

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1039**

Introduced by Dungan, 26.

Read first time January 14, 2026

Committee: Education

1 A BILL FOR AN ACT relating to schools; to amend section 79-2704, Reissue  
2 Revised Statutes of Nebraska; to further prohibit corporal  
3 punishment as prescribed; and to repeal the original section.  
4 Be it enacted by the people of the State of Nebraska,

1       **Section 1.** Section 79-2704, Reissue Revised Statutes of Nebraska, is  
2       amended to read:

3           79-2704 Each memorandum of understanding required by section 79-2703  
4       shall govern the use of school resource officers or security guards and  
5       shall include, but not be limited to, policies that:

6           (1) Require each school resource officer or security guard to attend  
7       a minimum of twenty hours of training focused on school-based law  
8       enforcement, including, but not limited to, coursework focused on school  
9       law, student rights, understanding special needs students and students  
10      with disabilities, conflict de-escalation techniques, ethics for school  
11      resource officers, teenage brain development, adolescent behavior,  
12      implicit bias training, diversity and cultural awareness, trauma-informed  
13      responses, and preventing violence in school settings;

14           (2) Prohibit any school resource officer or security guard from  
15       subjecting any student to corporal punishment as described in section  
16       79-295.

17           (3) (2) Require a minimum of one administrator in each elementary or  
18       secondary school where a school resource officer or security guard is  
19       assigned to attend a minimum of twenty hours of training focused on  
20       school-based law enforcement, including, but not limited to, coursework  
21       focused on school law, student rights, understanding special needs  
22       students and students with disabilities, conflict de-escalation  
23       techniques, ethics for school resource officers and security guards,  
24       teenage brain development, adolescent behavior, implicit bias training,  
25       diversity and cultural awareness, trauma-informed responses, and  
26       preventing violence in school settings;

27           (4) (3) Ensure records are kept on each student referral for  
28       prosecution from a school resource officer in response to an incident  
29       occurring at school, on school grounds, or at a school-sponsored event  
30       and ensure that such records allow for analysis of related data and  
31       delineate:

- 1 (a) The reason for such referral; and
- 2 (b) Federally identified demographic characteristics of such
- 3 student;

4        (5) (4) Identify school policies that address when a parent or  
5    guardian will be notified or present, in a language that such parent or  
6    guardian understands, if a student is subjected to questioning or  
7    interrogation by a school official or by a school resource officer or  
8    security guard operating in conjunction with a school official;

9        (6) (5) Identify the school or law enforcement agency policies that  
10      address under what circumstances a student will be advised of  
11      constitutional rights prior to being questioned or interrogated by a  
12      school official or by a school resource officer or security guard  
13      operating in conjunction with a school official;

14           (7) (6) Identify the school policy required by section 79-262 that  
15    addresses the type or category of student conduct or actions that will be  
16    referred to law enforcement for prosecution and the type of student  
17    conduct or actions that will be resolved as a disciplinary matter by a  
18    school official and not subject to referral to law enforcement; and

19        (8) (7) Identify a student and parent complaint process to express a  
20 concern or file a complaint about a school resource officer or security  
21 guard and the practices of such school resource officer or security guard  
22 with the law enforcement agency or security agency.

23       **Sec. 2.**   Original section 79-2704, Reissue Revised Statutes of  
24   Nebraska, is repealed.