

**2019 SENATE EDUCATION COMMITTEE**

**SB 2186**

# 2019 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Sheyenne River Room, State Capitol

SB2186  
2/5/2019  
Job # 32170

- Subcommittee  
 Conference Committee

Committee Clerk: Lynn Wolf/ Mary Jo Wocken
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## **Explanation or reason for introduction of bill/resolution:**

Relating to requiring schools to post information regarding child abuse and neglect.

## **Minutes:**

Written attachments # 1-3
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**Chairman Schaible:** Opened the hearing on SB2186. All senators are present.

**Senator Clemens:** Introduced and in support of SB2186. **See written att #1.** (1:00-4:13)

**Chairman Schaible:** In school common areas, so how many areas obviously the doorway, the bulletin board, what would be the minimum requirement for a school to do this because “It shall require” and so what’s the minimum required that shall be required?

**Senator Clemens:** You know, that probably should already be in a school common area. So if you want to change that, not requiring that they post this in every area that would be a common area. But a dining area, entrance, rest room, or whatever. So they have it posted once in the school in a common area that would be acceptable.

**Chairman Schaible:** So one area in the school. So what happens if they don’t? What if they are not following this?

**Senator Clemens:** Well there is no penalty involved with this. I guess it is asking the schools to do this. I guess it’s like. I am not involved in education like you are, but if a school refuses to do something I don’t know what the consequences would be. We’re asking the Superintendent that each school would post this. If a school doesn’t want to cooperate or try to make things helpful to students, I guess that is I don’t want to get into a penalty part.

**Senator Rust:** I am going to enter in this delicately, because I don’t want to be perceived after asking the question. Having worked in schools and when it gets to accusations of child abuse, and you sometimes can have the case where you have a child who was spanked and all of a sudden he decides I am going to make this call to someone because that has happened to me. All of a sudden you have a parent whose is accused of child abuse and they view some of these things as being anti-parent. Any thoughts about that at all? I understand that we have some kids in some real desperate situations. I understand for that

matter we are mandatory reporters. School people are mandatory reporters. You don't have an option. Because the law currently states that if as a school administrator, teacher or counselor I fail to report it, there is a fine that goes with it. I wonder about that one and in that process because of us being mandatory reporters, I have been accused of being anti-parent. Could it fall under that?

**Senator Clemens:** It could. There's 34 or 35 other states that currently have this type of a law implemented. That is a legitimate concern. There have been what they call crank calls where somebody just makes up a story. They could falsely accuse someone, but of that number and the number of cases that are investigated that number is low. I don't have the actual percentage. That's true in the day we live, we are all subject to a false accusation. It could happen here. There is no way to prevent that. But the sponsor of this bill, I would like to see that at least there is a number available to the children. This is just requiring that schools make the number available.

**Senator Oban:** I appreciate that you're trying to make sure that people have access to resources and helplines. I guess what came to mind is, so how many now should we add? I think it's fair to make sure that people have access to a suicide helpline, to a sexual assault helpline, to an addiction services. I am just wondering if this list is going to grow and end up and that's not necessarily a bad thing. We want people to have access to those resources but did you give any other thought to any of those other things that we would want everybody to have access too if they were looking for help?

**Senator Clemens:** If a child called the number that is given by the DPI, given a number to the school district, that child could call and they wouldn't just be limited to child abuse. If they had any kind of issue through the number they can get help. Does that answer your question?

**Senator Oban:** It does, but people specialize in certain issues. So if I were to call a child abuse helpline it likely would not, I suppose they could look up for me a suicide prevention helpline or a sexual assault helpline or somewhere where I could get addiction and recovery services, but, it's not like a one-stop shop number because people specialize in specific issues. So I was just wondering if you had given any thought to any of those other issues?

**Senator Clemens:** No, I didn't.

**Aimee Copas**, Executive Director of the NDCEL spoke in support of SB2186. **Written att #2.** (11:52-13:52)

**Mark Jorritsma**, Executive Director of Family Policy Alliance of North Dakota, spoke in support of SB2186. **Written att #3**(14:57-18:36). He spoke of the amendments or rewrite if you will of this bill. We would certainly support that and we understand what Senator Oban was referring too. Our only request would be that on the posters or the resources it would say, "if you're a victim of child abuse or you have a drug problem, it would actually list out the various things are, not be a general poster" and then obviously the contact information.

**Senator Schaible:** Closed the hearing on SB2186.

# 2019 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Sheyenne River Room, State Capitol

SB 2186  
2/11/2019  
Job # 32536

- Subcommittee  
 Conference Committee

Committee Clerk: Lynn Wolf/ Mary Jo Wocken

## Explanation or reason for introduction of bill/resolution:

Relating to requiring schools to post information regarding child abuse and neglect.

## Minutes:

**Chairman Schaible** opened the Senate Education Committee for discussion of SB2186. All senators are present.

**Chairman Schaible:** The child abuse act and then there was another one about “shall require each school to post at eye level”. Committee what are your wishes for discussion? I feel for the sentiments of the Senator but I don’t think requiring a school to post at eye level. I think schools are trying to do what’s correct and appropriate and actually have a sincere desire to get the message across. I don’t feel we need a law that tells us how this should be done. I think they can do that locally. I know what the intentions are, but I don’t see this bill as helping the problem.

**Senator Oban: I will move a do not pass on SB2186.**

**Senator Fors: 2<sup>nd</sup>**

**Senator Schaible:** We have a motion and a 2<sup>nd</sup> on SB2186. Any other discussion?

**Senator Rust:** I kind of inclined to go to the opposite way on that one. I understand that maybe what we should do is you should have lots of signs up for people to report. However, is I think if you put all those on one sign it gets lost because it’s too much. Yet, I do agree with the sponsor of the bill that unfortunately for some kids’ home is not a safe place. It’s sad but it’s true. So I was a little constricted on that one.

**Senator Fors:** Why do you have to put everything on one side?

**Senator Rust:** That’s just we would simplify the tape.

**Senator Fors:** I mean you could have a dozen, of them around the corner right, any place you want too.

**Senator Rust:** This one does not put all of them in one sign, that was a suggestion. This one would be a separate sign. So your right you could do that.

**Senator Schaible:** If a school feels that that is necessary now, could they not do that now? Do you feel that there's any school out there that is not doing something they feel would help? I feel that schools are trying to do everything they can to and do what they're doing and we don't need a law that says you need to put a sign at eye level. I think they are trying to get their message across and that's what I am getting at.

**Senator Elkin:** Even at the present time I walk into my own school which is Richardson-Taylor, and they've got them posted. They've got health hotlines, so much junk on the wall, you can't hardly see it. It's not junk, not necessarily, there is so much stuff out there, but I see these help hotlines. Are students using them? I don't know if they are or not. There is just a lot of stuff that's being posted out there right now.

**Senator Rust:** I am a little bit wishy washy as you can tell because I to wonder about the amount of stuff that we have posted. When I look at this bill, it's kind of and I think it is a really good idea so it forces everybody to do something. I feel both ways here.

**Senator Elkin:** I do like the bill. I like everything about it. But I think it is already being done.

**Senator Schaible:** I agree. I believe schools are trying to do the right thing. They are trying to do what they can. I don't see this as solving a problem. First of all, there is no who is going to check to make sure that it is done, second thing is, what's the penalty if they don't get it done? That's kind of like, okay now. I don't see it working as the way they intended.

**Senator Davison:** So before Senator Rust was, I was going to quietly vote against the do not pass thing and not say too much about it, and just move on, but I do think it is a good idea. I was looking to see was there or did the school boards or did NDCEL have any testimony. I can't remember if they had any suggestions. I know we talked about that we were going to put "a school commons area" instead of areas.

**Senator Schaible:** There is an amendment NDCEL.

**Senator Oban:** If the committee is comfortable with that I am happy to have that drafted. It is the amendment from NDCL. The amendment is way better. I can have an amendment drafted to really get Senator Rust on my side, and say that the school must report where when they posted it, how high it was located. I am not joking around about the subject. I do think that the amendment suggested by NDCEL is much more encompassing. So, if that's where people feel more comfortable, I am fine with that. I am not comfortable with this.

**Senator Schaible:** No I am not comfortable the way the bill is. I don't have a problem with the amendment, it is just that why do we need the amendment. Shouldn't they be doing that anyway? That's the whole point. Do we need to explain their job to them?

**Senator Elkin:** I don't think that NDCEL's, not that they didn't try on the amendment but it kind of takes away the purpose of some of what Senator Clemens is trying to get too a little bit, I think. He specifically talks about it being eye level, and he's targeting an audience and he's got a vision in his mind of how he believes this should happen. It gets you off the hook.

**Senator Rust:** Well, because I think there is lots of other issues that are out there. I am it's not just child abuse. There are lots of other things that maybe we should be posting. Instead of having 20 of them, maybe we just have one now.

**Senator Elkin:** You work within the community of educators. Are there plenty of signage there. As a matter of fact, there is probably too much. So, how do you strain between what should be there and what shouldn't be there?

**Senator Oban:** That's going to differ from school to school even within one district. You know we've got schools now in Bismarck that almost look like the entry way of a clinic. I mean there are literally racks with brochures of every single sort of interest or issue with resources, with a helpline. I think that is more than appropriate and so that's why I guess I just have a hard time saying for one issue which of course is very serious and we all care about. You know to dictate how and where that this specific one should be posted I just think is a little bit overkill.

**Senator Rust:** I see you could have something about suicide on there. You could have something about drug abuse. I mean I think there is a number of issues that maybe when I think of child abuse, it is a horrendous thing when it happens. But I think you could. I think there is a number of pertinent issues there that you could put on there and maybe then be able to take off a few others that might be already posted. You would have that notification for kids.

**Senator Schaible:** It was like our first bill that we heard today 2149. You know we're talking safe and healthy schools. It's a different topic, but it is the same issue. It's about protecting our kids and keeping them safe and able to learn. But like it says, we keep carving out every little specific area that and in targeting that I think really it should be a coordinated approach to how we keep our kids safe and what's the best way to notify them and help them provide services.

**Senator Rust:** Just for I am going to vote against the do not pass. Okay. Just so you know that in case other people are wondering. I think we should try to make this better. I think we have an opportunity to.

**Senator Oban:** I would withdraw my do not pass recommendation so that we can make an amendment. I would much prefer to go that route to than to have a split committee vote that gives some weird appearance that some of us are cool with child abuse and some of us aren't. I mean really that's why you guys are doing this.

**Senator Fors:** I withdraw my 2<sup>nd</sup>.

**Senator Schaible:** Now we have SB2186 before us again without any.

**Senator Rust:** If you like somebody to bring the amendment to you I would be willing to go after it.

**Senator Schaible:** We got to get that done to LC so we have the amendment by tomorrow. Other discussion on 2186.

**Senator Marcellais:** In addition to the posters I think we should look at a newsletter to the parents or something with those numbers. In our school they have orientation at the beginning of the year, and that should be shared not only with the parents but also with the students.

**Senator Rust:** I think it is a good idea, Senator Marcellais, although I think if you post it a lot of parents are going to be coming into that building. We see that. I don't know that the newsletter would be necessary because parents frequent our buildings often and I think if you have it in a conspicuous place not. If the kids will find it, the parents will find it.

