School Resource Officer (SRO) Special Committee

Meeting Notice and Agenda

Village of Cross Plains
Middleton-Cross Plains School District

Glacier Creek Middle School
Community Room/101A
2800 Military Road
Cross Plains, WI 53528

Wednesday, October 1, 2014
7:00 pm

I. Call to Order and Roll Call

II. Approval of Minutes – September 17, 2014 and September 24, 2014.

III. Discussion regarding School Resource Officer (SRO) position.

IV. Set next meeting date.

V. Adjournment

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the Village Hall at (608) 798-3241 or matt@cross-plains.wi.us.

Village of Cross Plains
PO Box 97, 2417 Brewery Road
Cross Plains, WI 53528
Phone: (608) 798-3241
Fax: (608) 798-3817

Memorandum

To: Village Board of Trustees
From: Matthew G. Schuenke, Village Administrator/Clerk-Treasurer
Date: September 26, 2014
Re: SRO Special Committee Meeting – **October 1, 2014**

II. **Approval of Minutes – September 17, 2014 and September 24, 2014**: Presented for approval.

III. **Discussion regarding School Resource Officer (SRO) position** – The Committee held a Public Information Meeting on September 24th at Coach's Club with current and former School Resource Officers. The feedback gathered from this meeting will be discussed as we continue to form a proposal to be presented to the Village Board on October 27th. The objective of the next meeting should be to continue to narrow the recommendation the Committee is preparing to make to the Village Board on providing this service. Also included within your packets is SRO articles and research provided by Trustee Jay Lengfeld for your consideration.

IV. **Set next meeting date** – It is suggested that the Committee meet on October 15, 2014 at 7:00 pm. The Committee may set their scheduled at its discretion based on availability.

School Resource Officer (SRO) Special Committee

Meeting Minutes

Village of Cross Plains
2417 Brewery Road, PO Box 97
Cross Plains, WI 53528
(608) 798-3241

Wednesday, September 17, 2014
7:00 pm

I. Call to Order and Roll Call – The meeting was called to order at 7:00 pm.

Present: Village President Pat Andreoni, Village Trustee William Brosius, Police Commission President Neil Purtell, Police Chief Tom Janssen, School Board President Bob Green, School Superintendent Don Johnson, and Middle School Principal Tim Keeler.

II. Committee Member Introductions.

III. Discussion regarding School Resource Officer (SRO) position cost and description – The following issues were discussed regarding the SRO Position:

- Use of the current Intergovernmental Agreement as platform to provide expanded service using current resources.
- The need to develop a consistent non-enforcement presence at certain times of the day.
- Educational safety program development.
- Security officer versus police officer.
- General marketing efforts within the community to display the positives of a SRO in a non-enforcement situation.
- School District's experience with the City of Middleton SRO.
- Establishment of a job description in a non-disciplinarian format.

IV. Discussion regarding creation of Cross Guard position – The need for a Crossing Guard at the Church Street and Military Road intersection was discussed based on the recent display of traffic patterns generated by the addition of the 5th Grade to the Middle School. The School District is requesting that the Village pursue implementation of a Crossing Guard Program to help assist students using this route. The possibility of creating a School "Zone" versus the current School "Route" and the School District's traffic study of the same intersection were also discussed. This issue has been referred to Village Staff for additional consideration.

V. Set next meeting date:

- Public Information Meeting – Wednesday, September 24, 2014 at 9:00 am at Coach's Club.
- Committee Meeting – Wednesday, October 1, 2014 at 7:00 pm.

VI. Adjournment – A motion was made by Janssen, seconded by Brosius, and unanimously carried by the Committee to adjourn the meeting at 9:20 pm.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,

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Matthew G. Schuenke
Village Administrator/Clerk-Treasurer

School Resource Officer (SRO) Special Committee

Meeting Minutes

Village of Cross Plains
Middleton-Cross Plains School District

Coach's Club
1200 Main Street
Cross Plains, WI 53528

Wednesday, September 24, 2014
9:00 am

I. Call to Order and Roll Call – The meeting was called to order at 9:00 am.

Present: Village President Pat Andreoni, Police Commission President Neil Purtell, School Board President Bob Green, and School Superintendent Don Johnson.

Not Present: Village Trustee William Brosius, Police Chief Tom Janssen, and Middle School Principal Tim Keeler.

II. Public Information Meeting on School Resource Officer (SRO) Position – No action was taken. Information regarding the SRO Position was presented and discussed by members of the Committee, current/former School Resource Officers, and the public.

III. Adjournment – The meeting was adjourned at 10:00 am.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,

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Matthew G. Schuenke
Village Administrator/Clerk-Treasurer

Article #1

Policing In Schools

DEVELOPING A GOVERNANCE DOCUMENT FOR SCHOOL RESOURCE OFFICERS IN K-12 SCHOOLS

AN ACLU WHITE PAPER

BY CATHERINE Y. KIM AND I. INDIA GERONIMO

AUGUST 2009

POLICING IN SCHOOLS: DEVELOPING A GOVERNANCE DOCUMENT FOR SCHOOL RESOURCE OFFICERS IN K-12 SCHOOLS

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PUBLISHED AUGUST 2009

Policing in Schools:
Developing a Governance Document
for School Resource Officers in K-12 Schools

An ACLU White Paper
By Catherine Y. Kim and I. India Geronimo

Published August 2009

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The authors wish to thank the following individuals for their thoughtful comments and feedback: Dr. Dick Caster from the National Association of School Resource Officers; Bruce Hunter from the American Association of School Administrators; Michael Schooley from the National Association of Elementary School Principals; Bill Bond from the National Association of Secondary School Principals; Sally Lee and Aaron Boyle from Teachers Unite; Johanna Wald from the Charles Hamilton Houston Institute at Harvard Law School; Liz Sullivan from the National Economic and Social Rights Initiative; Lisa Thurau-Gray, former Director of the Juvenile Justice Center at Suffolk University Law School; Art Eisenberg and Udi Ofer from the New York Civil Liberties Union; and our colleagues at the ACLU Racial Justice Program, including, Dennis Parker, Robin Dahlberg, Reggie Shuford, Vanita Gupta, Jaime Dycus, Nicole Kief, and Arlene Gilbert. The views expressed herein are those of the authors and should not be interpreted as endorsed by the individuals who provided comments or feedback. The authors would also like to thank the Communications Department in the ACLU, including Willa Tracosas who designed the layout of this white paper, and Will Matthews who assisted in its publication.

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Appendix: Model Governance Document for School Resource Officer (SRO) Program i

The Racial Justice Program is a division of the American Civil Liberties Union, the nation's leading advocate of constitutional and civil rights. Staff members of the program are experts in constitutional law and civil rights, specializing in education, health care, racial profiling, juvenile justice, criminal justice, indigent defense, and other racial justice issues. Experts in policy, advocacy, and community organizing round out the core staff of the RJP.

Catherine Yonsoo Kim is a staff attorney with the American Civil Liberties Union, National Legal Department where she works with the Racial Justice Program. She has been involved in litigation and advocacy surrounding discrimination in K-12 public schools, Native American education rights, school desegregation, juvenile justice, racial and religious profiling, and government watchlists.

More recently, she has focused her work on challenges to the "school-to-prison pipeline," the practice of criminalizing students, predominantly students of color, for trivial schoolyard misconduct. In addition to litigating cases in this area, she is the co-author of an upcoming book analyzing legal theories and remedies surrounding the school-to-prison pipeline to be published next fall, has organized two national conferences in this area, and has spoken extensively around the country on these issues.

Catherine began working on racial justice issues for the ACLU in 2003 as the Marvin M. Karpatkin Fellow. Prior to that, she clerked for the Honorable Carlos F. Lucero on the Tenth Circuit Court of Appeals in Denver. Catherine obtained her law degree from Columbia Law School, where she served as an editor on the *Columbia Law Review*, and her undergraduate degree from Cornell University.

I. India Geronimo is the Marvin M. Karpatkin Fellow with the American Civil Liberties Union, National Legal Department, where she works with the Racial Justice Program. She has been involved in litigation and advocacy surrounding affirmative action, racial profiling, and challenges to the school-to-prison pipeline. Prior to that, she clerked for the Honorable Robert L. Carter, a judge on the United States District Court for the Southern District of New York. India obtained her law degree from Fordham Law School, where she was a Crowley Scholar and the recipient of the *Summa Cum Laude* Archibald R. Murray Award for public service, and her undergraduate degree from Emory University. Before entering law school, she was the Du Institute Fellow at Harvard University and spent one year as a teacher for Yonkers Public Schools.

INTRODUCTION

K-12 public schools across the country have begun to deploy law enforcement agents on school grounds in growing numbers. Although there are no current national figures for the number of such officers, in 2004, 60 percent of high school teachers reported armed police officers stationed on school grounds,[1] and in 2005, almost 70 percent of public school students ages 12 to 18 reported that police officers or security guards patrol their hallways.[2]

Frequently referred to as "School Resource Officers" or SROs, these agents are often sworn police officers employed by the local police department and assigned to patrol public school hallways full-time.[3] In larger jurisdictions such as Los Angeles and Houston, these officers may be employed directly by the school district.[4]

Without addressing the question of whether police officers should be deployed to schools in the first instance, this White Paper posits that if they are deployed, they must be provided with the tools necessary to ensure a safe school environment while respecting the rights of students and the overall school climate.

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[1] Paul Hirschfield, *The Uneven Spread of School Criminalisation in the United States*, 74 CRIM. JUST. MATTERS 28, 28 (2008).

[2] RACHEL DINKES ET AL., NAT'L CTR. FOR EDUC. STATISTICS & BUREAU OF JUSTICE STATISTICS, INDICATORS OF SCHOOL CRIME AND SAFETY: 2007, at 116 (2008); *see also* PETER FINN ET AL., COMPARISON OF PROGRAM ACTIVITIES AND LESSONS LEARNED AMONG 19 SCHOOL RESOURCE OFFICER (SRO) PROGRAMS 7 (2005) ("By 1999 there were at least 12,000 law enforcement officers serving full-time as SROs…. Local police departments had about 9,100 full-time SROs assigned to schools…. Nationwide, about 2,900 sheriffs' deputies worked as SROs during 1997.").

[3] CATHY GIROUARD, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, U.S. DEP'T OF JUSTICE, OJJDP FACT SHEET: SCHOOL RESOURCE OFFICER TRAINING PROGRAM (2001).

[4] Los Angeles Schools Police Department, http://www.laspd.com/; Houston Independent School District Police Department, http://www.houstonisd.org/portal/site/Police.

Unfortunately, school districts and law enforcement agencies often fail to pay sufficient attention to the ways in which policing in schools is unique; many have no formal governance document for these officers at all. According to the National Assessment of School Resource Officers commissioned by the National Institute of Justice and the U.S. Department of Justice, "One [of] the most frequent and destructive mistakes many SRO programs make is to fail to define the SROs' roles and responsibilities in detail before --- or even after --- the officers take up their posts in schools. When programs fail to do this, problems are often rampant in the beginning of the program --- and often persist for months and even years."[5]

This White Paper argues that a formal governance document is necessary to ensure that law enforcement, school officials, and the communities they serve have a shared understanding of the goals of the SRO program, and that these officers receive the necessary support and training prior to their deployment.[6] Absent specific guidelines, SROs may not have a clear understanding of their role within the larger educational context or the rights and needs of the children they are intended to serve; they may inadvertently, and indeed counterproductively, create an adversarial environment that pushes students, particularly at-risk students, out of school rather than engaging them in a positive educational environment.[7] The reputation of law

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[5] FINN ET AL., *supra* note 2, at 23; *see also* AM. CIVIL LIBERTIES UNION, HARD LESSONS: SCHOOL RESOURCE OFFICER PROGRAMS AND SCHOOL-BASED ARRESTS IN THREE CONNECTICUT TOWNS 18-20 (2008) (describing confusion between school officials and police on the role of SROs).

[6] *See* Ben Brown, *Understanding and Assessing School Police Officers: A Conceptual and Methodological Comment*, 34 J. CRIM. JUST. 591, 600 (2006) ("[I]t is important that school officials, school police officers and administrators, researchers, and public policymakers come together to adequately conceptualize school police officers … and identify a clear set of reasonable duties and goals which the officers may be expected to fulfill.").

[7] *See* Matthew T. Theriot, *School Resource Officers and the Criminalization of Student Behavior*, 37 J. OF CRIM. JUST. 280, 280 (2009) (documenting studies suggesting that aggressive school security measures may increase student disorder and compromise positive school climate); KIM BROOKS ET AL., JUSTICE POLICY INST. & CHILDREN'S LAW CTR., INC., SCHOOL HOUSE HYPE: TWO YEARS LATER 11 (2000)

enforcement agencies, the climate of the schools, and, most important, the educational achievement and rights of public school students, suffer as a result.

