

AMENDMENTS TO LB 63

(Amendments to E & R amendments, ER8031)

Introduced by Howard, 9.

1           1. Insert the following new sections:

2           Sec. 40. Sections 40 to 44 of this act shall be known and  
3 may be cited as the Lindsay Ann Burke Act.

4           Sec. 41. The Legislature finds and declares that all  
5 students have a right to work and study in a safe, supportive  
6 environment that is free from harassment, intimidation, and  
7 violence. The Legislature further finds that when a student is a  
8 victim of dating violence, his or her academic life suffers and his  
9 or her safety at school is jeopardized. The Legislature therefor  
10 finds and declares that a policy to create a better understanding  
11 and awareness of dating violence shall be adopted by each school  
12 district. It is the intent of the Legislature to require each  
13 school district to establish a policy for educating staff and  
14 students about dating violence.

15           Sec. 42. For purposes of the Lindsay Ann Burke Act,  
16 unless the context otherwise requires:

17           (1) Dating partner means any person, regardless of  
18 gender, involved in an intimate relationship with another person  
19 primarily characterized by the expectation of affectionate  
20 involvement whether casual, serious, or long-term;

21           (2) Dating violence means a pattern of behavior where one  
22 person uses threats of, or actually uses, physical, sexual, verbal,

1 or emotional abuse to control his or her dating partner;

2 (3) Department means the State Department of Education;

3 and

4 (4) School district has the same meaning as in section  
5 79-101.

6 Sec. 43. (1) On or before March 1, 2010, the department  
7 shall develop and adopt a model dating violence policy to assist  
8 school districts in developing policies for dating violence.

9 (2) On or before July 1, 2010, each school district shall  
10 develop and adopt a specific policy to address incidents of dating  
11 violence involving students at school, which shall be made a part  
12 of the requirements for accreditation in accordance with section  
13 79-703. Such policy shall include a statement that dating violence  
14 will not be tolerated.

15 (3) To ensure notice of a school district's dating  
16 violence policy, the policy shall be published in any school  
17 district handbook, manual, or similar publication that sets forth  
18 the comprehensive rules, procedures, and standards of conduct for  
19 students at school.

20 (4) Each school district shall provide dating violence  
21 training to staff deemed appropriate by a school district's  
22 administration. The dating violence training shall include, but  
23 not be limited to, basic awareness of dating violence, warning  
24 signs of dating violence, and the school district's dating violence  
25 policy. The dating violence training may be provided by any school  
26 district or combination of school districts, an educational service  
27 unit, or any combination of educational service units.

1           (5) Each school district shall inform the students'  
2 parents or legal guardians of the school district's dating violence  
3 policy. If requested, the school district shall provide the parents  
4 or legal guardians a copy of the school district's dating violence  
5 policy and relevant information.

6           (6) This section does not prevent a victim of dating  
7 violence from seeking redress under any other available law, either  
8 civil or criminal and does not create or alter any existing tort  
9 liability.

10           Sec. 44. Each school district shall incorporate dating  
11 violence education that is age-appropriate into the school  
12 program. Dating violence education shall include, but not be  
13 limited to, defining dating violence, recognizing dating violence  
14 warning signs, and identifying characteristics of healthy dating  
15 relationships.