

Amendment - 1st Reading-white - Requested by: Shannon O'Brien - (S) Education and Cultural Resources

68th Legislature

Drafter: Pad McCracken, 406-444-3595

SB0213.001.001

1 SENATE BILL NO. 213
2 INTRODUCED BY E. MCCLAFFERTY, D. HAWK, S. WEBBER, M. FOX, J. GROSS, W. CURDY, S. O'BRIEN,
3 E. BOLDMAN, C. POPE, J. ELLIS, A. OLSEN, P. FLOWERS, R. LYNCH, D. HAYMAN, M. DUNWELL, S.
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5
6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO SCHOOL SAFETY; REQUIRING
7 ANNUAL REVIEW OF SCHOOL SAFETY OR EMERGENCY OPERATIONS PLANS BY SCHOOL DISTRICT
8 TRUSTEES; CLARIFYING THE ABILITY TO USE SCHOOL SAFETY FUNDS FOR COMMUNITYWIDE
9 PROGRAMS AND TRAINING; REQUIRING COUNTY OR REGIONAL INTERDISCIPLINARY CHILD
10 INFORMATION AND SCHOOL SAFETY TEAMS TO ADOPT WRITTEN AGREEMENTS FOR OPERATIONS;
11 AMENDING SECTIONS 20-1-401, 20-9-236, AND 52-2-211, MCA; AND PROVIDING AN EFFECTIVE DATE."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14
15 **Section 1.** Section 20-1-401, MCA, is amended to read:

16 **"20-1-401. Disaster drills to be conducted regularly -- districts to identify disaster risks and**
17 **adopt school safety plan.** (1) As used in this part, "disaster" means the occurrence or imminent threat of
18 damage, injury, or loss of life or property. Disaster drills must be conducted regularly in accordance with this
19 part.

20 (2) A board of trustees shall identify the local hazards that exist within the boundaries of its school
21 district and design and incorporate drills in its school safety plan or emergency operations plan to address
22 those hazards.

23 (3) (a) A board of trustees shall adopt a school safety plan or emergency operations plan that
24 addresses issues of school safety relating to school buildings and facilities, communications systems, and
25 school grounds with the input from the local community and that addresses coordination ~~on issues of school~~
26 ~~safety, if any,~~ with the county or regional interdisciplinary child information and school safety team provided for
27 in 52-2-211. ~~The trustees shall certify to the office of public instruction that a school safety plan or emergency~~

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1 ~~operations plan has been adopted.~~ The trustees shall review the school safety plan or emergency operations
2 plan ~~periodically~~ at least annually and update the plan as determined necessary by the trustees based on
3 changing circumstances pertaining to school safety.

4 (b) The trustees shall certify annually to the office of public instruction that a school safety plan or
5 emergency operations plan has been reviewed. Once the trustees have made the certification to the office of
6 public instruction, the trustees may transfer funds pursuant to 20-9-236 to make improvements to school safety
7 and security."

8

9 **Section 2.** Section 20-9-236, MCA, is amended to read:

10 **"20-9-236. Transfer of funds -- improvements to school safety and security.** (1) A school district
11 that has certified to the office of public instruction a current school safety plan or emergency operations plan
12 pursuant to 20-1-401 may transfer state or local revenue from any budgeted or nonbudgeted fund, other than
13 the debt service fund or retirement fund, to its building reserve fund in an amount not to exceed the school
14 district's estimated costs of improvements to school and student safety and security as follows:

15 (a) planning for improvements to and maintenance of school and student safety, including but not
16 limited to the cost of staffing for or services provided by architects, engineers, school resource officers,
17 counselors, and other staff or consultants assisting the district with improvements to school and student safety
18 and security;

19 (b) programs and training for school employees, students, parents, and community members to
20 support school and student safety and security, including but not limited to active shooter training, in-school and
21 out-of-school threat assessments, [the creation of threat assessment teams and protocols to address students](#)
22 [in need of behavioral supports and interventions,](#) and restorative justice;

23 (c) installing or updating locking mechanisms and ingress and egress systems at public school
24 access points, including but not limited to systems for exterior egress doors and interior passageways and
25 rooms, using contemporary technologies;

26 (d) installing or updating bullet-resistant windows and barriers; and

27 (e) installing or updating emergency response systems using contemporary technologies.

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1 (2) Any transfers made pursuant to subsection (1) are not considered expenditures to be applied
2 against budget authority. Any revenue transfers that are not encumbered for expenditures in compliance with
3 subsection (1) within 2 full school fiscal years after the funds are transferred must be transferred back to the
4 originating fund from which the revenue was transferred.

5 (3) The intent of this section is to increase the flexibility and efficiency of school districts without an
6 increase in local taxes. In furtherance of this intent, if transfers of funds are made from any school district fund
7 supported by a nonvoted levy, the district may not increase its nonvoted levy for the purpose of restoring the
8 transferred funds."

9

10 **Section 3.** Section 52-2-211, MCA, is amended to read:

11 **"52-2-211. County or regional interdisciplinary child information and school safety team. (1)**

12 The county commissioners of each county shall ensure the formation of a county or regional interdisciplinary
13 child information and school safety team that includes representatives authorized by any of the following:

- 14 (a) the youth court;
- 15 (b) the county attorney;
- 16 (c) the department of public health and human services;
- 17 (d) the county superintendent of schools;
- 18 (e) the sheriff;
- 19 (f) the chief of any police force;
- 20 (g) any board of trustees of a public school district operating within the boundaries of the county;

21 and

- 22 (h) the department of corrections.

23 (2) Officials under subsection (1) from one county may also cooperate with officials under
24 subsection (1) from any other county to form regional interdisciplinary child information and school safety
25 teams, in which case access to information under 41-5-215(2) is authorized for all members of the regional
26 team for each county participating in a regional team. The formation of regional teams must be formalized by
27 written agreement between participating counties.