

APPENDIX K

Nevada State & Federal Laws, Regulations & Policies Pertaining to Establishing, Maintaining, Monitoring & Reporting on Safe & Disciplined Learning Environments

Data Collection & Reporting

NRS 385.347 Program of accountability for school districts: contents of annual report of accountability; public dissemination of report; notice of availability on Internet.

- Records of incidents involving weapons or violence for each school in the district, including, without limitation, each charter school in the district.
- records of incidents involving the use or possession of alcoholic beverages or controlled substances for each school in the district including, without limitation, each charter school in the district.
- Records of the suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467.
- The number of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

Unsafe Schools Choice Option Policy (USCOP) Section 9532 of the No Child Left Behind Act of 2001

- Number violent offences * resulting in a criminal citation issued by a local law enforcement agency or school police to a student or non-student in the school building, on school grounds, school buses, or school sponsored events. (For each school in the district, including, without limitation, each charter school in the district).
 - * Murder—NRS 200.010; Mayhem—NRS 200.280; Possession of a dangerous weapon on property or in vehicle at school—NRS 202.265; Kidnapping—NRS 200.310; Sexual Assault—NRS 200.366; Robbery—NRS 200.380; Battery—NRS 200.481; Harassment—NRS 200.571; Stalking—NRS 200.575; Hazing—NRS 200.605

Gun-Free Schools Act Subpart 3 of ESEA, Title Iv, Part A, as amended by NCLB Act of 2001

- Number of students in district (not school) disaggregated by elementary school, junior high, and high school for bringing or possessing a firearm (handgun, Rifle/Shotgun, other firearm) at school.

NRS.388.134 *Adoption of policy by school districts; provision of training to school personnel; annual report of violations.*

- On or before September 1 of each year, submit a report to the Superintendent of Public Instruction that includes a description of each violation of NRS 388.135 * occurring in the immediately preceding school year that resulted in personnel action against an employee or suspension or expulsion of a pupil, if any.

* **NRS 388.135 *Harassment and intimidation prohibited.*** A member of the board of trustees of a school district, any employee of the board of trustees, including without limitation, any administrator, principal, teacher or other staff member, or any pupil shall not engage in harassment or intimidation on the premises of any public school, at an activity sponsored by a public school or on any school bus.

Plans & Policies

NRS 392.463 *Adoption of plan to ensure schools are safe and free of controlled substances; written rules of behavior and punishments; distribution of plans and rules to pupils; availability for inspection.*

1. Each school district shall adopt a plan to ensure that the public schools within the school district are safe and free of controlled substances. The plan must comply with the Safe & Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101 et. seg. *

* (A) appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons, and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students;

(B) security procedures at school and while students are on the way to and from school;

(C) prevention activities that are designed to create and maintain safe, disciplined, and drug-free environments;

(D) a crisis management plan for responding to violent or traumatic incidents on school grounds [See *Crisis Response in Public Schools*]; and

(E) a code of conduct policy for all students that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that—

(i) allows a teacher to communicate effectively with all students in the class;

(ii) allows all students in the class to learn;

(iii) has consequences that are fair, and developmentally appropriate;

(iv) considers the student and the circumstances of the situation; and is enforced accordingly.

2. Each school district shall prescribe written rules of behavior required of and prohibited for pupils attending school within their district and shall prescribe appropriate punishments for violations of the rules. If suspension or expulsion is used as a punishment for a violation of the rules, the school district shall follow procedures in NRS 392.467 [Suspension or expulsion of pupil: Procedure; limitation.]

3. A copy of the plan adopted pursuant to subsection 1 and the rules of behavior, prescribed punishments and procedures to be followed in imposing punishments prescribed pursuant to subsection 2 must be distributed to each pupil at the beginning of the school year and to each new pupil who enters school during the year. Copies must also be made available for inspection at each school located in that district in an area on the grounds of the school which is open to the public.

NRS 392.4644 Plan for progressive discipline and on-site review of disciplinary decisions; annual review and revision of plan; posting and availability of plan; written reports by superintendent of schools, board of trustees and Superintendent of Public Instruction concerning compliance with section.