This White Paper identifies specific areas of concern to be addressed in a governance document for SRO programs. In the case of districts that contract with local police departments, these provisions should be set forth in a Memorandum of Understanding; in the case of districts that employ their own police force, they should be set forth in another appropriate format. In either case, the governance document should include language that:

- Distinguishes between disciplinary misconduct to be handled by school officials and criminal offenses to be handled by law enforcement;
- Respects the rights of children in school;
- Ensures transparency and accountability;
- Defines the role of SROs within the context of the educational mission of schools;
- Provides minimum training requirements; and
- Promotes non-punitive approaches to student behavior.

(citing study suggesting that "jail-like" atmosphere in public schools "may foster the violence and disorder school administrators hope to avoid").

I. DISTINGUISH BETWEEN DISCIPLINARY MISCONDUCT AND CRIMINAL OFFENSES

First, the governance document for School Resource Officer programs should specify that children will not be subject to formal law enforcement intervention --- whether that intervention take the form of an issuance of a criminal citation, ticket, or summons, filing of a delinquency petition, referral to a probation officer, or an actual arrest --- for ordinary school discipline issues; it should also specify that the drastic measure of a school-based arrest should be used only as a last resort.

The number of children arrested or referred to court for school discipline has grown in recent years.[8] In South Carolina, the single most common offense resulting in a juvenile court referral during the 2007-08 year was "Disturbing Schools."[9] In Florida, during the same time

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[8] *See, e.g.,* Paul J. Hirschfield, *Preparing for Prison? The Criminalization of School Discipline in the USA,* 12 THEORETICAL CRIMINOLOGY 79, 80 (2008) (describing that "problems that once invoked the idea and apparatus of student discipline have increasingly become criminalized"); Daveen Rae Kurutz, *School Arrests, Citations Jump by 46 percent*, PITTSBURGH TRIB.-REV., Aug. 23, 2008 (documenting 46 percent increase in number of school-based arrests and citations in Allegheny County in a single year); CHILDREN'S DEFENSE FUND, AMERICA'S CRADLE TO PRISON PIPELINE 125 (2007) (noting tripling in number of school-based arrests in Miami-Dade County from 1999 to 2001); ADVANCEMENT PROJECT, EDUCATION ON LOCKDOWN: THE SCHOOLHOUSE TO JAILHOUSE TRACK 15 (2005) (documenting growth in the number of school-based arrests in select jurisdictions).

In the past year and a half alone, there have been several highly publicized incidents of the criminalization of minor student misbehavior, including the arrest of a 14-year-old girl for text-messaging, Sharif Durhams, *Tosa East Student Arrested, Fined After Repeated Texting*, MILWAUKEE J. SENTINEL, Feb. 18, 2009, at B8; the arrest of a 13-year-old boy for repeatedly passing gas in class, *Student Arrested for Passing Gas and Turning Off Classmates' Computers*, SOUTH FLORIDA SUN-SENTINEL, Nov. 22, 2008; and the use of a Taser to shock a student after knocking over a chair, Martin Cassidy, *Requests for Taser Recording Rejected*, GREENWICH TIME, May 31, 2008, at A1.

[9] SOUTH CAROLINA DEP'T OF JUVENILE JUSTICE, ANNUAL STATISTICAL REPORT 2007-2008, at 13 (2009).

period, 15 percent of all delinquency referrals stemmed from school-related conduct, with 40 percent involving "disorderly conduct" or "misdemeanor assault and battery."[10] Last year in Birmingham, Alabama, 18 percent of juvenile arrests resulting in court referral were for school misconduct; among those, 33 percent were for fights, 29 percent were for disorderly conduct, and 21 percent were for trespassing or harassment.[11]

Children of color and students with disabilities are disproportionately represented among these students.[12] In Florida, Black youth, who represented only 22 percent of the overall juvenile population, accounted for 47 percent of all school-based delinquency referrals; youth with special needs accounted for 23 percent of all school-based referrals.[13]

In the past several years, there have been several high-profile incidents in which children were arrested at school for questionable reasons.[14] Even juvenile court personnel have expressed concern that school officials may be relying on the juvenile justice system inappropriately to

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[10] MARK A. GREENWALD, FLORIDA DEP'T OF JUVENILE JUSTICE, DELINQUENCY IN FLORIDA'S SCHOOLS: A FOUR YEAR STUDY 7, 12 (2009).

[11] Marie Leech & Carol Robinson, *City Schools Rely on Arrests to Keep Order*, BIRMINGHAM NEWS, Mar. 22, 2009, at 1A.

[12] AM. CIVIL LIBERTIES UNION, HARD LESSONS, *supra* note 5, at 35-43 (finding that in one jurisdiction, African American and Hispanic students accounted for 24 percent of the student body but 63 percent of school-based arrests, and that students of color who commit certain common infractions are more likely to be arrested at school than white students committing the same infractions); *see also* JUDITH A. BROWNE, ADVANCEMENT PROJECT, DERAILED: THE SCHOOLHOUSE TO JAILHOUSE TRACK 18-20, 23 (2003) (documenting disparities by race and special education status in school-based arrests in select jurisdictions).

[13] GREENWALD, *supra* note 10, at 5.

[14] *See, e.g.,* Ann N. Simmons, *Scuffle Exposes a Racial Rift*, L.A. TIMES, Oct. 11, 2007, at B1 (reporting the arrest of a sixteen-year-old girl for battery after dropping a piece of birthday cake in the school lunch area and failing to clean it up to the satisfaction of the school resource officer); Bob Herbert, *6-Year-Olds Under Arrest*, N.Y. TIMES, Apr. 9, 2007, at A17 (describing arrest of a six-year-old girl for felony battery on a school official and two misdemeanor counts of disruption of school and resisting arrest after throwing a temper tantrum at school); AM. CIVIL LIBERTIES UNION, CRIMINALIZING THE CLASSROOM: THE OVER-POLICING OF NEW YORK CITY SCHOOLS 6, 14 (2007) (documenting arrests of students for bringing cell phone to school and walking late to class).

handle minor school misconduct. For example, the National Council of Juvenile and Family Court Judges has urged collaboration between the justice system and school officials to "[c]ommit to keeping school misbehavior and truancy out of the formal juvenile delinquency court."[15]

Improper school-based arrests and referrals to law enforcement have a devastating impact on children. Studies show that being arrested has detrimental psychological effects on the child; nearly doubles the odds of dropping out of school, and, if coupled with a court appearance, nearly quadruples the odds of dropout; lowers standardized test scores; reduces future employment prospects; and increases the likelihood of future interaction with the criminal justice system.[16]

These arrests and referrals also have a negative impact on the larger community. Classmates who witness a child being arrested for a minor infraction may develop negative views or distrust of law enforcement. Juvenile court dockets and detention centers become crowded with cases that could be handled more efficiently and more effectively by school

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[15] DAVID E. GROSSMANN & MAURICE PORTLEY, NAT'L COUNCIL OF JUVENILE & FAMILY COURT JUDGES, JUVENILE DELINQUENCY GUIDELINES: IMPROVING COURT PRACTICE IN DELINQUENCY CASES 151 (2005); *see also* Leech & Robinson, *supra* note 11 (documenting concerns regarding the criminalization of students resulting in the "flooding of Family Court with cases that once would have been handled in a principal's office" and quoting Presiding Family Court Judge Brian Huff as stating, "But we're arresting children for offenses no one should be arrested for"); AM. CIVIL LIBERTIES UNION, RACE AND ETHNICITY IN AMERICA: TURNING A BLIND EYE TO INJUSTICE 149 (2007) (documenting statement by a juvenile court judge in Massachusetts that he handles more school discipline in his courtroom today than he did in his former position, as a public school principal); Sara Rimer, *Unruly Students Facing Arrest, Not Detention*, N.Y. TIMES, Jan. 4, 2004 (reporting that juvenile court judges in Ohio, Virginia, Kentucky, and Florida have complained about the volume of school misconduct cases overwhelming their courtrooms).

[16] *See* Gary Sweeten, *Who Will Graduate? Disruption of High School Education by Arrest and Court Involvement*, 23 JUST. Q. 462, 473, 478-79 (2006); ADVANCEMENT PROJECT, EDUCATION ON LOCKDOWN, *supra* note 8, at 12; Terence P. Thornberry et al., *The Causes and Correlates Studies: Findings and Policy Implications*, 9 JUVENILE JUST., Sept. 2004, at 3, 12; Jeff Grogger, *Arrests, Persistent Youth Joblessness, and Black/White Employment Differentials*, 74 REV. ECON. & STAT. 100, 105-06 (1992).

principals. And, the community pays the costs associated with an increase in dropouts, crime, unemployment, and, in extreme cases, the incarceration of children.

Studies also suggest that the increase in school-based arrests and court referrals for minor school misconduct may be the result of an increase in SRO programs.[17] In any case, even where the deployment of police personnel in school hallways has not necessarily increased the criminalization of school misconduct, it is critical that SRO programs set forth guidelines for when formal law enforcement intervention is warranted. Such guidance aids the SRO who may initiate the intervention, and also assists school officials who might otherwise seek to request intervention inappropriately.[18]

Many current governance documents for SRO programs appropriately provide that school resource officers are responsible for enforcing criminal law, not for enforcing school discipline. But the vast majority of student misbehavior may technically fall within the definition of a

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[17] For example, social work researcher Matthew T. Theriot has found a correlation between the presence of a SRO and the number of school-based arrests for disorderly conduct. Theriot, *supra* note 7, at 285. Similarly, a Blue Ribbon Commission from Clayton County, Georgia, issued the following findings:

> The number of school-related charges filed in the juvenile court increased from 90 in 1996 to 1,200 in 2004. At first glance, it appeared that crime in the schools skyrocketed, but after further study it became evident that the major cause of the increase in reporting was a result of law enforcement (SROs) within the schools. The data showed that most of the school offenses were minor matters involving school fights, disorderly conduct (e.g., yelling in the hallway or cursing); obstruction of an officer (e.g., running away from a police officer when told to stop); and disrupting a public school (similar to disorderly conduct). These offenses have traditionally been handled by the school and are not deemed the type of matters appropriate for juvenile court.

CLAYTON COUNTY PUBLIC SCHOOLS, BLUE RIBBON COMMISSION ON SCHOOL DISCIPLINE, EXECUTIVE REPORT 47 (2007), *available at* http://www.clayton.k12.ga.us/departments/studentservices/handbooks/BlueRibbonExecutiveReport.pdf.

[18] In some cases, it has been law enforcement officials who have been most critical of schools' reliance on police to handle minor school discipline issues. Leech & Robinson, *supra* note 11 (noting concern of Birmingham Chief of Police that school incidents referred for arrest should have been handled by the principal's office rather than law enforcement); Rena Havner, *Crisis Center Could Help Reduce Arrests in Mobile Schools*, PRESS-REGISTER, July 5, 2008, at A1 (reporting view of local law enforcement that not all school-based arrests were warranted).

criminal offense, leading to confusion among officers, teachers, parents, and children alike. Absent clear guidelines, there may be confusion or disagreement as to whether a food fight in the cafeteria amounts to criminal "disorderly conduct," whether talking back to a teacher constitutes a criminal "disturbance of school or public assembly," or whether a playground shoving match should be classified as a criminal "assault."

To address this concern, the governance document must provide clear guidance as to when children may be subject to formal law enforcement intervention, or when incidents that might be interpreted technically as a criminal offense should be handled by school officials alone. We propose the following language:

Model Language on Distinguishing Between Disciplinary Misconduct and Criminal Offenses

- School Resource Officers are responsible for criminal law issues, not school discipline issues.
- Absent a real and immediate threat to student, teacher, or public safety,[19] incidents involving public order offenses including disorderly conduct; disturbance/disruption of schools or public assembly; trespass; loitering; profanity; and fighting that does not involve physical injury or a weapon, shall be considered school discipline issues to be handled by school officials, rather than criminal law issues warranting formal law enforcement intervention (e.g., issuance of a criminal citation, ticket, or summons, filing of a delinquency petition, referral to a probation officer, or actual arrest).

[19] In other contexts, officers are expected to evaluate whether an individual poses an "immediate threat" to "safety." *See Graham v. Connor,* 490 U.S. 386, 396 (1989).

- Students shall not be arrested at school, except where the child poses a real and immediate threat to student, teacher, or public safety; or a judicial warrant specifically directs the arrest of the student in a school; in all other instances the execution of an arrest warrant shall be undertaken at a location other than a school.
    - School principals shall be consulted prior to an arrest of a student where practicable.
    - The student's parent or guardian shall be notified of a child's arrest as soon as practicable.

