

SENATE No. 285

The Commonwealth of Massachusetts

PRESENTED BY:

Barry R. Finegold

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to safety and violence education for students (the SAVE Students Act).

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Barry R. Finegold</i>	<i>Second Essex and Middlesex</i>	
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/25/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/25/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/30/2019</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>1/30/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/30/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/30/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>1/31/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>1/31/2019</i>
<i>Edward J. Kennedy</i>	<i>First Middlesex</i>	<i>1/31/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/31/2019</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>2/1/2019</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	<i>2/1/2019</i>
<i>Dean A. Tran</i>	<i>Worcester and Middlesex</i>	<i>2/1/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/1/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/1/2019</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/1/2019</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/1/2019</i>

<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/1/2019</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>2/6/2019</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>2/8/2019</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/8/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/11/2019</i>

SENATE No. 285

By Mr. Finegold, a petition (accompanied by bill, Senate, No. 285) of Barry R. Finegold, Angelo J. Puppolo, Jr., Jason M. Lewis, Bruce E. Tarr and other members of the General Court for legislation relative to safety and violence education for students (the SAVE Students Act) Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to safety and violence education for students (the SAVE Students Act).

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 71 of the General Laws, as appearing in the 2014 Official Edition,
2 is hereby amended by inserting after section 97 the following section:-

3 Section 98. (a) As used in this section the following words shall, unless the context
4 clearly requires otherwise, have the following meanings:-

5 "Department", the department of elementary and secondary education.

6 "Evidence-based", a program or practice that (i) demonstrates a statistically significant
7 effect on relevant outcomes based on (1) strong evidence from not less than 1 well-designed and
8 well-implemented experimental study; (2) moderate evidence from not less than 1 well-designed
9 and well-implemented quasi-experimental study; or (3) promising evidence from not less than 1
10 well-designed and well-implemented correlational study with statistical controls for selection
11 bias; or (ii) demonstrates a rationale based on high-quality research findings or positive

12 evaluation that such program or practice is likely to improve relevant outcomes and includes
13 ongoing efforts to examine the effects of the program or practice.

14 “School”, a school administered by a school department of a city or town or regional
15 school district, a county agricultural school, a commonwealth charter school or Horace Mann
16 charter school established pursuant to section 89, an educational collaborative established
17 pursuant to section 4E of chapter 40, or an approved private day or residential school that
18 accepts, through agreement with a school committee, a child requiring special education pursuant
19 to section 10 of chapter 71B.

20 (b) The department shall, in consultation with state agencies, require that each school
21 serving students in grades 6-12 has a school-based threat assessment team, as defined in this
22 paragraph, that is trained and certified in school threat assessment and is provided with a model
23 threat assessment policy.

24 The department shall develop and provide a model threat assessment policy that at
25 minimum

26 (i) identifies the types of threatening behavior that may represent a physical threat to the
27 school community; (ii) identifies members within the school community to whom threatening
28 behavior should be reported and the steps to be taken thereafter; (iii) establishes guidelines
29 ensuring that where a credible threat has been identified, the response is in conformance with any
30 applicable state and school disciplinary policies and that no disciplinary action is applied
31 disproportionately to students in any protected class identified in any policy of the department,
32 district or school or in federal or state law; and (iv) establishes procedures and protocol for
33 coordinating with local law enforcement, existing state reporting websites, and tip lines.

34 Approved threat assessment trainings must be evidence-based programs that teach how to
35 identify, assess, and respond to threats of violence and self-harm, including identification of
36 threats, signs and behaviors that could result in harm towards self or others; evaluation of the
37 seriousness of the threat or danger it poses to others; intervention to reduce risk of violence; and
38 follow-up to assess intervention results.

39 Each school serving students in grades 6-12 shall identify a school-based threat
40 assessment team, within each school building, responsible for completing an evidence-based
41 threat assessment training meeting the requirements of this paragraph. School-based threat
42 assessment teams should be multidisciplinary, whenever possible, and may include
43 administrators, mental health professionals, school resource officers, and other professionals.

44 School-based threat assessment teams shall complete retraining every 3 years in an
45 evidence-based threat assessment training meeting the requirements of this paragraph.

46 Each school district shall submit to the department annual certification that each school-
47 based threat assessment team in the district has been trained in an approved threat assessment
48 training within the last three years, including the date of the training.

49 The department shall make a list of approved, evidence-based threat assessment trainings,
50 including no-cost programming, publicly available on its website.

51 (c) The department shall require that each school serving students in grades 6-12 provides
52 students at least one hour of evidence-based suicide awareness and prevention training each
53 school year.

54 The department shall develop a list of evidence-based trainings and materials, including
55 no-cost programming, to fulfill the requirements of this paragraph. Trainings shall, at a
56 minimum, teach students how to identify the signs and signals of depression, suicide and self-
57 injury in themselves and peers, the importance of seeking help for self and peers, and the process
58 for seeking such help.

59 The department shall make a list of evidence-based suicide prevention trainings,
60 including no-cost programming, publicly available on its website.

61 (d) The department shall require that each school serving students in grades 6-12
62 provides students at least one hour of evidence-based youth violence prevention training each
63 school year.

