

SENATE No. 336**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>2/16/2021</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	<i>2/16/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/16/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/16/2021</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>2/26/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/26/2021</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/26/2021</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>3/5/2021</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>3/5/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>3/5/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>3/11/2021</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/31/2021</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	<i>3/31/2021</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>6/21/2021</i>

SENATE No. 336

By Mr. Finegold, a petition (accompanied by bill, Senate, No. 336) of Barry R. Finegold, Angelo J. Puppolo, Jr., Michael F. Rush, Jack Patrick Lewis and other members of the General Court for legislation relative to safety and violence education for students (the SAVE Students Act). Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 285 OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

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

and well-implemented quasi-experimental study; or (3) promising evidence from not less than 1 well-designed and well-implemented correlational study with statistical controls for selection bias; or (ii) demonstrates a rationale based on high-quality research findings or positive evaluation that such program or practice is likely to improve relevant outcomes and includes ongoing efforts to examine the effects of the program or practice.

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

“Social Isolation”, a state in which a student engages in low relative frequencies of peer interactions, and experiences or perceives low levels of peer acceptance or high levels of peer rejection, which frequently excludes them from social interactions and relationships with friends, classmates, and members of the community.

“Social Inclusion”, a state in which all students are valued and feel that they have consistent opportunities to engage in meaningful activities and interactions with their friends, classmates, and members of the community regardless of their identity.

(b) The department shall develop and provide an evidence-based model threat assessment policy for use in schools serving students in grades 6-12 that at minimum (i) identifies the types of threatening behavior that may represent a physical threat to the school community; (ii) identifies members within the school community to whom threatening behavior should be

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

36 law enforcement, existing state reporting websites, and tip lines. The model policy shall
37 take into account the requirements of Section 363 of Chapter 159 of the Acts of 2000 and
38 Section 8A of chapter 69. Schools may, but are not required to, adopt the model policy.

39 The department shall make a list of evidence-based threat assessment trainings, publicly
40 available on its website.

41 (c) The department shall require that each school serving students in grades 6-12 provides
42 students at least one hour or one standard class period of evidence-based suicide awareness and
43 prevention training each school year. Such training may be delivered in-person or digitally.

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

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

(d) The department shall require that each school serving students in grades 6-12 provides students at least one hour or one standard class period of evidence-based youth violence prevention training each school year. Such training may be delivered in-person or digitally.

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

The department shall make the list of evidence-based youth violence prevention trainings, including no-cost programming, publicly available on its website. A training program combining the requirements set forth in this subsection and subsection (c) shall be deemed to meet the requirements of each subsection.

(e) The department shall require that each school serving students in grades 6-12 provides students at least one hour or one standard class period of evidence-based social inclusion training each school year. Such training may be delivered in-person or digitally.

The department shall develop a list of evidence-based trainings and materials that fulfill the requirements of this paragraph. Trainings shall, at a minimum, teach students what social isolation is and how to identify social isolation in others; the importance of taking social isolation seriously and seeking help for peers; and how to use strategies to be more socially inclusive in the classroom and community and to establish connections with peers.

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

(f) The department may allow schools to request a waiver to the requirements in Sections c, d & e if they can demonstrate comparable instruction in these areas as determined by the department.

(g) The department shall encourage each school serving students in grades 6-12 to designate a student-led violence prevention club, extracurricular group, or program that is open to all members of the student body and has at least one identified adult advisor.

The student violence prevention club, extracurricular group, or program shall, at a minimum, implement and sustain suicide and violence prevention and social inclusion awareness activities related to the trainings required by the department and foster opportunities for student leadership development.

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

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

To fulfill the requirements of this section, the department shall operate a hotline, multilingual crisis center, website, and mobile phone application to receive anonymous reports

through the Anonymous Reporting Program. Said program response shall be staffed by individuals with evidence-based counseling and crisis intervention training.

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

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

Each year following implementation of the Anonymous Reporting Program, the department shall require all school districts to submit annual reports reflecting the total number of anonymous tips received and total number of disciplinary actions taken. Reports shall include,

at a minimum: (1) the total number of reports received for the previous school year; (2) the total number of reports received since the program began, disaggregated by school, and for each school (i) reports by type; (ii) the method by which the report was received; (iii) the total number of false reports received; (iv) any other information the department deems appropriate; and (3) the total number of responses, including disciplinary actions and mental wellness referrals, disaggregated by type as well as the gender and race of the student subject to the disciplinary action or referral. Any data collected by the Anonymous Reporting Program or reported to the Department of Elementary and Secondary Education shall be subject to the requirements of Chapter 66.

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

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

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

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

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

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