

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1039

Introduced by Dungan, 26.

Read first time January 14, 2026

Committee:

1 A BILL FOR AN ACT relating to schools; to amend section 79-2704, Reissue
2 Revised Statutes of Nebraska; to further prohibit corporal
3 punishment as prescribed; and to repeal the original section.
4 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 79-2704, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-2704 Each memorandum of understanding required by section 79-2703
4 shall govern the use of school resource officers or security guards and
5 shall include, but not be limited to, policies that:

6 (1) Require each school resource officer or security guard to attend
7 a minimum of twenty hours of training focused on school-based law
8 enforcement, including, but not limited to, coursework focused on school
9 law, student rights, understanding special needs students and students
10 with disabilities, conflict de-escalation techniques, ethics for school
11 resource officers, teenage brain development, adolescent behavior,
12 implicit bias training, diversity and cultural awareness, trauma-informed
13 responses, and preventing violence in school settings;

14 (2) Prohibit any school resource officer or security guard from
15 subjecting any student to corporal punishment as described in section
16 79-295.

17 (3) (2) Require a minimum of one administrator in each elementary or
18 secondary school where a school resource officer or security guard is
19 assigned to attend a minimum of twenty hours of training focused on
20 school-based law enforcement, including, but not limited to, coursework
21 focused on school law, student rights, understanding special needs
22 students and students with disabilities, conflict de-escalation
23 techniques, ethics for school resource officers and security guards,
24 teenage brain development, adolescent behavior, implicit bias training,
25 diversity and cultural awareness, trauma-informed responses, and
26 preventing violence in school settings;

27 (4) (3) Ensure records are kept on each student referral for
28 prosecution from a school resource officer in response to an incident
29 occurring at school, on school grounds, or at a school-sponsored event
30 and ensure that such records allow for analysis of related data and
31 delineate:

- 1 (a) The reason for such referral; and
- 2 (b) Federally identified demographic characteristics of such
- 3 student;

4 (5) (4) Identify school policies that address when a parent or
5 guardian will be notified or present, in a language that such parent or
6 guardian understands, if a student is subjected to questioning or
7 interrogation by a school official or by a school resource officer or
8 security guard operating in conjunction with a school official;

9 (6) (5) Identify the school or law enforcement agency policies that
10 address under what circumstances a student will be advised of
11 constitutional rights prior to being questioned or interrogated by a
12 school official or by a school resource officer or security guard
13 operating in conjunction with a school official;

14 (7) (6) Identify the school policy required by section 79-262 that
15 addresses the type or category of student conduct or actions that will be
16 referred to law enforcement for prosecution and the type of student
17 conduct or actions that will be resolved as a disciplinary matter by a
18 school official and not subject to referral to law enforcement; and

19 (8) (7) Identify a student and parent complaint process to express a
20 concern or file a complaint about a school resource officer or security
21 guard and the practices of such school resource officer or security guard
22 with the law enforcement agency or security agency.

23 **Sec. 2.** Original section 79-2704, Reissue Revised Statutes of
24 Nebraska, is repealed.