

2019 -- H 5564

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO EDUCATION -- SUICIDE PREVENTION - THE NATHAN BRUNO AND  
JASON FLATT ACT

Introduced By: Representatives Cortvriend, Canario, Fogarty, Tanzi, and Caldwell

Date Introduced: February 27, 2019

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended  
2 by adding thereto the following chapter:

3 CHAPTER 21.7

4 THE NATHAN BRUNO AND JASON FLATT ACT

5 **16-21.7-1. Short title.**

6 This act shall be known and may be cited as "The Nathan Bruno and Jason Flatt Act."

7 **16-21.7-2. Training.**

8 (a) The department of education shall adopt rules and regulations supporting suicide  
9 awareness and prevention training each year for public school personnel.

10 (b) Training shall be required of all personnel hired or contracted by the school district,  
11 including, but not limited to, teachers, administration, custodians, lunch personnel, substitutes,  
12 nurses, coaches and coaching staff even if volunteers.

13 (c) Training may be provided within the framework of existing in-service training  
14 programs offered by the department of education or as part of professional development  
15 activities.

16 (d)(1) The department of education shall, in consultation with the department of health,  
17 education and health care stakeholders and suicide prevention experts, develop a list of approved  
18 training materials to fulfill the requirements of this chapter.

1 (2) Approved materials shall include training on how to identify appropriate mental  
2 health services both within the school and the larger community, and when and how to refer  
3 youth and their families to those services.

4 (3) Approved materials may include programs that can be completed through self-review  
5 of suitable suicide prevention materials.

6 **16-21.7-3. Student suicide prevention policy.**

7 (a) Each public school district shall adopt a policy on student suicide prevention. This  
8 policy shall, at a minimum, address procedures relating to suicide prevention, intervention and  
9 postvention. As used in this chapter, "postvention" means counseling or other social care given to  
10 students after another student's suicide or attempted suicide.

11 (b) To assist school districts in developing policies for student suicide prevention, the  
12 department of education shall develop and maintain a model policy, or adopt an existing policy as  
13 a model policy, to serve as a guide for school districts in accordance with this chapter.

14 (c) The school district policies shall incorporate the following provisions:

15 (1) Parents or legal guardians shall be notified as soon as there is an issue with their child  
16 to allow a safety net for the student;

17 (2) Districts shall create a clear complaint process for a general education student or his  
18 or her parent(s) or legal guardian(s) to make against a school for a misdeed or violation of a right,  
19 to be modeled after the current guidelines for students with individualized educational plans  
20 (IEPs);

21 (3) Guidance counselors shall be assigned the title of academic advisor. If the staff  
22 member provides social emotional support for students for more than sixty percent (60%) of their  
23 work time, the staff shall be considered social emotional support staff;

24 (4) Concrete language developed by the department of education that defines an in-school  
25 issue compared to an out-of-school issue. Conflicts between school personnel and students off  
26 school grounds and not during school time would be considered an out-of-school issue and should  
27 be handled appropriately; and

28 (5) A clear and encompassing employee conduct policy and regulations for when school  
29 personnel are involved with a student with whom they have had a prior incident that has caused a  
30 fracture in their relationship.

31 **16-21.7-4. Protection from litigation.**

32 (a) No person shall have a cause of action for any loss or damage caused by any act or  
33 omission resulting from the implementation of the provisions of this chapter or resulting from any  
34 training required by this chapter, or lack thereof, unless caused by willful or wanton misconduct.

1 (b) The training required by the provisions of this chapter, or lack thereof, shall not be  
2 construed to impose any specific duty of care.

3 **16-21.7-5. Conflict between student and teacher.**

4 (a) Any conflict or disagreement between a student and a teacher regarding the behavior  
5 of the student in school, whether in an academic or social setting, causing physical or mental  
6 trauma to a student shall trigger a notification to the parent(s) or legal guardian(s) of the child in  
7 order to facilitate the creation of a safety net for the student relating to suicide prevention.

8 (b) Upon notification that a conflict has arisen which has caused a fracture in the  
9 student/teacher relationship, the school district shall establish a clear and encompassing code of  
10 conduct regarding future interactions between the teacher and the student.

11 (c) The conflict must arise as a result of an issue occurring within the school or associated  
12 with school sanctioned activities including, but not limited to, athletic events, social events and  
13 field trips.

14 (d) Any conflict arising between a student and a teacher occurring in situations other than  
15 those described in subsection (c) of this section shall be treated as an out-of-school issue.

16 **16-21.7-6. Complaint process for student, parent(s), or legal guardian.**

17 (a) Whenever a conflict arises between a student and a teacher as set forth in § 16-21.7-5,  
18 or any other personnel hired or contracted by the school district, the student, parent(s), or legal  
19 guardian(s) may file a complaint against a teacher or the hired or contracted employee of the  
20 school for resolution.

21 (b) Complaints should include the complainant's full name, address, and contact  
22 information, including email address and telephone number. Complaints should be specific in  
23 describing the nature of the complaint and relevant information: the name of the parties involved,  
24 including witnesses, dates, the name of the institution, the policy or procedure violated (if  
25 known), and contact information. Any supporting material that substantiates the complaint should  
26 also be included.

27 (c) The complaint shall be filed with the superintendent of the school district for hearing  
28 and resolution.

29 **16-21.7-7. Resolution of the complaint.**

30 (a) The department of education shall establish a hearing process for the resolution of a  
31 complaint by the promulgation of rules and regulations necessary to establish this process, as well  
32 as the implementation of the provisions of this chapter.

33 (b) The hearing process shall be patterned on the hearing process utilized for the  
34 resolution of issues arising from students with individual education plans (IEPs).

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO EDUCATION -- SUICIDE PREVENTION - THE NATHAN BRUNO AND  
JASON FLATT ACT

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1           This act would create the "Nathan Bruno and Jason Flatt Act" which would require  
2 training of teachers and school personnel regarding suicide awareness and prevention and  
3 establishment of a conflict resolution process between teachers or school personnel and students.

4           This act would take effect upon passage.

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