

HOUSE No. 483

The Commonwealth of Massachusetts

PRESENTED BY:

Natalie M. Higgins

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:	DATE ADDED:
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/18/2019</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/20/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/23/2019</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/24/2019</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>1/24/2019</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>1/24/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/26/2019</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>1/29/2019</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>1/29/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/29/2019</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>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/30/2019</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>	<i>1/30/2019</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>1/30/2019</i>
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>1/30/2019</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>1/30/2019</i>

<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>1/31/2019</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	<i>1/31/2019</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	<i>1/31/2019</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>1/31/2019</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/31/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>1/31/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/31/2019</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>	<i>1/31/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2019</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>1/31/2019</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>	<i>1/31/2019</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>	<i>1/31/2019</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/1/2019</i>
<i>Daniel R. Cullinane</i>	<i>12th Suffolk</i>	<i>2/1/2019</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>2/1/2019</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</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>James Arciero</i>	<i>2nd Middlesex</i>	<i>2/1/2019</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/1/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/1/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/1/2019</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>2/1/2019</i>

HOUSE No. 483

By Ms. Higgins of Leominster, a petition (accompanied by bill, House, No. 483) of Natalie M. Higgins and others relative to safety and violence education for students. 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

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

6

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

8 "Evidence-based", a program or practice that (i) demonstrates a statistically significant
9 effect on relevant outcomes based on (1) strong evidence from not less than 1 well-designed and
10 well-implemented experimental study; (2) moderate evidence from not less than 1 well-designed
11 and well-implemented quasi-experimental study; or (3) promising evidence from not less than 1

12 well-designed and well-implemented correlational study with statistical controls for selection
13 bias; or (ii) demonstrates a rationale based on high-quality research findings or positive
14 evaluation that such program or practice is likely to improve relevant outcomes and includes
15 ongoing efforts to examine the effects of the program or practice.

16

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

23

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

28

29 The department shall develop and provide a model threat assessment policy that at
30 minimum

31 (i) identifies the types of threatening behavior that may represent a physical threat to the
32 school community; (ii) identifies members within the school community to whom threatening

33 behavior should be reported and the steps to be taken thereafter; (iii) establishes guidelines
34 ensuring that where a credible threat has been identified, the response is in conformance with any
35 applicable state and school disciplinary policies and that no disciplinary action is applied
36 disproportionately to students in any protected class identified in any policy of the department,
37 district or school or in federal or state law; and (iv) establishes procedures and protocol for
38 coordinating with local law enforcement, existing state reporting websites, and tip lines.

39

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

45

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

51

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

54

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

58

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

61

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

65

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

71

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

74

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

78

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

84

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

87

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

90

91 The department shall develop a list of evidence-based trainings and materials that fulfill
92 the requirements of this paragraph. Trainings shall, at a minimum, teach students what social
93 isolation is and how to identify social isolation in others; the importance of taking social

94 isolation seriously and seeking help for peers; and how to use strategies to be more socially
95 inclusive in the classroom and community and to establish connections with peers.

96

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

99

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

103

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

107

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

112

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

118

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

123

124 The Anonymous Reporting Program shall, at a minimum, meet the following
125 requirements: (i) support 24/7 anonymous reporting; (ii) promptly forward reported information
126 to the appropriate school and law enforcement agencies, as applicable, and certain other persons
127 as determined by the department; (iii) support a coordinated response by schools and law
128 enforcement to an identified crisis when response by both parties is to be reasonably expected;
129 (iv) require and certify the training of school-based threat assessment teams in each school,
130 comprised of at least 3 staff members, to receive notice of any report submitted to the
131 Anonymous Reporting Program concerning the school, school personnel, or an enrolled student;
132 (v) require and certify the training of law enforcement in each local department to receive notice
133 of any report submitted to the Anonymous Reporting Program that requires law enforcement
134 response; (vi) promote public awareness and education about the Anonymous Reporting

135 Program and its reporting methods, prior to its launch; (vii) implement an evidence-based student
136 violence prevention training that teaches students how to identify observable warning signs and
137 signals of an individual who may be a threat to themselves or others, the importance of taking
138 threats seriously and seeking help, and how to report a threat using the Anonymous Reporting
139 Program; and (viii) be in compliance with the Federal Educational Rights and Privacy Act, 20
140 U.S.C. § 1232g, and relevant state laws.

141

142 In the first year in which an Anonymous Reporting Program is implemented, the
143 department shall require all school districts to submit a report containing the total number of
144 disciplinary actions in the previous 12 months, disaggregated by school, type of disciplinary
145 action, as well as the gender and race of the student subject to the disciplinary action.

146

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

157

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

162

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

166

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

170

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

173

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

175

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