

AMENDMENTS TO LB1186

Introduced by Wayne, 13.

1 1. Insert the following new section:

2 Sec. 2. (1) Upon receipt from a school district teacher or other
3 employee of a report regarding an incident involving the use of violence,
4 force, coercion, threat, intimidation, or similar conduct by a student in
5 a manner that constitutes a substantial interference with school
6 purposes, a school administrator in such school district shall review the
7 reported incident and develop an individualized response plan in
8 accordance with this section. Such review shall be conducted by the
9 administrator and an assigned school employee.

10 (2) If the report is substantiated, the school administrator shall,
11 in consultation with any teacher or school employee who was subjected to
12 the reported incident, develop an individualized response plan to avoid
13 future dangerous behavior by such student. Such plan may, but is not
14 required to:

15 (a) Minimize any suspension or expulsion of the student;

16 (b) Prioritize counseling and guidance services for the student or
17 educator;

18 (c) Provide positive behavioral interventions and supports, supports
19 designed to address the consequences of trauma, or training for the
20 student or educator regarding positive behavioral interventions or the
21 consequences or trauma;

22 (d) Use restorative practices; and

23 (e) Provide training for school employees who interact with the
24 student.

25 (3) The school district, in consultation with the school
26 administrator, shall provide adequate staffing and professional
27 development to implement the plan.

1 (4) School districts shall provide an annual report to the State
2 Department of Education on the number of incidents involving the use of
3 violence, force, coercion, threat, intimidation, or similar conduct by a
4 student in a manner that constitutes a substantial interference with
5 school purposes.

6 (5)(a) Nothing in this section shall be construed as limiting any
7 federally protected right of a student, including, but not limited to,
8 federally protected rights of students with disabilities.

9 (b) Notwithstanding any provision of this section to the contrary,
10 in the case of a student eligible for services under the federal
11 Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., as
12 such sections existed on January 1, 2020, or protected from
13 discrimination under Section 504 of the federal Rehabilitation Act of
14 1973, 29 U.S.C. 794, as such section existed on January 1, 2020, any
15 discussion or actions related to the identification, evaluation, or
16 educational placement of the student or the provision of a free,
17 appropriate public education to the student must take place through the
18 processes established under federal law.

19 2. Renumber the remaining section accordingly.