

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 177

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DATE	D-PG	OFFICIAL STATUS
01/17/2019	102	Introduction and first reading Referred to E-12 Finance and Policy
02/14/2019	350a	Comm report: Amended, No recommendation, re-referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act

1.2 relating to education; requiring school safety assessment teams; appropriating

1.3 money; proposing coding for new law in Minnesota Statutes, chapter 121A.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[121A.35] SCHOOL SAFETY ASSESSMENT.**

1.6 Subdivision 1. **School safety assessment.** "School safety assessment" means a fact-based

1.7 process using an integrated team approach that helps schools evaluate and assess potentially

1.8 threatening situations or students whose behavior may pose a threat to the safety of the

1.9 school, staff, or students.

1.10 Subd. 2. **Policy.** A school board must adopt a policy to establish safety assessment teams

1.11 to conduct school safety assessments consistent with subdivision 1. A safety assessment

1.12 policy must be consistent with district policies in section 121A.035 and with any guidance

1.13 provided by the Department of Public Safety's School Safety Center. A safety assessment

1.14 policy must include procedures for referrals to mental health providers or health care

1.15 providers for evaluation or treatment when appropriate. A safety assessment policy must

1.16 require notice to the parent or guardian of a student whose behavior is assessed under this

1.17 section unless notice to the parent or guardian is not in the minor's best interests, consistent

1.18 with sections 13.02, subdivision 8, and 13.32, subdivision 2.

1.19 Subd. 3. **Oversight.** The superintendent of a school district must establish a committee

1.20 or individual charged with oversight of the safety assessment teams operating within the

1.21 district, which may be an existing committee established by the school board.

2.1 Subd. 4. Safety assessment teams. (a) The superintendent of a school district must
2.2 establish for each school a safety assessment team that includes, to the extent practicable,
2.3 school officials with expertise in counseling, school psychology, school administration,
2.4 students with disabilities, and law enforcement. The team may include human resources or
2.5 legal counsel if the potential threatening behavior involves someone who is not a student.
2.6 The team may include the juvenile prosecutor whose jurisdiction includes the area within
2.7 the school district. A safety assessment team may serve one or more schools, as determined
2.8 by the superintendent.

2.9 (b) A safety assessment team must:

2.10 (1) provide guidance to school staff and students regarding recognition of threatening
2.11 or concerning behavior that may represent a threat to the community, school, staff, or
2.12 students, and the members of the school to whom threatening or aberrant behavior should
2.13 be reported;

2.14 (2) consider whether there is sufficient information to determine whether a student or
2.15 another individual poses a threat;

2.16 (3) implement a policy adopted by the school board under subdivision 2; and

2.17 (4) report summary data on its activities according to guidance developed by the School
2.18 Safety Center.

2.19 (c) Upon a preliminary determination that a student poses a threat of violence or physical
2.20 harm to others, a safety assessment team must immediately report its determination to the
2.21 district superintendent or the superintendent's designee, who must immediately attempt to
2.22 notify the student's parent or legal guardian. The safety assessment team must consider
2.23 services to address the student's underlying behavioral or mental health issues, which may
2.24 include mental health treatment, social work services, character education consistent with
2.25 section 120B.232, evidence-based social emotional learning, and referrals for special
2.26 education or section 504 evaluations.

2.27 (d) Upon determining that a student exhibits suicidal ideation or self-harm, a school
2.28 safety assessment team must follow the district's suicide prevention policy or protocol or
2.29 refer the student to an appropriate school-linked mental health professional or other support
2.30 personnel. Access to information regarding a student exhibiting suicidal ideation or self-harm
2.31 is subject to section 13.32, subdivision 2.

2.32 (e) Nothing in this section precludes a school district official or employee from acting
2.33 immediately to address an imminent threat.

3.1 Subd. 5. **Redislosure.** (a) A safety assessment team member must not redisclose
 3.2 educational records or use any record of an individual beyond the purpose for which the
 3.3 disclosure was made to the safety assessment team. A school district employee who has
 3.4 access to information related to a safety assessment is subject to this subdivision.

3.5 (b) Nothing in this section prohibits the disclosure of educational records in health,
 3.6 including mental health, and safety emergencies in accordance with state and federal law.

3.7 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

3.8 Sec. 2. **APPROPRIATIONS.**

3.9 Subdivision 1. **Commissioner of education.** The sums indicated in this section are
 3.10 appropriated from the general fund to the commissioner of education in the fiscal years
 3.11 designated.

3.12 Subd. 2. **Safety assessment grants.** (a) For grants to school districts for training for
 3.13 members of safety assessment teams and oversight committees under Minnesota Statutes,
 3.14 section 121A.35:

3.15 \$ 300,000 2020

3.16 \$ 0 2021

3.17 (b) The commissioner and the director of the Minnesota School Safety Center are
 3.18 encouraged to develop safety assessment training guidelines and provide school districts a
 3.19 list of approved safety assessment training programs.

3.20 (c) Of these amounts, up to three percent is for administering the grant. The commissioner
 3.21 may use the administration funds for developing model safety assessment policies,
 3.22 procedures, and guidelines.

3.23 (d) This is a onetime appropriation. This appropriation is available until June 30, 2021.