**Senator Schaible:** I mean that I don't mind the idea. I think they get an orientation at the beginning of the year, there's a handbook and a parent handbook that they get, so I mean if we put it in that which I am sure that they do. It's the best a school can do. So we will hold this until we see the amendment.

# 2019 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Sheyenne River Room, State Capitol

SB2186  
2/13/2019  
Job # 32643

- Subcommittee  
 Conference Committee

Committee Clerk: Lynn Wolf/ Mary Jo Wocken
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## **Explanation or reason for introduction of bill/resolution:**

Relating to requiring schools to post information regarding child abuse and neglect.

## **Minutes:**

Written att. #1- amendment
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**Chairman Schaible** called the Senate Education Committee for discussion and vote on SB2186. All senators are present.

**Chairman Schaible:** We have several amendments to go out. We'll do 2186.

**Senator Rust:** passed out the amendment. **Written attachment #1-amendment.**

**Senator Rust:** You have before you the amendment 19.0714.02001 and aside from kind of changing that stuff at the top of the bill, it reads like "A bill for an Act to create and enact a new section to chapter 15.1-19 of the North Dakota Century Code, relating to providing schools with information regarding school safety and awareness issues to be posted in school common areas". Go down into line 7, instead of being child abuse, neglect it will be 'school safety and awareness' information and resources in schools. Then the last part it will say 'the superintendent of public instruction shall in coordination with other relevant state agencies, create information, resources, and helplines for students regarding appropriate school safety and awareness issues. The superintendent shall disseminate the information, resources, and helplines to schools to be posted in school common areas'.

**Senator Schaible:** This is the Christmas tree version of what you just said.

**Senator Rust:** I would move amendment 19.0714.02001.

**Senator Marcellais:** 2<sup>nd</sup>

**Roll call vote:** 6 Yea, 1 No 0 Absent

**Senator Schaible:** We have before us SB2186 as amended, what are your wishes?

**Senator Rust:** I would move do pass on SB2186 as amended

Senate Education Committee  
SB2186  
February 13, 2019  
Page 2

**Senator Marcellais- 2<sup>nd</sup>**

**Roll call vote: 7 Yes 0 No 0 Absent**

**Carrier: Senator Rust**

February 12, 2019

8/2  
10/5/1

PROPOSED AMENDMENTS TO SENATE BILL NO. 2186

Page 1, line 2, replace "requiring" with "providing"

Page 1, line 2, after "schools" insert "with information regarding school safety and awareness issues"

Page 1, line 2, remove "post information regarding child abuse and"

Page 1, line 3, replace "neglect" with "be posted in school common areas"

Page 1, line 7, replace "**Child abuse and neglect**" with "**School safety and awareness**"

Page 1, line 8, after "instruction" insert ", in coordination with other relevant state agencies."

Page 1, line 8, remove "require each school to post, at an average"

Page 1, line 9, replace "student's eye level, in school common areas" with "create"

Page 1, line 10, remove "child abuse and neglect. The helpline number must be easily discernible from a"

Page 1, line 11, replace "distance of ten feet [3.05 meters]" with "appropriate school safety and awareness issues. The superintendent shall disseminate the information, resources, and helplines to schools to be posted in school common areas"

Renumber accordingly



Date: 2-13-19  
Roll Call Vote #: 2

2019 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 2186

Senate Education Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar

Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rust Seconded By Marcellais

Senators	Yes	No	Senators	Yes	No
Chairman Schaible:	✓		Senator Marcellais:	✓	
Vice-Chairman Fors:	✓		Senator Oban:	✓	
Senator Davison	✓				
Senator Elkin:	✓				
Senator Rust:	✓				

Total (Yes) 7 No 0

Absent \_\_\_\_\_

Floor Assignment Rust

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2186: Education Committee (Sen. Schaible, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2186 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "requiring" with "providing"

Page 1, line 2, after "schools" insert "with information regarding school safety and awareness issues"

Page 1, line 2, remove "post information regarding child abuse and"

Page 1, line 3, replace "neglect" with "be posted in school common areas"

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Page 1, line 11, replace "distance of ten feet [3.05 meters]" with "appropriate school safety and awareness issues. The superintendent shall disseminate the information, resources, and helplines to schools to be posted in school common areas"

Renumber accordingly

**2019 HOUSE EDUCATION**

**SB 2186**

# 2019 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau A Room, State Capitol

SB 2186  
3/5/2019  
33172

- Subcommittee  
 Conference Committee

Committee Clerk: Bev Monroe

## **Explanation or reason for introduction of bill/resolution:**

A bill relating to requiring schools to post information regarding child abuse and neglect

## **Minutes:**

Attachment 1, 2, 3

**Vice Chairman Cynthia Schreiber-Beck:** Opened the hearing

**Sen. David Clemens:** This bill was introduced in the Senate relating to child sexual abuse notifications that would be posted in the public schools. That original version also listed the size of the printing, etc., to make it very discernable for the students to get the information on child sexual abuse. The bill before you has been amended. If approved, this bill would include any type of abuse, not just specific to child sexual abuse, but to alcohol, drug, child abuse issues. The bill is relating to providing schools with information regarding school safety and awareness issues to be posted in school common areas. Starting with line 7 on page 1, school safety and awareness information and resources in schools. The superintendent of public instruction, in coordination with other relevant state agencies, shall create information, resources, and helplines for students regarding appropriate school safety and awareness issues. The superintendent shall disseminate the information, resources, and helplines to schools to be posted in school common areas. With that, I would ask that you would give this a favorable consideration.

**Vice Chairman Cynthia Schreiber-Beck:** Any questions?

**Rep. Mary Johnson:** Do you see this as quite involved? When looking to see if there was a fiscal note, I saw that it only involved posters in schools in common areas. If that is the case, there would probably be a very deminimis fiscal note if there were any at all.

**Sen. David Clemens:** It was understood that the Superintendent of Public Instruction would email each public school with an attached file with a poster or the information and each school would print this out on their printer and there would be no cost involved with it.

**Vice Chairman Cynthia Schreiber-Beck:** Any additional questions from the committee? This is quite similar to a bill we passed as well that you have on your side now. Additional support?

**Russ Ziegler, NDCEL: (Attachment 1)**

**Vice Chairman Cynthia Schreiber-Beck:** Continuing in support of SB 2186? Any opposition? Any neutral testimony?

**Robin Lang, Asst. Director, Office of Safe and Healthy Schools, DPI (Attachment 2):**

**Vice Chairman Cynthia Schreiber-Beck:** Any questions from the committee?

**Rep. Mary Johnson:** Did you hear the testimony of Sen. Clemens who said this is all about posters in common areas? This isn't about creating hotlines or helplines or other things you reference in your testimony.

**Robin Lang:** I did hear that. The way it was written it wasn't clear that it would be at reference helplines and information. If it was specific to posters and things like that it puts a different spin on the bill.

**Rep. Mary Johnson:** Did you provide this testimony on the Senate side prior to any amendments or was this testimony on the bill as we see it?

**Robin Lang:** I was assigned the bill this morning as we have a staff member out sick. It was not provided on the original side because there was a late amendment. This was not heard by the original committee.

**Rep. Mary Johnson:** Was there any testimony on the senate side?

**Robin Lang:** No.

**Vice Chairman Cynthia Schreiber-Beck:** Additional questions?

**Rep. Ron Guggisberg:** Have you ever considered putting posters in schools to address this, and if so, why? Do these methods work better?

**Robin Lang:** In this issue, for school safety it encompasses a lot. The original intent of the bill was child abuse and neglect; we don't create those posters but we certainly disseminate for the group that does create those and then it is up to local control for schools to post that wherever they see necessary.

**Rep. Pat D. Heinert:** Is there one helpline number statewide or does every school system develop their own?

**Robin Lang:** That again is up to local control. It depends on how that local board feels.

**Rep. Pat D. Heinert:** How would DPI disseminate a poster style flyer for each of the schools in the state. Do you have a way of communicating with each of the schools to decide what number you are supposed to put on there?

**Robin Lang:** That's where it gets really complicated with local control and all these entities providing information to schools. There is not one poster that would encompass all of that.

**Vice Chairman Cynthia Schreiber-Beck:** Additional questions?

**Rep. Andrew Marschall:** Would it be possible to create a poster and where the number is, just leave it blank. When it is disseminated to all those schools they can put whatever number they want in there.

**Robin Lang:** That is one thought, but clarity on what that poster would be; it is a school safety issue. So, is it on bullying, is it on child sexual abuse? I think we just need some clarity on the amendment. That could be an option but it may not be.

**Rep. Andrew Marschall:** In my business I have to have an OSHA placard which gives all the information for the state of North Dakota except where phone numbers are listed at the bottom, it just gives a blank line. I could envision DPI coming up with a poster but determining what needs to be on that poster and leaving that part of the poster blank. Would that be a possibility?

**Robin Lang:** I don't think that would be the best possibility, but it may work. I think that other agencies and like text-a-tip for bullying, etc., those organizations have their own posters that they distribute to schools. They would like theirs hung versus the one we would distribute.

**Vice Chairman Cynthia Schreiber-Beck:** Any further questions? Any neutral testimony? Seeing none, we will close the hearing.

**Mark Jorritsma (Attachment 3)** – handed out/no verbal testimony

# 2019 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau A Room, State Capitol

SB 2186  
3/13/2019  
33626

- Subcommittee  
 Conference Committee

Committee Clerk: Bev Monroe

## **Explanation or reason for introduction of bill/resolution:**

A bill relating to requiring schools to post information regarding child abuse and neglect

Minutes:

**Chairman Owens:** Rep. Strinden, would you like to explain your amendment?

**Rep. Michelle Strinden:** After the bill hearing, it changed the intent of Sen. Clemens' bill. Janice Bundas was here testifying on behalf of another bill that was similar. It was passed here and I do know that it did die in the Senate. She travelled here from Texas and if you recall from her testimony which was based on her own experience as a child where she was sexually abused by her family members and her intent behind the bill and doing this nationwide – her feeling is that if she would have seen this type of poster in her school she would have been able to tell somebody about the abuse. That is the motivation behind her coming to visit all the states in the union.

It is simply providing a poster for schools to post. It has the National Child Abuse Hotline number and it would be easier for students that are younger to report abuse that is happening to them. The bill amended in the Senate that made the language relating to school safety and awareness also provided that the Department of Public Instruction would produce hotline numbers and I don't know that it would be feasible to do so. I ask for an amendment to change the language back to the original intent of the bill's sponsor and if the committee is open to that we can debate the bill on that merit.

**Chairman Owens:** I'm curious as to whether the poster is going to make a difference after we had testimony from the young lady who tried to commit suicide and told multiple people of her intentions and no one took notice as to intervention on her behalf.

**Vice Chairman Cynthia Schreiber-Beck:** When you're requiring DPI to send that out, one of our associations or school boards, etc., they would do that. I don't think we would have to put that in code. If we put it in code, would we know if it would be done, would we have someone checking if the posters are posted. What would be the penalty if they weren't posted? I think this could be done by just asking one of the agencies or associations to disseminate them. That is my thought on it.

