

AMENDMENTS TO LB1329
(Amendments to E&R amendments, ER105)

Introduced by Walz, 15.

1 1. Insert the following new sections:

2 Sec. 13. Section 79-262.01, Revised Statutes Supplement, 2023, is
3 amended to read:

4 79-262.01 (1) On or before July 1, 2025, the State Department of
5 Education shall develop and adopt a model policy relating to behavioral
6 intervention, behavioral management, classroom management, and removal of
7 a student from a classroom in school. The model policy shall include
8 appropriate training for school employees on behavioral intervention,
9 behavioral management, classroom management, and removal of a student
10 from a classroom in schools and how frequently such training shall be
11 required. The length of such training shall be a reasonable amount as
12 determined by each school board.

13 (2) On or before August 1, 2025, each school district shall develop
14 and adopt a policy consistent with or comparable to the model policy
15 developed by the State Department of Education pursuant to subsection (1)
16 of this section, which shall be a requirement for accreditation in
17 accordance with section 79-703. Such policy shall be filed with the
18 Commissioner of Education. The policy developed and adopted by a school
19 district pursuant to this subsection shall be included with any
20 notifications required under the Student Discipline Act.

21 (3)(a) Beginning in school year 2026-27, each school district shall
22 ensure that any school employee who has behavioral management
23 responsibilities participates in behavioral awareness and intervention
24 training consistent with the school district policy developed and adopted
25 in accordance with subsection (2) of this section. Such training shall be
26 provided by the school district or such school district's educational

1 service unit. The length of such training shall be a reasonable amount as
2 determined by the school board.

3 (b) Each school district shall, either independently, or through the
4 educational service unit of which such school district is a member,
5 develop and provide behavioral awareness and intervention training to
6 employees from such school who have behavioral management
7 responsibilities. If such training is provided by the educational service
8 unit, such training shall be available to any educational service unit
9 employee and any member school district employee that works in a school
10 and has behavioral management responsibilities. Such training shall be
11 consistent with the model policy developed by the State Department of
12 Education pursuant to subsection (1) of this section.

13 (4) The State Board of Education may adopt and promulgate rules and
14 regulations to carry out this section.

15 Sec. 14. Section 79-2,141, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 79-2,141 (1) On or before March 1, 2010, the department shall
18 develop and adopt a model dating violence policy to assist school
19 districts in developing policies for dating violence.

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

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

30 (4) Each school district shall provide dating violence training to
31 staff deemed appropriate by a school district's administration. The

1 dating violence training shall include, but not be limited to, basic
2 awareness of dating violence, warning signs of dating violence, and the
3 school district's dating violence policy. The dating violence training
4 may be provided by any school district or combination of school
5 districts, an educational service unit, or any combination of educational
6 service units. The length of such training shall be a reasonable amount
7 as determined by each school board.

8 (5) Each school district shall inform the students' parents or legal
9 guardians of the school district's dating violence policy. If requested,
10 the school district shall provide the parents or legal guardians a copy
11 of the school district's dating violence policy and relevant information.

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

15 Sec. 15. Section 79-2,145, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 79-2,145 The State Board of Education, based on the recommendations
18 of the state school security director appointed pursuant to section
19 79-2,143, may adopt and promulgate rules and regulations establishing
20 minimum school security standards on or before July 1, 2016. Any rules or
21 regulations that create a training requirement shall ensure that such
22 training requirement shall be reasonable in length.

23 Sec. 16. Section 79-2,146, Revised Statutes Supplement, 2023, is
24 amended to read:

25 79-2,146 (1) Beginning in school year 2023-24, all public school
26 employees who interact with students and any other appropriate personnel,
27 as determined by the school superintendent, shall receive ~~at least one~~
28 ~~hour~~ of behavioral and mental health training with a focus on suicide
29 awareness and prevention training each year. The length of such training
30 shall be a reasonable amount as determined by each school board. Such
31 training may include, but need not be limited to, topics such as

1 identification of early warning signs and symptoms of behavioral and
2 mental health issues in students, appropriate and effective responses for
3 educators to student behavioral and mental health issues, trauma-informed
4 care, and procedures for making students and parents and guardians aware
5 of services and supports for behavioral and mental health issues. This
6 training shall be provided within the framework of existing inservice
7 training programs offered by the State Department of Education or as part
8 of required professional development activities.

