

SENATOR LINDSAY: Senator Beutler.

SENATOR BEUTLER: Senator Lindsay, members of the Legislature, I'd like to have a little dialogue with Senator Bohlke, if I may, on a particular issue. The issue has to do with the requirement in the federal statute that no funds shall be made available, under this act, to any local educational agency, any school district, unless such agency has a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to a school served by such agency. Senator, as you're aware, our state statute makes no such requirement in the statute itself. Could you tell...could you...I wanted to develop a little record on that. Could you tell us why that's not in this particular amendment.

SENATOR BOHLKE: Yes, Senator Beutler. That particular referral to an agency is stated in LB 1250, in the bill last year, the student discipline bill. And because it's in LB 1250, it meets that requirement. On the...Legal Counsel tells me that on the weapon part that's not in that, in 1250, the local school board...they allow the local school board to make that policy decision.

SENATOR BEUTLER: Okay.

SENATOR BOHLKE: And the Department of Education concurs, as we had our dialogue, we said we would go back one more time and check with the Department of Education, and they concurred that that is true.

SENATOR BEUTLER: Okay, as I understand it, there is nothing in state law, nor is there any direction to the Department of Education with respect to referrals having to do with weapons, other than firearms. And it's my understanding that we are expecting the Department of Education to direct the school districts to have in their policies a requirement for referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or a weapon to a school served by such agency. Is that correct?

SENATOR BOHLKE: That's correct, Senator Beutler. The burden will be on the local school districts.

SENATOR BEUTLER: Well, they...the local school districts will be...