MISSISSIPPI LEGISLATURE

By: Representatives Baker, Sykes, Arnold, Boyd, Faulkner, Mickens, Hale

To: Education

HOUSE BILL NO. 1283
(As Sent to Governor)

1 AN ACT ENTITLED THE "MISSISSIPPI SCHOOL SAFETY ACT OF 2019";
2 TO AMEND SECTION 37-11-5, MISSISSIPPI CODE OF 1972, TO REQUIRE
3 SCHOOL DISTRICTS TO DEVELOP AND CONDUCT AN ACTIVE SHOOTER DRILL
4 WITHIN THE FIRST 60 DAYS OF EACH NEW SCHOOL SEMESTER FOR STUDENTS
5 AND STAFF AND TO REQUIRE ALL SCHOOL DISTRICT EMPLOYEES TO ATTEND
6 CIVILIAN RESPONSE TO ACTIVE SHOOTER EVENTS (CRASE) TRAINING
7 ANNUALLY; TO AMEND SECTION 37-3-83, MISSISSIPPI CODE OF 1972, TO
8 PROVIDE THAT THE SCHOOL SAFETY GRANT PROGRAM ADMINISTERED BY THE
9 STATE DEPARTMENT OF EDUCATION SHALL INCLUDE A PILOT PROGRAM TO
10 IMPLEMENT A DEVELOPMENTALLY APPROPRIATE SOCIAL AND EMOTIONAL
11 CURRICULUM FOR STUDENTS IN GRADES K-5; TO REQUIRE SCHOOL EMPLOYEES
12 TO COMPLETE A TRAINING OR PROFESSIONAL DEVELOPMENT COURSE IN
13 MENTAL HEALTH EVERY TWO YEARS; TO AMEND SECTION 37-3-93,
14 MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI OFFICE OF
15 HOMELAND SECURITY TO DEVELOP A CURRICULUM, TRAIN AND CERTIFY
16 THREAT ASSESSMENT OFFICERS; TO REQUIRE CERTIFIED THREAT ASSESSMENT
17 OFFICERS TO CONDUCT ANNUAL INSPECTIONS AND THREAT ASSESSMENT OF
18 EACH PUBLIC SCHOOL IN THE STATE, DEVELOP AN IMPROVEMENT PLAN FOR
19 EACH SCHOOL INSPECTED AND PROVIDE REPORTS OF SUCH FINDINGS TO
20 LOCAL LAW ENFORCEMENT AGENCIES AND THE LOCAL SCHOOL BOARD WITHIN
21 FOUR WEEKS OF COMPLETION; TO BRING FORWARD SECTION 37-3-89,
22 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS;
23 TO AMEND SECTION 37-3-91, MISSISSIPPI CODE OF 1972, TO EXPAND
24 STUDENT ACCESS TO LOCAL MENTAL HEALTH RESOURCES UNDER THE REGIONAL
25 BEHAVIORAL MANAGEMENT PROGRAM WITH THE DEVELOPMENT OF STATE
26 STANDARDIZED MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN COMMUNITY
27 MENTAL HEALTH CENTERS AND FACILITIES AND SCHOOL DISTRICTS TO
28 INCLUDE REFERRAL PROTOCOLS AND TO TRAIN SCHOOL PERSONNEL TO
29 CONDUCT INITIAL BEHAVIORAL HEALTH SCREENINGS OF STUDENTS WHO
30 EXPERIENCE STRESS OR ARE AT RISK OF HARM; TO AMEND SECTION
31 37-3-82, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ADDITIONAL STATE
32 FUNDING OF SCHOOL RESOURCE OFFICERS BY THE STATE DEPARTMENT OF
33 EDUCATION UNDER THE MISSISSIPPI COMMUNITY ORIENTED Policing
34 SERVICES IN SCHOOLS (MCOPS) PROGRAM; TO CODIFY SECTION 95-15-1,
MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF
EDUCATION TO RAISE STATEWIDE AWARENESS REGARDING THE "SEE
SOMETHING SAY SOMETHING ACT" AND PROVIDE IMMUNITY FROM LIABILITY
FOR GOOD FAITH REPORTING OF SUSPICIOUS ACTIVITY OR BEHAVIOR; TO
AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO DIRECT THE
DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH THE MISSISSIPPI ANALYSIS
AND INFORMATION CENTER (MSAIC FUSION CENTER) IN THE OFFICE OF
HOMELAND SECURITY AND TO EMPLOY REGIONAL ANALYSTS DEDICATED TO
STATEWIDE SOCIAL MEDIA INTELLIGENCE PLATFORM THREATS AND THE
DISSEMINATION OF SCHOOL SAFETY INFORMATION; AND FOR RELATED
PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. This act shall be entitled and may be cited as the "Mississippi School Safety Act of 2019."

