

**NEVADA DEPARTMENT OF EDUCATION  
WORKSHOP REGULATION MEETING  
OCTOBER 3, 2019  
9:00 A.M.**

**Meeting Locations:**

<b>Office</b>	<b>Address</b>	<b>City</b>	<b>Meeting Room</b>
Department of Education	2080 E. Flamingo Rd.	Las, Vegas	Room 114
Department of Education	700 E. Fifth St	Carson City	Board Room

**SUMMARY MINUTES  
(Video Conferenced)**

**DEPARTMENT STAFF PRESENT:**

**In Carson City**

Christy McGill, Director, Office of Safe and Respectful Learning Environment  
Amber Reid, Education Programs Professional  
Peggy Edwards, Office of Safe and Respectful Learning  
Jennah Fiedler, Office of Safe and Respectful Learning  
Dawn Yohney, Division of Public and Behavioral Health

**In Las Vegas**

Dr. Jonathan Moore, Deputy Superintendent, Student Achievement

**AUDIENCE IN ATTENDANCE:**

**In Carson City**

Paul LaMarca, Washoe County School District  
Jason Trevino, Washoe County School District  
Jessica Flood, Nevada Rural Hospital Partners  
Stephen Wood, Public and Behavioral Health  
Alexis Hansen, Assemblywoman  
Jimmy Lau, Imagine Schools  
Bridget Peterson, Lyon County School District  
Lisa Scurry, Washoe County School District  
Katherine Loudon, Washoe County School District  
Lea Cartwright, Nevada Psychiatric Association  
Dawn Yohney, Division of Public and Behavioral Health

**In Las Vegas**

Michelle Sibal, Mater Academy  
Melissa Robinson, Alexander Danson  
Kevin Kiefer, Bishop Gorman  
Brian Scroggins, State Public Charter School Authority  
Kira Guidice, Trinity  
Robin Kincaid, Nevada Pep  
Michelle Hurley, Redeemer Elementary  
Lynn McCann, SLAM Nevada  
Char Frost, United Citizens foundation  
Michael Wilson, Clark County School District  
Colin Bringhurst, Academica NV  
Darrin Puana, SLAM MBB  
Ivan Chatman, Las Vegas Metro Police Department  
Jorge Sanchez, Citizen  
Bryan Rudder, Pinecrest NV

### **Call to Order**

The meeting was called to order at 9:06 a.m.

### **Public Comment**

There was no public comment.

### **Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388.XXX, which pertain to the procedures for responding to a pupil who is determined to be a person with mental illness.**

Dr. Jonathan Moore, Deputy Superintendent, Student Achievement opened the workshop at 9:08 a.m. There were 11 individuals present in Carson City and 15 individuals present in Las Vegas.

Amber Reid, Education Programs Professional, Office for Safe and Respectful Learning Environment provided a brief history of A.B. 378 from the 2019 Legislative Session. There were two major goals of the bill. The first goal is to provide a temporary fix to the process for supporting a minor through the process for application emergency admission based on a person experiencing a mental health crisis. For minors, in the rare cases where parental or guardian consent is not given, the primary goal was to create parity and equity within the state for a practice that had been exercised in in CCSD for over 10 years. The second goal was to illicit feedback from stakeholders throughout the interim that may lead to Bill Draft Request (BDR) language for the 2020-21 session. Then gather additional information regarding the challenges and barriers that exist within the law as it currently sits with regards to supporting a minor who is deemed to be in a mental health crisis.

Section 1 of AB 378 requires the NDE to add to its existing model plan for crisis, emergency and suicide response procedures for responding to a pupil who is in a mental health crisis pursuant to the definition found in NRS 388a.115, specifically guidance on accessing mobile crisis response teams when available, and guidance for transporting for an emergency admission pursuant to NRS 433a.150. An additional requirement is for anyone who is petitioning or initiating an application for mental health crisis maintains a documentation of all attempts for parental and guardian notification and consent. This process must include collaboration with the Department of Health and Human Services, engagement of stakeholders including parents, guardians and child advocates must consider the due process rights of parents, guardians and pupils and requires periodic reports to the Legislative Committee on Health Care. There is a scheduled report to the Legislative Committee on Health Care through request of the bill sponsor on November 20, 2019. There is also an additional requirement to collect data regarding the number of times this procedure is used by Local Education Agencies (LEAs).

The NDE has been collaborating with a northern regional behavioral health board on these efforts. They have had three open meetings and created two draft flow charts in the process. One outlines the legal requirements and one adds information about the process. There is also a survey that is currently open to collect information from stakeholders throughout the process regarding current practices. The bill sponsor, Assemblywoman Alexis Hansen, is available today.