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

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

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

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

(d) Provide for the temporary removal of a pupil from a classroom in accordance with NRS 392.4645.

2. On or before October 1 of each year, the principal of each public school shall:

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

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

(c) Post a copy of the plan or the revised plan, as applicable, in a prominent place at the school for public inspection and otherwise make the plan available for public inspection at the administrative office of the school.

3. On or before October 1 of each year, the principal of each public school shall submit a copy of the plan established pursuant to subsection 1 or a revised plan, if applicable, to the superintendent of schools of the school district. On or before November 1 of each year, the superintendent of schools of each school district shall submit a report to the board of trustees of the school district that includes:

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

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

4. On or before November 30 of each year, the board of trustees of each school district shall submit a written report to the Superintendent of Public Instruction based upon the compilation submitted pursuant to subsection 3 that reports the progress of each school within the district in complying with the requirements of this section.

5. On or before December 31 of each year, the Superintendent of Public Instruction shall submit a written report to the Director of the Legislative Counsel Bureau concerning the progress of the schools and school districts throughout this state in complying with this section. If the report is submitted during:

(a) An even-numbered year, the Director of the Legislative Counsel Bureau shall transmit it to the next regular session of the Legislature.

(b) An odd-numbered year, the Director of the Legislative Counsel Bureau shall transmit it to the Legislative Committee on Education.

NRS 392.600—392.656 *Crisis Response in Public Schools*

NRS 392.620 Development committee: Development of plan to be used by schools in responding to crisis; submission of plan to board of trustees or governing body of charter school; compliance with plan required.

1. Each development committee established by the board of trustees of a school district shall develop one plan to be used by all the public schools other than the charter schools in the school district in responding to a crisis. Each development committee established by the governing body of a charter school shall develop a plan to be used by the charter school in responding to a crisis. Each development committee shall, when developing the plan, consult with the local social service agencies and local law enforcement agencies in the county in which its school district or charter school is located. The plan must include, without limitation, a procedure for:

(a) Assisting persons within a school in the school district or the charter school to communicate with each other;

(b) Assisting persons within a school in the school district or the charter school to communicate with persons located outside the school, including, without limitation, relatives of pupils and relatives of employees of the school, the news media and persons from local, state or federal agencies that are responding to a crisis;

(c) Immediately responding to a crisis and for responding during the period after a crisis has concluded, including, without limitation, a crisis that results in immediate physical harm to a pupil or employee of a school in the school district or the charter school;

(d) Assisting pupils of a school in the school district or the charter school, employees of the school and relatives of such pupils and employees to move safely within and away from the school, including, without limitation, a procedure for evacuating the school and a procedure for securing the school; and

(e) Enforcing discipline within a school in the school district or the charter school and for obtaining and maintaining a safe and orderly environment during a crisis.

2. Each development committee shall provide a copy of the plan that it develops pursuant to this section to the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee.
3. Except as otherwise provided in NRS 392.632 and 392.636, each public school, including, without limitation, each charter school, must comply with the plan developed for it pursuant to this section.

NRS 388.121—388.139 *PROVISION OF SAFE AND RESPECTFUL LEARNING ENVIRONMENT*

NRS 388.134 *Adoption of policy by school districts; provision of training to school personnel; annual report of violations. [Effective July 1, 2006.] The board of trustees of each school district shall:*

1. Adopt the policy prescribed by the Department pursuant to NRS 388.133. The board of trustees may adopt an expanded policy if the expanded policy complies with the policy prescribed by the Department.
2. Provide for the appropriate training of all administrators, principals, teachers and all other personnel employed by the board of trustees in accordance with the policy prescribed by the Department pursuant to NRS 388.133.
3. On or before September 1 of each year, submit a report to the Superintendent of Public Instruction that includes a description of each violation of NRS 388.135 occurring in the immediately preceding school year that resulted in personnel action against an employee or suspension or expulsion of a pupil, if any.

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K-12 Online/Cyber School Safety:

The following is adapted from EdisonLearning:

Observations and recommendations regarding online safety are contained in the July'09 report titled, *Point Smart Click Safe: Task Force Recommendations for Best Practices for Child Online Safety*.