**Chairman Owens:** Any further discussion?

**Rep. Hoverson:** Did we ever get an answer on the wording on line 9 – ‘shall create information, resources, and helplines’ ....., did we ever discuss, are we asking DPI to create a helpline or just make aware?

**Chairman Owens:** That’s what the current bill does, it requires them to create a helpline. The amendment does take that out.

**Representative Denton Zubke:** Although I do agree with Rep. Schreiber-Beck, I don’t see the harm in sending the posters out and requiring the schools to put them up. If they don’t, they don’t. You see the same thing with Worker’s Comp. posters; they are required to post them but no one goes around to check to see if they do post them. If you do become subject to an audit, they make look for things like that. Beyond that, the federal government requires a lot of posters to be put up and a lot of places don’t put them up. If this helps at least one student, then it’s worth the effort of what is going in to this. If thirty-five other states are doing it, maybe it will become part of some national program. I would be in favor of these amendments.

**Chairman Owens:** We don’t have poster police running around on the federal requirements for all employment, wages, worker’s rights, etc., but one complaint happens and they come in and look and they fine you.

**Rep. Ron Guggisberg:** I don’t think there will be an issue with putting posters up, because in my experience someone will find a way to get the contract for these posters. They will make the posters and it will have no effect, or may save one life, but what we don’t consider enough is using these resources for the next best thing. Maybe the schools have an idea of helping students understand how to get help. I think we should let the schools decide this instead of mandating a particular form of information.

**Rep. Mary Johnson:** I’d like to **move** the amendments.

**Rep. Andrew Marschall:** I’ll **second** it.

**Chairman Owens:** Any discussion?

**Rep. LaurieBeth Hager:** I think this is too specific. I don’t think we need to say what eye level the poster needs to be at and how far away a person needs to see the poster. That is a bit of overkill. I’m not against the amendment but on page 1, line 9, where it says to post at an average students eye level, that’s pretty specific. On page 1, line 11, ‘helpline numbers must be easily discernible from a distance of ten feet’, I think we don’t have to be that specific in anything on the books. That part of the amendment I would prefer not to be that specific.

**Rep. Pat D. Heinert:** From a law enforcement perspective and someone who has worked sexual abuse crimes against young children, the ten feet away thing I can totally understand. I questioned the eye level too, but the ten feet away portion I can understand. Kids are afraid to let anybody close to them that they think may say something or find out what is going on in their personal life. Anything we can do that allows a child to indiscriminately find out information is a good thing in my view.

**Rep. Michelle Strinden:** One thing about this helpline number is that this is the National Child Abuse Hotline number and it is staffed 24/7 by licensed counselors who are able to help the child with their problem. Certain hotline numbers you call in North Dakota you may get an answering machine, finding people to help you by calling a phone number is not an easy thing. I think it would be worthwhile to provide a hotline number.

**Chairman Owens:** Rep. Hoverson was asking regarding the original bill asking them to create a hotline. It better have an appropriation, because you will need 4.7 full-time individuals to operate a 24/7 hotline weekly. Any further discussion?

A **Voice Vote** was taken with the **motion carrying**.

**Vice Chairman Cynthia Schreiber-Beck:** I have another amendment to offer. This provides the opportunity to put back a bill that was killed in the Senate and was rather important. HB 1262 was brought forward by Rep. Satrom that dealt with the Attorney General needing some permission to use money if they would actually receive the money and how to use those funds. That Section 2 in its entirety is that bill. Rep. Satrom recognized that the bill had been killed on the Senate side and asked that it be put back in some place. I believe that the Senate is in agreement. They didn't get a response from the Attorney General's office when they asked.

**Representative Denton Zubke:** Do you have any ideas specifically why the Senate killed the bill and does that endanger the bill that we are looking at here?

**Vice Chairman Cynthia Schreiber-Beck:** They were looking for a response from the Attorney General's Office, they didn't call them back in time, so they just killed the bill.

**Chairman Owens:** I believe that the bill didn't actually require anything and they didn't see any purpose over and above what we were doing already and they didn't understand that the last two paragraphs enabled the Attorney General to accept the money and do something with it. That's why he was trying to get a response to verify that with the Attorney General. By the time he talked to him, the vote was done.

**Rep. Ron Guggisberg:** Have we heard from the Attorney General's Office? It sounds like they need it, but I looked up the program this was talking about and they are already doing it with federal funds. I don't know how they can need this if they are doing it right now without it.

**Chairman Owens:** When we voted it out, we had heard from the Attorney General at the time that this would help them. That's why we amended it to put that in there, back when we heard it with the house bill that we sent over. They didn't hear back from the Attorney General before they voted on it.

**Vice Chairman Cynthia Schreiber-Beck:** Rep. Guggisberg, we sent her an email that had the actual response from the Attorney General's office, as I was in question as well. An email was sent out before we voted on that bill.

**Rep. Ron Guggisberg:** I think we have two parts of the bill that may or may not help, but I will probably vote for it so we can get it to conference committee. There are still a lot of questions.

**Chairman Owens:** What was the house bill number?

**Vice Chairman Cynthia Schreiber-Beck:** It was HB 1262.

**Chairman Owens:** Could we get the testimony from HB 1262 that is from the Attorney General?

**Rep. Ron Guggisberg:** I make a **motion** to move the amendment.

**Representative Denton Zubke: Seconded.**

**A Voice Vote** was taken with the motion carrying.

**Vice Chairman Cynthia Schreiber-Beck:** I have testimony from Molly Goebel and she is responding to Rep. Satrom because I had asked him for more information. The response says, "Attached are the proposed amendments we discussed briefly yesterday which would allow us to pursue federal funding to expand and help increase the awareness and effectiveness of Project Standup. If this is agreeable, Legislative Council can get it cleaned up and finalized for you. If you have any questions or changes, I'm happy to help."

We amended HB 1262 to these and then passed it with these in it. That was the response from the Attorney General's office.

**Chairman Owens:** Are there any further questions? We have a motion before us for an amendment to SB 2186 as amended made by Rep. Guggisberg, seconded by Rep. Zubke. A Voice Vote was taken with the motion carrying.

**Representative Denton Zubke:** I'll recommend a **Do Pass** on SB 2186 as amended.

**Rep. Pat D. Heinert: Seconded.**

A **Roll Call Vote** was taken: **Yes 13, No 0, Absent 1**. A **Do Pass as amended** carried with Rep. Strinden carrying SB 2186.

# 2019 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau A Room, State Capitol

SB 2186  
3/19/2019  
33930

- Subcommittee  
 Conference Committee

Committee Clerk: Bev Monroe

## **Explanation or reason for introduction of bill/resolution:**

A bill relating to requiring schools to post information regarding child abuse, neglect, and school safety and crisis reporting programs; and to provide for a continuing appropriation

## **Minutes:**

**Chairman Owens:** SB 2186 is back for us to reconsider.

**Vice Chairman Cynthia Schreiber-Beck:** I move to reconsider SB 2136.

**Rep. Longmuir:** **Seconded.**

A **Voice Vote** was taken and the motion carried to reconsider SB 2136. .

**Chairman Owens:** We have in front of us SB 2186.

**Vice Chairman Cynthia Schreiber-Beck:** I'd like to make a **Motion to Amend** SB 2186. In line 1, strike after chapter to the end of the line. On line 2, strike chapter and relating to requiring schools to post, line 3 information regarding child abuse, neglect, and – those are all struck, and strike entirely section 1, relabel section 2 as section 1. That is the entire amendment.

**Chairman Owens:** Is there a second?

**Rep. Michelle Strinden:** **Seconded.**

**Chairman Owens:** Discussion?

**Vice Chairman Cynthia Schreiber-Beck:** I've been in communication with Human Services - the numbers that were proposed to be utilized; neither one of those numbers would be as effective as we had hoped they would be. The 211 number is just related to a suicide line and the other number would be a two-step process in order to get to where a student in a school would need to get to. Therefore, it was recommended through Human Services and Child Protection that those numbers not be utilized. There will be a number in about two

years in North Dakota so we do have an opportunity which I think will be integrated by that time.

**Chairman Owens:** Any further discussion from the committee?

**A Roll Call Vote** was taken to adopt amendment. **Yes 14, No 0, Absent 0.** Motion carries to amend SB 2186.

**Chairman Owens:** We have an amended bill in front of us. What is the committee's pleasure?

**Rep. Brandy Pyle:** I recommend a **Do Pass** for SB 2186 as **Amended**.

**Rep. Michelle Strinden:** **Seconded.**

**Chairman Owens:** Any discussion? Seeing none.

**A Roll Call Vote** was taken: **Yes 14, No 0, Absent 0.** A **Do Pass as Amended** on SB 2136 carries.

**Rep. Strinden:** will carry SB 2186.

Hearing closed.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2186

Page 1, line 2, replace "providing" with "requiring"

Page 1, line 2, replace "with" with "to post"

Page 1, line 2, remove "school safety and"

Page 1, line 3 replace "awareness issues to be posted in school common areas" with "child abuse and neglect"

Page 1, line 7, replace "**School safety and awareness**" with "**Child abuse and neglect**"

Page 1, line 8, remove ". in coordination with other relevant state agencies."

Page 1, line 9, replace "create" with "require each school to post, at an average student's eye level, in school common areas"

Page 1, line 9, remove "appropriate school"

Page 1, line 10, replace "safety and awareness issues" with "child abuse and neglect"

Page 1, line 10, remove "superintendent shall disseminate the information, resources."

Page 1, line 11, replace "and helplines to schools to be posted in school common areas" with "helpline number must be easily discernible from a distance of ten feet [3.05 meters]"

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2186

Page 1, line 1, after "15.1-19" insert "and a new section to chapter 54-12"

Page 1, line 3, after "areas" insert "and school safety and crisis reporting programs; and to provide a continuing appropriation"

Page 1, after line 11, insert:

"**SECTION 2.** A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

**School safety and crisis reporting programs - Confidentiality of records - Continuing appropriation.**

1. The attorney general shall encourage and promote the use of statewide and locally-selected school safety and crisis reporting programs.
2. If funding becomes available, the attorney general may:
  - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
  - b. Conduct outreach to promote awareness of statewide or locally-selected school safety and crisis reporting programs.
3. All records or information related to the operation of the programs described in subsection 1 are exempt records as defined in section 44-04-18.1.
4. The attorney general may seek and accept gifts, grants, and donations from any source for the purpose of carrying out its duties under this section. All moneys received as gifts, grants, and donations are appropriated to the attorney general on a continuing basis for the purpose of carrying out this section.
5. The attorney general may adopt rules necessary to administer the duties required to carry out this section."

