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**Capitol View  
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**School Discipline May Not Be the Issue to Debate Right Now**

Back when I was a kid, if you caused a problem at school you wound up in the principal’s office. We all feared that and it kept most of us in line in that Panhandle community we called home. Further, we knew what to expect when we got home and received the “real” punishment.

Fast forward six decades or so and we’ve got a Nebraska Legislature looking at ways to give teachers and administrators more “tools” to handle violent students. The measure proposed by Senator Mike **Groene** of North Platte would give teachers legal protection for defending themselves and others against violent students.

**Groene** first offered the measure ([LB147](http://nebraskalegislature.gov/bills/search_by_number.php?DocumentNumber=LB147&Legislature=106th" \t "_blank" \o "Link to the webpage for LB147)) last session and filed a motion to place it on general file, even though the Education Committee, which he chairs, had not voted to advance it. Senators adopted the motion but the bill was never scheduled for first-round debate.

As introduced, the bill would authorize teachers and administrators to “use the necessary physical contact or physical restraint” to control a student who becomes physically violent and to protect school property from destructive students. It would allow a teacher to have a disruptive student removed from the classroom under certain circumstances.

The senator says a 20-year-old Nebraska Supreme Court case determined teachers and administrators might physically intervene to preserve order in the classroom. He says teachers want to be able to protect themselves and their students. But he called the current classroom situation a “free-for-all.”

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I don’t have school-age children anymore. My granddaughter is not in kindergarten yet. I have teachers in my family and among my retired friends. I haven’t heard of this so-called free-for-all from any of them. Maybe I’m just lucky.

Groene says he has an amendment to replace the bill to authorize teachers and other school personnel to use “reasonable physical intervention” to protect the student, another student, a teacher, other school personnel or another person from physical injury. Such action could also be used to secure property in a student’s possession if it poses a threat.

The amendment, thankfully, would require each school district to have a policy describing a process for removing a student from a class and then returning him or her to a class. It would be my hope that such a policy would be open to public scrutiny by teachers and parents alike. Otherwise, there are just too many questions.

Groene says it would also shield teachers, school personnel and school districts from criminal and civil liability if a physical intervention or removal was reasonable and in accordance with said policy. Yep, gotta have something for the lawyers.

Omaha Senator Machaela Cavanaugh opposes the measure. She says state law already authorizes teachers and administrators to defend themselves. She says it also fails to address the root cause of problems such as large class sizes, adverse childhood experiences and a lack of behavioral and mental health services.

Her Omaha colleague, Senator Justin Wayne, has filed a motion to kill the bill. He says minority students in Nebraska are five times more likely than

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other students to become involved in the student discipline process and therefore would be disproportionately affected by physical interventions.

Wayne says the measure will destroy relationships between students and teachers, parents and schools and the community and school district. There’s also a shared concern among Wayne and other senators that teachers and other school personnel need to be trained in intervention and de-escalation techniques.

One of the bill’s supporters says he’ll introduce a companion measure to require such training and provide funding for five years of such. Read that: more school aid, something that is debatable all by itself. Imagine the debate that could ensue about what that training should look like, to say nothing of the fact that it’s maybe not a good idea for the state to dictate same.

I’m sorry that it has come to this. I agree with the opponents that perhaps the real problem is a whole lot of outside circumstances that have nothing to do with public education and a whole lot to do with parental discipline.

That’s debatable and certainly not something that can be legislated. At least not in a short session of the Unicameral in an election year.

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