II. RESPECT FOR STUDENTS' RIGHTS

Second, the governance document should delineate the contours of students' rights, including the circumstances under which a child may be questioned or searched by school officials or by or in the presence of a School Resource Officer.

As the Supreme Court of the United States has made clear repeatedly, K-12 public school students retain their constitutional rights at school.[20] There is a large body of case law defining the extent to which a school principal may search a student's person or belongings pursuant to the Fourth Amendment prohibition against unreasonable searches and seizures.[21] There is also a large body of case law, some of it conflicting, on the extent to which the presence or participation of a SRO alters the analysis.[22] Similarly, case law describes the circumstances under which a student may be questioned by a school principal or by or in the presence of a SRO, where the questioning exposes the child to criminal liability or juvenile delinquency proceedings, pursuant to the Fifth Amendment right against self-incrimination and the Supreme

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[20] *See, e.g., Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 506 (1969) ("It can hardly be argued that … students … shed their constitutional rights . . . at the schoolhouse gate.").

[21] *See New Jersey v. T.L.O.*, 469 U.S. 325, 341-42 (1985) (holding that school officials may only search a student's person or belongings where they have "reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school," and "the search as actually conducted was reasonably related in scope to the circumstances which justified the interference in the first place") (quotations omitted).

[22] *See id.* at 341 n.7 (declining to rule on the appropriate standard for student searches conducted by school officials in conjunction with or at the behest of law enforcement agencies). *Compare State v. Scott*, 630 S.E.2d 563, 566 (Ga. Ct. App. 2006) (holding that school resource officers, unlike school officials, must have probable cause rather than mere reasonable suspicion to search or seize a student), *and A.J.M. v. State*, 617 So.2d 1137, 1138 (Fla. Dist. Ct. App. 1993) (same), *with People v. Dilworth*, 661 N.E.2d 310, 317 (Ill. 1996) (applying reasonable suspicion standard to search by school resource officer), *In re William V.*, 4 Cal. Rptr. 3d 695, 698 (Cal. Ct. App. 2003) (same), *Russell v. State*, 74 S.W.3d 887, 891-92 (Tex. App. 2002) (same), *and Commonwealth v. J.B.*, 719 A.2d 1058, 1062 (Pa. Super. Ct. 1998) (same).

Court's ruling in *Miranda v. Arizona.*[23] Again, some of these cases are in conflict.[24] Some jurisdictions provide additional protections to students against searches or questioning pursuant to the state constitution or state statute.[25] Given the relative lack of clarity in the law, erring on the side of caution and affording more protective rights to students minimizes school districts' and law enforcement agencies' vulnerability to lawsuits.[26]

Of course, the case law establishes only the floor for students' rights, the minimum level that must be afforded to students to avoid legal liability; it does not set forth best practices. Searching students or questioning them in an unnecessarily coercive manner, even if it passes

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[23] *Miranda v. Arizona*, 384 U.S. 436 (1966).

[24] *Compare In re C.H.*, 763, 715 N.W.2d 708 (Neb. 2009) (finding custodial interrogation, which requires Miranda warnings, where law enforcement questioned student in principal's office), *In re R.H.,* 791 A.2d 331, 333-34 (Pa. 2002) (finding custodial interrogation where SRO questioned student), *In re D.A.R*, 73 S.W.3d 505, 512-13 (Tex. App. 2002) (same), *In re G.S.P.,* 610 N.W.2d 651, 658 (Minn. Ct. App. 2000) (finding custodial interrogation where school officials and police officers questioned student), *and State v. Doe*, 948 P.2d 166, 169 (Idaho Ct. App. 1997) (finding custodial interrogation where SRO questioned student), *with Cason v. Cook*, 810 F.2d 188, 193 (8th Cir. 1987) (finding no custodial interrogation where school principal questioned student in the presence of SRO), *In re W.R.,* 675 S.E.2d 342, 344 (N.C. 2009) (finding no custodial interrogation where school official and SRO questioned student), *Commonwealth v. Ira I.,* 791 N.E.2d 894, 902 (Mass. 2003) (finding no custodial interrogation where principal questioned student); *State v. J.T.D.,* 851 So.2d 793, 796 (Fla. Dist. Ct. App. 2003) (same), *and State v. D.J.*, 132 Wash. App. 1055 (Wash. Ct. App. 2006) (unreported) (finding no custodial interrogation where principal and SRO questioned student). For further discussion of this issue, see Paul Holland, *Schooling* Miranda*: Policing Interrogation in the Twenty-First Century Schoolhouse*, 52 LOY. L. REV. 39 (2006).

[25] *See R.D.S. v. State*, 245 S.W.3d 356, 362 (Tenn. 2008) (noting in student questioning case that state constitutional right against self-incrimination more protective than federal right); *Commonwealth v. Berry*, 570 N.E.2d 1004, 1007 n.2 (Mass. 1991) (providing more protective juvenile right against self-incrimination under state law than afforded under federal law); *Theodore v. Delaware Valley Sch.*, 761 A.2d 652, 660 (Pa. Commw. Ct. 2000) (noting in student search case that state constitution is more protective than federal constitution).

[26] *See* Brown, *supra* note 6, at 594 ("In light of the potential for lawsuits and public outcry about inappropriate contact with youth…, school police officials must be especially cautious in terms of how they treat and interact with students.").

legal muster, risks creating an adversarial relationship with students, severely compromising the educational climate and potentially increasing distrust and disorder in public schools.[27]

For these reasons, the governance document for the SRO program should include the following language:

Model Language on Students' Rights

- Absent a real and immediate threat to student, teacher, or public safety, a School Resource Officer may conduct or participate in a search of a student's person, possessions, or locker only where there is probable cause to believe that the search will turn up evidence that the child has committed or is committing a criminal offense.
    - The SRO shall inform school administrators prior to conducting a probable cause search where practicable.
    - The SRO shall not ask school officials to search a student's person, possessions, or locker in an effort to circumvent these protections.
- A school official may conduct a search of a student's person, possessions, or locker only where there is reasonable suspicion to believe that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school, and the search is justified in scope given such suspicion.
    - Absent a real and immediate threat to student, teacher, or public safety, a school official shall not ask a SRO to be present or participate in such a search.

[27] *See* Randall R. Beger, *The "Worst of Both Worlds": School Security and the Disappearing Fourth Amendment Rights of Students*, 28 CRIM. JUST. REV. 336, 340-41 (2003) (documenting studies suggesting that intrusive school searches "produce alienation and mistrust among students," "disrupt the learning environment and create an adversarial relationship between school officials and students," and "may actually interfere with student learning").

- Absent a real and immediate threat to student, teacher, or public safety, a SRO may question or participate in the questioning of a student about conduct that could expose the child to court-involvement or arrest only after informing the child of his or her Miranda rights and only in the presence of the child's parent or guardian.
    - The SRO shall inform school administrators prior to questioning the student where practicable.
    - The SRO shall not ask a school official to question a student in an effort to circumvent these protections.
- Absent a real and immediate threat to student, teacher, or public safety, a school official shall not ask a SRO to be present or participate in the questioning of a student that could expose the student to court-involvement or arrest.
- Strip searches of children by either school officials or SROs shall be prohibited.
- Absent a real and immediate threat to student, teacher, or public safety, other physically invasive searches by a school official or SRO shall not be conducted on a child.
- Absent a real and immediate threat to student, teacher, or public safety, a SRO shall not use physical force or restraints --- including handcuffs, Tasers, Mace, or other physical or chemical restraints --- on a child.

III. Transparency and Accountability

Third, the governance document for the School Resource Officer program must provide mechanisms for transparency and accountability, including mandatory public reporting on SRO activities and a meaningful complaint resolution system.

Public schools are subject to strict transparency and accountability requirements in virtually every regard, from mandatory reporting on student achievement and teacher qualifications, statistics on student disabilities and discipline, publicly available district budgets, and public access to school board meetings. These requirements reflect a shared commitment to parents' right to know what is happening in their children's schools, and the community's right to know how public school dollars are being spent.

Yet, governance documents for SRO programs often fail to include mechanisms for transparency and accountability. We are left to guess the extent to which crimes are being committed at schools; the number and types of incidents leading to student arrests or court referrals; disparities between schools within a district, between districts, or between different categories of students; and, even more important given today's economic climate, the cost-effectiveness of SRO programs in improving school safety.[28] As one scholar has put it, "It may be that millions of tax dollars are being spent on inappropriate training for school police officers, that school policing tactics are ineffective or, as a worst case scenario, that the presence of police officers in schools creates more harm than good."[29] Without information on the number and

[28] *See* Brown, *supra* note 6, 596-97 (describing need for evaluating impact of school resource officer "on both the school environment and society as a whole" and proposing methodology for such an evaluation); *see also* Beger, *supra* note 27, at 351 (advocating further research to evaluate the costs and effectiveness of school police measures).

[29] Brown, *supra* note 6, at 592.

types of school-based arrests or the activities of SROs, neither the school, nor the police, nor the public can properly assess these programs.

Similarly, these programs frequently lack a meaningful complaint resolution system to investigate and resolve allegations of abuse or misconduct by SROs. Parents may not be informed of how to lodge a complaint or where to lodge it.[30] Anecdotal reports suggest that in some cases, officials have responded to a complaint of SRO abuse by transferring the SRO to a different school. Such incidents compromise the legitimacy, whether perceived or actual, of SRO programs.

To ensure sufficient transparency and accountability, the governance document should include the following language:

Model Language on Transparency and Accountability

- The school district and relevant law enforcement agency shall maintain annual publicly available data, without disclosing personally identifiable information, documenting the following:
    - Number of incidents resulting in a juvenile arrest for conduct on school grounds or at a school-sponsored event, broken down by school; offense; arrestee's age, grade level, race, sex, and disability status; and disposition/result;
    - Number of incidents resulting in other forms of law enforcement intervention --- including searches and seizures by SROs; questioning by SROs; issuance of a criminal citation, ticket, or summons; filing of a delinquency petition; and referral

[30] *See* AM. CIVIL LIBERTIES UNION, CRIMINALIZING THE CLASSROOM, *supra* note 14, at 27-28 (documenting provision of confusing and contradictory information for those seeking to file complaints against school resource officers).

to a probation officer --- for juvenile conduct on school grounds or at a school-sponsored event, broken down by school; offense or reason; type of law enforcement intervention; juvenile's age, grade level, race, sex, and disability status; and disposition/result;

  - Number of suspensions or other disciplinary consequences imposed on students, broken down by school; offense/infraction; student's age, grade level, race, sex, and disability status; and disciplinary consequence imposed;
  - Regulations, policies, and protocols governing the SRO program;
  - Budget information for the SRO program including funding and expenditures;
  - Number of SROs deployed to each school;
  - Training materials for SROs; and
  - Number and types of complaints lodged against SROs.

- The SRO program shall set forth a simple and straightforward mechanism for any student, parent, teacher, principal, or other school administrator to submit a complaint, orally or in writing, of abuses or misconduct by SROs.
  - Parents shall be permitted to submit a complaint in their native language.
  - The complaint system must be confidential and protect the identity of the complainant from the SRO to the extent consistent with the SRO's due process rights.
  - The system shall provide for an independent investigation into the allegations in the complaint.

- Complaints shall be investigated and resolved, and complainants shall be furnished with a written explanation of the investigation and resolution, within 30 days.
- Where serious allegations of abuse or misconduct are raised, the SRO shall be temporarily removed from having contact with students as appropriate.
- Where allegations of abuse or misconduct are substantiated, the SRO shall be suspended or permanently removed from school assignments or receive additional training as appropriate.
- Every student, parent, and guardian in the school system shall be informed of the complaint procedure.

IV. DEFINING THE ROLE OF THE SRO IN THE CONTEXT OF THE EDUCATIONAL MISSION OF SCHOOLS

Fourth, the governance document must establish the role of the School Resource Officer within the larger educational mission of public schools. It must make clear that the primary role of the SRO is to improve school safety and the educational climate of schools, and not to discipline or punish students. It must also set forth the lines of communication and authority between the SRO and building-level administrators.