Renumber accordingly

March 13, 2019

DE 3/13/19  
1 of 2

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2186

Page 1, line 1, after "15.1-19" insert "and a new section to chapter 54-12"

Page 1, line 2, replace "providing" with "requiring"

Page 1, line 2, replace "with" with "to post"

Page 1, line 2, remove "school safety and"

Page 1, line 3, replace "awareness issues to be posted in school common areas" with "child abuse, neglect, and school safety and crisis reporting programs; and to provide a continuing appropriation"

Page 1, line 7, replace "**School safety and awareness**" with "**Child abuse and neglect**"

Page 1, line 8, remove ", in coordination with other relevant state agencies,"

Page 1, line 9, replace "create" with "require each school to post, at an average student's eye level, in school common areas"

Page 1, line 9, remove "appropriate school"

Page 1, line 10, replace "safety and awareness issues" with "child abuse and neglect"

Page 1, line 10, remove "superintendent shall disseminate the information, resources,"

Page 1, line 11, replace "and helplines to schools to be posted in school common areas" with "helpline numbers must be easily discernible from a distance of ten feet [3.05 meters]"

Page 1, after line 11, insert:

"**SECTION 2.** A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

**School safety and crisis reporting programs - Confidentiality of records - Continuing appropriation.**

1. The attorney general shall encourage and promote the use of statewide and locally selected school safety and crisis reporting programs.
2. If funding becomes available, the attorney general may:
  - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
  - b. Conduct outreach to promote awareness of statewide and locally selected school safety and crisis reporting programs.
3. All records or information related to the operation of programs described in subsection 1 are exempt records as defined in section 44-04-18.1.
4. The attorney general may seek and accept gifts, grants, and donations from any source for the purpose of carrying out its duties under this section. All moneys received as gifts, grants, and donations are

DE 3/13/19  
0 of 2

appropriated to the attorney general on a continuing basis for the purpose of carrying out this section.

5. The attorney general may adopt rules necessary to administer the duties required to carry out this section."

Renumber accordingly

March 19, 2019

CM  
1 of 1  
3/19/19

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2186

In lieu of the amendments as printed on pages 1172 and 1173 of the House Journal, Senate Bill No. 2186 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to school safety and crisis reporting programs; and to provide a continuing appropriation.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

**School safety and crisis reporting programs - Confidentiality of records - Continuing appropriation.**

1. The attorney general shall encourage and promote the use of statewide and locally selected school safety and crisis reporting programs.
2. If funding becomes available, the attorney general may:
  - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
  - b. Conduct outreach to promote awareness of statewide and locally selected school safety and crisis reporting programs.
3. All records or information related to the operation of programs described in subsection 1 are exempt records as defined in section 44-04-18.1.
4. The attorney general may seek and accept gifts, grants, and donations from any source for the purpose of carrying out its duties under this section. All moneys received as gifts, grants, and donations are appropriated to the attorney general on a continuing basis for the purpose of carrying out this section.
5. The attorney general may adopt rules necessary to administer the duties required to carry out this section."

Re-number accordingly

Date: 3-13-19  
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 2186

House Education Committee

Subcommittee

Amendment LC# or Description: 19.0714.03001

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep. M. Johnson Seconded By Rep. A. Marschall

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens			Rep. Guggisberg		
V. Chair. Schreiber-Beck			Rep. Hager		
Rep. Heinert					
Rep. Hoverson					
Rep. D. Johnson					
Rep. M. Johnson					
Rep. Johnston					
Rep. Longmuir					
Rep. Marschall					
Rep. Pyle					
Rep. Strinden					
Rep. Zubke					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment VOICE VOTE

If the vote is on an amendment, briefly indicate intent:

MOTION CARRIED

Date: 3-13-19  
 Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2186**

House Education Committee

Subcommittee

Amendment LC# or Description: 19.0714.03002  
.04000

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep. Guggisberg Seconded By Rep. Zubke

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens			Rep. Guggisberg		
V. Chair. Schreiber-Beck			Rep. Hager		
Rep. Heinert					
Rep. Hoverson					
Rep. D. Johnson					
Rep. M. Johnson					
Rep. Johnston					
Rep. Longmuir					
Rep. Marschall					
Rep. Pyle					
Rep. Strinden					
Rep. Zubke					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment VOICE VOTE

If the vote is on an amendment, briefly indicate intent:  
MOTION

Date: 3-13-19  
 Roll Call Vote #: 21

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2136**

House Education Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. Zubke Seconded By Rep. Heinert

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens	✓		Rep. Guggisberg	✓	
V. Chair. Schreiber-Beck	✓		Rep. Hager	✓	
Rep. Heinert	✓				
Rep. Hoverson	✓				
Rep. D. Johnson	✓				
Rep. M. Johnson	✓				
Rep. Johnston	✓				
Rep. Longmuir	✓				
Rep. Marschall	✓				
Rep. Pyle	✓				
Rep. Strinden	A				
Rep. Zubke	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. Strinden

If the vote is on an amendment, briefly indicate intent:

Date: 3-19-19  
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 2186

House Education Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep. Schreiber-Beck Seconded By Rep. Longmuir

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens			Rep. Guggisberg		
V. Chair. Schreiber-Beck			Rep. Hager		
Rep. Heinert					
Rep. Hoverson					
Rep. D. Johnson					
Rep. M. Johnson					
Rep. Johnston					
Rep. Longmuir					
Rep. Marschall					
Rep. Pyle					
Rep. Strinden					
Rep. Zubke					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment VOICE VOTE - MOTION CARRIED

If the vote is on an amendment, briefly indicate intent:

Date: 3-19-19  
 Roll Call Vote #: 2

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2186**

House Education Committee

Subcommittee

Amendment LC# or Description: 19.0714.03003

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep. Schreiber-Beck Seconded By Rep. Strinden

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens	✓		Rep. Guggisberg	✓	
V. Chair. Schreiber-Beck	✓		Rep. Hager	✓	
Rep. Heinert	✓				
Rep. Hoverson	✓				
Rep. D. Johnson	✓				
Rep. M. Johnson	✓				
Rep. Johnston	✓				
Rep. Longmuir	✓				
Rep. Marschall	✓				
Rep. Pyle	✓				
Rep. Strinden	✓				
Rep. Zubke	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Strinden

If the vote is on an amendment, briefly indicate intent:

Date: 3-19-19  
 Roll Call Vote #: 3

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2186**

House Education Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. Pyle Seconded By Rep. Strinden

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens	✓		Rep. Guggisberg	✓	
V. Chair. Schreiber-Beck	✓		Rep. Hager	✓	
Rep. Heinert	✓				
Rep. Hoverson	✓				
Rep. D. Johnson	✓				
Rep. M. Johnson	✓				
Rep. Johnston	✓				
Rep. Longmuir	✓				
Rep. Marschall	✓				
Rep. Pyle	✓				
Rep. Strinden	✓				
Rep. Zubke	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Strinden

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2186, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2186 was placed on the Sixth order on the calendar.

Page 1, line 1, after "15.1-19" insert "and a new section to chapter 54-12"

Page 1, line 2, replace "providing" with "requiring"

Page 1, line 2, replace "with" with "to post"

Page 1, line 2, remove "school safety and"

Page 1, line 3, replace "awareness issues to be posted in school common areas" with "child abuse, neglect, and school safety and crisis reporting programs; and to provide a continuing appropriation"

Page 1, line 7, replace "**School safety and awareness**" with "**Child abuse and neglect**"

Page 1, line 8, remove ", in coordination with other relevant state agencies."

Page 1, line 9, replace "create" with "require each school to post, at an average student's eye level, in school common areas"

Page 1, line 9, remove "appropriate school"

Page 1, line 10, replace "safety and awareness issues" with "child abuse and neglect"

Page 1, line 10, remove "superintendent shall disseminate the information, resources."

Page 1, line 11, replace "and helplines to schools to be posted in school common areas" with "helpline numbers must be easily discernible from a distance of ten feet [3.05 meters]"

Page 1, after line 11, insert:

**"SECTION 2.** A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

**School safety and crisis reporting programs - Confidentiality of records - Continuing appropriation.**

1. The attorney general shall encourage and promote the use of statewide and locally selected school safety and crisis reporting programs.
2. If funding becomes available, the attorney general may:
  - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
  - b. Conduct outreach to promote awareness of statewide and locally selected school safety and crisis reporting programs.
3. All records or information related to the operation of programs described in subsection 1 are exempt records as defined in section 44-04-18.1.
4. The attorney general may seek and accept gifts, grants, and donations from any source for the purpose of carrying out its duties under this section. All moneys received as gifts, grants, and donations are

appropriated to the attorney general on a continuing basis for the purpose of carrying out this section.

5. The attorney general may adopt rules necessary to administer the duties required to carry out this section."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2186, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2186 was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on pages 1172 and 1173 of the House Journal, Senate Bill No. 2186 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to school safety and crisis reporting programs; and to provide a continuing appropriation.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

**School safety and crisis reporting programs - Confidentiality of records - Continuing appropriation.**

1. The attorney general shall encourage and promote the use of statewide and locally selected school safety and crisis reporting programs.
2. If funding becomes available, the attorney general may:
  - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
  - b. Conduct outreach to promote awareness of statewide and locally selected school safety and crisis reporting programs.
3. All records or information related to the operation of programs described in subsection 1 are exempt records as defined in section 44-04-18.1.
4. The attorney general may seek and accept gifts, grants, and donations from any source for the purpose of carrying out its duties under this section. All moneys received as gifts, grants, and donations are appropriated to the attorney general on a continuing basis for the purpose of carrying out this section.
5. The attorney general may adopt rules necessary to administer the duties required to carry out this section."

Renumber accordingly

**2019 CONFERENCE COMMITTEE**

**SB 2186**

# 2019 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Sheyenne River Room, State Capitol

SB 2186  
4/10/2019  
Job #34647 (37:02)

Subcommittee  
 Conference Committee

Committee Clerk: Meghan Pegel/Amy Crane
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## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to school safety and crisis reporting programs; and to provide a continuing appropriation.

## Minutes:

No Attachments
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**Chairman Rust:** calls the Conference Committee to order on SB 2186. All members were present.

**Representative Heinert:** As we were reviewing this bill on the House Education side, the word in the bill on line 9, the word "helplines" was looked upon and we did some research on helplines for students. We determined that that's probably a telephone line system that we were looking for and a phone number to put up for students to call in common areas. In our research, we found that there's really no helpline in the state for students that would help them in anything that we're talking about such as bullying, suicides, school activities, etc. With that knowledge, we started doing some additional research, Representatives Satrom and Strinden did extreme amount of research, worked with the state health department and the Attorney General's office and wrote the amendments as you see them and the proposed House amended bill. It was determined that there will probably be some form of a helpline, hopefully within a year, that we can actually put out into the schools. A phone number that will be answered and will be directly answered, not indirectly answered. That was another position we had that was troubling for us, we didn't want a student to call in and get referred to another number or another time. We were afraid, when we were trying to think like a 15,16,17-year-old, which is hard to do, and trying to think if they would call back. We had a huge concern that if they made the determination to call, and they did not receive the assistance they needed, we were wondering would they call back? And it scared us if they got deferred once or a couple times, whether they would call back again or not. And so they may just continue to put up with the bullying. In light of that, a lot of research was done. The information was obtained that there is a helpline thought process in the works, hopefully within one year, that will be developed and put out there. We also found out that there could be some grants available that the attorney general could receive. So we kind of changed it from superintendent of public instructions under to the attorney general's office, it gave the AG the authority to receive grants, to obtain funds, contributions, several areas to obtain

money to look at this and to tailor a statewide program. There already are a couple of programs running in other states that are working towards this end. So we just tried to create an authorization to go through the AG's office and to keep this moving forward, but when we roll it out to students, we wanted to make sure we were rolling out something that was actually there.