See: <http://www.pointsmartreport.org/PointSmartReport.pdf>

“Embracing a child-centered perspective, the *PointSmart Click Safe* best practice recommendations address three separate, but overlapping, categories of children’s online experience – before they go online, during a child’s online activities, and when problems arise – and recommend best practices for each of these stages” {Report: p.i}

Another best practice in this regard is found in the guidelines from the Virginia Department of Education, *Guidelines and Resources for Internet Safety in Schools* (2nd edition – Oct. '07). See: <http://www.doe.virginia.gov/VDOE/Technology/OET/internet-safety-guidelines-resources.pdf>

Online safety is similar to regular security/safety initiatives. Recommendations for policy, training and supervision follow:

Before Children Go Online:

1. Provide access to information that will educate parents, educators, and children about media literacy and ethical digital citizenship and help them think critically about the content consumed and created on the Internet.
2. Make safety information for users, parents, and caregivers prominent, easily accessible and clear.
3. Provide links to additional resources that offer relevant safety and security information.
4. To make messages about online safety clear and easily recognizable to a variety of users consider using consistent themes and common words and phrases. Provide messages in multiple languages as appropriate.
5. Provide/post information that defines acceptable behavior, states that users are not anonymous and can be traced, and details the consequences of violating the standards of behavior.
6. Provide notice that violating school Internet use policies or conditions will result in specific consequences, including legal ones if required.
7. Teachers need to keep up-to-date on Internet safety issues and provide accurate, timely information to students.
8. Educators need to learn about *cyberbullying*, recognize the signs of a bullied student, and know what to do about it.

During a Child’s Online Activities:

9. Include specific information about how to conduct a safe search.
10. Teachers should create age-appropriate activities for students.
11. Students’ varying developmental stages and Internet skills will produce different issues and problems for each age-group.
12. Filters are not fail proof. Teachers and librarians must watch where students go on the Internet – just as they would keep an eye on them during a field trip.
13. Students should not be allowed to wander aimlessly on the internet. Teachers must provide an academic purpose before allowing students to go online.

14. Teachers and/or IT staff need to acquaint themselves with new tools that allow students to visit protected sites. As much as possible, they should go into *history* and examine the pages students have viewed.

When Problems Arise:

15. Have in place a robust procedure, backed by appropriate systems and resources, to handle complaints. Ideally, each company and/or school should have an internet-safety staff position or cross-functional team or school safety committee charged with supervising the procedures and resources and given authority and resources to be effective.
16. Know who to contact and have up-to-date contact information.
17. Cooperate with law enforcement, where applicable, and follow all relevant statutes.

See: *Model Acceptable Use Policy* (Information Technology Resources in the Schools):

<http://www.cybercrime.gov/rules/acceptableUsePolicy.htm>

School Security/Safety Committees:

The best way to formulate good school safety plans is by first gathering input from all stakeholders. This would include students and the parents, in addition to public safety agencies and social/mental health agencies. A good way to accomplish that is by forming a school security/safety committee that meets on a regular basis (preferably once a week). This committee can be tasked with the following:

- Write site specific school safety policy in conjunction with the above mentioned stakeholders (staff, students, parents, emergency responders, etc).
- Receive the appropriate NIMS/ICS training mentioned above.
- Help implement *School COP* software for use in problem solving.
- Help formulate safe schools online/cyber policies.
- Help form a school Emergency Response Team (ERT).
- Help create and distribute a “Go Kit” or “Crisis Response Box.”
- Coordinate school safety and crime prevention training for Professional Development (PD) training sessions.
- Survey staff to ascertain special skills that can be utilized in regard to school security and safety.
- Survey students to discover attitudes and perceptions on school safety, school climate and school culture, etc.
- Establish a Bullying Prevention program within the school (i.e., Olweus, Positive Action, etc.).
- Establish a Non-Violent Crisis Intervention training program within the school.
- Research and apply for competitive grants in regard to school safety (especially federal SS/HS grants, REMS grants and Title IVa “Safe & Drug Free Schools” funding).
- Coordinate CPR/AED training.
- Coordinate mock drills and tabletop exercises.
- Perform physical security audits following a checklist of items.
- Develop guidelines for school volunteers, school trips and special events, etc.