

LEGISLATIVE BILL 322

Approved by the Governor May 24, 2021

Introduced by Williams, 36; Murman, 38; Hunt, 8; Blood, 3; Hansen, M., 26.

A BILL FOR AN ACT relating to schools; to amend section 79-2,144, Revised Statutes Cumulative Supplement, 2020; to adopt the School Safety and Security Reporting System Act; to harmonize provisions; to provide an operative date; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Sections 1 to 7 of this act shall be known and may be cited as the School Safety and Security Reporting System Act.

Sec. 2. The Legislature finds that the COVID-19 pandemic has impacted the health and well-being of students throughout Nebraska, resulting in the need for a scalable support system and report line to enhance the safety and well-being of students in each elementary and secondary school.

Sec. 3. For purposes of the School Safety and Security Reporting System Act:

(1) Concerning behavior includes, but is not limited to, suicide, bullying, stalking behavior, cyber or electronic harassment, bomb threat, family violence, physical or sexual abuse, threat to property, behavior indicative of terrorism, assault or attack, inappropriate weapons use, concern about mental health or substance use, sexual exploitation or predation, and any direct or indirect threatening statement;

(2) Department means the State Department of Education or the state school security director;

(3) Mental health professional means a school psychologist, social worker, or licensed mental health professional;

(4) Report line staff means the staff of the Safe2HelpNE report line as provided in subsection (4) of section 4 of this act;

(5) Safe2HelpNE report line means the reporting system established pursuant to section 4 of this act;

(6) Threat assessment means an evidence-based process to reduce potential risks and incidents of violence resulting in harm to one or more persons or school property; and

(7) Threat assessment team means a school-based team of at least five members who have completed the training required pursuant to section 5 of this act and includes, but is not limited to, the principal or principal's designee, a mental health professional, and a member of the school staff.

Sec. 4. (1) The department shall establish the Safe2HelpNE report line as a statewide, anonymous reporting system to support threat assessment teams and reduce potential risks and incidents of violence resulting in harm to self, others, or school property.

(2) The Safe2HelpNE report line shall be multi-modal to allow students, school staff, parents, and community members to anonymously report concerns and information about concerning behavior or possible harm to persons or property by telephone call, mobile application, web site, or email without charge. The Safe2HelpNE report line shall be available to any public or nonpublic school that has a threat assessment team and that maintains a current list of the contact information for at least five team members designated to receive alerts from staff at any time of the day or night.

(3) Except as otherwise required by law, the identity of any individual who contacts the Safe2HelpNE report line shall be confidential and shall not be revealed.

(4) The Safe2HelpNE report line shall be staffed seven days per week and twenty-four hours per day by professionals trained to receive concerns, use de-escalation techniques to minimize law enforcement involvement, and alert the appropriate threat assessment team for review, assessment, and action to protect persons and property. The report line staff shall also be trained in threat assessment and management processes, suicide prevention, recognizing mental illness and emotional disturbance, and applicable confidentiality and privacy laws. The report line staff shall have access to clinical consultation and support seven days per week and twenty-four hours per day from a licensed mental health professional.

(5) The report line staff shall immediately alert the appropriate threat assessment team of any concern directly regarding a student, school staff member, or school property or that is likely to impact a student, school staff member, or school property. If there is an immediate life safety concern, emergency services shall be contacted prior to any threat assessment team. Each alert that is not referred to emergency services, law enforcement, or child protective services shall be assessed by the threat assessment team receiving such alert. If a threat assessment team decides a report regarding a student is credible, a representative of the school administration shall, within a reasonable period of time, attempt to notify a parent or guardian of the student except when such notification could reasonably be believed to contribute to the endangerment of the student or others. Such notification or

attempted notification shall be documented in a manner prescribed by the department.

(6) The department shall track and evaluate the effectiveness and usage of the Safe2HelpNE report line. The report line staff shall report the number of calls received, disposition of calls, referrals made to threat assessment teams, and other metrics as determined by and in the manner prescribed by the department.

(7) Any information or material in the possession of the threat assessment team shall remain separate from educational records and shall be considered security records.

Sec. 5. The department shall provide training for the members of any threat assessment team serving a public or nonpublic school. Such training shall provide the knowledge and skill to allow threat assessment teams to work collaboratively to conduct threat assessments, engage in crisis intervention, increase awareness of concerning behavior among school staff, students, and the public, and interrupt violence in the planning stage to thwart potential harm to persons and property.

Sec. 6. It is the intent of the Legislature that federal funds shall be used to implement the School Safety and Security Reporting System Act for fiscal years 2021-22, 2022-23, and 2023-24. The Commissioner of Education shall electronically report data, a cost-benefit analysis, and a funding recommendation regarding the continued viability of the Safe2HelpNE report line to the Appropriation Committee of the Legislature and the Education Committee of the Legislature on or before January 5, 2024.

Sec. 7. The department may adopt and promulgate rules and regulations to carry out the School Safety and Security Reporting System Act.

Sec. 8. Section 79-2,144, Revised Statutes Cumulative Supplement, 2020, is amended to read:

79-2,144 The state school security director appointed pursuant to section 79-2,143 shall be responsible for providing leadership and support for safety and security for the public schools. Duties of the director include, but are not limited to:

(1) Collecting safety and security plans, required pursuant to rules and regulations of the State Department of Education relating to accreditation of schools, and other school security information from each school system in Nebraska. School districts shall provide the state school security director with the safety and security plans of the school district and any other security information requested by the director, but any plans or information submitted by a school district may be withheld by the department pursuant to subdivision (8) of section 84-712.05;

(2) Recommending minimum standards for school security on or before January 1, 2016, to the State Board of Education;

(3) Conducting an assessment of the security of each public school building, which assessment shall be completed by August 31, 2019;

(4) Identifying deficiencies in school security based on the minimum standards adopted by the State Board of Education and making recommendations to school boards for remedying such deficiencies;

(5) Establishing security awareness and preparedness tools and training programs for public school staff;

(6) Establishing research-based model instructional programs for staff, students, and parents to address the underlying causes for violent attacks on schools;

(7) Overseeing suicide awareness and prevention training in public schools pursuant to section 79-2,146;

(8) Establishing tornado preparedness standards which shall include, but not be limited to, ensuring that every school conducts at least two tornado drills per year;

(9) Responding to inquiries and requests for assistance relating to school security from private, denominational, and parochial schools; ~~and~~

(10) Recommending curricular and extracurricular materials to assist school districts in preventing and responding to cyberbullying and digital citizenship issues; ~~and -~~

(11) Carrying out the department's responsibilities under the School Safety and Security Reporting System Act.

Sec. 9. This act becomes operative on July 1, 2021.

Sec. 10. Original section 79-2,144, Revised Statutes Cumulative Supplement, 2020, is repealed.

Sec. 11. Since an emergency exists, this act takes effect when passed and approved according to law.