The absence of such guidance threatens the credibility of the SRO program. For example, in 2007, the *New York Times* reported an incident in which a SRO and school principal disagreed over the manner in which an arrested student would be escorted off of school grounds; the SRO wanted to take the student through the front door, while the principal wanted her to be escorted through a side door; as a result of the disagreement, the SRO arrested the principal for obstruction of justice.[31] In another highly publicized incident, in 2005, a disagreement arose between a SRO and a school principal when the principal tried to prevent the officer from arresting an unruly student, whom the principal thought should be handled through the school's disciplinary system; as a result, the SRO placed the principal under arrest, leading him away from the building in handcuffs in front of the students.[32]

To reduce the risks of such situations arising, the governance document should ensure the primacy of the overall educational mission in schools and expressly set forth the lines of authority in the school building with the following language:

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[31] Jennifer Medina, *Police Arrest a Student, Then Her Principal, Too*, N.Y. TIMES, Oct. 10, 2007, at B3.

[32] Elissa Gootman, *Arrest of a Bronx Principal Spurs Criticism of the City,* N.Y. TIMES, Feb. 9, 2005, at B1.

Model Language on Defining the Role of the SRO in the Context of the Educational Mission of Schools

- The mission of the School Resource Officer program is to improve school safety and the educational climate at the school, not to enforce school discipline or punish students.
- Building-level school administrators shall be consulted as to whether a SRO will be deployed to the school and shall participate in periodic performance reviews of the SRO.
- The SRO shall meet with building-level school administrators, teachers, parents, and student representatives at least annually to discuss issues of school safety.
- The SRO shall be integrated into the school community through participation in faculty and student meetings and assemblies as appropriate.
- The SRO shall maintain daily activity reports and submit monthly summaries of these reports to building-level school administrators, district-level school administrators, and the relevant law enforcement agency. The monthly summaries shall include, for each SRO, the numbers and descriptions of all incidents or calls for service; names of school officials involved (referring teachers, principals, etc.); student searches; student questioning; tickets, citations, or summonses; filing of delinquency petitions; referrals to a probation officer; actual arrests; and other referrals to the juvenile justice system.
- Absent a real and immediate threat to student, teacher, or school safety, and absent the situations described above where formal law enforcement intervention is deemed appropriate, building-level school administrators shall have final authority in the building.

V. MINIMUM TRAINING REQUIREMENTS

Fifth, the governance document must provide for minimum training requirements for all School Resource Officers assigned to K-12 public schools. Police officers generally are trained to deal with adult perpetrators on the street, not children in schools. Yet, these officers face challenges unique to the public school setting and must be prepared to handle these challenges appropriately.

As noted by the National Assessment of School Resource Officers commissioned by the National Institute of Justice and the U.S. Department of Justice, "without proper training, SROs can make serious mistakes related to their relationships with students, school administrators, and parents that at best cause short-term crises and at worst jeopardize the entire program at the school."[33] The assessment also explains that "SROs may need help to 'unlearn' some of the techniques they learned to use on patrol duty that are not appropriate in dealing with students (for example, resorting too quickly to using handcuffs or treating misconduct as part of a person's criminal make-up when in a student the behavior may be an example of youthful indiscretion)."[34] Similarly, another research scholar observed that because school resource officers often "have little or no training in fields such as education and developmental psychology and because the officers may be evaluated by supervisors who have little knowledge of educational theory and practice, it is possible that the officers' discretionary actions (e.g., whether to arrest a student) will be based on criteria which do not include the students' educational attainment, an issue which has been raised by national policymakers."[35]

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[33] FINN ET AL., *supra* note 2, at 50.

[34] *Id.* at 48.

[35] Brown, *supra* note 6, at 591.

Just as we require other professionals entrusted to work in our schools --- teachers, counselors, administrators --- to satisfy rigorous training and certification requirements, we propose that SROs likewise obtain the tools necessary to work with student populations. For these reasons, the governance document should include the following language:

Model Language on Minimum Training Requirements

- Every School Resource Officer shall receive at least 40 hours of pre-service training and 10 hours of annual in-service training on the following topics:
    - Child and adolescent development and psychology;
    - Positive behavioral interventions and supports (PBIS), conflict resolution, peer mediation, or other restorative justice techniques;
    - Children with disabilities or other special needs; and
    - Cultural competency.

VI. Promoting Non-Punitive Techniques to Improve School Safety and Climate

Finally, the governance document should integrate research-based practices to improve school climate and student behavior. Studies suggest that punitive approaches to student behavior --- such as zero-tolerance policies, out-of-school suspensions, and school-based arrests --- may not be effective in reducing misconduct and instead may actually increase dropout rates and juvenile delinquency.[36]

By contrast, a consensus is developing among experts in education and child psychology that alternative approaches to student behavior --- such as positive behavioral interventions and supports (PBIS) programs, peer mediation programs, conflict resolution programs, and other restorative justice models --- may be more effective in reducing school misconduct and improving student engagement.[37] Moreover, by reducing discipline incidents, these programs increase the time available to teachers for actual classroom instruction. For these reasons, educators, psychologists, and the federal and state governments have embraced the nationwide movement to implement these alternative programs in K-12 schools across the country. For these reasons, the governance document should include the following language:

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[36] NATIONAL ASS'N OF SCHOOL PSYCHOLOGISTS, ZERO TOLERANCE AND ALTERNATIVE STRATEGIES: A FACT SHEET FOR EDUCATORS AND POLICYMAKERS (2008); Committee on School Health of the American Academy of Pediatrics, *Policy Statement: Out-of-School Suspension and Expulsion,* 112 PEDIATRICS 1206 (2003) (expressing concern over use of punitive school discipline measures and advocating for alternative disciplinary policies); CRIMINAL JUSTICE SECTION OF THE AMERICAN BAR ASSOCIATION, ZERO TOLERANCE POLICY REPORT (2001) (stating ABA position condemning zero-tolerance policies in schools).

[37] *See, e.g.*, NATIONAL INST. FOR JUSTICE, U.S. DEP'T OF JUSTICE, RESTORATIVE JUSTICE (2007); OFFICE OF SPECIAL EDUCATION PROGRAMS, U.S. DEP'T OF EDUCATION, POSITIVE BEHAVIORAL SUPPORTS AND INTERVENTIONS, IS SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT AN EVIDENCE-BASED PRACTICE? (2009).

Model Language on Promoting Non-Punitive Approaches to Student Behavior

- The School Resource Officer shall be familiar with and trained in all programs adopting non-punitive approaches to discipline available in the school district. If a school has implemented a specific program designed to improve overall school climate or respond to student behaviors in specific ways, the SRO shall participate in all trainings associated with that program.

CONCLUSION

The safety of our children is of the utmost importance to school officials, law enforcement, and community members alike. But without sufficient guidelines, programs to deploy School Resource Officers into public schools may hamper effective policing as well as effective pedagogy by unnecessarily criminalizing student misbehavior, alienating youth, and creating an adversarial environment in schools. It is our sincere hope that the recommendations in this White Paper will be instituted to ensure that SRO programs are implemented in a thoughtful and conscientious manner and for the benefit of the children they are intended to serve.

APPENDIX

The following document provides model language for a formal governance document that will ensure that law enforcement, school officials, and the communities they serve have a shared understanding of the goals of a School Resource Officer (SRO) program, and that SROs receive the necessary support and training prior to their deployment.

In the case of districts that contract with local police departments, these provisions should be set forth in a Memorandum of Understanding; in the case of districts that employ their own police force, they should be set forth in another appropriate format. A Microsoft Word version of the document is available on the American Civil Liberties Union's Racial Justice Program website at http://www.aclu.org/racialjustice/index.html for use by local agencies.

MODEL GOVERNANCE DOCUMENT FOR SCHOOL RESOURCE OFFICER (SRO) PROGRAM

WHEREAS, the purpose of this document is to establish a School Resource Officer (SRO) Program and to set forth guidelines to ensure that law enforcement, school officials, and the communities they serve have a shared understanding of the goals of the SRO program and that SROs receive the necessary support and training to ensure a safe school environment while respecting the rights of students and improving the overall school climate;

WHEREAS, the parties agree that an effective SRO program sets forth: the role of the SRO within the context of the educational mission of the school; distinctions between disciplinary misconduct to be handled by school officials, and criminal offenses to be handled by law enforcement; respect for the rights of students; transparency and accountability; minimum SRO training requirements; and promotion of non-punitive approaches to student behavior;

WHEREAS, the signatories agree as follows:

ROLE OF THE SCHOOL RESOURCE OFFICER IN THE CONTEXT OF THE EDUCATIONAL MISSION OF THE SCHOOL

1. The mission of the School Resource Officer program is to improve school safety and the educational climate at the school, not to enforce school discipline or punish students.

2. Building-level school administrators shall be consulted as to whether a SRO will be deployed to the school and shall participate in periodic performance reviews of the SRO.

3. The SRO shall meet with building-level school administrators, teachers, parents, and student representatives at least annually to discuss issues of school safety.

4. The SRO shall be integrated into the school community through participation in faculty and student meetings and assemblies as appropriate.

5. The SRO shall maintain daily activity reports and submit monthly summaries of these reports to building-level school administrators, district-level school administrators, and the relevant law enforcement agency. The monthly summaries shall include, for each SRO, the numbers and descriptions of all incidents or calls for service; names of school officials involved (referring teachers, principals, etc.); student searches; student questioning; tickets, citations, or summonses; filing of delinquency petitions; referrals to a probation officer; actual arrests; and other referrals to the juvenile justice system.

6. Absent a real and immediate threat to student, teacher, or school safety, and absent the situations described herein where formal law enforcement intervention is deemed appropriate, building-level school administrators shall have final authority in the building.

Distinguishing Disciplinary Misconduct to be Handled by School Officials from Criminal Offenses to be Handled by Law Enforcement

7. School Resource Officers are responsible for criminal law issues, not school discipline issues.

8. Absent a real and immediate threat to student, teacher, or public safety, incidents involving public order offenses including disorderly conduct; disturbance/disruption of schools or public assembly; trespass; loitering; profanity; and fighting that does not involve physical injury or a weapon, shall be considered school discipline issues to be handled by school officials, rather than criminal law issues warranting formal law enforcement intervention (e.g., issuance of criminal citation, ticket, or summon, filing of delinquency petition, referral to a probation officer, or actual arrest).

9. Students shall not be arrested at school, except where a child poses a real and immediate threat to student, teacher, or public safety; or a judicial warrant specifically directs the arrest of the student in a school; in all other instances the execution of an arrest warrant shall be undertaken at a location other than a school.

   a. School principals shall be consulted prior to an arrest of a student where practicable.

   b. The student's parent or guardian shall be notified of a child's arrest as soon as practicable.

Respect for the Rights of Students

10. Absent a real and immediate threat to student, teacher, or public safety, a School Resource Officer may conduct or participate in a search of a student's person, possessions, or locker only where there is probable cause to believe that the search will turn up evidence that the child has committed or is committing a criminal offense.

   a. The SRO shall inform school administrators prior to conducting a probable cause search where practicable.

   b. The SRO shall not ask school officials to search a student's person, possessions, or locker in an effort to circumvent these protections.

11. A school official may conduct a search of a student's person, possessions, or locker only where there is reasonable suspicion to believe that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school, and the search is justified in scope given such suspicion.

   a. Absent a real and immediate threat to student, teacher, or public safety, a school official shall not ask a SRO to be present or participate in such a search.

12. Absent a real and immediate threat to student, teacher, or public safety, a SRO may question or participate in the questioning of a student about conduct that could expose the child

to court-involvement or arrest only after informing the child of his or her Miranda rights and only in the presence of the child's parent or guardian.

a. The SRO shall inform school administrators prior to questioning the student where practicable.

b. The SRO shall not ask a school official to question a student in an effort to circumvent these protections.

13. Absent a real and immediate threat to student, teacher, or public safety, a school official shall not ask a SRO to be present or participate in the questioning of a student that could expose the student to court-involvement or arrest.

14. Strip searches of children by either school officials or SROs shall be prohibited.

15. Absent a real and immediate threat to student, teacher, or public safety, other physically invasive searches by a school official or SRO shall not be conducted on a child.

16. Absent a real and immediate threat to student, teacher, or public safety, a SRO shall not use physical force or restraints --- including handcuffs, Tasers, Mace, or other physical or chemical restraints --- on a child.

Transparency and Accountability

17. The school district and relevant law enforcement agency shall maintain annual publicly available data, without disclosing personally identifiable information, documenting the following:

a. Number of incidents resulting in a juvenile arrest for conduct on school grounds or at a school-sponsored event, broken down by school; offense; arrestee's age, grade level, race, sex, and disability status; and disposition/result;

b. Number of incidents resulting in other forms of law enforcement intervention --- including searches and seizures by SROs; questioning by SROs; issuance of a citation, ticket, or summons; filing of a delinquency petition; or referral to a probation officer --- for juvenile conduct on school grounds or at a school-sponsored event, broken down by school; offense or reason; type of law enforcement intervention; juvenile's age, grade level, race, sex, and disability status; and disposition/result;

c. Number of suspensions or other disciplinary consequences imposed on students, broken down by school; offense/infraction; student's age, grade level, race, sex, and disability status; and disciplinary consequence imposed;

d. Regulations, policies, and protocols governing the SRO program;

e. Budget information for the SRO program including funding and expenditures;

f. Number of SROs deployed to each school;

g. Training materials for SROs; and

h. Number and types of complaints lodged against SROs.