SECTION 2. Section 37-11-5, Mississippi Code of 1972, is amended as follows:

37-11-5. It shall be the duty of the principals and teachers in all public school buildings to instruct the pupils in the methods of fire drills and to practice fire drills until all the pupils in the school are familiar with the methods of escape. Such fire drills shall be conducted often enough to keep such pupils well drilled. It shall be the further duty of such principals and teachers to instruct the pupils in all programs of emergency management as may be designated by the State Department of Education.

(2) It shall be the further duty of such principals and teachers to develop and conduct an active shooter drill within the first sixty (60) days of each new school semester for students, teachers and staff.

SECTION 3. Section 37-3-83, Mississippi Code of 1972, is amended as follows:
There is established within the State Department of Education, using only existing staff and resources, a School Safety Grant Program, available to all eligible public school districts, to assist in financing programs to provide school safety. However, no monies from the Temporary Assistance for Needy Families grant may be used for the School Safety Grant Program.

The school board of each school district, with the assistance of the State Department of Education School Safety Center, shall adopt a comprehensive local school district school safety plan and shall update the plan on an annual basis.

Subject to the extent of appropriations available, the School Safety Grant Program shall offer any of the following specific preventive services, and other additional services appropriate to the most current school district school safety plan:

(a) Metal detectors;
(b) Video surveillance cameras, communications equipment and monitoring equipment for classrooms, school buildings, school grounds and school buses;
(c) Crisis management/action teams responding to school violence;
(d) Violence prevention training, conflict resolution training, behavioral stress training and other appropriate
training designated by the State Department of Education for faculty and staff; and

(e) School safety personnel.

(4) Each local school district of this state may annually apply for school safety grant funds subject to appropriations by the Legislature. School safety grants shall include a base grant amount plus an additional amount per student in average daily attendance in the school or school district. The base grant amount and amount per student shall be determined by the State Board of Education, subject to specific appropriation therefor by the Legislature. In order to be eligible for such program, each local school board desiring to participate shall apply to the State Department of Education by May 31 before the beginning of the applicable fiscal year on forms provided by the department, and shall be required to establish a local School Safety Task Force to involve members of the community in the school safety effort. The State Department of Education shall determine by July 1 of each succeeding year which local school districts have submitted approved applications for school safety grants.

(5) As part of the School Safety Grant Program, the State Department of Education may conduct a pilot program to research the feasibility of using video camera equipment in the classroom to address the following:

(a) Determine if video cameras in the classroom reduce student disciplinary problems;
(b) Enable teachers to present clear and convincing evidence of a student's disruptive behavior to the student, the principal, the superintendent and the student's parents; and

(c) Enable teachers to review teaching performance and receive diagnostic feedback for developmental purposes.

(6) Any local school district may use audio/visual-monitoring equipment in classrooms, hallways, buildings, grounds and buses for the purpose of monitoring school disciplinary problems.

(7) As a component of the comprehensive local school district school safety plan required under subsection (2) of this section, the school board of a school district may adopt and implement a policy addressing sexual abuse of children, to be known as "Erin's Law Awareness." Any policy adopted under this subsection may include or address, but need not be limited to, the following:

(a) Methods for increasing teacher, student and parental awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse;

(b) Educational information for parents or guardians, which may be included in the school handbook, on the warning signs of a child being abused, along with any needed assistance, referral or resource information;
(c) Training for school personnel on child sexual abuse;
(d) Age-appropriate curriculum for students in prekindergarten through fifth grade;
(e) Actions that a child who is a victim of sexual abuse should take to obtain assistance and intervention;
(f) Counseling and resources available for students affected by sexual abuse; and
(g) Emotional and educational support for a child who has been abused to enable the child to be successful in school.

