

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

To: Education

HOUSE BILL NO. 1283

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 (4) 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,



35 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF
36 EDUCATION TO RAISE STATEWIDE AWARENESS REGARDING THE "SEE
37 SOMETHING SAY SOMETHING ACT" AND PROVIDE IMMUNITY FROM LIABILITY
38 FOR GOOD FAITH REPORTING OF SUSPICIOUS ACTIVITY OR BEHAVIOR; TO
39 AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO DIRECT THE
40 DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH THE MISSISSIPPI ANALYSIS
41 AND INFORMATION CENTER (MSAIC FUSION CENTER) IN THE OFFICE OF
42 HOMELAND SECURITY AND TO EMPLOY REGIONAL ANALYSTS DEDICATED TO
43 STATEWIDE SOCIAL MEDIA INTELLIGENCE PLATFORM THREATS AND THE
44 DISSEMINATION OF SCHOOL SAFETY INFORMATION; AND FOR RELATED
45 PURPOSES.

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

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

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

51 37-11-5. It shall be the duty of the principals and teachers
52 in all public school buildings to instruct the pupils in the
53 methods of fire drills and to practice fire drills until all the
54 pupils in the school are familiar with the methods of escape. Such
55 fire drills shall be conducted often enough to keep such pupils
56 well drilled. It shall be the further duty of such principals and
57 teachers to instruct the pupils in all programs of emergency
58 management as may be designated by the State Department of
59 Education.

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

64 **SECTION 3.** Section 37-3-83, Mississippi Code of 1972, is
65 amended as follows:



66 37-3-83. (1) There is established within the State
67 Department of Education, using only existing staff and resources,
68 a School Safety Grant Program, available to all eligible public
69 school districts, to assist in financing programs to provide
70 school safety. However, no monies from the Temporary Assistance
71 for Needy Families grant may be used for the School Safety Grant
72 Program.

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

77 (3) Subject to the extent of appropriations available, the
78 School Safety Grant Program shall offer any of the following
79 specific preventive services, and other additional services
80 appropriate to the most current school district school safety
81 plan:

82 (a) Metal detectors;

83 (b) Video surveillance cameras, communications
84 equipment and monitoring equipment for classrooms, school
85 buildings, school grounds and school buses;

86 (c) Crisis management/action teams responding to school
87 violence;

88 (d) Violence prevention training, conflict resolution
89 training, behavioral stress training and other appropriate



90 training designated by the State Department of Education for
91 faculty and staff; and

92 (e) School safety personnel.

93 (4) Each local school district of this state may annually
94 apply for school safety grant funds subject to appropriations by
95 the Legislature. School safety grants shall include a base grant
96 amount plus an additional amount per student in average daily
97 attendance in the school or school district. The base grant
98 amount and amount per student shall be determined by the State
99 Board of Education, subject to specific appropriation therefor by
100 the Legislature. In order to be eligible for such program, each
101 local school board desiring to participate shall apply to the
102 State Department of Education by May 31 before the beginning of
103 the applicable fiscal year on forms provided by the department,
104 and shall be required to establish a local School Safety Task
105 Force to involve members of the community in the school safety
106 effort. The State Department of Education shall determine by July
107 1 of each succeeding year which local school districts have
108 submitted approved applications for school safety grants.

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

113 (a) Determine if video cameras in the classroom reduce
114 student disciplinary problems;



115 (b) Enable teachers to present clear and convincing
116 evidence of a student's disruptive behavior to the student, the
117 principal, the superintendent and the student's parents; and

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

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

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

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

135 (b) Educational information for parents or guardians,
136 which may be included in the school handbook, on the warning signs
137 of a child being abused, along with any needed assistance,
138 referral or resource information;



139 (c) Training for school personnel on child sexual
140 abuse;

141 (d) Age-appropriate curriculum for students in
142 prekindergarten through fifth grade;

143 (e) Actions that a child who is a victim of sexual
144 abuse should take to obtain assistance and intervention;

145 (f) Counseling and resources available for students
146 affected by sexual abuse; and

147 (g) Emotional and educational support for a child who
148 has been abused to enable the child to be successful in school.

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

160 (9) As a component of the comprehensive local school
161 district safety plan required under subsection (2) of this
162 section, beginning in the 2019-2020 school year, the State
163 Department of Education shall require local school districts to



164 conduct, every two (2) years, refresher training on mental health
165 and suicide prevention for all school employees and personnel,
166 including all cafeteria workers, custodians, teachers and
167 administrators. The Mississippi Department of Mental Health shall
168 be responsible for the development and/or selection of the content
169 of the training, which training shall be provided at no cost to
170 school employees. School districts shall report completion of the
171 training to the State Department of Education.