18. The SRO program shall set forth a simple and straightforward mechanism for any student, parent, teacher, principal, or other school administrator to submit a complaint, orally or in writing, of abuses or misconduct by SROs.

a. Parents shall be permitted to submit a complaint in their native language.

b. The complaint system must be confidential and protect the identity of the complainant from the SRO to the extent consistent with the SRO's due process rights.

c. The system shall provide for an independent investigation into the allegations in the complaint.

d. Complaints shall be investigated and resolved, and complainants shall be furnished with a written explanation of the investigation and resolution, within 30 days.

e. Where serious allegations of abuse or misconduct are raised, the SRO shall be temporarily removed from having contact with students as appropriate.

f. Where allegations of abuse or misconduct are substantiated, the SRO shall be suspended or permanently removed from school assignments or receive additional training as appropriate.

g. Every student, parent, and guardian in the school system shall be informed of the complaint procedure.

Minimum School Resource Officer Training Requirements

19. Every School Resource Officer shall receive at least 40 hours of pre-service training and 10 hours of annual in-service training on the following topics:

a. Child and adolescent development and psychology;

b. Positive behavioral interventions and supports (PBIS), conflict resolution, peer mediation, or other restorative justice techniques;

c. Children with disabilities or other special needs; and

d. Cultural competency.

Promoting Non-Punitive Approached to Student Behavior

20. The School Resource Officer shall be familiar with and trained in all programs adopting non-punitive approaches to discipline available in the school district. If a school has implemented a specific program designed to improve overall school climate or respond to student behaviors in specific ways, the school resource officers shall participate in all trainings associated with that program.

Structure and Funding for School Resource Officer Program

21. [*Insert language here on how program will be funded*]

22. [*Insert language here on the payment of SROs and the terms of their employment*]

23. [*Insert language here on the funding of SRO equipment and training*]

24. [*Insert language here on the chain of command for SROs*]

25. [*Insert language here on SRO duty stations and hours of duty*.]

26. [*Insert language here on SRO responsibilities during summer break and school term vacations.*]

Duration of Governance Document

27. This Governance Document shall become effective immediately upon execution by signature and remain effective until _____, whereupon it must be reviewed annually by all signatories or their successors before being renewed.

28. A signatory may terminate this Governance Document by serving written notice to all other signatories at least thirty (30) days in advance of such termination. A termination by a signatory shall eliminate the presence of School Resource Officers at ___ Public Schools.

Signed on this ___ of ____, 2009.

_____ _____

Superintendent Representative of Law Enforcement Agency

[*Insert other signatories as appropriate*]

ACLU
AMERICAN CIVIL LIBERTIES UNION

Article #2

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Assigning Police Officers to Schools

Response Guide No. 10 (2010)

by Barbara Raymond

Introduction

Police agencies have long provided services to schools.† It has only been in the past two decades, however, that assigning police officers to schools on a full-time basis has become a widespread practice.[1], †† An estimated one-third of all sheriffs' offices and almost half of all municipal police departments assign nearly 17,000 sworn officers to serve in schools.[2] Moreover, nearly half of all public schools have assigned police officers. These officers are commonly referred to as school resource officers (SROs) or education resource officers.[3], ††† They are intended to serve various roles: safety expert and law enforcer, problem solver and liaison to community resources, and educator. Assigning officers to schools is becoming increasingly popular. SRO programs have been encouraged through federal funding support to local jurisdictions.†††† As the trend toward having police in schools grows, it is important to understand when and how assigning police officers to schools can be an appropriate strategy for schools and police agencies.

† The term "police" is used throughout this guide. It is intended to include other law enforcement officers, such as sheriff's deputies, as well.

†† Prior to the increase in prevalence of School Resource Officers, police presence in schools took various forms, including visible patrols, responses to calls for service, and criminal investigations.

††† The Omnibus Crime Control and Safe Schools Act of 1968, as amended, Title I, Part Q, defines a school resource officer as "a career law enforcement officer, with sworn authority, deployed in community oriented policing, assigned by the employing police department or agency to work in collaboration with schools and community organizations."

†††† For example, the COPS in Schools grant program of the U.S. Department of Justice Office of Community Oriented Policing Services (the COPS Office) provided funding for SROs in and around primary and secondary schools. Since1999, the COPS Office has awarded over $750 million to more than 3,000 grantees, resulting in the hiring of more than 6,500 SROs (Office of Community Oriented Policing Services, 2008).

This guide summarizes the typical duties of SROs, synthesizes the research pertaining to their effectiveness, and presents issues for communities to bear in mind when considering the adoption of an SRO model. It will be apparent that despite their popularity, few systematic evaluations of the effectiveness of SROs exist. This is a concern as evidence from evaluative research can usefully inform future SRO programs. Consequently, this guide identifies the type of data that can be collected in order to measure program effectiveness. This guide does not provide a history of SRO programs nor does it describe in detail the myriad types of SRO models currently available. Similarly, although this guide highlights specific issues that communities considering the implementation of SRO programs should

bear in mind (such as the legal issues that apply to police officers in schools), it is not an authoritative guide to the legal or other special issues that must be addressed with such programs. The guide does however provide additional resources for readers who wish to research these issues.

This guide should benefit the many stakeholders responsible for school safety: police, school officials, community members, students, teachers, and elected officials. It will be of particular interest to police and school administrators who are deciding whether to establish an SRO program and to those seeking to manage an existing program. Finally, the discussion is intended to provide guidance to community members and others who are interested in working with police and schools to improve public safety.

This Response Guide is intended to supplement school-related Problem-Specific Guides, which at the time of this writing include:

- Bullying in Schools
- Acquaintance Rape of College Students†
- Underage Drinking
- Bomb Threats in Schools
- School Vandalism and Break-ins
- Traffic Congestion Around Schools.

† This guide has relevance for the high school context as well.

Common Roles for School Resource Officers

Officers in schools provide a wide array of services. Although their duties can vary considerably from community to community, the three most typical roles of SROs are safety expert and law enforcer, problem solver and liaison to community resources, and educator.†

† These are the three primary roles for SROs recognized by the Office of Community Oriented Policing Services (1999).

Safety Expert and Law Enforcer

As sworn police officers, SROs play a unique role in preserving order and promoting safety on campus by, for example:

- Assuming primary responsibility for handling calls for service from the school and in coordinating the response of other police resources
- Addressing crime and disorder problems, gangs, and drug activities occurring in or around the school
- Making arrests and issuing citations on campus
- Providing leads and information to the appropriate investigative units
- Taking action against unauthorized persons on school property
- Serving as hall monitors, truancy enforcers, crossing guards, and operators of metal detectors and other security devices

- Responding to off-campus criminal mischief that involves students
- Serving as liaisons between the school and the police and providing information to students and school personnel about law enforcement matters.[4]

Beyond serving in a crime prevention and response role, SROs are likely to serve as first responders in the event of critical incidents at schools, such as accidents, fires, explosions, and other life threatening events. In addition, SROs often support advance planning for managing crises, including assisting with:

- Developing incident response systems
- Developing and coordinating emergency response plans (in conjunction with other emergency responders)
- Incorporating law enforcement onto school crisis management teams
- Developing protocols for handling specific types of emergencies
- Rehearsing such protocols using tabletop exercises, drills, and mock evacuations and lockdowns.[5]

Problem Solver and Liaison to Community Resources

In the school setting, problem solving involves coordinated efforts among administrators, teachers, students, parents, mental health professionals, and community-based stakeholders. SROs frequently assist in resolving problems that are not necessarily law violations, such as bullying or disorderly behavior, but which are nonetheless safety issues that can result in or contribute to criminal incidents. Helping resolve these problems frequently requires the officer to act as a resource liaison, referring students to professional services within both the school (guidance counselors, social workers) and the community (youth and family service organizations). In particular, SROs often build relationships with juvenile justice counselors, who are responsible for supervising delinquent youths, connecting them with needed services, and recommending diversionary activities.

Problem-solving activities commonly include:

- Developing and expanding crime prevention efforts for students
- Developing and expanding community justice initiatives for students
- Assisting in identifying environmental changes that can reduce crime in or around schools
- Assisting in developing school policies that address crime and recommending procedural changes to implement those policies.[6]

Educator

A police officer can serve as a resource for classroom presentations that complement the educational curriculum by emphasizing the fundamental principles and skills needed for responsible citizenship, as well as by teaching topics related to policing.[7] SROs can present courses for students, faculty, and parents. Although SROs teach a variety of classes, there is no research indicating which classes are most useful or how to ensure an officer's effectiveness in the teaching role. Topics commonly covered in an SRO curriculum include:

- Policing as a career

- Criminal investigation
- Alcohol and drug awareness
- Gang and stranger awareness and resistance
- General crime prevention
- Conflict resolution
- Restorative justice
- Babysitting safety
- Bicycling, pedestrian, and motor vehicle safety
- Special crimes in which students are especially likely to be offenders or victims, such as vandalism, shoplifting, and sexual assault by acquaintances.[8]

The above describes the various services provided by SROs. Although there is considerable diversity in the structure of programs and the specific activities of SROs, surveys find that most officers spend at least half their time engaging in law enforcement activities. Over half of SROs advise staff, students, and families, spending about a quarter of their time in this way, and one-half of SROs engage in teaching, on average for about five hours per week. Six to seven SRO hours per week are typically devoted to other activities.[9]

The variety of program structures and activities can lead to confusion about what individual programs are meant to accomplish and how to assess and measure their effectiveness. In particular, school and police officials often conceptualize the role of the SRO differently. Although school officials tend to view SROs as first responders, SROs themselves often view their roles more broadly, giving greater weight to job functions that represent an expansion of the traditional security officer role.[10] For instance, more police than principals report that SROs did more than maintain order. Police also report significantly more teaching activity than do principals.[11]

What We Know About the Effectiveness of Assigning Police Officers to Schools

Despite their popularity, few studies are available which have reliably evaluated the effectiveness of SROs. Addressing this is important in order to inform future SRO programs and to improve our understanding on how to maximize effectiveness with limited resources. Ideally, research should attempt to match the goals of a specific program with its outcomes to see if the program is achieving what it is intended to and through what mechanisms. In the case of school resource officers, the types of benefits that school administrators seek from having police officers working in their schools include:

- Increased safety in and around the schools
- Increased perceptions of safety
- Improved police call response times
- Reductions in truancy
- Fewer distractions from their teachers' teaching and class preparation duties.[12]

Most existing SRO research does not tell us if these hoped-for benefits are achieved. SRO research tends to be descriptive in nature—it characterizes what SROs do on a daily basis, typical traits of SROs, and the perceptions of people involved with SRO programs.

It also often addresses satisfaction with the program. Many school administrators and parents express satisfaction with their SRO programs, even in instances where there was initial resistance to the idea of placing police officers in schools.[13]

School administrator, teacher, and parent satisfaction is one measure of the value of an SRO program. However, given the investment that communities and the federal government have made in hiring, training, and maintaining a police presence in schools, it is important to combine such assessments with reliable impact evaluations to establish program effectiveness. More outcome-focused research is needed to establish whether (and how) SROs are effective in reducing crime and disorder; that is, whether they make schools safer.

Changes in Crime and Violence

Program evaluation is essential to determining whether a program is effective, to improving programming, and to gaining continued funding. However, numerous research studies note that SRO programs should do more to collect important process and outcome evaluation data.[14] Most participating police chiefs indicate no formal evaluation systems in place, and few SRO programs participate in independent evaluations that assess whether program goals have been met.[15]

Studies of SRO effectiveness that have measured actual safety outcomes have mixed results. Some show an improvement in safety and a reduction in crime; others show no change. Typically, studies that report positive results from SRO programs rely on participants' perceptions of the effectiveness of the program rather than on objective evidence. Other studies fail to isolate incidents of crime and violence, so it is impossible to know whether the positive results stem from the presence of SROs or are the result of other factors. More studies would be helpful, particularly research to understand the circumstances under which SRO programs are most likely to be successful.

