

LEGISLATIVE BILL 923

Approved by the Governor April 22, 2014

Introduced by McGill, 26; Murante, 49.

FOR AN ACT relating to schools; to amend section 71-9104, Revised Statutes Cumulative Supplement, 2012; to provide for the position of state school security director; to require assessment of and training on school security; to require training on suicide awareness and prevention as prescribed; to require establishment of tornado preparedness standards; to provide duties for the State Department of Education; to require schools to establish a return to learn protocol for students who have sustained a concussion; and to repeal the original section.

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

Section 1. The position of state school security director is created within the State Department of Education. The Commissioner of Education shall appoint the director based on experience, knowledge, and skills in the field of school security.

Sec. 2. The state school security director appointed pursuant to section 1 of this act 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, 2017;

(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 4 of this act;

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

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

Sec. 3. The State Board of Education, based on the recommendations of the state school security director appointed pursuant to section 1 of this act, may adopt and promulgate rules and regulations establishing minimum school security standards on or before July 1, 2016.

Sec. 4. (1) Beginning in school year 2015-16, all public school nurses, teachers, counselors, school psychologists, administrators, school social workers, and any other appropriate personnel shall receive at least one hour of suicide awareness and prevention training each year. This training shall be provided within the framework of existing inservice training programs offered by the State Department of Education or as part of required professional development activities.

(2) The department, in consultation with organizations including, but not limited to, the Nebraska State Suicide Prevention Coalition, the Nebraska chapter of the American Foundation for Suicide Prevention, the Behavioral Health Education Center of Nebraska, the National Alliance on Mental Illness Nebraska, and other organizations and professionals with expertise in suicide prevention, shall develop a list of approved training materials to fulfill the requirements of subsection (1) of this section. Such materials shall include training on how to identify appropriate mental health services, both within the school and also within the larger community,

and when and how to refer youth and their families to those services. Such materials may include programs that can be completed through self-review of suitable suicide prevention materials.

(3) The department may adopt and promulgate rules and regulations to carry out this section.

Sec. 5. Section 71-9104, Revised Statutes Cumulative Supplement, 2012, is amended to read:

71-9104 (1) Each approved or accredited public, private, denominational, or parochial school shall:

(a) Make available training approved by the chief medical officer on how to recognize the symptoms of a concussion or brain injury and how to seek proper medical treatment for a concussion or brain injury to all coaches of school athletic teams; ~~and~~

(b) Require that concussion and brain injury information be provided on an annual basis to students and the students' parents or guardians prior to such students initiating practice or competition. The information provided to students and the students' parents or guardians shall include, but need not be limited to:

(i) The signs and symptoms of a concussion;

(ii) The risks posed by sustaining a concussion; and

(iii) The actions a student should take in response to sustaining a concussion, including the notification of his or her coaches; ~~and-~~

(c) Establish a return to learn protocol for students that have sustained a concussion. The return to learn protocol shall recognize that students who have sustained a concussion and returned to school may need informal or formal accommodations, modifications of curriculum, and monitoring by medical or academic staff until the student is fully recovered.

(2) (a) A student who participates on a school athletic team shall be removed from a practice or game when he or she is reasonably suspected of having sustained a concussion or brain injury in such practice or game after observation by a coach or a licensed health care professional who is professionally affiliated with or contracted by the school. Such student shall not be permitted to participate in any school supervised team athletic activities involving physical exertion, including, but not limited to, practices or games, until the student (i) has been evaluated by a licensed health care professional, (ii) has received written and signed clearance to resume participation in athletic activities from the licensed health care professional, and (iii) has submitted the written and signed clearance to resume participation in athletic activities to the school accompanied by written permission to resume participation from the student's parent or guardian.

(b) If a student is reasonably suspected after observation of having sustained a concussion or brain injury and is removed from an athletic activity under subdivision (2) (a) of this section, the parent or guardian of the student shall be notified by the school of the date and approximate time of the injury suffered by the student, the signs and symptoms of a concussion or brain injury that were observed, and any actions taken to treat the student.

(c) Nothing in this subsection shall be construed to require any school to provide for the presence of a licensed health care professional at any practice or game.

(d) The signature of an individual who represents that he or she is a licensed health care professional on a written clearance to resume participation that is provided to a school shall be deemed to be conclusive and reliable evidence that the individual who signed the clearance is a licensed health care professional. The school shall not be required to determine or verify the individual's qualifications.

Sec. 6. Original section 71-9104, Revised Statutes Cumulative Supplement, 2012, is repealed.