

One Hundred Seventh Legislature - First Session - 2021

Introducer's Statement of Intent

LB518

Chairperson: Senator Lynne Walz

Committee: Education

Date of Hearing: February 09, 2021

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 518 prohibits conduct under the Student Discipline Act, §§79-254 et. seq., the involves engaging in any kind of surreptitious electronic surveillance on any property of a public school or during remote learning occurring on a school district-approved platform, without the knowledge of the person or persons being observed.

Surreptitious electronic surveillance is defined as a person intruding upon the privacy of other persons by secretly listening to, monitoring, or recording, or attempting to listen to, monitor, or record, by means of any mechanical, electronic, or other listening device, any conversation engaged in by the other persons, unless authorized to do so by all participants engaging in the conversation.

The prohibited conduct does not apply to any electronic surveillance (a) authorized by a court order issued to a public officer based upon a showing of probable cause to believe that criminal activity is occurring on the property of the public school under surveillance; (b) by a party or witness to a conversation who has a reasonable belief that there is an ongoing criminal act in the process of being committed; (c) by a law enforcement agency pursuant to a criminal investigation; (d) which is necessary as part of a system of security used to protect and ensure the safety of persons on the property of the public school; or (e) of a class or laboratory when authorized by the teacher of the class or laboratory.

The bill relates to elementary and secondary schools in Nebraska.

Principal Introducer: _____

Senator Adam Morfeld