There is research that suggests that although SRO programs do not significantly impact youth criminality, the presence of an officer nonetheless can enhance school safety. For example, the presence of SROs may deter aggressive behaviors including student fighting, threats, and bullying, and may make it easier for school administrators to maintain order in the school, address disorderly behavior in a timely fashion, and limit the time spent on disciplinary matters.[16] Again, these are usually self-reported measures. The difficulty with self-reporting is that outcomes are speculative. It would be more useful to see data that compare the frequency of the activities at issue both before and after the tenure of the SRO; for such data to be compelling, any changes would have to be attributable only to the presence of the SRO and not to other factors.

Success Stories in the United Kingdom and Canada

At least two programs have evaluated specific safety outcomes and found improvements due to the presence of police in schools. These are the Safer Schools Partnership (SSP) in the United Kingdom and the Toronto Police-School Districts School Resource Officer program. These programs hold lessons for

school safety efforts in the United States. The U.K.'s Safer Schools Partnership (SSP) is a comprehensive community and school safety program that incorporates many interventions and partners to improve pupil safety and to create safer working environments and safer communities.[17] There is evidence that the SSP has reduced offending behavior and victimization, reduced truancy rates and total absences, and has provided safer school environments and safer routes to and from school. Students and staff report that they felt safer once the program was introduced. Other benefits of the SSP include improvements in educational attainment, improved multi-agency problem solving, improved relations between young people and the police, and an increase in the level of respect young people have for their fellow students.[18] Key aspects of this program are the comprehensive nature of the intervention, the understanding that "school liaison officers" are but one component of an overall youth plan that is rooted in the community, and the incorporation of school liaison officers into local neighborhood policing efforts, rather than isolated at a particular school.

A chief accomplishment of the Toronto SRO program was the research effort to assess changes in safety measures at participating schools. In general, safety measures improved. The study can be looked to as an example of how to track the impacts of SRO activity. The Toronto study reported the following[19]:

> Students, teachers, and school administrators all reported feeling safe in and around the school both before and after the SRO program was implemented.
>
> Students were more likely to report being a crime victim to police, but no more likely to report witnessing a crime after the SRO program was implemented.
>
> Reported offenses both on school grounds and in the immediate surrounding neighborhood decreased after the SRO program was implemented although there were more crime victims in the immediate surrounding neighborhood during school hours.

The Toronto evaluators concluded:

Overall, the evaluation finds that the School Resource Officer program demonstrated a number of positive effects on schools and students, particularly those students who had interacted with the SROs. The SRO program has the potential to be increasingly beneficial to crime prevention, crime reporting and relationship building, in the schools and in surrounding neighbourhoods.[20]

Changes in Perceptions of Safety

A police presence can make some communities feel safer; this is true for school communities as well. Most studies of the effects of SRO programs focus on reports that faculty, parents, and students feel safer when there is a police officer present in the school. Research by the Center for Prevention of School Violence indicates that the presence of SROs in schools makes students, teachers, and staff feel safer and can be a positive deterrent to incidents and acts of violence.[21] This finding corresponds with the results of a poll of the general public indicating that 65 percent of persons surveyed believe that placing a police officer in schools would reduce school violence.[22]

Changes in Perceptions of Police

Studies provide conflicting evidence regarding the effects of SROs upon student perceptions of police. For example, an anecdotal argument in favor of SROs is that police officers assigned to schools have

unique access to students, teachers, and parents, and as a result can fundamentally affect their perceptions of police. However, a study of SRO programs in four schools in southeastern Missouri suggests that the presence of SROs in schools does not change student views of the police in general.[23]

The authors of the Missouri study surmised that the lack of change was partly attributable to the negative contact that young people have with police and SROs. More research would inform decisions about the most effective use of limited resources – for instance, it is important to understand whether a combination of counseling, crime prevention programs, and delinquency awareness programs, as well as police in schools would have more impact on crime and safety.[24]

Additional Effects of Officers in Schools

SRO programs can have other desirable effects, including providing police feedback on the concerns and fears of local youth, broadening departmental understanding about the educational concerns of community members, and encouraging young people to become involved in other police activities.[25] SRO programs sometimes even serve as indirect police recruiting tools.

There are also potential negative effects of having a dedicated officer in schools. It is possible these effects could be mitigated through careful communication with parents, staff, and students. Important topics to discuss include whether the presence of an officer with a gun gives the impression that something is wrong at the school or generates fear among staff, parents, and students.[26]

Problem Solving in Boston Schools

The Boston (Massachusetts) Police Department (BPD), led by supervisors and officers in the department's Schools Unit, collaborated with faculty, teachers, students, and other stakeholders to develop a systematic approach to restore order and safety in the city's most troubled schools. The School Impact Project grew out of a crisis in Dorchester High School.

Dorchester High had been experiencing violence and criminal activity for many years, but the school had been reluctant to admit the severity of the problem. By early 2000, Dorchester High faced a spate of violent incidents that threatened to shut down the school. The principal requested focused police intervention.

The principal, superintendent of schools, and BPD officials agreed to assess the problem and implement a plan. The intervention team of primary stakeholders included school representatives, police personnel, a district attorney, probation officers, and staff from youth services, faith-based and nonprofit organizations.

The scanning process showed that incidents were typically gang and drug related, with frequent stabbings and shootings. School safety police officers, private security personnel hired by the Boston Public Schools, were also being attacked. The violent incidents led community leaders to call for the school's closing. The already high level of fear among students was exacerbated by a breakdown in basic order. One student described the situation: "It's scary here. School should be a safe place and it's not here. I'm nervous. Lots of people are."

Intervention team members made a year-long commitment to enhancing school safety. Their main

goals were to create a safe school environment; to enforce the rules outlined in the school code of conduct; and to maintain a safe learning environment.

The principal announced the new initiative and members of the team addressed the entire student body with a unified message of intolerance toward violence and disruption, with a strong focus on consequences. The faculty was asked to play a significant role in supporting the plan, with the idea that once safety was restored, faculty would take on even more of the enforcement activity.

The plan was implemented in February 2000. The school saw immediate and dramatic results. As each week passed, the school enforced an additional rule from the code of conduct. For example, the "no hat policy," the "no Walkman policy," and rules against tardiness were phased in. As the weeks went by, teachers and school administrators became more confident in enforcing rules knowing that they had administration and police support. Administrators were able to effect expedient expulsions. Incident reports from before and after the initiative showed a dramatic drop. Incidents at the school dropped from 104 in the four months prior to implementation to just 14 incidents during the four months after the initiative—an 86.5 percent decrease. Interviews with students and teachers overwhelmingly showed a reduction of fear and an increase in feelings of safety. Students also felt better about being at school. The onset of the intervention proved most challenging, as strategies were developed and refined as needed. For example, placement of metal detectors at the front doors failed to stop students from carrying weapons in through side doors.

The other significant success was the establishment of a relationship between the school and the BPD. Prior to this partnership, schools were hesitant to allow official police intervention. Following the successful implementation of the program, however, incidents of crime and disorder drew immediate and coordinated responses, not only from police, but from community organizations as well. With the success at Dorchester High, the Boston Police School Safety Unit established similar initiatives with other public schools. The environment is now conducive to open information sharing and creative strategy development. The BPD School Police Unit has grown from one officer and one detective to a team of 10 full-time officers. The overall success of the initiative was summed up by the Superintendent of Schools: "Safety is no longer a concern at Dorchester High" (Boston (Massachusetts) Police Department, 2001).

Deciding Whether and How to Assign Police Officers to Schools

Police Can Improve Safety in Schools

Tackling problems in schools does not have to result in the initiation of school resource officer programs. Through targeted problem solving efforts, some of the problems that police can reduce include graffiti, theft from lockers, bullying in schools, and truancy.

Before deciding whether to assign police officers to schools, you should develop a clear picture of the specific safety concerns at issue; it is this understanding that will help you determine which responses are appropriate and how best way to focus available funds and resources.†

† Under the Safe Schools Act, a school safety team is required at schools, and is responsible for developing a school safety plan. This team, then, perhaps with some adjustments to membership, should have lead responsibility for the planning process.

Be Specific - Understand Your School's Safety Needs

Schools are generally safe, although this varies widely by location and some form of crime and violence can and does occur in nearly all schools.[27] The nature of crime and violence varies by school type—whether urban or rural, small or large. An effective safety plan depends on the school's specific public safety needs.[28]

A National Perspective on School Safety

In the 2005–06 school year, an estimated 54.8 million students were enrolled in pre-kindergarten through grade 12. Preliminary data show that among youth ages 5–18, there were 17 school-associated violent deaths from July 1, 2005 through June 30, 2006 (14 homicides and 3 suicides). In 2005, among students ages 12–18, there were about 1.5 million victims of nonfatal crimes at school, including 868,100 thefts and 628,200 violent crimes (simple assault and serious violent crime). There is some evidence that student safety has improved. The victimization rate of students ages 12–18 at school declined between 1992 and 2005. However, violence, theft, drugs, and weapons continue to pose problems in schools. During the 2005–06 school year, 86 percent of public schools reported at least one violent crime, theft, or other crime. In 2005, 8 percent of students in grades 9–12 reported being threatened or injured with a weapon within the previous 12 months, and 25 percent reported that drugs were made available to them on school property. In the same year, 28 percent of students ages 12–18 reported having been bullied at school during the previous 6 months.

From Indicators of School Crime and Safety: 2007

As with the United Kingdom's Safer Schools Partnership, research on school violence in the United States indicates that effective school safety efforts require "a holistic approach that involves collaboration and partnership among schools, families, and community agencies."[29] Thus, a safety planning team should include administrators, teachers and other school staff, parents, students, and community members.[30]

Safety plans should take into account factors that relate to disorder in schools, including location, community characteristics, demographics, and the physical, social, and academic environment of the school.[31] In addition, plans should include short and long term responses to school safety; police should be involved in both.[32] Although police are an important component of an overall safety plan, they should not be the only component. Similarly, the SRO is but one way for police to impact school safety. Stakeholders need to decide what will work best in any given situation.

Use Data Smartly

The planning team first needs to collect data about school safety, which will clarify and strengthen the team's observations. Data collection should include a review of all aspects of the school security environment: persistent crime and disorder issues; physical and environmental considerations; threat assessments; and disaster planning. There are a variety of ways such data can be collected and assessed, including through statistical analysis of school disciplinary statistics and community crime and violence data, community forums, surveys, and interviews with key informants.[33]

Types of information you might use include the following:

- School data: incident reports, disciplinary reports and referrals, and suspension and attendance records
- Police data, including field contacts, calls for service, and crime and arrest reports[†]
- Student, school staff, and parent surveys
- Community crime and violence data
- Benchmark to other schools like yours.[††]

A note on data: more comprehensive data such as described above are important for a planning team who needs a full picture of school safety issues. To address specific problems, police should pinpoint the exact nature of the problems through these kinds of data:

- Location: cafeterias, hallways, outside
- Time of day
- Age groups
- Participants
- Types of behavior.

It is also helpful to map out safety issues to obtain a visual picture of patterns and trends. [†††]

† Official data on crime rates have limitations, including the underreporting to the police of crimes occurring on school grounds (Kingery and Coggeshall 2001; Turk 2004).

†† Primary schools, middle schools, secondary schools, and community colleges and universities all present different needs and challenges.

††† You can build a map of your school by downloading software at http://www.schoolcopsoftware.com.

School Safety Data Sources

There are a number of national sources of school safety data. Data are often broken into categories, such as urban/rural; age groups; male/female. These can be helpful in identifying where a school stands compared to other schools with similar characteristics.

National data sources:

- National Crime Victimization Survey (NCVS)

School Crime Supplement (SCS) to the National Crime Victimization Survey

School Survey on Crime and Safety (SSOCS)

Schools and Staffing Survey (SASS)

Youth Risk Behavior Surveillance System (YRBSS)

For state data, the state attorney general or child services agency can often provide information. Locally, school districts, law enforcement, social service agencies, and colleges and universities can be useful sources.

Develop Safety Goals

Once the school's safety needs are understood, specific safety goals must be established. These should pertain directly to the needs of the school and be specific enough to address the issues at hand. For instance, a goal of reducing the total amount of crime at the school is probably too broad to be useful in developing meaningful strategies. Instead, the planning team should focus on specific types of criminal or disorderly activity. Responses should then be selected and tailored to tackle these specific problems in the specific contexts.

Local implementers of SRO programs need to better link their activities to school safety goals. Currently, most SRO programs are not instituted because of specific safety needs. Instead, one large survey found that most school principals reported starting an SRO program because of national media attention on school safety whereas most police chiefs gave the availability of grant funding as their reason for assigning SROs.[34] Although media attention and the availability of grant funds might indicate a general school safety concern, they do not provide specifics as to safety needs in a particular school. In order to determine whether resources are being used effectively, a clear understanding of safety needs is necessary.

