

1 "Facilitator" means a student who knowingly restrains,
2 holds, blocks, corners, or otherwise prevents another student
3 from escaping or defending themselves while physical violence is
4 occurring.

5 "Fighting" means an incident involving physical violence
6 between students, whether mutual or non-mutual, including
7 situations in which one or more students initiate, escalate, or
8 participate in an assault.

9 "Physical violence" means the intentional use of physical
10 force by a student against another student that results in or
11 has the potential to result in physical injury, pain, or
12 impairment.

13 "Primary offender" means a student who initiates or leads
14 an act of physical violence against another student.

15 "Secondary offender" means a student who joins in, assists
16 in, or escalates an act of physical violence initiated by
17 another student.

18 "Victim" means a student against whom physical violence is
19 directed and who does not voluntarily participate in the violent
20 conduct.



1 "Witness" means a student who is present during an incident
2 of physical violence but does not engage in physical
3 participation, facilitation, or encouragement of the conduct.

4 **§302A-B Physical violence incidents; report.** (a) Each
5 public school shall report to the department any incident
6 involving physical violence, including fighting or facilitation
7 of physical violence, no later than five school days after the
8 incident.

9 (b) Reports required under this section shall include, at
10 a minimum:

- 11 (1) The date and location of the incident;
- 12 (2) The grade levels involved;
- 13 (3) The number of students involved;
- 14 (4) The role of each student involved, including primary
15 offender, secondary offender, facilitator, victim, or
16 witness;
- 17 (5) The disciplinary response imposed for each student
18 involved, including whether the discipline was in-
19 school or out-of-school; and
- 20 (6) Whether counseling, behavioral intervention, or
21 restorative services were required or provided.



1 (c) Reports submitted pursuant to this section shall be
2 made publicly available on the department's website; provided
3 that such information shall not include personally identifiable
4 student information and shall comply with all applicable state
5 and federal student privacy laws.

6 **§302A-C Physical violence incidents; data collection;**
7 **monitoring; analysis.** (a) The department shall collect and
8 maintain data on incidents reported pursuant to section 302A-B
9 for the purpose of monitoring trends, identifying areas of
10 concern, and informing policy, training, and prevention
11 strategies.

12 (b) The department shall, at a minimum, compile incident
13 data by:

- 14 (1) School;
- 15 (2) Complex area;
- 16 (3) Grade level;
- 17 (4) Type of misconduct;
- 18 (5) Role classification; and
- 19 (6) Type of disciplinary response.

20 (c) The department shall use the data collected to assess:



- 1 (1) The frequency and severity of physical violence
 - 2 incidents;
 - 3 (2) The use of in-school versus out-of-school suspension;
 - 4 (3) The prevalence of repeat offenses;
 - 5 (4) Access to and completion of counseling or behavioral
 - 6 interventions; and
 - 7 (5) The need for additional resources to protect the
 - 8 safety and security of students.
- 9 **§302A-D Annual report.** (a) No later than December 31 of
- 10 each year, the department shall submit a report to the
- 11 legislature summarizing data collected pursuant to this subpart.
- 12 (b) The annual report shall include:
- 13 (1) The total number of reported physical violence
 - 14 incidents statewide;
 - 15 (2) A breakdown of incidents by school and complex area;
 - 16 (3) The roles of students involved;
 - 17 (4) The disciplinary actions imposed, including the
 - 18 proportion of in-school and out-of-school suspensions;
 - 19 (5) Information on repeat incidents; and
 - 20 (6) A summary of prevention and intervention efforts
 - 21 implemented by the department.



1 (c) All reports published pursuant to this section shall
2 be aggregated and anonymized to protect student privacy."

3 SECTION 3. In codifying the new sections added by section
4 2 of this Act, the revisor of statutes shall substitute
5 appropriate section numbers for the letters used in designating
6 the new sections in this Act.

7 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Department of Education; Student Misconduct; Data Collection;
Analysis; Report

Description:

Requires public schools to report to the Department of Education any incident involving physical violence. Requires the Department of Education to collect and maintain data on incidents involving physical violence at public schools and make such data publicly available. Requires annual reports to the Legislature. Effective 7/1/3000. (HD1)

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