### **Public Comment**

Alexis Hansen, Assemblywoman District 32 and bill sponsor, said it is an honor to carry this bill on behalf of chief Trevino and the Washoe County School District police. After learning of

inconsistencies of how procedures were followed in the state versus Clark County School District, it was decided to bring the bill forward. The working group has been a collaborative venture. It was promised that with the passage of the bill the sponsors would continue to engage with stakeholders to make sure concerns are addressed.

Jessica Flood, Regional Behavioral Health Coordinator, Northern Region, Nevada Rural Hospital Partners said she became involved in this as the northern region had to bill draft those focuses about clarifying and standardizing the adult mental health crisis hold process through AB 85. Through the past year they have had statewide legal hold work focused on the adult process. That workgroup was interested in collaborating with the youth advocates to do the same process for the youth. The Nevada Hospital Association, Nevada Rural Hospital partners, law enforcement from both Washoe and Clark County, the Nevada Physicians Associations, schools, Nevada Pebp and Divisional Behavioral Health are all at the table.

Robin Kincaid, Nevada PEP, Parents Encouraging Parents, said that over the years the regulation process has been used as a mechanism to clarify related issues in the statute of bills. This bill has many unanswered questions regarding funding, and the process for implementation that impacts families. Families are already under stress having a child with mental illness. It is difficult to compare the urgency and the need for treatment; it is a child that might be escalating and de-escalating. She is concerned about the vagueness of this particular statute. The concerns from families is they do not think the unintended consequences have been looked at, such as funding. She asked this is re-visited and recognize how unintended consequences will have a long term effect to families overall.

Allison Stevens, Nevada PEP, listed some concerns she would like addressed in the regulatory process. Some questions are regarding transportation, hospital admissions, emergency medical clearance, and there must be a payment structure for uninsured and insured families who may be left with cost sharing expenses. It needs to be understood how to obtain medical clearance including medical history, such as medication allergies and interactions. Also, to understand better what would happen if the parent chose to transport. The statute shifts the burden of notification to the family from the school once the child has left the school to the hospital. What happens when the parent arrives at school to pick up their child not knowing where they are. Where is the burden of notification. These issues are part of the intent of the statute, and should be addressed and clarified through the regulatory process.

The workshop was closed at 9:22 a.m.

### **Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388.XXX, which pertain to revisions to the framework for integrated student supports.**

Deputy Moore opened the workshop at 9:22 a.m. There were 11 individuals present in Carson City and 15 individuals present in Las Vegas.

Christy McGill, Director, Office of Safe and Respectful Learning Environments, said this workshop is from the School Omnibus SB 89. The School Safety Taskforce spent a lot of time last year looking at the components of school safety. This component of the bill is regarding the social, emotional and academic development of pupils in the area of school safety. The School Safety Taskforce is looking at where this can be imbedded, one of the spots found is a statewide framework for providing and coordinating integrated student supports for parents and pupils enrolled in public schools. This framework addresses integrating services and adds that the framework shall engage the parents and guardians, shall look at assessing the social, emotional and academic development of pupils and attain appropriate behavior forms from pupils, screen intervening and monitoring the social, emotional and academic process of pupils. It adds social and

emotional context to the framework and Ms. McGill wanted time for individuals to give input. In addition, it is to establish accountability standards for each administrator of a school to ensure the provision and coordination of integrated support. Including the social and emotional contents is in addition to the current integrated system.

**Public Comment**

There was no public comment.

The workshop closed at 9:26 a.m.

**Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388.XXX, which pertain to a model policy for the prevention of suicide.**

Deputy Moore opened the workshop at 9:36 a.m. There were 11 individuals present in Carson City and 15 individuals present in Las Vegas.

Ms. Reid informed the passage of SB 204 makes several requirements of the NDE regarding a model policy on suicide prevention. She listed the following requirements.

Section 2 requires the NDE with the Office of Safe and Respectful Learning Environment as well as the Office for Suicide Prevention to develop a model policy on the prevention of suicide for students in grades 7-12 in order to provide guidance to governing bodies of public and private schools. The NDE must maintain a link to the resources provided by the Office of Suicide Prevention. The director of the Office for a Safe and Respectful Learning Environment must include resources for pupils who are at high risk for suicide and the office's outreach education and training that are required.

