_____ BILL NO. _____

INTRODUCED BY _____

BY REQUEST OF THE EDUCATION INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO SCHOOL SAFETY; ESTABLISHING THE MONTANA SAFE SCHOOLS CENTER; PROVIDING GOVERNANCE AND DUTIES FOR THE CENTER; PROVIDING THAT UTILIZATION OF THE CENTER IS VOLUNTARY FOR SCHOOL DISTRICTS; CLARIFYING DUTIES OF SCHOOL DISTRICT TRUSTEES IN ADOPTING EMERGENCY OPERATIONS PLANS; ESTABLISHING REPORTING REQUIREMENTS; PROVIDING DEFINITIONS; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 20-1-401, 20-1-402, 20-1-404, 20-1-407, AND 20-9-236, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Montana safe schools center -- purpose -- duties.** (1) There is a Montana safe schools center at a unit of the Montana university system. The purpose of the center is to serve as a centralized resource for assisting school districts, public charter schools, community choice schools, nonpublic schools, and homeschools in:

(a) preventing, preparing for, responding to, and recovering from emergencies and crisis situations; and

(b) fostering positive and safe learning environments.

(2) The center is intended to serve as a voluntary technical assistance and resource entity supporting locally developed school safety practices. Nothing in this section authorizes the center to supervise school districts, direct local school operations, or limit the authority of locally elected boards of trustees under Title 20.

(3) The Montana safe schools center shall:

(a) establish a clearinghouse for information and materials regarding best practices in creating safe and effective schools;

(b) upon request, and in a manner reflecting the needs of schools and school districts of all sizes and circumstances, provide technical assistance to schools to improve school safety, including but not limited to assistance in:

(i) completing and updating emergency operations plans as described in 20-1-401;

(ii) adopting standard response protocols and standard reunification management support;

(iii) conducting drills and exercises, including reunification drills, in accordance with 20-1-402;

(iv) incorporating behavioral threat assessments in emergency operations plans as described in 20-1-401; and

(v) developing memorandums of understanding with law enforcement agencies in utilizing best practices for the selection, training, and supervision of school resource officers;

(c) support schools in obtaining any available funding or grants related to school safety;

(d) coordinate school safety efforts statewide;

(e) upon request of a school district:

(i) conduct site assessments that evaluate the safety, security, accessibility, and emergency preparedness of all school buildings and grounds; and

(ii) provide findings and prioritized recommendations from the safety site assessment to the board of trustees to support required annual review and certification of the emergency operations plan;

(f) provide voluntary program development and implementation expertise and technical support to schools, law enforcement agencies, and communities, which may include coordinating training for trustees, administrators, teachers, students, parents, and other community representatives;

(g) research and evaluate school safety programs so schools and communities are better able to address their specific local needs;

(h) prepare and disseminate information regarding best practices in creating safe and effective schools;

(i) in collaboration with appropriate partners, support access to school-based tele-mental health services to supplement existing in-person student support services when local capacity is limited; and

(j) with funds appropriated by the legislature, maintain a voluntary statewide tip line that allows:

(i) students, parents, school staff, and community members to report concerning behavior,

threats, bullying, harassment, or other safety concerns related to schools; and

(ii) reports received through the tip line to be appropriately triaged and referred to designated school officials, emergency responders, or other appropriate entities for assessment and follow-up, consistent with state and federal confidentiality laws.

(4) In carrying out its duties, the center shall coordinate and collaborate for the greatest benefit to school and student safety and security with locally elected boards of trustees, the board of public education, the office of public instruction, law enforcement agencies, and county or regional interdisciplinary child information and school safety teams established pursuant to 52-2-211.

NEW SECTION. **Section 2. Montana safe schools center -- governance -- reporting.** (1) The Montana safe schools center is governed by a board composed of the following members:

(a) the presiding officer of the board of public education or the presiding officer's designee;

(b) the superintendent of public instruction or the superintendent's designee;

(c) a trustee of a Montana school district appointed by the governor from a list of three candidates provided by a state professional organization of school district trustees;

(d) a superintendent of a Montana school district appointed by the governor from a list of three candidates provided by a state professional organization of school district superintendents;

(e) a school principal of a Montana school district appointed by the governor from a list of three candidates provided by a state professional organization of school principals;

(f) a teacher employed by a Montana school district appointed by the governor from a list of three candidates provided by a state professional organization of school teachers; and

(g) a tribal representative appointed by the governor from a list of three candidates provided by the Montana advisory council on Indian education.

(2) The governing board shall elect a presiding officer and vice presiding officer to 2-year terms without limitation on the number of terms served.

(3) The governing board shall hire an executive director and an assistant director for the center who shall both serve on the governing board in a nonvoting capacity. The executive director shall, with the oversight of the governing board, execute the duties described under [section 1(3)].

