

LEGISLATURE OF NEBRASKA
 ONE HUNDRED THIRD LEGISLATURE
 SECOND SESSION
LEGISLATIVE BILL 923

Final Reading

Introduced by McGill, 26; Murante, 49.

Read first time January 15, 2014

Committee: Education

A BILL

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

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

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

5 Sec. 2. The state school security director appointed
6 pursuant to section 1 of this act shall be responsible for providing
7 leadership and support for safety and security for the public
8 schools. Duties of the director include, but are not limited to:

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

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

20 (3) Conducting an assessment of the security of each
21 public school building, which assessment shall be completed by August
22 31, 2017;

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

1 deficiencies;

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

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

7 (7) Overseeing suicide awareness and prevention training
8 in public schools pursuant to section 4 of this act;

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

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

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

20 Sec. 4. (1) Beginning in school year 2015-16, all public
21 school nurses, teachers, counselors, school psychologists,
22 administrators, school social workers, and any other appropriate
23 personnel shall receive at least one hour of suicide awareness and
24 prevention training each year. This training shall be provided within
25 the framework of existing inservice training programs offered by the

1 State Department of Education or as part of required professional
2 development activities.

3 (2) The department, in consultation with organizations
4 including, but not limited to, the Nebraska State Suicide Prevention
5 Coalition, the Nebraska chapter of the American Foundation for
6 Suicide Prevention, the Behavioral Health Education Center of
7 Nebraska, the National Alliance on Mental Illness Nebraska, and other
8 organizations and professionals with expertise in suicide prevention,
9 shall develop a list of approved training materials to fulfill the
10 requirements of subsection (1) of this section. Such materials shall
11 include training on how to identify appropriate mental health
12 services, both within the school and also within the larger
13 community, and when and how to refer youth and their families to
14 those services. Such materials may include programs that can be
15 completed through self-review of suitable suicide prevention
16 materials.

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

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

21 71-9104 (1) Each approved or accredited public, private,
22 denominational, or parochial school shall:

23 (a) Make available training approved by the chief medical
24 officer on how to recognize the symptoms of a concussion or brain
25 injury and how to seek proper medical treatment for a concussion or

1 brain injury to all coaches of school athletic teams; ~~and~~

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

7 (i) The signs and symptoms of a concussion;

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

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

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

18 (2)(a) A student who participates on a school athletic
19 team shall be removed from a practice or game when he or she is
20 reasonably suspected of having sustained a concussion or brain injury
21 in such practice or game after observation by a coach or a licensed
22 health care professional who is professionally affiliated with or
23 contracted by the school. Such student shall not be permitted to
24 participate in any school supervised team athletic activities
25 involving physical exertion, including, but not limited to, practices

1 or games, until the student (i) has been evaluated by a licensed
2 health care professional, (ii) has received written and signed
3 clearance to resume participation in athletic activities from the
4 licensed health care professional, and (iii) has submitted the
5 written and signed clearance to resume participation in athletic
6 activities to the school accompanied by written permission to resume
7 participation from the student's parent or guardian.

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

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

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

25 Sec. 6. Original section 71-9104, Revised Statutes

- 1 Cumulative Supplement, 2012, is repealed.