**Chairman Rust:** One of the things, when we got the do not concur, this bill is exactly the same as HB 1262, which was defeated in the Senate by a vote of 2-42 on March 7<sup>th</sup>. There isn't a deviation of a word in it, and the things we noticed about this bill, and the reason it went down is because the bill doesn't do anything. If you look at item 1, it says the AG shall encourage. Shall does nothing. Item 2 may, again, does nothing. Number 4, the AG may seek, that really does nothing again. Item 5 was may adopt, that doesn't do anything either. For that matter, our committee chairman talked to the AG, and he didn't seem overly enthusiastic about it. Those are the reasons why it went down. I'm not sure if it went down that it won't have the same fate. I'm afraid that if we were to accede to your amendments, that this bill was going to get killed. As we looked at the original bill, you'll notice that it says superintendent shall create and shall disseminate, in both cases it will do something. The reason why we decided to go with the superintendent, the 3000 version is amended from the original bill, the thinking was it started out as the superintendent shall require each school to post at an average student eye level in a student commons area, information, resources, and help lines, with regard to child abuse and neglect. When it got to the Senate, we decided that we needed more information on that sheet than just child abuse. There are so many other things that probably could be on that posting, and we felt that if the superintendent in coordination with other relevant agencies, could create information that would be available for students to call. When we watch television we see these helplines to call and that was the reason we did what we did.

**Representative Heinert:** We received testimony from Robin Lang, Assistant director of the North Dakota Department of Public Instruction, and she made a comment that the department of Public Instructions, whether it is through collaboration work or not, does not have the resources to create helplines. And in the event the bill passes, we would see clarity on school safety and awareness issues as written in this bill. That encouraged us to look elsewhere, too. The phone line that we did find was a suicide prevention phone line but that was not answered 24 hours a day. We actually called it, Representative Strinden called it and it was a referral. It went to some other state and then they referred her to somebody within the state the next morning. And then your comment about the AG not seeming very enthusiastic kind of took me off guard because I was at a press conference last August in Minot with the AG, in my former career with the South Dakota plan and the North Dakota sheriff's and deputies association, trying to bring in a texting situation for students across the state in the rural school systems, where they could text a number. South Dakota has it and we were trying to implement that in North Dakota and the AG came, voluntarily spoke at the news conference, and was very supportive of that. So it took me off guard when you said that, because he seemed very enthusiastic to help students on that day.

**Chairman Rust:** That's the information that we had. I had not contacted him, and I would like to. I'm just concerned that if we have the identical bill, go through the Senate and go down 2-42 that the same thing will happen and end up with a bill that gets killed. Where do we go from here?

**Representative Hager:** My understanding was that the AG came to us and said that for them to secure additional funding, they felt they needed this somewhere in our code to show what we were doing. So they came back to us and said that we needed something from the AG that said we're tackling the problems associated with school crises. I remembered us talking about where those posters were going to be and I sure thought we had left something that had that in.

**Chairman Rust:** The bill was proposed by a member that isn't on our education committee, but the individual, in their testimony was really concerned about child abuse and neglect and in particular felt that unfortunately, there are some families out there where it isn't a safe place to be. And we know that, sometimes in America some of the least safe places to be is at home. It's a sad commentary on where some parts of our society had gone. And the individual thought proposed this said he felt that it was a case where students needed to know that there was someplace that they could call for some help and someone to intervene, because sometimes teachers and administrators don't know if there was a number to call in regard to child abuse and neglect, the student could call and get help out of a desperate situation. And then we decided that maybe there was more than just child abuse and neglect that we could do and we felt that Department of Public Instruction could, I think we were asking them to set up a helpline and come up with places that had lines, contact places, where a student could actually call. It's amazing how many kids have cell phones. So that was the intent of the bill, so the House version changed the intent considerably.

**Representative Hoverson:** I got a call from the woman in Texas, did you guys? So, I don't know if she was behind the bill or what but no matter. I said I'm surprised there already isn't something in place and her understanding was, and this includes North Dakota, that really all there is right now, is 911 which is prohibitive for a student somewhat. It's not a very attractive thing to call. Then going to a teacher or administrator, and this is a woman whose story was pretty horrendous. Does that sound accurate to you that there isn't anything? And, if there isn't, is an out of state hotline sufficient to meet the intent of this bill? Are we really after something that's in state?

**Chairman Rust:** In TV, often there are public service announcements or something of that nature. And they say if you're experiencing this, call this number. It seems to me that there are a number of places out there for someone to call. We've felt that we didn't have that expertise within the department of Public Instruction, and with their coordination with other agencies, that they could come up with good numbers to call. If it boils down to just child abuse, that's okay. But if there are others like for suicide prevention, if there are those that are out there that can be placed on one nice concise sheet, as opposed to multiple, for a student to call, it would be better for that kid that's not willing to walk to a counselor. That can be threatening, going to someone can be threatening, a phone call, even though it's a little impersonal, can be less threatening. That was the idea.

**Representative Hoverson:** This woman did indicate that if we needed one phone number, she said that there was one that existed but I don't think it's a North Dakota phone number and I didn't know if that would be sufficient.

**Chairman Rust:** I would think that social services in North Dakota, there must be numbers to call.

**Representative Hager:** I'm not sure if its currently widespread but there's a 211 number. In Fargo, we're lucky with the first link association that there is a number available for people. But I think that some of the concern was some of the more rural, western parts of the state that they may not have access to that number, or awareness of what resources are available in Williston or whatever.

**Chairman Rust:** I think we were thinking a state number to call, which then could refer to a resource in their area, like a local county services or something like that. I don't think we were anticipating a national hotline, because that's too far. It would have to be either local or statewide that could refer back to a local. Cause we know that with regard to child abuse, you have certain people who are mandatory reporters. And if they do not, there are severe consequences for not reporting. And if people are reporting to someone it would seem to me that there would have to be some number to call, and we know that in today's world, we have a number of grandparents that are raising kids and in fact there is a real alarm from some people who are wondering when these grandparents die off, and they will, who is going to be the next link for somebody to go to. And I'm not trying to be judgmental, but you do have maybe one or both parents that are not the safest people to be around or who are so, probably through addiction of one kind or another, almost detached from everyone's lives, especially their children. For that matter, probably doing dangerous things to their children. So that idea was in case that child didn't feel comfortable going to a teacher or a counselor or something, that maybe a number on the wall would be a good place to start.

**Representative Heinert:** I 100% agree with you. The intent of the House side was to find one number for a child or a student to call. That is not available right now in the state, but it is in the process of being developed. We're about a year, or a little bit better away from that. As soon as that happens, that should and hopefully will change the scope of this whole thought process that both houses have going for them right now. So that would be the ideal situation if we were there, but it's not yet. And I think we all want it to be there, the people that are working for that know that we want it to be there. I'm hoping it stays in the priority and this discussion will continue that priority.

**Representative Hager:** The original bill that went to the Senate was talking about child abuse neglect information. Those words aren't in either of these pages here in front of us. We suddenly have appropriate school safety and awareness issues. That is an entirely different thing than home issues of child abuse. Now to me it sounds like a whistleblower, if you think a door is left open. If a lay person looks at this, I don't see how we're getting to the point of child abuse/neglect information anymore, from what we've put into wording and how this would be read by people.

**Chairman Rust:** Are you stating that maybe we need to restate if we were going to go with the 03000 version, that we maybe need to restate that appropriate school safety and awareness issues?

**Representative Hager:** I don't feel that that term is the same as the original intent of the bill sponsors. How would this be interpreted by anybody reading this? Because to me that's more

school safety awareness issues in the building and not at home. That's something we should think through.

**Chairman Rust:** We'll get from school to student? I'm not saying just one word change.

**Representative Hager:** Right.

**Representative Hoverson:** Would it help if may was changed to shall in the amended version? And left the if there?

**Chairman Rust:** Which one?

**Representative Hoverson:** Well all the ones that you mentioned when you said the bill doesn't do anything because of line 11 and line 18. If they were shall but the if was still there, so it was not an unfunded mandate.

**Chairman Rust:** When we went through HB 1262, which was identical to the 5000 version, while we thought there were some good things to talk about, we didn't feel that the bill did anything. There are lots of things that people could encourage us to do.

**Representative Hoverson:** That was the intent of my question, if we did make it so that it wasn't just an encouragement but it was a shall. I'm just curious if that's where the rub is?

**Chairman Rust:** I think part of it had to do with at the 1 level, at the 5000 level in HB 1262, it's at the very top of the chain. The original intent was at the bottom of the thing for the grassroots person to see something that they may be able to do as opposed to you've got something on top that maybe, may be a long time until it gets down to this level. The one was more you've got somebody in a desperate situation, doesn't know what to do, may pick up a phone and call someone. That might be helpful.

**Representative Heinert:** I would like to go back and research HB 1262 and take a look at that, and maybe even have a conversation with the AG.

**Chairman Rust:** I would like to have a conversation with both the AG and the Superintendent. For that matter, we can either do it separately or together.

**Senator Fors:** We need to make this easy, not complicated. When that child sees that number on that board, it can't be um yeah, this is going to be reported to the AG. There needs to be a number there that you can call and probably get whomever on that line, but it can't be a difficult thing or a threatening thing. I don't like any of this except for the original one, which made it very very simple to report abuse. That's just an 8 by 11 number on a piece of paper, otherwise forget it.

**Chairman Rust:** What we're wondering about, when we talked about it as a committee was, should this bill be narrowed to just that one item or could it be for suicide, drug prevention? Do we want to just narrow it to child abuse?

**Senator Fors:** If we start with child abuse, we're tasking the Superintendent of Public Instruction, she can broaden it, right? The one number should be the one number to go to.

**Chairman Rust:** Our thinking that there isn't a one number, that there probably will be different ones for suicide and different ones for child abuse, etc.

**Representative Heinert:** The intent is that we have one number and they can call in. Our concern is if we get a child to make a phone call, I think we have one opportunity to help them. If we defer them anywhere, or if we try to delay them, or we try to answer another phone, there is a good chance we're going to lose that child because they're not going to call a second time. So that was our thought process. We were looking for one solid number where they can get help.

**Chairman Rust:** It's at a state level that I'm not sure it will reach the child. We didn't think it should take that long for somebody to find where the relevant numbers might be to call. You can send it out electronically, somebody can print it off and put it on a bulletin board and you'd now have the chance of some child in a desperate situation to make a call. I don't think this is going to help a child for a while. If you're looking at the immediate, I'm worried about this.

**Representative Heinert:** Well then I would be back to my original comments, Chairman, you and I need to meet with the AG and the superintendent of public instruction and we need further conversations.

**Representative Hager:** I was trying to remember which bill this reminded me of and it was HB 1262. We came up with having a behavioral health resource coordinator so these kinds of tasks would be what we'd have them do. This is a duty designated to them to be putting this out. That's how we were structuring separate bill numbers. We have two hands that aren't seeing each other.

**Chairman Rust:** We killed a bill and a week later, you guys threw out our bill and took yours that we threw out earlier, and put that back in. Whether that was the intention, I don't know, but that's the appearance. The other level is the concern and the bill sponsor talked to me between yesterday and today about. My concern is the child in a desperate situation, probably won't go to a counselor or teacher, but would if they saw a number to pick up a line and call. I agree in amending that, we kind of got away from the student to the schools' awareness and safety. Maybe I'm afraid of a weapon on a playground, as opposed to concerned about my welfare. I have two parents that aren't in touch with reality and I need help or maybe in a dangerous situation.

