

STATE OF NEVADA
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
BEHAVIORAL HEALTH PLANNING & ADVISORY COUNCIL
LEGISLATIVE SUB-COMMITTEE

November 14, 2018

1:00 p.m. to Adjournment

DRAFT MINUTES

Council Members Present:

Jennifer Sexton, Karen Torry Greene, Alyce Thomas, Sondra Cosgrove

Council Members Absent:

All council members were present.

Others Present:

Caitlin Priess, DPBH

1. Call to Order

Alyce Thomas, Council Member

2. Public Comment

No public comment

3. Review of the Governor's School Safety Task Force recommendations – Sondra Cosgrove

See Exhibit A, *Nevada School Safety Task Force*

Sondra Cosgrove, Council Member, stated Governor Brian Sandoval created a School Safety Task Force made up of educators, principals, school psychologists, and community members to make recommendations to put forth in the 2019 legislative session. Ms. Cosgrove added some of the recommendations relate to behavioral and mental health; such as, hiring more school psychologists, placing social workers on school campuses, providing teachers with professional development opportunities to be trained in social and emotional learning, and increasing help with the anti-bullying program.

4. Make recommendations and decisions on legislative updates relating to behavioral health to present to Behavioral Health Planning and Advisory Council (BHPAC) – Council Members

The council members agreed to present information regarding the School Safety Task Force recommendations with the BHPAC as it relates to behavioral health. Karen Torry Greene made a motion and Alyce Thomas seconded; motion approved.

5. Public Comment

Karen Torry Green, Council Member, stated she would give a presentation on Adverse Childhood Experiences Score (ACES) and Trauma Informed Care (TIC) and the next BHPAC meeting.

6. Adjournment

Alyce Thomas, Council Member

DRAFT

Exhibit A

Introduction

Governor Brian Sandoval established the Nevada Statewide School Safety Task Force by Executive Order 2018-05 on March 19, 2018 and appointed 26 individuals representing diverse interests and areas of expertise to serve (see Appendices A and B). The Task Force met four times (May, July, August, and October) and two working groups each met several times.

During its meetings, the Task Force heard from the Nevada Department of Education, the State Public Charter School Authority, school districts, parents, community partners, vendors, and two panels of high school students. Testimony and working group topics were primarily focused on student well-being and physical infrastructure.

On July 20, 2018 the Task Force submitted an Initial Report to the Governor detailing a series of recommendations deemed to be time-dependent; most dealt with legislation and budget line items which required immediate consideration by the Governor to meet legislative deadlines. (The Initial Report is included as Appendix C of this document.)

The Governor's Executive Order limits this Final Report to no more than ten (10) recommendations. As a practical matter, the Task Force is cognizant that Nevada's governor-elect is the ultimate recipient of this report. However, Governor Sandoval will prepare the first draft of an Executive Budget for consideration and revision by his successor. The 2019 Legislature is also sure to consider several bills related to school safety. With these facts in mind, several critical recommendations have been carried forward from the Initial Report and consolidated here. In addition, the Task Force has included information for long-term recommendations the Governor-elect and Legislature may wish to consider (see Appendix D).

The Task Force is honored to submit these final recommendations for consideration. While this body ceases to exist pursuant to the Executive Order, individual members have made it clear that they stand willing to assist in carrying out these recommendations.

Throughout this process, we have been inspired by the voices of Nevada's young people to act boldly and swiftly. We wish to express our appreciation to Governor Sandoval for initiating this conversation, and we challenge the readers of this report and leaders of the Silver State, regardless of political party, to rise to challenge. Students deserve safe places to learn.

Respectfully submitted,

Dale A.R. Erquiaga
Task Force Chairman

Recommendation #1: Adopt an omnibus school safety planning bill. This would include amendments to Chapter 388 of the Nevada Revised Statutes (NRS) which provides for the establishment of school safety teams, committees to develop crisis plans, and the content/requirements of crisis plans, as follows:

- 1.1 Individual school safety teams should include representation from law enforcement (with allowance for flexibility for rural school districts due to availability of these personnel); that the existing requirement for a counselor be amended to be “school counselor, social worker or mental and behavioral health professional”; and that middle school and high school student voice be included when possible.
- 1.2 School crisis plans should ensure that drills occur at different times during the school day, for students to be familiar with safe routes to take and procedures to follow in different parts of the school building and under different circumstances – including extracurricular and after school activities (e.g., sporting events). (See also NRS 392.450)
- 1.3 If not already provided for by law, provide a means for districts to require individualized plans for schools, in lieu of the “one plan to be used by all public schools” in the district to account for significant differences and needs, but at the discretion of the local board.
- 1.4 Require that district crisis plans include representation of a mental and behavioral health professional.
- 1.5 Require that district crisis plans include provisions related to recovery strategies at a school following a crisis, emergency or suicide.
- 1.6 Require the Department of Education to develop a model plan to incorporate the following:
 - a) Model Threat Assessment for individual students [NRS 388.253(2)];
 - b) Behavioral Health Disaster Response element [NRS 388.253(2)(b)]; and
 - c) Annual exercises of plans including external response agencies.
- 1.7 Annual plans required pursuant to NRS 388.243 should uniformly be required to be complete and filed by July 1st of each year (rather than simply “at least once each year” as now stated in law), with the same filing date for charter and private schools.
- 1.8 Provide authority for the Chief of the Division of Emergency Management to approve, and if necessary randomly audit, plans required to be filed with the Division to ensure compliance with statutory all requirements and may request other agencies to contribute to the plan review, at his/her discretion. The Chief should provide the Department and Legislature annual report of compliance with plans
- 1.9 Require the Governor to create a statewide committee on school safety as an additional component of these teams and committees contemplated by this chapter, to include representation from state agencies such as Education, Public Safety, Emergency Management, and Health & Human Services.

