

**SENATE . . . . . No. 285**

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**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> |
| <i>Paul F. Tucker</i>         | <i>7th Essex</i>                                      | <i>5/22/2019</i> |
| <i>James T. Welch</i>         | <i>Hampden</i>  | <i>6/10/2019</i> |
| <i>Patricia D. Jehlen</i>     | <i>Second Middlesex</i>                               | <i>6/27/2019</i> |
| <i>Adam G. Hinds</i>          | <i>Berkshire, Hampshire, Franklin and<br/>Hampden</i> | <i>7/22/2019</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 programming, 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.