Depending on circumstance, some schools may not require SROs. It's important to justify the implementation of an SRO in response to a thorough analysis of the problem(s) a school is facing. Then resources can be distributed accordingly; it may be better to focus on assigning a few SROs to schools with chronic problems than to evenly distribute SROs among all schools thereby targeting some schools that have no problems whatsoever.

Develop a School Safety Plan

After safety goals are established, the planning team should next design a targeted safety plan. Strategies should be selected on the basis of the identified problems and could include the use of a SRO. If an SRO is to be used, his or her activities should address specific safety issues. For instance, if the officer is going to teach, classes should be focused on the safety concerns of the school. If an officer is going to be a student mentor, the officer should select children involved in the type of crime or disorderly conduct that is being targeted. It is critical that the SRO knows the safety needs of the school and tailors his or her activities specifically to address those needs.

There are many ways to have substantive school-police collaborations and police can play a number of valuable roles in a school system even if there is no SRO permanently assigned to the school. These can

include:

- Problem-solving partnerships that pair officers with school personnel
- Situational crime prevention, including the use of physical barriers, security technology, and access control
- Participation in holistic efforts to decrease risk factors associated with violence or to increase protective factors at the individual, family, school, peer, and community level
- Technical assistance partnerships that focus on safety planning, crisis response planning, threat assessment, and security and safety audits
- Sponsorship of youth activities and periodic in-school trainings and presentations.

In addition, police can address any number of issues that fall within the traditional police role, including the threatened or actual use of weapons, other physical violence, disorderly conduct and hooliganism, the identification and disposal of hazardous or illegal materials, and criminal and disorderly behavior that take place on or immediately outside school grounds.[35]

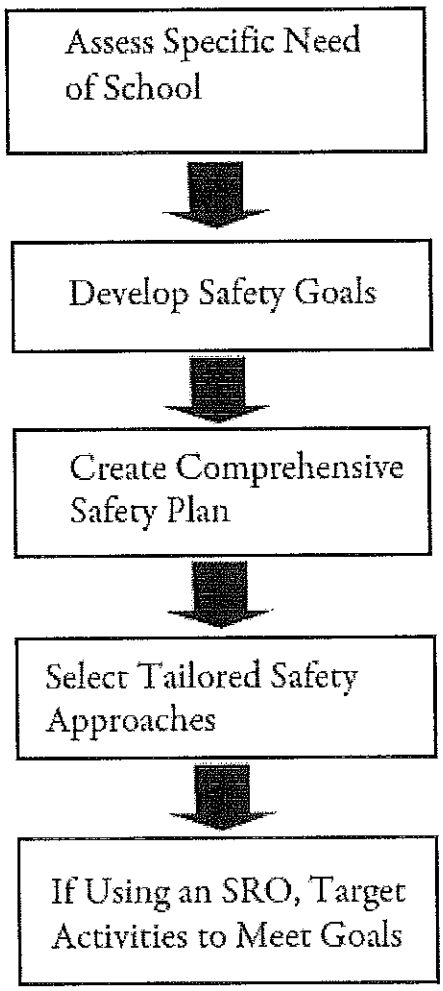

Figure 1. Process for Addressing School Safety.

School Resource Officer Program Implementation

Although there are a variety of ways for police to be involved with schools, school-police planning teams might choose to assign an officer to the school. Due to the lack of research currently available on SRO programs, it is not possible to provide one-size-fits-all recommendations for implementing a program for maximum effectiveness. Instead, information about processes and partnerships that have worked well may suggest promising practices in SRO program development.

Issues to Address

Components that are essential to effective school-police problem solving include:

Deciding to work together in a partnership

Setting common goals

Developing a memorandum of understanding

Maintaining the relationship through regular dialogue.[36], †

† Operating protocols are discussed in more detail later in this guide. A sample protocol is included in the appendix.

Potential Challenges

Before agreeing to establish an SRO program, schools and police departments should be aware of potential pitfalls. There are institutional obstacles on both sides that can be either philosophical or operational in nature. Philosophical conflicts often relate to the differing organizational cultures of police departments and schools. Police are focused on public safety, schools on education. These different perspectives on school safety can be challenging for an SRO. Many school-based police officers must play dual roles, navigating between school and police cultures.[37]

Operational obstacles that can threaten the success of an SRO program include a lack of resources for the officer such as time constraints or a lack of relevant training. Police turnover and reassignment is also a challenge. These challenges can usually be addressed if the proper framework is in place. However, this can require in-depth discussions and negotiations as well as a commitment to long term success. Memoranda of understanding can be helpful tools in negotiating such partnership issues.

Selecting and Training SROs

Officers in schools are highly visible and regularly interact with students, faculty, and parents. They can serve as role models for students and can affect faculty and parental perceptions of police. Selecting officers who are likely to do well in the school environment and properly training those officers are two important components of SRO programs.

However, as with other aspects of SRO programs, there is no research to suggest what is most effective in SRO selection and training. Therefore, this guide cannot offer detailed recommendations in these areas. However, this guide does provide information gathered from surveys of SRO participants who have suggested that certain characteristics, skills, and knowledge are useful. Some key SRO characteristics are inherent; others can be developed through education and training. These key attributes include:

The ability to work effectively with students within the age range of the school

The ability to work with parents

The ability to work with principals and other school administrators

Knowledge of school-based legal issues

Knowledge of school resources

Knowledge of social service resources

An understanding of child development and psychology

An understanding of crime prevention through environmental design

Teaching skills

Public speaking skills

Knowledge of school safety technology and implementation.

Although it might be possible to recruit an officer with many of these skills, it is nonetheless important to provide training in these areas. Many participants in SRO programs have found training in the following areas to be useful:

Community policing in schools

Legal issues

Cultural fluency

Problem solving

Safe school preparation

Child development

Mental health intervention

Teaching and classroom management strategies.[38]

Allocating a School Resource Officer's Time

The lack of data makes it challenging to state with certainty which SRO activities are the most effective. It is most important that SROs choose activities that directly relate to specific school safety goals. For example, meeting with students each day is not directly tied to a safety goal; however, meeting with certain students—those who tend to be involved in specific safety problems—and discussing specific topics with them, such as services they might need or the reasons that the problems exist, can have a direct effect on school safety. Activities should be targeted to address identified needs.

Effective problem solving is one of the primary aspects of SRO work that has been shown to be successful in schools.[39] Police problem solving involves changing the conditions that give rise to recurring crime problems, rather than simply responding to incidents as they occur. Under the problem-solving process, officers take a four step approach:

Scanning data to identify patterns in recurrent, patterned crime and disorder problems

Analyzing the causes of these patterns and problems in order to identify high impact points for intervention

Developing and implementing responses designed to reduce the frequency or severity of these problems based on crime analysis, emphasizing alternatives to arrest and incarceration and placing a high priority on prevention

Assessing the impact of these responses on the identified problems and refining interventions as necessary.†

† For detailed discussions of the problem-solving process, see the POP Center website at www.popcenter.org.

SRO programs have been most effective where targeted strategies are implemented to address specific safety concerns. Examples of such strategies are presented in Table 1. Problem-Specific Guides on school-related problems also provide more detailed recommendations for how to address specific problems.

Table 1: Examples of Safety Problems Effectively Addressed by SROs[40]

Safety problem	Strategies
Thefts in parking area	Limit access to property; develop enforceable parking policy; patrol parking area; involve students in reporting suspicious activities
Fights in cafeteria	Increase SRO presence during lunch periods; adjust schedule and pattern of cafeteria entry and exit and seating arrangement
Illegal parking on roadways and at nearby businesses	Post *No Parking* signs; collaborate with business owners to post notices; enforce ticketing and towing
Thefts from locker rooms	Increase frequency of patrol during periods that larcenies occur; install surveillance cameras
Graffiti and vandalism	Give classroom presentations about penalties or requirements for restitution; increase awareness among students and parents; establish crime hotline or SRO website to receive anonymous tips
Smoking or drug use near school	Increase surveillance of area; work with property owners to post *No Trespassing* signs; enforce trespassing violations

Measuring the Value of Assigning Police Officers to Schools

Although the cost of assigning a sworn officer to a school will vary by jurisdiction, the average cost is substantial. Under the COPS Office grant program, each "cop in school" was funded at $125,000 in salaries and benefits over a three-year period. With an investment of this size, it is imperative to know whether the program is successfully meeting its stated goals.

Before beginning an SRO program, it is important to set out clearly articulated goals. SRO activities should be aligned to meet these goals. Regular assessment can identify any challenges to reaching safety goals and course corrections can be made.

Deciding what data to collect can be tricky. Often, the temptation is to count activities and events. Although this might help an SRO see where his or her time is being spent, it does not provide information about the effectiveness of the program. Instead, the goals of the program should drive the

data collection. That is, you should first identify the outcome measure of interest (for example, whether the workload of patrol officers has changed as a result of SRO presence) and then determine which data would help to answer that question. Table 2 suggests data that could be collected for given safety goals. The list is generic; each suggestion is not necessarily appropriate for every community. The local school-police collaborative should identify the appropriate data for its own particular situation.

Table 2: SRO Program Goals and Measures[41]

Goal of program	Data that may help measure progress
Reduce crime and disorder in and around school	Crime incidents in school by type of incident, e.g., fights, bullying
	Crime incidents in vicinity of school
	Non-criminal disorder incidents in school
	Non-criminal disorder incidents in vicinity of school
	Victimization in school
	Victimization in vicinity of school
Develop positive relationships with students, parents, and staff	Number of students advised; nature of counseling
	Parent and child counseling sessions
	Perceptions of relationships among students, police officers, school staff, parents, school neighbors, etc.
Relieve school-related workload on patrol officers	Police calls for service
	Investigations, leads, clearances
	Referrals to other agencies
	Perceptions of patrol officers
Improve school attendance	Truancy rates
Improve student productivity	Student levels of fear
	Student academic performance
Prevent violence in and around school	Number and severity of violent crime incidents
Improve overall school performance	Graduation rates
	Academic proficiency
	Delinquency rate
	Severe discipline rate

South Euclid (Ohio) School Bullying Project

Spurred by the sense that disorderly behavior among students in South Euclid was increasing, the school resource officer (SRO) reviewed data regarding referrals to the principal's office. He found that the high school reported thousands of referrals a year for bullying and that the junior high school had recently experienced a 30 percent increase in bullying referrals. Police data showed that juvenile

complaints about disturbances, bullying, and assaults after school hours had increased 90 percent in the past 10 years.

A researcher from Kent State University (Ohio) conducted a survey of all students attending the junior high and high school. Interviews and focus groups were conducted with students—identified as victims or offenders— teachers, and guidance counselors. Finally, the South Euclid Police Department purchased a Geographic Information System to conduct crime incident mapping of hotspots within the schools. The main findings pointed to four primary areas of concern: the environmental design of the school; teacher knowledge of and response to the problem; parental attitudes and responses; and student perspectives and behaviors.

The SRO worked in close collaboration with a social worker and the university researcher. They coordinated a Response Planning Team comprising many stakeholders that was intended to respond to each of the areas identified in the initial analysis. Environmental changes included modifying the school schedule and increasing teacher supervision of hotspots. Counselors and social workers conducted teacher training courses in conflict resolution and bullying prevention. Parent education included mailings with information about bullying, an explanation of the new school policy, and a discussion about what could be done at home to address the problems. Finally, student education included classroom discussions between homeroom teachers and students, as well as assemblies conducted by the SRO. The SRO also opened a substation next to a primary hotspot. The Ohio Department of Education contributed by opening a new training center to provide a nontraditional setting for specialized help.

The results from the various responses were dramatic. School suspensions decreased 40 percent. Bullying incidents dropped 60 percent in the hallways and 80 percent in the gym area. Follow-up surveys indicated that there were positive attitudinal changes among students about bullying and that more students felt confident that teachers would take action when a problem arose. Teachers indicated that training sessions were helpful and that they were more likely to talk about bullying as a serious issue. Parents responded positively, asking for more information about the problem in future mailings. The overall results suggest that the school environments were not only safer, but that early intervention was helping at-risk students succeed in school (South Euclid (Ohio) Police Department, 2001).

Establishing Operating Protocols

An operating protocol or memorandum of understanding is a critical element of an effective school-police partnership. It is essential to state clearly what the roles of the various agencies are and especially to delineate the reporting requirements of the SRO. This will help to establish clear expectations for all parties and to support the success of the program.

There are many descriptions of what protocols could include. The Safer Schools Partnership (SSP) in United Kingdom is a program with concrete evidence of success. SSP takes a broad view of police-school collaborations, as evidenced in the adapted list of protocols below. Additional operating protocol resources are provided in the Appendix.

