE.)

Senator Wiener said that the next step would be for the draft, changed as indicated, to go to the Governor, Nevada's Department of Education, and the Division of Emergency Management.

Mr. Johnson thanked staff for its efforts in drafting the working document and for the background and support it has provided during the process thus far.

Mr. Burns requested that the revised draft be forwarded to the members as quickly as possible. Chairman Wiener assured the members that would occur.

REVIEW OF MODEL PREVENTION AND INTERVENTION PROGRAMS

TO REDUCE THE INCIDENTS OF SCHOOL VIOLENCE

Juliann K. Jenson, Senior Research Analyst, Research Division, Legislative Counsel Bureau, referred to her memorandum dated January 3, 2000, to the chairwoman and members of the commission, titled "Prevention and Intervention Programs - School Safety and Juvenile Violence" (see Exhibit G). Ms. Jenson provided a brief overview of the prevention and intervention programs, background, selected criteria, and data outlined in the memorandum and requested the members to examine those programs and become familiar with what is being done nationally.

PUBLIC COMMENT

David F. Bash, III

David F. Bash, III, speaking from Las Vegas, noted that in addition to those mentioned by Ms. Jenson, there are other programs nationally and in Las Vegas that are showing promise to reduce school violence and youth problems in general. Work has been done regarding juvenile delinquency in a model program called "Communities that Care." Efforts have been made to identify risk and protective factors that enable some children, faced with the same situations, to avoid trouble.

According to Mr. Bash, that research has been expanded upon by a nonprofit organization, the Search Foundation, that has identified 40 developmental assets or characteristics that youngsters need to succeed in our society. The more of those characteristics a child has when he or she reaches adulthood, the more apt they are to avoid the problems faced by those who have fewer of those assets. In addition, that asset model is the subject of further research at the University of Nevada, Las Vegas. Mr. Bash submitted information to the commission, titled "The Asset Approach -- giving kids what they need to succeed."

He suggested that the commission explore this concept at future meetings.

FUTURE MEETINGS AND DIRECTIONS TO STAFF

Chairman Wiener stated that the next meeting will be held in a rural area of Nevada. Pahrump was identified as the meeting site and the date was set for March 7, 2000, at 10 a.m. Ms. Jenson was asked to invite a representative of NCSL to address the commission at that meeting. The meeting will not be videoconferenced.

ADJOURNMENT

There being no further business to come before the commission, the meeting was adjourned at 2:15 p.m.

Respectfully submitted,

Linda Chandler Law

Senior Research Secretary

Juliann K. Jenson

Senior Research Analyst

APPROVED BY:

Senator Valerie Wiener, Chairman

Date: _____

LIST OF EXHIBITS

Exhibit A is a draft document, titled "Statewide Plan of Emergency Response to Incidents of School Violence -- Proposed by the Commission on School Safety and Juvenile Violence." This exhibit also includes a cover memorandum, dated December 29, 1999, from R. Rene Yeckley, Senior Deputy Legislative Counsel, to the members of the commission.

Exhibit B is a copy of *Nevada Revised Statutes* (NRS) 414.135, "Emergency assistance account: Creation; administration by division of emergency management; expenditures; report; regulations," also provided by Ms. Yeckley.

Exhibit C includes sample language, based on the definition of "crisis" in Virginia state law, proposed by Michael Fitzgerald, Education Consultant, Nevada's Department of Education.

Exhibit D is a definition of "crisis," which was suggested by Michael Johnson.

Exhibit E is a copy of the language defining "crisis" proposed by Ms. Yeckley.

Exhibit F is an excerpt from Chapter 432B, "Protection of Children from Abuse and Neglect," of NRS submitted by Phil Gervasi, Clark County School District Police Department and representative of the Police Officers' Association.

Exhibit G is a memorandum dated January 3, 2000, to Chairwoman Valerie Wiener and Members of the Commission on School Safety and Juvenile Violence, from Juliann K. Jenson, Senior Research Analyst, Research Division, Legislative Counsel Bureau, titled "Prevention and Intervention Programs - School Safety and Juvenile Violence."

Exhibit H is a handout, titled "The Asset Approach -- giving kids what they need to succeed," submitted by Mr. David F. Bash, III.

Copies of the materials distributed in 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.