(8) As part of the school safety grant program, the State Department of Education shall establish three (3) pilot programs in six (6) school districts utilizing an evidence-based curriculum to provide students in Grades K-5 with skills to manage stress and anxiety in order for them to be better equipped to handle challenges in a healthy way and build resiliency. The Mississippi Department of Mental Health shall be responsible for the selection of the content of the evidence-based curriculum. The results of this pilot program shall be measured and reported, and such results shall be used in consideration of the implementation of this curriculum statewide.

(9) As a component of the comprehensive local school district safety plan required under subsection (2) of this section, beginning in the 2019-2020 school year, the State Department of Education shall require local school districts to
conduct, every two (2) years, refresher training on mental health and suicide prevention for all school employees and personnel, including all cafeteria workers, custodians, teachers and administrators. The Mississippi Department of Mental Health shall be responsible for the development and/or selection of the content of the training, which training shall be provided at no cost to school employees. School districts shall report completion of the training to the State Department of Education.

SECTION 4. Section 37-3-93, Mississippi Code of 1972, is amended as follows:

37-3-93. (1) Subject to the availability of funding specifically appropriated for such purpose, there is established a School Crisis Management Program under the State Department of Education. This program is to be initiated and executed by the department using only existing staff and resources. Under this program, the State Department of Education shall create an office making available a quick response team of personnel trained in school safety and crisis management to respond to traumatic or violent situations that impact students and faculty in the public schools in Mississippi. The required School Crisis Management Program shall operate in accordance with the following:

(a) The basic response team shall consist of those personnel designated by the State Superintendent of Public Education, or their designees, depending on the size of the school and the nature of the event.
(b) In order to access the services of a response team, the request must be made by the local school principal or the superintendent of schools, who shall make the request to the State Department of Education or its contact designee.

(c) A response team shall enter a school to work with students and faculty for a period of no more than three (3) days, unless otherwise requested by the school district.

(d) The State Department of Education, or its designee, shall operate a toll-free incoming wide area telephone service for the purpose of receiving reports of suspected cases of school violence and other traumatic situations impacting on students and faculty in the public schools.

(e) The request made by a school district to access the services of a response team following a school safety incident may seek a review of the local school district's safety plan, and the results of this evaluation may be published by the local school board in a newspaper with wide circulation in the district.

(f) Subject to the availability of funds specifically appropriated therefor by the Legislature, the expenses of the quick response teams and their administrative support shall be provided from state funds. The State Department of Education may apply for and expend funds for the support and maintenance of this program from private and other funding sources.

(2) Local school districts, school superintendents and principals may request and utilize the services of quick response
teams provided for under this section; however, this section does not require school officials to request the services of quick response teams.

(3) As a component of the School Crisis Management Program, the Mississippi Office of Homeland Security shall develop a curriculum, train and certify threat assessment officers. A certified threat assessment officer shall conduct an annual inspection and threat assessment of each public school in the state. The threat assessment officer shall develop an improvement plan for each school inspected. The assessment shall include the inspection of surveillance equipment and building-specific floor plans. The findings of the inspection and threat assessment, including a copy of the improvement plan shall be provided to local law enforcement agencies and the local school board within four (4) weeks of completion.

SECTION 5. Section 37-3-89, Mississippi Code of 1972, is brought forward as follows:

37-3-89. The State Board of Education, acting through the Commission on Teacher and Administrator Education, Certification and Licensure and Development, shall require each educator preparation program in the state, as a condition for approval, to include a course or courses on school discipline or classroom management as a required part of the teacher education program. All school discipline or classroom management courses offered by a
teacher education program shall be approved by the Educator License Commission.

SECTION 6. Section 37-3-91, Mississippi Code of 1972, is amended as follows:

37-3-91. (1) Subject to the availability of funds appropriated for such purpose, the State Department of Education may establish regional behavioral institutes for the purpose of providing state-of-the-art training to teachers and administrators in discipline and classroom management strategies and behavioral health screenings for students.