**Representative Hoverson:** Through this, it seems to me that while I completely agree that it needs to be simple, but at some point, there will have to be some sort of contact with an adult that is designated or trained and that some thought would be in that and would that be back to what she said. I don't think it's quite as simple as we'd like.

**Chairman Rust:** Ends Conference Committee discussion on SB 2186.

# 2019 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Sheyenne River Room, State Capitol

SB 2186  
4/16/2019  
34764 (15:43)

Subcommittee  
 Conference Committee

Committee Clerk: Lynn Wolf
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## Explanation or reason for introduction of bill/resolution:

A bill relating to requiring schools to post information regarding child abuse and neglect.

## Minutes:

No Attachments.
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**Senator Rust** called the conference committee for SB 2186 to order. Roll call was taken and **Reps. Heinert, Hager and Hoverson and Sens. Rust, Fors and Marcellais were present.**

**Senator Rust:** When we left the conference committee at the last meeting, we were talking about a number to call and we agreed to Representative Heinert and I (Senator Rust) were going to talk to Superintendent Baesler and the Attorney General. We did both of those. We followed the directive. Also in the process, I was told we should talk to Senator Judy Lee who is on the Human Services Committee and knows a lot about these things. She referred me to a Cindy Miller on 211. Did I send everybody that email that I got? Okay. It appears to me that may be the number we want to use. We met with Superintendent Baesler and Robin Lang. Robin, would you come up to the microphone? We don't take testimony, but we do take information at these committee meetings.

(2:31) **Robin Lang, Asst. Director for Safe and Healthy Schools, Department of Public Instruction:** I am bringing forward a little information today. I don't have any written testimony, however, I could provide you the information I have. I did a little research on 211. The 211 Help Line was established about fifty years ago in the Cass/Clay area. In 2010, they began to serve the entire state of ND. They are a 24/7 hotline. They are the only one that exists and the call center is located in Fargo and it is answered locally. They have a lot of resources – over 5,500 and they take about 51,000 calls a year from ND, including calls from students. I found that very insightful. They did start the texting option in 2018 because our youth really do prefer this option. Another interesting bit of data that lends to the richness of this system, is that it does have the language translation services. If someone calls and does not speak English, they are able to quickly identify that and get them the language they need. They do provide a lot of services for centers that have hours – such as 8:00 to 5:00 – so, if a center is closed at 5:00 pm, they can provide those services. They are currently providing that for the rape and crisis center, military family support, all of the counseling centers for the local ND universities and even some of our local Human Service Centers. When they call at

5:00 pm, the community can call into the 211 number and the system supports them with all their needs. Another factor is that if we train our youth in using 211, it will lead to adulthood as well. They do answer the national suicide prevention hot line for all of ND and several of the Minnesota counties. One of the programs they offer is a suicide follow-up. If there is an individual that is admitted for suicide for an attempt or ideation, when they are released from the hospital or clinic, 211 follows up with them. Depending on the need of that person, depends on the length of time they follow up. Their staff has extensive training – they are trained in child protection – in fact, they just finished that last week. They are trained by the military for those types of resources. The staff has gone through applied suicide prevention intervention training, mental health, first aid and just finished with the Child Advocacy Center training. They are very well trained. One of the things we talked about was the texting for our youth and kids – right now, their system is where they have to text your zip code. We talked about that might be a barrier. A very young student – even our middle or high school students move a lot – and my not know their zip code. That might be a barrier to reach the services that they need. We worked with the national 211 service and we were able to change that yesterday and hopefully, it will meet you liking. The kids are able to now text NDKID. When they reach that national texting data base or that center, they will route them back to ND. That has taken the barrier away. I also wanted to share a couple of highlights that Cindy shared with me. She said a few weeks ago that they received a call from a girl that was in a bathroom stall and she had taken some pills and she was now nervous. She was worried that she was going to complete the suicide attempt and that is not what she wanted. She was in the stall because she wanted some privacy. They were able to get her help and work through the process. That really speaks to that our kids really want the texting option. They want that privacy. The bathroom stall is one of the common areas where we place that poster. Another thing we talked about was really normalizing looking for health and the use of 211 from youth to adulthood. Red River High School in Grand Forks has their students call – they bring the phone up, put it on conference call and call 211. The students talk about the services and they can ask questions. It takes that fear away. The students always worry – is this like 911? That is a couple of things that were very informational to me. They are working on some kid friendly posters. Right now, they have a text to tip or text line that they could text their zip code to. The group will redo this poster and making it more kid friendly, so they will have a couple of different options, but they do have resources on theory web site that we can provide to schools. They did an outreach to schools in October when they started the texting. They did a follow-up survey about how schools felt about the information. They did not receive what they felt was very good feedback because people seemed to be unaware of the option. They shared that they were a little frustrated that they weren't sure who in the schools to seed that information to – do you just it to the school secretary, principal, school board – they weren't just really sure. They were very excited to have partners that could get it in the hands of the people that need it. I know there was another bill that was passed by both the House and the Senate that talked about establishing that behavioral health resource coordinator and I think that will be a perfect fit for this type of information. That way, we will have one person receiving it and getting it out to those in the school that need it.

(9:28) **Senator Rust:** Any questions for Robin? Thank you Robin. We met with the Attorney General. Representative Heinert, would you talk about that?

**Representative Heinert:** As Senator Rust said, we did meet with the Attorney General and the version of 2186 that the House has passed out – the .05000 bill. He did express an

interest to keep some of this language in the bill simply because they do need a section of the law that says they can seek grants, accept gifts – donations for sources to carry out these kind of events that we are talking about here to create posters, create other programs for schools and students and those kind of things. I believe that we are probably going to end up with some form of a hybrid here – Senator Rust?

(10:46) **Senator Rust:** I think what we want to do here is to do an amendment for this bill. The amendment would probably have two sections – Section 1 dealing with the role of the superintendent of public instruction developing something here for schools. I am hesitant to put 211 in a bill, but rather to have them disseminate some information to schools. I would think that information could be sent to schools, schools could just run it off and post it. I don't know why it would have to be some kind of a mass mailing or something like that when in today's world you can print things off pretty easily. Then the superintendent could direct schools to post that information. Section 2 would be the .05000 version. We will take those two and meld them into one. We have not done that yet, because we needed more information which we got this morning and also, I was looking for a little bit of input from this group before we draft that amendment. If anybody has any thoughts or any comments or suggestions, the floor is all yours. Representative Holverson – you like it? Okay. Representative Hager.

**Representative Hager:** I am still not thinking we are getting the language of line seven in both of them. I think we need to tone it up a little bit so it is student safety and crisis report and programs versus school – to me, school is building. I think that what we are doing is a little different than – (muffled).

**Senator Rust:** You are looking at line seven? Making it student safety instead of school safety?

**Representative Hager:** I like crisis reporting line, so I would take the Senate version and go “Student Safety and Crisis Reporting Program. Remove the word “School safety.” To me, that is a pretty significant one-word change, but I think it is getting more towards the mission as I understand the bill sponsors wanted it. We are actually doing what the outside of the school or inside of the school – the safety of our children attending school. I would suggest that we make a little minor change language.

**Senator Rust:** I am not sure I like the “crisis reporting” I don't know if I like the word “reporting.” I don't know if this as much reporting as much as it is a call or crisis information program – probably?

**Representative Hager:** Or awareness – we have awareness (muffled).

**Senator Rust:** Or awareness.

**Representative Hager:** My focus – okay, there are two sections. Maybe that does –

**Representative Heinert:** I believe we are talking about two sections, so I think the language in the current SB 2186 .03000, if we change “school” to “student” safety, as Representative Hager is presenting, the rest of it is okay and on the .05000 bill section two, the student safety

and crisis program – change the word school to student and then eliminate reporting. I think we need to leave the confidentiality of records and continuation of appropriation language in there.

**Senator Rust:** Would you change that school to student or –

**Representative Heinert:** Yes, “student safety and crisis program in section two. Confidentiality of records, continuation of appropriations.” Is how I think it should be read.

**Senator Rust:** Any other suggestions? Any other things to come before the committee? My thinking would be that I will be going to Legislative Council and have them draft it today and get us back on the list and have us come back one more time and get this out of here.

The Conference Committee on SB 2186 was adjourned.

# 2019 SENATE STANDING COMMITTEE MINUTES

Education Committee  
Sheyenne River Room, State Capitol

SB 2186  
4/19/2019  
34863 (4:20)

Subcommittee  
 Conference Committee

Committee Clerk: Lynn Wolf
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## Explanation or reason for introduction of bill/resolution:

A bill relating to requiring schools to post information regarding child abuse and neglect.

## Minutes:

Att. #1-Rust; Att. #2-Rust
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**Senator Rust** called the conference committee for SB 2186 to order. Roll call was taken and **Reps. Heinert, Hager and Sens. Rust, Fors and Marcellais were present. Representative Hoverson was absent.**

**Senator Rust:** (See Att. #s 1 & 2) We will reconvene the Conference Committee on SB 2186. I have handed out an amendment and the Christmas tree version. This amendment (19.0714.03005) that I've handed out is really very, very close to what we had agreed upon when we left last time with one exception. That is that Representative Owens came to me and while I'm not sure it is a problem, I did agree with him. We removed the words "and helplines" because the bill says that the superintendent of public instruction shall create – no problem in information, no problem with resources, but "shall create a helpline" – that can be a pretty expensive, time consuming thing. So, we removed that portion. Essentially, what it does is has the superintendent of public instruction in coordination with other relevant agencies shall create information resources for students regarding appropriate school safety and awareness. They shall discriminate that to schools to be posted in commons areas. Then, the other thing we left when we made a new section, was to include the Attorney General in those provisions. Representative Heinert and I met with both of those people, they are in agreement. Can I get a motion that the House recede from its amendments and SB 2186 be amended as follows?

**Representative Hager: So moved.**

**Senator Marcellais: Second.**

**Roll Call vote: 5 Yeas; 0 Nays; 1 Absent.**

**Motion Carries. Senator Rust will carry the bill in the Senate; Representative Heinert will carry the bill in the House.**

**Senator Rust:** I believe our work is done. We are adjourned.

SK  
1002  
4/19

April 18, 2019

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2186

That the House recede from its amendments as printed on pages 1133 and 1134 of the Senate Journal and page 1257 of the House Journal and that Engrossed Senate Bill No. 2186 be amended as follows:

Page 1, line 1, after "15.1-19" insert "and a new section to chapter 54-12"

Page 1, line 2, after "information" insert ", programs, and resources"

Page 1, line 2, replace "school" with "student"

Page 1, line 2, after "and" insert "crisis"

Page 1, line 3, after "areas" insert "and a student safety and crisis awareness reporting program; and to provide a continuing appropriation"

Page 1, line 7, replace "**School**" with "**Student**"

Page 1, line 7, after the first "**and**" insert "**crisis**"

Page 1, line 7, after "**information**" insert "**, programs,**"

Page 1, line 9, replace the first underscored comma with "and"

Page 1, line 9, remove ", and helplines"

Page 1, line 10, replace the first underscored comma with "and"

Page 1, line 10, remove the second underscored comma

Page 1, line 11, remove "and helplines"

Page 1, after line 11, insert:

"**SECTION 2.** A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

**Student safety and crisis awareness reporting programs - Confidentiality of records - Continuing appropriation.**

1. The attorney general shall encourage and promote the use of statewide and locally selected school safety and crisis reporting programs.
2. If funding becomes available, the attorney general may:
  - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
  - b. Conduct outreach to promote awareness of statewide and locally selected school safety and crisis reporting programs.
3. All records or information related to the operation of programs described in subsection 1 are exempt records as defined in section 44-04-18.1.