(4) The governing board shall provide an annual report to the education interim committee and education interim budget committee in accordance with the provisions of 5-11-210. The report must include detailed descriptions of the manner in which the center has performed the duties described under [section 1(3)] including:

(a) a detailed financial report of the center's revenue and expenditures;

(b) the number of schools receiving technical assistance from the center, broken down by the types of schools and types of technical assistance listed in [section 1(3)]; and

(c) statistics on:

(i) tip line usage; and

(ii) tele-mental health services provided.

Section 3. Section 20-1-401, MCA, is amended to read:

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

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

~~(3)~~ (1) ~~(a)~~ A board of trustees shall adopt ~~a school safety plan or~~ an emergency operations plan ~~that addresses issues of school safety relating to school buildings and facilities, communications systems, and school grounds with the~~ with input from the local community ~~and that addresses coordination with the county or regional interdisciplinary child information and school safety team provided for in 52-2-211~~. The trustees shall review the ~~school safety plan or~~ emergency operations plan at least annually and update the plan as determined necessary by the trustees and school administrators based on changing circumstances pertaining to school safety.

~~(b)~~ (2) The ~~school safety plan or~~ emergency operations plan must include the following threat assessment practices:

~~(i)~~ (a) the adoption of a threat assessment protocol, outlining policies and procedures for implementation when there is notification of a student threat of harm to others or property; and

~~(ii)~~ (b) an identified threat assessment team, composed of key staff, that meets at least monthly and may include behavioral threat assessment addressing students in need of academic and behavioral supports or interventions.

(3) If requested by the board of trustees, the Montana safe schools center established in [section 1] shall provide assistance to a school district in developing, reviewing, and updating the district's emergency operations plan.

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

(5) As used in this part, the following definitions apply:

(a) "Emergency" means an occurrence or imminent threat of harm, injury, loss of life, or damage to property arising from natural hazards, public health emergencies, technological incidents, or acts of violence.

(b) "Emergency operations plan" means a comprehensive, all-hazards plan that:

(i) encompasses the full spectrum of school safety considerations, including physical infrastructure, communication systems, and school grounds; and

(ii) incorporates functional and hazard-specific procedures across prevention, protection, mitigation, response, and recovery in coordination with local community first responders."

Section 4. Section 20-1-402, MCA, is amended to read:

"**20-1-402. Number of ~~disaster~~ emergency drills required -- time of drills to vary.** There must be at least eight ~~disaster~~ emergency drills a year in a school that reflect specific hazards for the school site as described in the school district's emergency operations plan. Drills must be held at different hours of the day or evening to avoid distinction between drills and actual ~~disasters~~ emergencies."

Section 5. Section 20-1-404, MCA, is amended to read:

"**20-1-404. Drill to sound ~~on disaster evacuation system~~ for emergency evacuation -- recall signal to be distinct -- control of signal.** (1) If ~~a disaster~~ an emergency drill is signaled, the signal must be sounded on the ~~disaster~~ emergency alarm system and not on the signal system used to dismiss classes.

(2) The recall signal must be separate and distinct from any other signal. The recall signal may be given by distinctive colored flags or banners. If the recall signal is electrical, the push buttons or other controls must be kept under lock and the key kept in the possession of the principal or some other designated person in order to prevent a recall at a time when there is ~~a disaster~~ an emergency. Regardless of the method of recall, the means of giving the signal must be kept under lock."

Section 6. Section 20-1-407, MCA, is amended to read:

"**20-1-407. Inspection of exits -- cooperation with local authorities ~~having jurisdiction~~ in conducting emergency drills.** It is the duty of the school authorities to inspect all exit facilities periodically in order to make sure that all stairways, doors, and other exits are in proper condition. School authorities shall cooperate with the local authorities ~~having jurisdiction~~ in conducting ~~disaster~~ emergency drills."

Section 7. Section 20-9-236, MCA, is amended to read:

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

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

(b) programs and training for school employees, students, parents, and community members approved by the trustees to support school and student safety and security, including but not limited to active shooter training, threat assessment practices pursuant to 20-1-401~~(3)(b)~~, and restorative justice;

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

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

(e) installing or updating emergency response systems using contemporary technologies; and

(f) providing automated external defibrillators and making other student safety improvements pursuant to 20-7-1339.

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

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

NEW SECTION. **Section 8. Appropriation.** (1) There is appropriated $863,496 from the general fund to the office of public instruction for the biennium beginning July 1, 2027.

(2) The appropriation must be used for staffing and performing the duties of the Montana safe schools center established in [section 1].

(3) The legislature intends that the appropriation in this section be considered part of the ongoing base for the next legislative session.

(4) For the 2027-2028 interim, the Montana safe schools center shall provide quarterly budget updates on request of the education interim budget committee.

NEW SECTION. **Section 9. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each federally recognized tribal government in Montana.

NEW SECTION. **Section 10. Codification instruction.** [Sections 1 and 2] are intended to be codified as an integral part of Title 20, chapter 1, part 4, and the provisions of Title 20, chapter 1, part 4, apply to [sections 1 and 2].

NEW SECTION. **Section 11. Effective date.** [This act] is effective July 1, 2027.

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