(2) Any school district may volunteer to participate in a regional behavioral institute. However, the State Department of Education may require a school district to participate in a regional behavioral institute if the department determines that such participation is in the best interest of the school district based upon:

(a) Complaints received and determined by the department to be valid which relate to disciplinary problems in the school district;

(b) Any visit to the school by representatives of the department which indicates disciplinary problems in the school district; or

(c) A review of reports submitted by a school district to the department which indicates disciplinary problems in the school district.
(3) Effective with the 2019-2020 school year, the Mississippi Department of Mental Health shall develop a standardized Memorandum of Understanding ("MOU") to be utilized by the Mississippi Department of Mental Health certified mental health providers and mental health facilities in providing mental health services to local school districts. The MOU shall include standardized behavioral health screening and referral protocols, procedures and forms to be utilized by the local school districts. Any standardized behavioral health screening and referral protocols shall only be performed on students with the approval of the student's parent or legal guardian. The Mississippi Department of Mental Health shall provide online training for appropriate school personnel to conduct initial behavioral health screenings of students experiencing or exhibiting behavioral stress or at risk of harming themselves or others.

SECTION 7. Section 37-3-82, Mississippi Code of 1972, is amended as follows:

37-3-82. (1) There is hereby established the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant program in the State Department of Education to provide funding, pursuant to specific appropriation by the Legislature therefor, to assist law enforcement agencies in providing additional School Resource Officers to engage in community policing in and around primary and secondary schools. The MCOPS program shall authorize the State Department of Education to make grants to increase
deployment of law enforcement officers in order (a) to increase or
enhance community policing in this state, (b) that trained, sworn
enforcement officers assigned to schools play an integral part in
the development and/or enhancement of a comprehensive school
safety plan, and (c) that the presence of these officers shall
provide schools with a direct link to local law enforcement
agencies.

(2) The MCOPS program shall meet the following requirements
and standards:

(a) This program shall provide an incentive for law
enforcement agencies to build collaborative partnerships with the
school community and to use community policing efforts to combat
school violence and implement educational programs to improve
student and school safety.

(b) The additional School Resource Officers must devote
at least seventy-five percent (75%) of their time to work in and
around primary and secondary schools, in addition to the time that
School Resource Officers are devoting in the absence of the MCOPS
in Schools grant.

(c) Beginning with the 2019-2020 school year, the MCOPS
in Schools program shall provide a minimum state
contribution of up to Ten Thousand Dollars ($10,000.00) per
officer position over the one-year grant period, to be matched
from local funds on a 50/50 matching basis. Officers paid with
MCOPS funds may be employed by the local law enforcement agency or
by the local school district. MCOPS funds may be used to pay for entry-level salaries and benefits of newly trained additional School Resource Officers and may be used to pay the salaries and benefits of School Resource Officers employed prior to July 1, 2013. All jurisdictions that apply must demonstrate that they have primary law enforcement authority over the school(s) identified in their application and demonstrate their inability to implement this project without state assistance. Schools or law enforcement agencies may not reduce its overall federal, state, locally funded level of sworn officers (including other School Resource Officers or other sworn officers assigned to the schools) as a result of applying for or receiving MCOPS in Schools grant funding. MCOPS in Schools funding may be used to rehire sworn officers previously employed who have been laid off for financial reasons unrelated to the availability of the MCOPS in Schools grant, but must obtain prior written approval from the State Department of Education. **MCOPS in Schools funding may be used to train school resource officers.** In order to be eligible for such program, each local school board desiring to participate shall apply to the State Department of Education by May 31 before the beginning of the applicable fiscal year on forms provided by the department. The State Department of Education shall determine by July 1 of each succeeding year which local school districts have submitted approved applications for School Resource Officer funding.
School Resource Officers (SROs) may serve in a variety of roles, including, but not limited to, that of a law enforcement officer/safety specialist, law-related educator, and problem-solver/community liaison. These officers may teach programs such as crime prevention, substance abuse prevention, and gang resistance as well as monitor and assist troubled students through mentoring programs. The School Resource Officer(s) may also identify physical changes in the environment that may reduce crime in and around the schools, as well as assist in developing school policies which address criminal activity and school safety.

The application must also include a Memorandum of Understanding (MOU), signed by the law enforcement executive and the appropriate school official(s), to document the roles and responsibilities to be undertaken by the law enforcement agency and the educational school partner(s) through this collaborative effort. The application must also include a Narrative Addendum to document that the School Resource Officer(s) will be assigned to work in and around primary or secondary schools and provide supporting documentation in the following areas: problem identification and justification, community policing strategies to be used by the officers, quality and level of commitment to the effort, and the link to community policing.