202

4. The attorney general may seek and accept gifts, grants, and donations from any source for the purpose of carrying out its duties under this section. All moneys received as gifts, grants, and donations are appropriated to the attorney general on a continuing basis for the purpose of carrying out this section.
5. The attorney general may adopt rules necessary to administer the duties required to carry out this section."

Renumber accordingly

Date: 4-19-19

Roll Call Vote #: # 1

**2019 SENATE CONFERENCE COMMITTEE  
ROLL CALL VOTES**

BILL/RESOLUTION NO. SB 2186 as (re) engrossed

**Senate Education Committee**

- Action Taken**
- SENATE accede to House Amendments
  - SENATE accede to House Amendments and further amend
  - HOUSE recede from House amendments
  - HOUSE recede from House amendments and amend as follows
- Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Rep. Hager Seconded by: Sen Marcellais

Senators						Representatives					
	4-10	4-16	4-19	Yes	No		4-10	4-16	4-19	Yes	No
Chairman Rust	x	✓	✓	✓		Representative Heinert	x	✓	✓	✓	
Senator Fors	x	✓	✓	✓		Representative Hager	x	✓	✓	✓	
Senator Marcellais	x	✓	✓	✓		Representative Hoverson	x	✓	A	A	
Total Senate Vote						Total Rep. Vote					

Vote Count Yes: 5 No: 0 Absent: 1

Senate Carrier Rust House Carrier Heinert

LC Number 19.0714 . 03 005 of amendment

LC Number 19.0714 . 06000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

**REPORT OF CONFERENCE COMMITTEE**

**SB 2186, as engrossed:** Your conference committee (Sens. Rust, Fors, Marcellais and Reps. Heinert, Hoverson, Hager) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1133-1134, adopt amendments as follows, and place SB 2186 on the Seventh order:

That the House recede from its amendments as printed on pages 1133 and 1134 of the Senate Journal and page 1257 of the House Journal and that Engrossed Senate Bill No. 2186 be amended as follows:

Page 1, line 1, after "15.1-19" insert "and a new section to chapter 54-12"

Page 1, line 2, after "information" insert ", programs, and resources"

Page 1, line 2, replace "school" with "student"

Page 1, line 2, after "and" insert "crisis"

Page 1, line 3, after "areas" insert "and a student safety and crisis awareness reporting program; and to provide a continuing appropriation"

Page 1, line 7, replace "**School**" with "**Student**"

Page 1, line 7, after the first "**and**" insert "**crisis**"

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Page 1, line 9, replace the first underscored comma with "and"

Page 1, line 9, remove ", and helplines"

Page 1, line 10, replace the first underscored comma with "and"

Page 1, line 10, remove the second underscored comma

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2. If funding becomes available, the attorney general may:
  - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
  - b. Conduct outreach to promote awareness of statewide and locally selected school safety and crisis reporting programs.
3. All records or information related to the operation of programs described in subsection 1 are exempt records as defined in section 44-04-18.1.

Insert LC: 19.0714.03005  
Senate Carrier: Rust  
House Carrier: Heinert

4. The attorney general may seek and accept gifts, grants, and donations from any source for the purpose of carrying out its duties under this section. All moneys received as gifts, grants, and donations are appropriated to the attorney general on a continuing basis for the purpose of carrying out this section.
5. The attorney general may adopt rules necessary to administer the duties required to carry out this section."

Renumber accordingly

Engrossed SB 2186 was placed on the Seventh order of business on the calendar.

**2019 TESTIMONY**

**SB 2186**

SB 2186  
2-5-19  
Att #1  
p1 of 1

SENATE BILL 2186  
INTRODUCED BY SEN CLEMENS  
FEBRUARY 5, 2019

EDUCATION COMMITTEE CHAIR, MEMBERS OF THE COMMITTEE, I AM HERE TODAY TO INTRODUCE SB2186. THIS BILL WILL CREATE AND ENACT A NEW SECTION TO CHAPTER 15.1-19 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO REQUIRING SCHOOLS TO POST INFORMATION REGARDING CHILD ABUSE AND NEGLECT.

AT A TIME WHEN NORTH DAKOTA IS SEEING A CONTINUED INCREASE IN CHILD ABUSE, WE WANT TO HELP EDUCATE AND INFORM OUR YOUTH TO THE DANGERS AND CONSEQUENCES OF THIS ABUSE.

THE DEPARTMENT OF PUBLIC INSTRUCTION, THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF HUMAN SERVICES ARE ALL WORKING, ALONG WITH OTHER SERVICES, TO COMBAT CHILD ABUSE AND NEGLECT.

THIS BILL IS SIMPLY HELPING TO INSURE ALL PUBLIC SCHOOLS IN NORTH DAKOTA ARE OPENLY MAKING AVAILABLE A HELPLINE NUMBER TO GIVE STUDENTS THE OPPORTUNITY TO CALL FOR HELP IF NEEDED.

RESPECTFULLY SUBMITTED,

*Sen David Clemens*

SEN DAVID CLEMENS



125 Slate Drive STE 7 Bismarck, ND 58503

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AH #2  
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SB 2186 – Posting information on child abuse and neglect

NDCEL Testimony

Chairman Schaible and members of the Senate Education committee – Good morning. I am here representing NDCEL and our school’s educational leaders in support of SB 2186. We support this concept and general awareness of this serious issue, however, although the *concept* is supported, **we do not believe that a law is needed on the books in North Dakota to accomplish the task being asked of schools.**

All over North Dakota in our common areas, lunch rooms, bath rooms, entrances, lobbies, etc., there are signs of significance to our students. Some of them are the local hotlines for bullying or crime, some are for suicide prevention...honestly, I could list them for quite some time. The point is, schools are concerned about the well-being of students, and when there is an issue – and then an accompanying resource for us to share with students, we do that.

If the superintendent of public instruction or other entity supplies for our schools the information to be posted – it will be posted. If it is something that helps our kids – it will be posted. To ensure commonality among schools, the information, most appropriately should be created and distributed by a state agency with a specific request to hang – when we get information like that from our lead state agencies – we do not need a law on the books to hang that poster – if it is for the well-being of kids it will be done.

Again – we support the general concept of getting the posters into the hands of schools, but don’t believe a law is needed to do so – if that precedent is set – we might need a new area of century code to manage all the posters we should put up in the hallways. We simply think that this could be done and managed without law to do so.

If there is a desire for language, perhaps it might be more broadly encompassing to state:

The superintendent of public instruction shall partner with other relevant state agencies to create and disseminate information, resources and helplines regarding appropriate student safety and awareness issues and disseminate that information to schools for the purposes of posting in school common areas.

In this amendment the appropriate agencies can partner and create appropriate resources and then deliver that information to schools. Efficient, appropriate, and provides coverage over a broad gamut of issues that our students face.

We hope you consider the language in this amendment. I will stand for any questions you may have.

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## Testimony in Favor of Senate Bill 2186

**Mark Jorritsma, Executive Director  
Family Policy Alliance of North Dakota  
February 5, 2019**

Good morning Chairman Schaible and honorable members of the Senate Education Committee. My name is Mark Jorritsma and I am the Executive Director of Family Policy Alliance of North Dakota. I am testifying in favor of Senate Bill 2186 and respectfully request that you recommend a "DO PASS" on this bill.

Our organization is dedicated to fighting for pro-life and pro-family values, and the topic of child abuse certainly falls squarely within this mandate. At Family Policy Alliance of North Dakota, we believe that family is God-designed and is the smallest and single best institution for the creation, protection, and provision of children. Family is the building block of society—from it flows life and the imparting of faith and values. Families give rise to communities, and communities to societies. Families are the bedrock of who we are as a nation and as a state.

Unfortunately, the family foundation is shaken to its core when child abuse occurs. Over sixty percent of abused children nation-wide are abused by a family member. This happens for many possible reasons: illegal substance abuse, drinking problems/alcoholism, caregivers inclined towards violence, etc. Further, when a family member abuses a child, the child often keeps quiet about being sexually abused out of what they perceive as family loyalty, fear of retaliation, misperception that they are to blame, and similar reasons. Abuse in the home undermines one of the most important purposes of the family: the nurturing and protection of their children.

In addition to child abuse by family members, many other children are abused by individuals outside of their family. These individuals are often relatives or family friends. The abused child often does not want to reveal the experience for the same reasons as with a family member.

When it comes to child abuse in our state, the North Dakota Task Force on the Prevention of Child Sexual Abuse issued their final report in November of last year. According to the report, the North Dakota Department of Human Services in 2018 responded to 1307 reports of suspected child sexual abuse. In 2017, the North Dakota Attorney General's Office reported 587 child sexual abuse victims, North Dakota Children's Advocacy Centers interviewed 826 children who presented primarily for sexual abuse, and North Dakota crisis centers provided services to 364 child sexual abuse victims. It also notes that various factors likely contribute to North Dakota tribal youth falling through gaps in services, lack of services, or geographic barriers to services.

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I am pretty sure that many of us in this room today have been impacted directly or indirectly by a child abuse situation. I can tell you that my wife and I have a member of our extended family who was abused by a family friend when she was a child. She is still haunted by this experience, 50+ years later. My heart breaks for her. If we can prevent just one tragedy like this from happening, then giving children more resources to fight abuse and the associated stigma is well worth it.

This bill is a step in the right direction toward accomplishing this. Please vote Senate Bill 2186 out of committee with a "DO PASS" recommendation.

Thank you for the opportunity to testify and I stand for any questions you may have.

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February 12, 2019

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PROPOSED AMENDMENTS TO SENATE BILL NO. 2186

Page 1, line 2, replace "requiring" with "providing"

Page 1, line 2, after "schools" insert "with information regarding school safety and awareness issues"

Page 1, line 2, remove "post information regarding child abuse and"

Page 1, line 3, replace "neglect" with "be posted in school common areas"

Page 1, line 7, replace "**Child abuse and neglect**" with "**School safety and awareness**"

Page 1, line 8, after "instruction" insert ", in coordination with other relevant state agencies."