The NDE program of training required on prevention on violence and suicide must include the identification of appropriate mental health services at the school and in the community, and when and how to refer pupils and families to those services as well as other organizations in the community that may be able to assist with response to a suicide. In addition there is a requirement that the NDE add to their existing model plan for crisis, emergency and suicide response of procedure for responding to suicide or attempted suicide by making counseling and resources available to pupils and staff, providing counseling and resources to pupils and staff who have contemplated or attempted suicide.

Outreach to other individuals or organizations in the community including religious or non-profit that may be able to assist with response to a suicide and address needs of pupils at high risk for suicide. Students included of being considered at risk of suicide include pupils affected by a suicide, disabilities, mental illness or substance use disorders, pupils who reside in settings other than a traditional home including without limitation foster care homelessness, lesbian, gay, bi-sexual, transgender and any other group that scientific research indicates to be at high risk of suicide.

In addition, the Commission on Academic Standards, must ensure that the standards for health include mental health, and the relationship between mental health and physical health. The Department has worked with the Office of Suicide Prevention and Identification of two nationally recognized best practice models on suicide prevention and on responding following a suicide that will update or replace the existing postvention plan that was previously incorporated into the crisis and emergency and suicide response plans as required by SB 212 from the 2017 Legislation Session.

**Public Comment**

There was no public comment.

The workshop was closed at 9:30 a.m.

**Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388.XXX, which pertain to proposed recommendations for the ratio of pupils to specialized instructional support personnel.**

Deputy Moore opened the workshop at 9:30 a.m. There were 11 individuals present in Carson City and 15 individuals present in Las Vegas.

Ms. Reid reiterated that S.B. 89 was the School Safety Omnibus bill. One of the requirements of the bill is that the State Board of Education adopt non-binding recommended ratios for specialized instructional support personnel, and defines those professionals in accordance with federal law. It also requires district boards of trustees submit a 15 year strategic plan to achieve those ratios. Assembly Bill 304 is specific to school counselors and social workers and requires the Board provide suggested ratios similar to the requirements of S.B. 89. National practice models of the American School Counseling Association indicate that the best practice ratio for school counselors is one school counselor per 250 students. The School Social workers Association of American recommends the best practice ration of one school social worker to 250 pupils and the National Association of School Psychologists recommends one school psychologist to 500 – 700 students.

**Public Comment**

There was no public comment.

The workshop was closed at 9:32 a.m.

**Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388.XXX, which pertain to regulations to carry out the “Handle with Care Program.”**

Deputy Moore opened the workshop at 9:32 a.m. There were 11 individuals present in Carson City and 15 individuals present in Las Vegas.

Ms. McGill stated this regulation is from S.B. 80 from the 2019 Legislative Session. It adds the Handle With Care Program to the existing Safe Voice Program. This bill requires regulation and the establishment of the Handle with Care program and requires the Handle with Care program uses the support center of the Safe Voice or a similar program as deemed by the school district. It limits the information to being included in the notification about the child from the officer to the school, it requires the support center to determine the child attends the school and to respond. There are four training components to the bill. The components are that the Handle with Care program will work with DPS to train law enforcement, train schools on the procedure for the notification, proper responses to the notifications and collaboration with teachers and others. Holistically this program hopes to earlier intervene with kids who may have seen trauma and ask that the law enforcement notify the schools concerning the trauma. Not to divulge the details, but to notify the school that trauma has existed, and for the school to check in with the child. This is about early intervention.

**Public Comment**

There was no public comment.

The workshop was closed at 9:36 a.m.

Ms. Mc Gill requested that the workshop regarding revisions to the Model Plan for Safe and Respectful Learning Environments is paired with the workshop pertaining to a plain of action based on restorative justice because they work in tandem with each other. She recommended moving to the workshop regarding the Model Plan for Crisis, Emergency and Suicide response first, followed by the two workshops just mentioned.

**Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388.XXX, which pertains to revisions to the Model Plan for Crisis, Emergency and Suicide Response.**

Deputy Moore opened the workshop at 9:37 a.m. There were 11 individuals present in Carson City and 15 individuals present in Las Vegas.

Ms. Reid said the 2019 Legislative Session saw several additions to the Model Plan for Crisis, Emergency and Suicide Response. Two were heard today earlier from AB 378 and SB 204. In addition, S.B. 89 requires the NDE add to the Model Plan for Crisis, Emergency and Suicide Response with a procedure for providing disaster behavioral health services related to a crisis, emergency or suicide, the provision of specific information relating to managing a crisis or emergency that is a result of a fire, explosion or other similar situation, selection of a tool for violence and risk threat assessment, and the provision of annual drills to instruct pupils in an appropriate procedures and response to a crisis or emergency which drills must occur at different times during minimal school hours and in corporation with other state agencies.