64 The department shall develop a list of evidence-based trainings and materials, including
65 no-cost programming, to fulfill the requirements of this paragraph. Trainings shall, at a
66 minimum, teach students how to identify observable warning signs and signals of an individual
67 who may be a threat to themselves or others; the importance of taking threats seriously and
68 seeking help; and the steps they can take to report dangerous, violent, or unlawful activity.

69 The department shall make the list of evidence-based youth violence prevention trainings,
70 including no-cost programming, publicly available on its website.

71 (e) The department shall require that each school serving students in grades 6-12
72 provides students at least one hour of evidence-based social inclusion training each school year.

73 The department shall develop a list of evidence-based trainings and materials that fulfill
74 the requirements of this paragraph. Trainings shall, at a minimum, teach students what social

75 isolation is and how to identify social isolation in others; the importance of taking social
76 isolation seriously and seeking help for peers; and how to use strategies to be more socially
77 inclusive in the classroom and community and to establish connections with peers.

78 The department shall make the list of evidence-based social inclusion trainings, including
79 no-cost programing, publicly available on its website.

80 (f) The department shall require each school serving students in grades 6-12 to designate
81 a student-led violence prevention club that is open to all members of the student body and has at
82 least one identified adult advisor.

83 The student violence prevention club shall, at a minimum, implement and sustain suicide
84 and violence prevention and social inclusion trainings and awareness activities required by the
85 department and foster opportunities for student leadership development.

86 (g) The department shall, in collaboration with other agencies, make available to all
87 schools a statewide Anonymous Reporting Program. Said program shall enable any person to
88 report anonymously a dangerous, violent or unlawful activity which occurs, or is threatened on,
89 school property or which relates to an enrolled student or school personnel.

90 The department shall identify and compile a state database that includes, at a minimum,
91 the following identified individuals for the purposes of implementing and coordinating the
92 delivery of the Anonymous Reporting Program: a point of contact within each local law
93 enforcement department and a primary point of contact within each school who is responsible for
94 managing the school-based threat assessment team as defined in this section.

95 To fulfill the requirements of this section, the department shall operate a hotline,
96 multilingual crisis center, website, and mobile phone application to receive anonymous reports
97 through the Anonymous Reporting Program. Said program response shall be staffed by
98 individuals with evidence-based counseling and crisis intervention training.

99 The Anonymous Reporting Program shall, at a minimum, meet the following
100 requirements: (i) support 24/7 anonymous reporting; (ii) promptly forward reported information
101 to the appropriate school and law enforcement agencies, as applicable, and certain other persons
102 as determined by the department; (iii) support a coordinated response by schools and law
103 enforcement to an identified crisis when response by both parties is to be reasonably expected;
104 (iv) require and certify the training of school-based threat assessment teams in each school,
105 comprised of at least 3 staff members, to receive notice of any report submitted to the
106 Anonymous Reporting Program concerning the school, school personnel, or an enrolled student;
107 (v) require and certify the training of law enforcement in each local department to receive notice
108 of any report submitted to the Anonymous Reporting Program that requires law enforcement
109 response; (vi) promote public awareness and education about the Anonymous Reporting
110 Program and its reporting methods, prior to its launch; (vii) implement an evidence-based student
111 violence prevention training that teaches students how to identify observable warning signs and
112 signals of an individual who may be a threat to themselves or others, the importance of taking
113 threats seriously and seeking help, and how to report a threat using the Anonymous Reporting
114 Program; and (viii) be in compliance with the Federal Educational Rights and Privacy Act, 20
115 U.S.C. § 1232g, and relevant state laws.

116 In the first year in which an Anonymous Reporting Program is implemented, the
117 department shall require all school districts to submit a report containing the total number of

118 disciplinary actions in the previous 12 months, disaggregated by school, type of disciplinary
119 action, as well as the gender and race of the student subject to the disciplinary action.

120 Each year following implementation of the Anonymous Reporting Program, the
121 department shall require all school districts to submit annual reports reflecting the total number
122 of anonymous tips received and total number of disciplinary actions taken. Reports shall include,
123 at a minimum: (1) the total number of reports received for the previous school year; (2) the total
124 number of reports received since the program began, disaggregated by school, and for each
125 school (i) reports by type; (ii) the method by which the report was received; (iii) the total number
126 of false reports received; (iv) any other information the department deems appropriate; and (3)
127 the total number of responses, including disciplinary actions and mental wellness referrals,
128 disaggregated by type as well as the gender and race of the student subject to the disciplinary
129 action or referral.

130 False reports by anyone age 18 and older, including but not limited to reports targeting
131 students in any protected class identified in any policy of the department, district or school or in
132 federal or state law, shall be a misdemeanor if the person knowingly or intentionally makes a
133 false report to the Anonymous Reporting Program.

134 If a report filed with the Anonymous Reporting Program is determined to be a false
135 report, information about the subject of the false report shall be immediately removed from the
136 subject student's record, including records held by the district, school, and law enforcement.

137 (h) No person shall have a cause of action for loss or damage caused by an act or
138 omission resulting from the implementation of this section or resulting from the training or lack
139 of training required by this section.

140 (i) The training or lack of training required by this section shall not be construed to
141 impose a specific duty of care.

142 SECTION 2. This act shall take effect 12 months from its enactment.

143 SECTION 3. The board of elementary and secondary education may promulgate
144 regulations necessary to implement this act.