

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1963

By: Representative Gazaway

For An Act To Be Entitled

AN ACT CONCERNING THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES PSYCHIATRIC RESEARCH INSTITUTE; TO CREATE A SCHOOL SAFETY AND CRISIS LINE; TO CREATE A SCHOOL SAFETY AND CRISIS LINE FUND; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES PSYCHIATRIC RESEARCH INSTITUTE; TO CREATE A SCHOOL SAFETY AND CRISIS LINE; AND TO CREATE A SCHOOL SAFETY AND CRISIS LINE FUND.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. Legislative findings.

The General Assembly finds that:

(1) A survey of thirty-nine (39) states conducted by the Centers for Disease Control and Prevention from September 2016 to December 2017 found that Arkansas had the:

(A) Highest percentage of high school students who had been bullied on school property;

(B) Highest percentage of high school students who had ever been physically forced to have sexual intercourse;

(C) Highest percentage of high school students who had experienced sexual violence by anyone;

(D) Highest percentage of high school students who had



experienced physical dating violence;

(E) Highest percentage of high school students who had felt sad or hopeless;

(F) Highest percentage of high school students who had seriously considered attempting suicide;

(G) Highest percentage of high school students who had made a plan about how they would attempt suicide;

(H) Second highest percentage of high school students who had actually attempted suicide;

(I) Second highest percentage of high school students whose suicide attempt had resulted in an injury, poisoning, or overdose that had to be treated by a doctor or nurse;

(J) Second highest percentage of high school students who had been threatened or injured with a weapon on school property;

(K) Second highest percentage of high school students who had been involved in a physical fight;

(L) Fourth highest percentage of high school students who had been electronically bullied; and

(M) Fifth highest percentage of high school students who did not go to school because they had felt unsafe at school or on their way to or from school;

(2) A recent study by the nonprofit research organization Child Trends found that fifty-six percent (56%) of Arkansas children have undergone at least one (1) adverse childhood experience, the highest percentage of any other state in the nation; and

(3) This act is necessary to respond to and counter these trends and to provide an avenue for students in Arkansas to report incidents that cause or have the potential to cause physical, mental, or emotional damage to students.

SECTION 2. Arkansas Code Title 6, Chapter 18, Subchapter 1, is amended to add additional sections to read as follows:

6-18-110. School safety and crisis line.

(a)(1) The University of Arkansas for Medical Sciences Psychiatric Research Institute shall establish and operate a pilot program that creates a school safety and crisis line to be known as "ARSafeSchools" that can be

accessed by the following means, including without limitation:

- (A) Telephone;
- (B) Text message; and
- (C) Smartphone application.

(2) Participation in the pilot program established under subdivision (a)(1) of this section shall be voluntary for public schools in this state.

(b) The school safety and crisis line under this section shall:

(1) Provide a means for a student to anonymously report:

(A) Unsafe, violent, or criminal activities or the threat of unsafe, violent, or criminal activities at, near, or concerning a public school;

(B) Incidents of bullying, harassment, or hazing, including without limitation conduct described in § 6-18-514;

(C) Incidents of physical or sexual abuse committed against a student by:

(i) Another student;

(ii) A school employee;

(iii) A school volunteer; or

(iv) Any other person if the physical or sexual abuse occurred at a public school or a school-sponsored event;

(D) Thoughts of suicide experienced by the student or by another individual whom the student knows;

(E) Feelings experienced by the student of:

(i) Stress;

(ii) Depression; or

(iii) Anxiety;

(F) Issues involving drug abuse, alcohol abuse, or both regarding the student or another individual whom the student knows;

(G) Issues with addiction faced by the student or another individual whom the student knows;

(H) Domestic violence experienced by the student or by another individual whom the student knows;

(I) Infliction of self-harm by the student or by another individual whom the student knows;

(J) Feelings of grief or loss, or both; and

(K) Other behaviors, incidents, actions, or threats that the University of Arkansas for Medical Sciences Psychiatric Research Institute may determine are important for a student to report under this section;

(2) Provide crisis intervention, including without limitation suicide prevention services, to students experiencing emotional or psychiatric distress;

(3) Operate twenty-four (24) hours per day, seven (7) days per week; and

(4) Begin operation at a time and in phases determined by the University of Arkansas for Medical Sciences Psychiatric Research Institute to allow time for the establishment of the school safety and crisis line and the training of personnel to carry out the operations of the school safety and crisis line under this section.

(c)(1) Personnel operating the school safety and crisis line shall, when necessary or as required by law, promptly forward a report received under subsection (b) of this section to appropriate:

(A) School officials; or

(B) Law enforcement agencies.

(2) An individual who acts in good faith under this section while operating the school safety and crisis line shall not be liable for civil damages for an act or omission taken in good faith while operating the school safety and crisis line so long as the act or omission does not constitute gross negligence or willful misconduct.

(d) The University of Arkansas Medical Sciences Psychiatric Research Institute shall:

(1) Establish, operate, maintain, provide training, and make all decisions regarding a school safety and crisis line under this section;

(2) Collaborate with public schools for the implementation and use of the school safety and crisis line under this section; and

(3) Use funding from the ARSafeSchools Fund under § 6-18-111 to provide training for personnel regarding the operation of the school safety and crisis line under this section.

(e) Messages, recordings, and any personal information received by an individual operating a school safety and crisis line under this section are confidential and not subject to disclosure under the Freedom of Information

Act of 1967, § 25-19-101 et seq.

6-18-111. School safety and crisis line fund – Report.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous fund to be known as the "ARSafeSchools Fund".

(b) The fund shall consist of:

(1) Moneys obtained from private grants or other sources that are designated to be credited to the fund; and

(2) Any other funds authorized or provided by law.

(c) The fund shall be used by the University of Arkansas for Medical Sciences Psychiatric Research Institute solely to create and maintain the ARSafeSchools school safety and crisis line under § 6-18-110.

(d) Moneys remaining in the fund at the end of each fiscal year shall carry forward and be made available for the purposes stated in this section in the next fiscal year.

(e) The University of Arkansas for Medical Sciences Psychiatric Research Institute is not required to implement provisions of this section if the ARSafeSchools school safety and crisis line under § 6-18-110 is not funded.

(f)(1) The University of Arkansas for Medical Sciences Psychiatric Research Institute shall submit an annual report containing the following information to the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee:

(A) The balance of the fund as of the reporting date;

(B) A list of administrative costs paid for from the fund, including without limitation salaries, pensions, and packages;

(C) The total revenue received by the fund during the reporting period; and

(D) A detailed description of steps taken to create and implement the ARSafeSchools school safety and crisis line.

(2) The annual report required under this subsection shall be submitted by January 1 and July 1 of each year.

SECTION 3. Arkansas Code § 6-18-502(c), concerning guidelines for the development of school district student discipline policies, is amended to add

an additional subdivision to read as follows:

(6) Establish procedures for responding to reports received through the school safety and crisis line under § 6-18-110.

SECTION 4. Arkansas Code § 6-18-503(a)(1)(C), concerning written student discipline policies, is amended to add an additional subdivision to read as follows:

(iii) Procedures for responding to reports received through the school safety and crisis line under § 6-18-110.

SECTION 5. Arkansas Code § 6-18-514(e)(2), concerning antibullying policies, is amended to add an additional subdivision to read as follows:

(H) Include information on how to make an anonymous report to the school safety and crisis line under § 6-18-110.