Page 1, line 8, remove "require each school to post, at an average"

Page 1, line 9, replace "student's eye level, in school common areas" with "create"

Page 1, line 10, remove "child abuse and neglect. The helpline number must be easily discernible from a"

Page 1, line 11, replace "distance of ten feet [3.05 meters]" with "appropriate school safety and awareness issues. The superintendent shall disseminate the information, resources, and helplines to schools to be posted in school common areas"

Renumber accordingly

Russ Ziegler

SB 2186

3-5-19

#1



125 Slate Drive STE 7 Bismarck, ND 58503

SB 2186 – Posting information on child abuse and neglect

NDCEL Testimony

Chairman Owens and members of the House Education Committee – Good morning. I am here representing NDCEL and our school’s educational leaders in support of SB 2186. We support this concept and general awareness of this serious issue, however, although the *concept* is supported, **we do not believe that a law is needed on the books in North Dakota to accomplish the task being asked of schools.**

All over North Dakota in our common areas, lunch rooms, bath rooms, entrances, lobbies, etc., there are signs of significance to our students. Some of them are the local hotlines for bullying or crime, some are for suicide prevention...honestly, I could list them for quite some time. The point is, schools are concerned about the well-being of students, and when there is an issue – and then an accompanying resource for us to share with students, we do that.

If the superintendent of public instruction or other entity supplies for our schools the information to be posted – it will be posted. If it is something that helps our kids – it will be posted. To ensure commonality among schools, the information, most appropriately should be created and distributed by a state agency with a specific request to hang – when we get information like that from our lead state agencies – we do not need a law on the books to hang that poster – if it is for the well-being of kids it will be done.

Again – we support the general concept of getting the posters into the hands of schools, but don’t believe a law is needed to do so – if that precedent is set – we might need a new area of century code to manage all the posters we should put up in the hallways. We simply think that this could be done and managed without law to do so.

I will stand for any questions you may have.

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**TESTIMONY ON SB 2186**  
**HOUSE EDUCATION COMMITTEE**  
**Tuesday, March 5, 2019**  
**By: Robin Lang, Assitant Director**  
**701-328-2265**  
**North Dakota Department of Public Instruction**

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Good Morning, Chairman Owens and members of the House Education Committee. My name is Robin Lang, I am an Assistant Director with the Office of Safe and Healthy Schools with the Department of Public Instruction. I would like to share neutral testimony providing you with and a brief snapshot of the scope of information we currently share, how we disseminate information to our schools, and a sample of our collaborating partners.

The Department of Public Instruction currently disseminates a magnitude of information to schools on numerous topics, with school safety as one of them. School safety is a broad topic and may include; bullying, suicide, emergency operation planning, drills, culture, climate, etc. (See attached NDCC References)

Information is disseminated to schools in a variety of ways; such as fact sheets, newsletters to schools, information through listservs, trainings, website postings, social media posts, and educational conferences throughout the year.

The Department of Public Instruction collaborates with a multitude of agencies and groups, such as; The Department of Health, The Department of Human Services, Department of Transportation, Homeland Security, North Dakota

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Counsel of Educational Leaders, ND United, North Dakota School Board Association, and First Link to name a few. Agencies and other groups are not required to provide their information to schools through the department. They often reach out and disseminate their own information to schools.

The proposed legislation seeks for “The Department of Public Instruction, in collaboration with other relevant state agencies, shall create information, resources, and helplines for students regarding appropriate school safety and awareness issues. The superintendent shall disseminate the information, resources and helplines to schools to be posted in school commons areas. “

The Department of Public Instruction, whether it is through collaborative work or not, does not however have the resources to create hotlines or helplines. In the event this bill passes, we would seek clarity on school safety and awareness issues for students as written in this bill.

Mr. Chairman and members of the Education Committee I welcome any questions you have.

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**North Dakota Century Code (NDCC) references for  
DPI Safe & Healthy School Unit**

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NDCC	Reference
15.1-02-19 50-29	Health insurance programs - Joint enrollment program Children's Health Insurance Program (CHIP)
15.1-06-09	Inspection of public schools - Submission of inspection report - Correction of deficiencies
15.1-06-10	Inspection of nonpublic schools - Submission of inspection report - Correction of deficiencies
15.1-06-11	Exit doors - Free of obstructions
15.1-06-12	Emergency and disaster drills - Implementation
15.1-06-13	Schools - Compliance with health, safety, and sanitation requirements
15.1-06-16	Disturbance of a public school - Penalty
15.1-07-34	Provision of youth mental health and suicide prevention training to teachers, administrators and ancillary staff
15.1-09	Felony convicted students – extracurricular activities
15.1-19-02	Corporal punishment - Prohibition - Consistent policies
15.1-19-07	Communicable parasites - Detection and eradication
15.1-19-09	Students - Suspension and expulsion - Rules
15.1-19-10	Possession of a weapon - Policy - Expulsion from school
15.1-19-11	School safety patrols - Establishment - Adoption of rules
15.1-19-13	Alcohol or controlled substance - Use or possession by student - Notification of principal - Exception
15.1-19-14	School law enforcement unit
15.1-19-16	Asthma - Anaphylaxis - Self-administration of medication by student - Liability
15.1-19-17 -- 22	Bullying
15.1-19-23	Medication program - Establishment - Opt-out - Liability - Immunity from liability
15.1-20-01 – 03.2	Compulsory attendance, determination and enforcement
15.1-21-01	Elementary and middle schools - Required instruction
15.1-21-02	High schools - Required units
15.1-21-02.2	High school graduation - Minimum requirements
15.1-21-24	Health curriculum - Content
15.1-24-01 -- 06	Chemical abuse prevention program - Rules
23-07-01	State department of health - Collection of public health information
23-07-02	Reportable diseases
23-07-16	Child having contagious or infectious disease prohibited from attending school - Exception
23-07-16.1	School district to adopt policy relating to significant contagious diseases
23-07-17.1	Inoculation required before admission to school
12.1-32-15	High-risk sexual offender may not reside within 500 feet of a public or nonpublic preschool or elementary, middle or high school.
12.1-04	Juveniles - Intoxication
14.09	Parent and child (school custody investigations)
19-03.1-23	Reference to distance from 1000 ft to 300 ft; offense during a school sponsored activity or 6:00 a.m to 10:00 p.m. if school is in session.
50-25.1-02	Child neglect

Handed out, but left  
before testifying

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## Neutral Testimony on Senate Bill 2186

Mark Jorritsma, Executive Director  
Family Policy Alliance of North Dakota  
February 5, 2019

Good morning Chairman Owens and honorable members of the House Education Committee. My name is Mark Jorritsma and I am the Executive Director of Family Policy Alliance of North Dakota. I am here to provide neutral testimony on Senate Bill 2186.

Our organization is dedicated to fighting for pro-life and pro-family values, and the scope of this bill definitely falls within those parameters. We testified in support of SB 2186 prior to amendment, but find that the amendment process has now created a bill that is too vague and open to selective interpretation.

I want to be clear, Family Policy Alliance of North Dakota supports the creation and dissemination of information that will keep our children safe and secure. We strongly believe that resources on suicide prevention, child abuse, and similar topics should be readily available to our youth. The health and safety of our children is one of our organization's top priorities.

That said, without knowing what "safety and awareness issues" means, we do not have sufficient information to testify for or against this bill. This vague language is what greatly concerns us. We would ask that the committee consider that specific "safety and awareness" issues be explicitly identified in the bill, in place of this ambiguous language. Until such a time, Family Policy Alliance of North Dakota unfortunately does not have enough information to support or oppose this bill.

Thank you for the opportunity to testify and I stand for any questions you may have.

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Title.

April 18, 2019

## PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2186

That the House recede from its amendments as printed on pages 1133 and 1134 of the Senate Journal and page 1257 of the House Journal and that Engrossed Senate Bill No. 2186 be amended as follows:

Page 1, line 1, after "15.1-19" insert ", and a new section to chapter 54-12"

Page 1, line 2, after "information" insert ", programs, and resources"

Page 1, line 2, replace "school" with "student"

Page 1, line 2, after "and" insert "crisis"

Page 1, line 3, after "areas" insert "and a student safety and crisis awareness reporting program; and to provide a continuing appropriation"

Page 1, line 7, replace "**School**" with "**Student**"

Page 1, line 7, after "**and**" insert "**crisis**"

Page 1, line 7, after "**information**" insert ", **programs,**"

Page 1, line 9, replace the first underscored comma with "and"

Page 1, line 9, remove ", and helplines"

Page 1, line 10, replace the first underscored comma with "and"

Page 1, line 10, remove the second comma

Page 1, line 11, remove "and helplines"

Page 1, after line 11, insert:

"**SECTION 2.** A new section to chapter 54-12 of the North Dakota Century Code is created and enacted as follows:

**Student safety and crisis awareness reporting programs - Confidentiality of records - Continuing appropriation.**

1. The attorney general shall encourage and promote the use of statewide and locally selected school safety and crisis reporting programs.
2. If funding becomes available, the attorney general may:
  - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
  - b. Conduct outreach to promote awareness of statewide and locally selected school safety and crisis reporting programs.
3. All records or information related to the operation of programs described in subsection 1 are exempt records as defined in section 44-04-18.1.

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4. The attorney general may seek and accept gifts, grants, and donations from any source for the purpose of carrying out its duties under this section. All moneys received as gifts, grants, and donations are appropriated to the attorney general on a continuing basis for the purpose of carrying out this section.
5. The attorney general may adopt rules necessary to administer the duties required to carry out this section."

Renumber accordingly

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Sixty-sixth  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE BILL NO. 2186

Introduced by

Senators Clemens, Dever, G. Lee

Representatives Adams, Satrom, Strinden

1 A BILL for an Act to create and enact a new section to chapter 15.1-19, and a new section to  
2 chapter 54-12 of the North Dakota Century Code, relating to providing schools with information,  
3 programs, and resources regarding ~~school~~student safety and crisis awareness issues to be  
4 posted in school common areas and a student safety and crisis awareness reporting program;  
5 and to provide a continuing appropriation.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1.** A new section to chapter 15.1-19 of the North Dakota Century Code is created  
8 and enacted as follows:

9 **SchoolStudent safety and crisis awareness information, programs, and resources in**  
10 **schools.**

11 The superintendent of public instruction, in coordination with other relevant state agencies,  
12 shall create information, and resources, and helplines for students regarding appropriate school  
13 safety and awareness issues. The superintendent shall disseminate the information, and  
14 resources, and helplines to schools to be posted in school common areas.

15 **SECTION 2.** A new section to chapter 54-12 of the North Dakota Century Code is created  
16 and enacted as follows:

17 **Student safety and crisis awareness reporting programs - Confidentiality of records -**  
18 **Continuing appropriation.**

- 19 1. The attorney general shall encourage and promote the use of statewide and locally
- 20 selected school safety and crisis reporting programs.
- 21 2. If funding becomes available, the attorney general may:
  - 22 a. Expand a statewide program to include tailored reporting mechanisms targeted to
  - 23 incidents of bullying and physical or sexual abuse; and

- 1            b. Conduct outreach to promote awareness of statewide and locally selected school
- 2            safety and crisis reporting programs.
- 3            3. All records or information related to the operation of programs described in
- 4            subsection 1 are exempt records as defined in section 44-04-18.1.
- 5            4. The attorney general may seek and accept gifts, grants, and donations from any
- 6            source for the purpose of carrying out its duties under this section. All moneys
- 7            received as gifts, grants, and donations are appropriated to the attorney general on a
- 8            continuing basis for the purpose of carrying out this section.
- 9            5. The attorney general may adopt rules necessary to administer the duties required to
- 10           carry out this section.