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

174 37-3-93. (1) Subject to the availability of funding
175 specifically appropriated for such purpose, there is established a
176 School Crisis Management Program under the State Department of
177 Education. This program is to be initiated and executed by the
178 department using only existing staff and resources. Under this
179 program, the State Department of Education shall create an office
180 making available a quick response team of personnel trained in
181 school safety and crisis management to respond to traumatic or
182 violent situations that impact students and faculty in the public
183 schools in Mississippi. The required School Crisis Management
184 Program shall operate in accordance with the following:

185 (a) The basic response team shall consist of those
186 personnel designated by the State Superintendent of Public
187 Education, or their designees, depending on the size of the school
188 and the nature of the event.



189 (b) In order to access the services of a response team,
190 the request must be made by the local school principal or the
191 superintendent of schools, who shall make the request to the State
192 Department of Education or its contact designee.

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

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

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

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

212 (2) Local school districts, school superintendents and
213 principals may request and utilize the services of quick response



214 teams provided for under this section; however, this section does
215 not require school officials to request the services of quick
216 response teams.

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

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

231 37-3-89. The State Board of Education, acting through the
232 Commission on Teacher and Administrator Education, Certification
233 and Licensure and Development, shall require each educator
234 preparation program in the state, as a condition for approval, to
235 include a course or courses on school discipline or classroom
236 management as a required part of the teacher education program.
237 All school discipline or classroom management courses offered by a



238 teacher education program shall be approved by the Educator
239 License Commission.

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

242 37-3-91. (1) Subject to the availability of funds
243 appropriated for such purpose, the State Department of Education
244 may establish regional behavioral institutes for the purpose of
245 providing state-of-the-art training to teachers and administrators
246 in discipline and classroom management strategies and behavioral
247 health screenings for students.

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

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

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

260 (c) A review of reports submitted by a school district
261 to the department which indicates disciplinary problems in the
262 school district.



263 (3) Effective with the 2019-2020 school year, the
264 Mississippi Department of Mental Health shall develop a
265 standardized Memorandum of Understanding ("MOU") to be utilized by
266 the Mississippi Department of Mental Health certified mental
267 health providers and mental health facilities in providing mental
268 health services to local school districts. The MOU shall include
269 standardized behavioral health screening and referral protocols,
270 procedures and forms to be utilized by the local school districts.
271 The Mississippi Department of Mental Health shall provide online
272 training for appropriate school personnel to conduct initial
273 behavioral health screenings of students experiencing or
274 exhibiting behavioral stress or at risk of harming themselves or
275 others.

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

278 37-3-82. (1) There is hereby established the Mississippi
279 Community Oriented Policing Services in Schools (MCOPS) grant
280 program in the State Department of Education to provide funding,
281 pursuant to specific appropriation by the Legislature therefor, to
282 assist law enforcement agencies in providing additional School
283 Resource Officers to engage in community policing in and around
284 primary and secondary schools. The MCOPS program shall authorize
285 the State Department of Education to make grants to increase
286 deployment of law enforcement officers in order (a) to increase or
287 enhance community policing in this state, (b) that trained, sworn



288 enforcement officers assigned to schools play an integral part in
289 the development and/or enhancement of a comprehensive school
290 safety plan, and (c) that the presence of these officers shall
291 provide schools with a direct link to local law enforcement
292 agencies.

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

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

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

305 (c) Beginning with the 2019-2020 school year, the MCOPS
306 in Schools program shall provide a * * *~~maximum~~ minimum state
307 contribution of up to Ten Thousand Dollars (\$10,000.00) per
308 officer position over the one-year grant period, to be matched
309 from local funds on a 50/50 matching basis. Officers paid with
310 MCOPS funds may be employed by the local law enforcement agency or
311 by the local school district. MCOPS funds may be used to pay for
312 entry-level salaries and benefits of newly trained additional



313 School Resource Officers and may be used to pay the salaries and
314 benefits of School Resource Officers employed prior to July 1,
315 2013. All jurisdictions that apply must demonstrate that they
316 have primary law enforcement authority over the school(s)
317 identified in their application and demonstrate their inability to
318 implement this project without state assistance. Schools or law
319 enforcement agencies may not reduce its overall federal, state,
320 locally funded level of sworn officers (including other School
321 Resource Officers or other sworn officers assigned to the schools)
322 as a result of applying for or receiving MCOPS in Schools grant
323 funding. MCOPS in Schools funding may be used to rehire sworn
324 officers previously employed who have been laid off for financial
325 reasons unrelated to the availability of the MCOPS in Schools
326 grant, but must obtain prior written approval from the State
327 Department of Education. In order to be eligible for such
328 program, each local school board desiring to participate shall
329 apply to the State Department of Education by May 31 before the
330 beginning of the applicable fiscal year on forms provided by the
331 department. The State Department of Education shall determine by
332 July 1 of each succeeding year which local school districts have
333 submitted approved applications for School Resource Officer
334 funding.