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

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

24 Sec. 70. Section 79-3105, Revised Statutes Cumulative Supplement,
25 2022, is amended to read:

26 79-3105 The department shall provide training for the members of any
27 threat assessment team serving a public or nonpublic school. Such
28 training shall provide the knowledge and skill to allow threat assessment
29 teams to work collaboratively to conduct threat assessments, engage in
30 crisis intervention, increase awareness of concerning behavior among
31 school staff, students, and the public, and interrupt violence in the

1 planning stage to thwart potential harm to persons and property. Such
2 training shall be reasonable in length.

3 Sec. 74. Section 79-3602, Revised Statutes Supplement, 2023, is
4 amended to read:

5 79-3602 (1)(a) Beginning in school year 2024-25, the Educational
6 Service Unit Coordinating Council shall (i) ensure annual behavioral
7 awareness training is available statewide and (ii) develop, implement,
8 and administer an ongoing statewide teacher support system.

9 (b) Beginning in school year 2026-27, each school district shall
10 ensure that each administrator, teacher, paraprofessional, school nurse,
11 and counselor receives behavioral awareness training. The length of such
12 training shall be a reasonable amount as determined by each school board.

13 Each administrator, teacher, paraprofessional, school nurse, and
14 counselor who has received such training shall receive a behavioral
15 awareness training review at least once every three years. Each school
16 district may offer such training, or similar training, to any other
17 school employees at the discretion of the school district. In addition,
18 all school employees shall have a basic awareness of the goals,
19 strategies, and schoolwide plans included in such training.

20 (c) Behavioral awareness training shall include, but not be limited
21 to, evidence-based training on a continuum that includes:

22 (i) Recognition of detrimental factors impacting student behavior,
23 including, but not limited to, signs of trauma;

24 (ii) Positive behavior support and proactive teaching strategies,
25 including, but not limited to, expectations and boundaries; and

26 (iii) Verbal intervention and de-escalation techniques.

27 (2)(a) On or before July 1, 2025, and on or before July 1 of each
28 year thereafter, each school district shall submit a behavioral awareness
29 training report to the Educational Service Unit Coordinating Council.
30 Such report shall include the school district behavioral awareness
31 training plan and summarize how such plan fulfills the requirements of

1 this section.

2 (b) On or before December 31, 2025, and each December 31 thereafter,
3 the Educational Service Unit Coordinating Council shall submit a report
4 electronically to the Education Committee of the Legislature summarizing
5 the behavioral awareness training reports received by school districts,
6 the various trainings provided across the state, the teacher support
7 system, and a financial report of funding received and expended in
8 accordance with the Behavioral Intervention Training and Teacher Support
9 Act.

10 (3)(a) Behavioral awareness training and the teacher support system
11 required pursuant to this section shall be funded from the Behavioral
12 Training Cash Fund.

13 (b) Any funding received by a school district for behavioral
14 awareness training under the Behavioral Intervention Training and Teacher
15 Support Act shall be considered special grant funds under section
16 79-1003.

17 Sec. 75. Section 79-3603, Revised Statutes Supplement, 2023, is
18 amended to read:

19 79-3603 (1) Each school district shall designate one or more school
20 employees as a behavioral awareness point of contact for each school
21 building or other division as determined by such school district. Each
22 behavioral awareness point of contact shall be trained in behavioral
23 awareness and shall have knowledge of community service providers and
24 other resources that are available for the students and families in such
25 school district. The length of such training shall be a reasonable amount
26 as determined by the school board.

27 (2) Each school district shall maintain or have access to a registry
28 of local mental health and counseling resources. The registry shall
29 include resource services that can be accessed by families and
30 individuals outside of school. Each behavioral awareness point of contact
31 shall coordinate access to support services for students whenever

1 possible. Except as provided in section 43-2101, if information for an
2 external support service is provided to an individual student, school
3 personnel shall notify a parent or guardian of such student in writing
4 unless such recommendation involves law enforcement or child protective
5 services. Each school district shall indicate each behavioral awareness
6 point of contact for such school district on the website of the school
7 district and in any school directory for the school that the behavioral
8 awareness point of contact serves.

9 2. Renumber the remaining sections and correct internal references
10 and the repealer accordingly.