All agencies receiving awards through the MCOPS in Schools program are required to send the School Resource Officer position(s) funded by this grant, to the Mississippi Law
Enforcement Officers' Training Academy where they shall be required to participate in training through the Advanced Law Enforcement Rapid Response Training Program at the academy, with the cost to be defrayed from the MCOPS program. The MCOPS Office of the State Department of Education will reimburse grantees for training, per diem, travel, and lodging costs for attendance of required participants up to a maximum of One Thousand Two Hundred Dollars ($1,200.00) per person attending. Applicants receiving an MCOPS in Schools grant, will receive additional training information following notification of the grant award. The MCOPS in Schools training requirement must be completed prior to the end of twelve-month grant funding for officer positions.

(3) The State Department of Education shall promulgate rules and regulations prescribing procedures for the application, expenditure requirements and the administration of the Mississippi Community Oriented Policing Services in Schools (MCOPS) program established in this section, and shall make a report on the implementation of the MCOPS program with any recommendations to the * * * 2020 Regular Session of the Legislature.

SECTION 8. Section 95-15-1, Mississippi Code of 1972, is amended as follows:

95-15-1. **Limitation of liability for report of suspicious activity or behavior.** (1) The School Safety Center within the State Department of Education shall develop and implement a statewide media campaign to prioritize and raise awareness for the
"See Something, Say Something Act" established under this section, as well as the national campaign established by the United States Department of Homeland Security, as a measure to encourage good faith reporting of suspicious activity to law enforcement agencies. The media campaign shall inform the public of the protections provided by the law in addition to useful tools, resources, appropriate local law enforcement agencies and emergency services contact information, and partnering entities, including, the Mississippi Office of Homeland Security, the Mississippi Department of Public Safety and the Mississippi Department of Mental Health. In addition to the media campaign, the School Safety Center shall also make this information available on the Internet website of the State Department of Education.

(* * *2) A person who in good faith makes a report of suspicious activity or behavior shall be immune from civil and criminal liability for the making of the report if the report is based on objectively reasonable suspicion.

(* * *3) For purposes of this section, "report of suspicious activity or behavior" means any communication to a law enforcement officer or agency or other appropriate authority of the behavior or activity of another person if the report is made with the reasonable belief that the behavior or activity constitutes or is in furtherance of an act of terrorism.
(****) This section does not apply to the intentional making of a report known to be false, including a violation of Section 97-35-47, or to a report made with reckless disregard for the truth of the report.

SECTION 9. Section 45-1-2, Mississippi Code of 1972, is amended as follows:

45-1-2. (1) The Executive Director of the Department of Public Safety shall be the Commissioner of Public Safety.

(2) The Commissioner of Public Safety shall establish the organizational structure of the Department of Public Safety, which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law including, but not limited to:

(a) Office of Public Safety Planning;

(b) Office of Medical Examiner;

(c) Office of Mississippi Highway Safety Patrol;

(d) Office of Forensics Laboratories;

(e) Office of Law Enforcement Officers' Training Academy;

(f) Office of Support Services;

(g) Office of Narcotics, which shall be known as the Bureau of Narcotics; and


(3) The department shall be headed by a commissioner, who shall be appointed by and serve at the pleasure of the Governor.
The appointment of the commissioner shall be made with the advice and consent of the Senate. The commissioner may assign to the appropriate offices such powers and duties as deemed appropriate to carry out the department's lawful functions.

(4) The commissioner of the department shall appoint heads of offices, who shall serve at the pleasure of the commissioner. The commissioner shall have the authority to organize the offices established by subsection (2) of this section as deemed appropriate to carry out the responsibilities of the department. The organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(5) The commissioner of the department shall appoint, from within the Department of Public Safety, a statewide safety training officer who shall serve at the pleasure of the commissioner and whose duty it shall be to perform public training for both law enforcement and private persons throughout the state concerning proper emergency response to the mentally ill, terroristic threats or acts, domestic conflict, other conflict resolution, and such other matters as the commissioner may direct.

(6) The commissioner of the department shall establish within the Office of Homeland Security a Mississippi Analysis and Information Center (MSAIC Fusion Center) which shall be the highest priority for the allocation of available federal resources for statewide information sharing, including the deployment of
personnel and connectivity with federal data systems. Subject to
appropriation therefor, the Mississippi Fusion Center shall employ
three (3) regional analysts dedicated to analyzing and resolving
potential threats identified by the agency's statewide social
media intelligence platform and the dissemination of school safety
information.

SECTION 10. This act shall take effect and be in force from
and after July 1, 2019.