In addition, the NDE shall require that districts ensure schools are identified as evacuation sites for charter schools and are prepared to allow for evacuation when necessary in accordance with the procedures identified in the model plan. The division of Emergency Management shall prepare an annual report to LCB in partnership with the NDE on each district, charter, public and private schools compliance with all of the requirements of crisis, emergency and suicide response plan.

**Public Comment**

There was no public comment.

The workshop was closed at 9:40 a.m.

**Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388.XXX, which pertains to regulations to identify the social and environmental factors that affect the educational experience of pupils.**

Deputy Moore opened the workshop at 9:40 a.m. There were 11 individuals present in Carson City and 15 individuals present in Las Vegas.

Ms. Reid said the passage of S.B. 267 from the 2017 Legislative Session requires the State Board of Education to adopt regulations that require governing bodies of districts and charters to identify the social and environmental factors that affect the educational experience of pupils at each school. Governing bodies of districts and charters are to provide a description of those factors to the NDE. The NDE governing bodies of district charters and school staff must consider these factors when making decisions concerning the school and interacting or making decisions concerning the staff or pupils. Such decisions include allocation of money, provision of integrated student supports, staff evaluations, staff salaries and the discipline of pupils. The Office for Safe and Respectful Learning Environment has done preliminary research to identify existing sources of data and information regarding social and environmental factors that affect educational experience of pupils at each school and will be using that guidance with public comment and stakeholder feedback in drafting the regulations.

**Public Comment**

There was no public comment.

The workshop was closed at 9:42 a.m.

**Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 392.XXX, which pertains to revisions to the Model Plan for Safe and Respectful Learning Environments.**

Deputy Moore opened the workshop at 9:42 a.m. There were 11 individuals present in Carson City and 15 individuals present in Las Vegas.

Ms. McGill explained that this regulation stems from AB 168 for restorative justice. The bill specifies that the NDE shall provide one or more examples of a plan of action based on restorative justice examples. They include a plan for behavioral interventions, referral to a student support team, referral to an appropriate community based services, a conference with principle designee and other appropriate personnel.

In addition to the examples, the NDE may approve a plan of action that meets the above requirements of the districts and schools. The NDE shall also post on a website a guidance document that includes a description of section 3.3 and 3.7, a timeline for implementation by a public school one or more models of restorative justice and best practices relating to restorative justice. The NDE is to adopt regulations necessary to carry out the provisions.

**Public Comment**

Paul LaMarca, Washoe County School District, said in relation to AB 168 that he believes the intent of the bill was to limit suspensions and to keep kids in their zoned schools to the extent possible. The language regarding the plan of action highlights several sorts of practices that maybe loosely associated with restorative justice but they do not provide enough guidance for school districts to implement. Also indicated is that while he supports the limiting of suspensions and removal of students, the law provides provision where it safety and health is still a concern, removal can occur. He said the regulation should provide guidance so it can be standardized. It is difficult to judge these health and safety threats.

Dan Trevino, Principal, SLAM Academy Charter, grades 6-12, said he was looking for clarity as to what can a principal recommend expulsion for. He has students as young as 10 years old in the same building with students 17 and 18 years old. In previous years he has been able to recommend expulsion for drug distribution and now he feels that his hands are tied and it is not clear if he has the discretion to recommend expulsion. There is a lot of gray area and he would like clarity.

The workshop was closed at 9:47 a.m.

**Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 392.XXX, which pertains to a plan of action based on restorative justice.**

Deputy Moore opened the workshop at 9:48 a.m. There were 11 individuals present in Carson City and 15 individuals present in Las Vegas.

Ms. McGill apologized and said the previous workshop should have reference AB 89, adding to the Model Policy for Safe and Respectful Learning Environments requirements and methods for restorative disciplinary practices. Each school restorative disciplinary plan must provide restorative disciplinary practices which include holding a pupil accountable for their behavior, restoration or remedies related to the behavior of the pupil, relief for any victim of the pupil and changing the behavior of the pupil. Last, each schools restorative discipline plan which must provide for the temporary removal of the student from a classroom may include assignment to a temporary alternative replacement, but is not required. It swaps the “must” for the “may”. This

comes from AB 89 that enhances to current Model Policy for Safe and Respectful Learning Environments.

**Public Comment**

There was no public comment

**Public Comment #2**

There was no public comment

The meeting adjourned at 9:50 a.m.