Recommendation #2: Make a significant investment in school-based mental health professionals and services. This commitment includes:

- 2.1 Amend AB 127 of the 2017 Legislative Session to establish statewide recommended ratios for all school-based mental health providers (school counselors, school psychologists, and school social workers) that align with their respective national association recommended ratios, and require each school district to establish a school-based mental health ratio improvement plan for each of the three professions to achieve this ratio within 15 years; include a definition of each profession and supervision structure as part of the improvement plan; consider including school nurses in this initiative.
- 2.2 Include school nurses, school counselors, and school psychologists in the Nevada Department of Education pilot Medicaid program and Social Work Block Grant. Enable the Department to use funds (one new FTE) from the current Social Work Block Grant Program to immediately expand school district capacity for Medicaid billing for behavioral health services and support.
- 2.3 Make any necessary changes to ensure sustainability of Safe-Voice and ability of first responders to provide support to students, including:
 - a) Amend "Safe-to-Tell" to "Safe Voice" in all relevant statutes;
 - b) Include provisions so that if a student provides his/her own contact information, then law enforcement may provide the student's personally identifiable information to the school and local law enforcement; and
 - c) Addition of one FTE to support Safe Voice within the Safe and Respectful Learning Environments

Recommendation #3: Make a commitment to ensuring the availability of additional trained school resource officers and school police personnel. This could be implemented by taking the following actions:

- 3.1 Establish a categorical fund at the State dedicated for this purpose. Applications for funding come through the School Districts and must be made in conjunction with their school police department or local law enforcement agency, as applicable; applications for charter schools would come through the State Public Charter School Authority (SPCSA).
- 3.2 Amend Nevada Revised Statutes to categorize school police officers as Category I peace officers [NRS 289.470 and NRS 432B.610].
- 3.3 Include school police officers in the Nevada definition of "school resource officer."
- 3.4 Include school police departments in the Nevada definition of "law enforcement agency" for the purpose of NRS 289.030 which requires certain peace officers to wear a portable event recording device and requires certain law enforcement agencies to adopt policies and procedures governing the use of portable event recording devices.

- 3.5 Increase jurisdiction of school police officers to include all property, buildings and facilities beyond school property while investigating matters related to personnel, pupils, or real or personal property of the school district; further expand jurisdiction of school police officers to enforce violations of traffic laws and ordinances 24 hours each day.

Recommendation #4: Provide funding to ensure safe learning environments. This could include:

- 4.1 Establish a categorical fund dedicated to enhancing school building safety, accepting applications for funding from Districts or the SPCSA based on a school safety assessment that is aligned with state standards for such an assessment. Distribute funds:
 - a) based on “guided autonomy” that includes the school safety assessment to identify school needs, and
 - b) on a “block plus per pupil” basis.
- 4.2 Support district/school and charter school training to supplement and refine training programs (estimated to be \$200,000/year); and
- 4.3 Provide required training/professional development for administrators and staff on matters pertaining to threat assessment and behavioral health disaster response.

Recommendation #5: Provide legislation and budgetary authority that would grant districts funds to ensure students and school staff have prevention skills needed to help all students be successful and safe in school. This would accomplish the following:

- 5.1 Proactively integrate Social Emotional Learning (SEL) into the fabric of all Nevada schools to help teachers and students remain motivated to develop skills to navigate and succeed within their 21st learning communities and to serve as responsible, contributing, and safe members of society.
- 5.2 Require statewide Social-Emotional-Behavioral programming (SEB) as part of a multi-tiered system of support framework (MTSS) that requires each school to implement an integrated program with screenings, interventions, and progress monitoring. Establish administrator accountability standards to ensure that the framework is implemented with fidelity on every campus.
- 5.3 Require a statewide framework for and encourage the use of restorative practices in schools as an alternative to out-of-school consequences for behavioral infractions and the accompanying frustration that sometimes leads students to engage in antisocial or other behaviors that threaten the safety and/or learning of others.
- 5.4 Encourage districts throughout Nevada to institutionalize restorative practices as a preventative measure for antisocial behavior on campuses. Consider Fairfax County Public Schools (in Virginia) as a model.

5.5 Use and fund equitable instructional practices to promote inclusion and school climate.

5.6 Fund one new FTE to create a school climate and equity framework at the state level that contributes to school improvement planning.

Recommendation #6: Make necessary statutory and regulatory changes regarding disproportionality of school discipline. This includes a requirement for additional school discipline data, including but not limited to removal of pupils, to be disaggregated by race/ethnicity and special education status, and for such data to be reported annually.