335 (* * *~~fd~~) School Resource Officers (SROs) may serve in
336 a variety of roles, including, but not limited to, that of a law
337 enforcement officer/safety specialist, law-related educator, and



338 problem-solver/community liaison. These officers may teach
339 programs such as crime prevention, substance abuse prevention, and
340 gang resistance as well as monitor and assist troubled students
341 through mentoring programs. The School Resource Officer(s) may
342 also identify physical changes in the environment that may reduce
343 crime in and around the schools, as well as assist in developing
344 school policies which address criminal activity and school safety.
345 The application must also include a Memorandum of Understanding
346 (MOU), signed by the law enforcement executive and the appropriate
347 school official(s), to document the roles and responsibilities to
348 be undertaken by the law enforcement agency and the educational
349 school partner(s) through this collaborative effort. The
350 application must also include a Narrative Addendum to document
351 that the School Resource Officer(s) will be assigned to work in
352 and around primary or secondary schools and provide supporting
353 documentation in the following areas: problem identification and
354 justification, community policing strategies to be used by the
355 officers, quality and level of commitment to the effort, and the
356 link to community policing.

357 (* * *ge) All agencies receiving awards through the
358 MCOPS in Schools program are required to send the School Resource
359 Officer position(s) funded by this grant, to the Mississippi Law
360 Enforcement Officers' Training Academy where they shall be
361 required to participate in training through the Advanced Law
362 Enforcement Rapid Response Training Program at the academy, with



363 the cost to be defrayed from the MCOPS program. The MCOPS Office
364 of the State Department of Education will reimburse grantees for
365 training, per diem, travel, and lodging costs for attendance of
366 required participants up to a maximum of One Thousand Two Hundred
367 Dollars (\$1,200.00) per person attending. Applicants receiving an
368 MCOPS in Schools grant, will receive additional training
369 information following notification of the grant award. The MCOPS
370 in Schools training requirement must be completed prior to the end
371 of twelve-month grant funding for officer positions.

372 (3) The State Department of Education shall promulgate rules
373 and regulations prescribing procedures for the application,
374 expenditure requirements and the administration of the Mississippi
375 Community Oriented Policing Services in Schools (MCOPS) program
376 established in this section, and shall make a report on the
377 implementation of the MCOPS program with any recommendations to
378 the * * *~~2014~~ 2020 Regular Session of the Legislature.

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

381 95-15-1. **Limitation of liability for report of suspicious**
382 **activity or behavior.** (1) The School Safety Center within the
383 State Department of Education shall develop and implement a
384 statewide media campaign to prioritize and raise awareness for the
385 "See Something, Say Something Act" established under this section,
386 as well as the national campaign established by the United States
387 Department of Homeland Security, as a measure to encourage good



388 faith reporting of suspicious activity to law enforcement
389 agencies. The media campaign shall inform the public of the
390 protections provided by the law in addition to useful tools,
391 resources, appropriate local law enforcement agencies and
392 emergency services contact information, and partnering entities,
393 including, the Mississippi Office of Homeland Security, the
394 Mississippi Department of Public Safety and the Mississippi
395 Department of Mental Health. In addition to the media campaign,
396 the School Safety Center shall also make this information
397 available on the Internet website of the State Department of
398 Education.

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

403 (* * *23) For purposes of this section, "report of
404 suspicious activity or behavior" means any communication to a law
405 enforcement officer or agency or other appropriate authority of
406 the behavior or activity of another person if the report is made
407 with the reasonable belief that the behavior or activity
408 constitutes or is in furtherance of an act of terrorism.

409 (* * *34) This section does not apply to the intentional
410 making of a report known to be false, including a violation of
411 Section 97-35-47, or to a report made with reckless disregard for
412 the truth of the report.



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

415 45-1-2. (1) The Executive Director of the Department of
416 Public Safety shall be the Commissioner of Public Safety.

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

422 (a) Office of Public Safety Planning;

423 (b) Office of Medical Examiner;

424 (c) Office of Mississippi Highway Safety Patrol;

425 (d) Office of Forensics Laboratories;

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

428 (f) Office of Support Services;

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

431 (h) Office of Homeland Security.

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



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

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

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



463 media intelligence platform and the dissemination of school safety
464 information.

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