The SSP protocols include the following:[42]

The level of commitment that each partner agency is expected to make in terms of resources and the relevant time frame for the delivery of such resources

The overall aims and objectives the partnership is to address, with clearly defined targets

A framework for information exchange, including data protection protocols

Child protection policies

A governance structure, including management framework and accountability

Mechanisms for working with existing crime prevention agencies

Procedures for liaising with outside agencies

A strategy for integrating the SRO program with other partners and agencies that provide services to children and young people.

Special Issues

Legal Issues

School-police collaborations, and particularly assigning police officers to schools, raise some legal issues that should be worked out prior to implementing the collaboration. These issues arise out of the potential conflict between the traditional roles of police and educators. Where teachers and school administrators are legally obliged to act in the best interests of the students (*in loco parentis*, or "in the place of parents"), this can conflict with police obligations to act as representatives of the state enforcing legal norms.[43] Although school safety is a mutual goal, the core mission of school systems is education, whereas the core mission of police is safety; at times these missions can be difficult to reconcile.[†]

† The website http://copsinschools.org/resources.cfm provides resources on legal issues for SROs.

The unique legal issues that arise in schools include the following: [44]

Search and seizure. School administrators have different standards for search and seizure— of students' persons and lockers—than do police officers. There is a question of which search standard applies in school. In general, police officers must have probable cause, whereas school administrators need only a reasonable suspicion. Courts have come to conflicting decisions on this issue.

Interviews of juveniles. It is unclear whether students must be advised of their constitutional rights before a police interview at school, as well as whether students have the right to have parents or guardians present during police questioning.

Police access to students. Principals must be familiar with the policies that determine whether a police officer can have access to a student at school. These rules vary by state. In some states, for instance, schools need to notify parents when arrests occur or official legal documents are served. Similarly, parents must be notified before a student is interviewed, especially if the matter is not school-related. However, typically police are allowed access to students who may be victims of parental child abuse without notification.

Reporting obligations. Whether the SRO reports directly to and takes direction from a police supervisor

or the school administrator affects who is entitled to receive information from the SRO about student activities, how the information will be handled, and ultimately whether the activities at issue will be tolerated or prevented. It is important to establish whether the school or police agency has authority and how conflicts between these agencies are to be resolved.

Privacy. The dissemination of student information might be limited by the Family Educational Rights and Privacy Act (FERPA). If SROs are designated as school officials in the district's FERPA policy, they would have access to student education records. If they are not so designated, they would not have access.

Undercover Officers

Officers operating undercover in a school setting present special issues.[45] Undercover officers can be an important safety tool, but they can erode trust between students and police, students and school administrators, and school administrators and police. One oft-cited benefit of an SRO program is the trust developed and the resulting information flow. Because there are significant drawbacks to the practice, police and school administrators should weigh the trade-offs before placing undercover officers in schools. Many districts will examine crime trends to determine the frequency and seriousness of crime before allowing police to proceed with such operations.[46]

The decision to place undercover officers in schools can be complicated by the presence of SROs. Any decision made in this regard should include a consideration of how undercover (or other special units) would work with SROs, including the effect that such an operation might have on the relationships among students, staff, and the SRO.

Conclusion

In recent years, SROs have become a popular response to perceived school safety needs. Millions of dollars have been spent to hire, train, and implement SRO programs. Evaluations of the effectiveness of this approach, however, have been limited. Few reliable outcome evaluations have been conducted. Often programs are not designed to facilitate assessment; some SRO programs lack clear safety goals and others do not tie SRO activities to desired outcomes.

In times of limited resources, communities must question how best to allocate police personnel. When choosing to put police in schools police activity should be strategic and intentionally aimed at clearly defined goals.

Based on available research on SRO program effectiveness, the following is recommended for communities:

> Take an analytical approach to safety problems to clearly understand needs and objectives. This should include a safety needs assessment, goal identification, and program design to meet goals and needs.
>
> Be creative. A police-school collaboration can take many forms; one size does not fit all.

Regularly assess programs to make sure that desired goals are being met.

Be flexible. A strategy that works well at one place or point in time might not fit a later situation; if so, review and revise.

It is possible that new research and information will emerge to guide future SRO program decisions. For instance, when accumulated research indicated that the Drug Abuse Resistance Education (DARE) program was not as effective in preventing teen drug use as other strategies, many communities decided to redeploy their resources elsewhere.[47]

Thus, communities should remain open to the many possibilities that exist for addressing school safety needs.

Police departments across the country are experiencing significant staffing shortages and regularly need to assess their most effective resource deployment. It is possible that departments could become short staffed and need to reassign school resource officers. Partnerships that have a comprehensive safety plan in place will be in a position to identify the strengths and weaknesses of their SRO program and if need be to develop alternatives to address their particular safety concerns.

Appendix: Resources for Developing Operational Procedures for SRO Programs

The following documents are useful resources for school safety partnerships:

The United Kingdom report *Mainstreaming Safer School Partnerships* is an excellent comprehensive source for planning a school safety initiative. It provides detailed strategic planning guidance and program development materials, including memoranda of understanding.[48]

The COPS Office publication, *A Guide to Developing, Maintaining, and Succeeding with Your School Resource Officer Program*, provides an extensive list of operational areas and school responsibilities.[49]

The COPS Office publication, *SRO Performance Evaluation: A Guide to Getting Results* provides a step-by-step guide to help law enforcement and school personnel use SRO effectively, addressing many of the issues discussed in this guide.[50]

The COPS Office software program, School COP. See *Guide to Using School COP to Address Student Discipline Problems*.[51] School COP is designed to enable personnel to record and store detailed information about incidents involving student misconduct and criminal activity.

The COPS Office publication, *Guide 5: Fostering School-Law Enforcement Partnerships of the Safe and Secure: Guides to Creating Safer Schools*, provides detailed operational guidelines for SRO programs. A sample of this information follows.[52]

Whereas the memoranda of understanding (MOU) is the interagency agreement establishing the

framework for the school–law enforcement partnership, the standard operational procedures for a SRO program are typically developed by the law enforcement agency that employs the SRO with consultation from the school division. The procedures should address a broad range of operational issues. Examples of key operational areas and issues to be addressed in the procedures follows.

Conditions of employment and chain of command:

Law enforcement agency has authority to hire, assign, and train SRO

Law enforcement agency provides salary and employment benefits

SRO is employee of the law enforcement agency and follows agency policies/procedures and chain of command

SRO coordinates and communicates with principal/designee to which assigned

School leadership is given a voice in assignment of SRO to ensure a "good fit" at the school.

Duty hours and uniform:

Duty hours are consistent with agency policy.

Arrival and departure times are established to provide coverage throughout the school day including peak arrival and departure times. For situations where a single SRO is shared by two or more schools, coordination between schools is necessary to provide maximum coverage for each school.

After-hour duties may be performed but must be remunerated by the school or other sponsoring organization at a standard rate established by the law enforcement agency.

Time spent in court, attending interagency meetings, and investigating school-related crimes are within the scope of SRO duties and are considered duty hours.

SRO shall wear a regulation uniform during the assignment unless otherwise authorized for a specific purpose; the uniform is an important element in providing a visible deterrence to crime.

Communications:

SRO shall meet at least weekly with the principal for purposes of exchanging information about current crimes, problem areas, or other concerns that may cause disruption in the school or community.

SRO shall be advised of all investigations that involve students from his/her assigned school and other police activities related to the school.

The SRO supervisor shall meet at least once each semester with the school principal. Upon request, the school shall provide information to the department to assist in the personnel evaluation of the assigned SRO.

Police investigation and questioning:

The SRO has authority to stop, question, interview, and take police action without prior authorization of the principal.

The investigation and questioning of students during school hours and at school events shall be

limited to situations where the investigation is related to the school or where delay might result in danger to any person or flight from the jurisdiction.

The principal shall be notified as soon as practical of any significant enforcement events.

The SRO shall coordinate activities to be in the best interests of the school and public safety.

Arrest:

The arrest of a student or employee of the school with a warrant or petition should be coordinated through the principal and accomplished after school hours whenever practical.

Persons whose presence on school grounds has been restricted or forbidden or whose presence is in violation of the law shall be arrested for trespassing.

Arrest of students or staff during school hours or on school grounds shall be reported to the principal as soon as practical.

Search and seizure:

School officials may conduct searches of student property and persons under their jurisdiction when reasonable suspicion exists that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school.

The standard for the search is *reasonable suspicion.*

Any search by a law enforcement officer shall be based on *probable cause* and, when required, a search warrant should be obtained.

"Stop and frisk" will remain an option when there is reasonable suspicion that a criminal offense has been committed or may be committed.

The SRO shall not become involved in administrative (school-related) searches unless specifically requested by the school to provide security or protection, or for the handling of contraband.

At no time shall the SRO request that an administrative search be conducted for law enforcement purposes or have the administrator act as his/her agent.

Release of student information:

State statutes also must be considered. Each agency group interested in establishing this type of network will need to identify state laws that govern the collection, use, and dissemination of juvenile records by juvenile justice and other juvenile-related agencies. Specifically, these laws will include but may not be limited to those governing law enforcement records, school records (a state-level codification of FERPA), juvenile court records (legal and social), child protective services and other youth-serving agency records, and mental health records.

Endnotes

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[2] Brown (2006).

[3] Travis and Coon (2005).

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[9] Finn and McDevitt (2005).

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[12] Finn et al. (2005).

[13] Finn and McDevitt (2005).

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[19] Toronto Police Service, Toronto District School Board and Toronto Catholic District School Board (2009).

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[22] Lester (1999).

[23] Johnson (2002).

[24] Johnson (2002).

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[29] Patterson (2007).

[30] Atkinson (2002), adapted from Pollack and Sundermann (2001).

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[33] Atkinson (2002), adapted from Pollack and Sundermann (2001).

[34] Travis and Coon (2005).

[35] Glover (2002).

[36] Glover (2002).

[37] McKay, Covell and McNeil (2006).

[38] Briers (2003).

[39] Kenney and Watson (1998).

[40] Adapted from Atkinson (2002).

[41] Finn et al. (2005).

[42] Hossack et al. (2006).

[43] Glover (2002).

[44] Gittins (2005).

[45] Griffin and Higgins (2004).

[46] Bowermaster (2007).

[47] General Accounting Office (2003).

[48] Hossack et al. (2006).

[49] Finn et al. (2005).

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Article #3

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Inside Criminal Justice

SPECIAL REPORT

Can More Armed Guards Keep Our Schools Safe?

May 6, 2013 06:42:43 am

By Katti Gray

The debate over placing more armed guards in schools has turned the spotlight on school resource officers who comprise an increasing share of law enforcement personnel in schools—and who worry that their role is misunderstood.

Photo by KB35, via Flickr

A point of view largely missing from the discussion is whether someone who is sworn to protect school safety should be armed, says Mo Canady, executive director of the National Association of School Resource Officers (http://www.nasro.org/) (NASRO)

"When I first got started in this, I was a little concerned that kids were going to be focused on my gun," adds Canady, a former police lieutenant who spent 12 of his 25 years as a school safety officer in Hoover, AL—where he still lives, and where the national association is based.

"But they weren't. As I interacted with them and got to know them, it humanized my role. And, yes, I do realize that they still were seeing me as law enforcement."

Last month, the National Rifle Association triggered a heated back-and-forth about the role of guns in schools when it urged 40 to 60 hours of firearm training for teachers and other school staff who want to carry guns.

The NRA's National School Shield report (http://www.nytimes.com/2013/04/03/us/nra-details-plan-for-armed-school-guards.html?_r=0) recommended, for example, a "model training program" that also would include a background check for school staffers seeking those gun permits.

Such training would add an "important layer of security for prevention and response in case of an active threat on a school campus," the report said, claiming the training was especially critical for cash-strapped schools that cannot afford other types of security personnel.

South Dakota is one state that allows teachers to be permitted to carry guns in schools. Texas, as another example, allows each school district to make its own decision regarding permits, with just a handful of rural districts granting permission thus far. Several other state legislatures are considering (http://www.mlive.com/politics/index.ssf/2013/04/even_in_pro-gun_states_bid_to.html) letting teachers carry guns, should they choose to do so.

$150 Million for School Security

For his part, President Barack Obama has proposed allotting $150 million nationwide for more SROs (as they are commonly known) in schools opting to employ them; and for more school psychologists and counselors to address the needs of students with behavioral problems.

NASRO's Canady told *The Crime Report* that those who oppose the presence of armed officers fail to take into account classroom realities.

TCR at a Glance

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Confounding Critics, Nation's Prison Population Rises

SEPTEMBER 16, 2014

Total behind bars remains over 2 million, driven by tough sentencing laws in many states

According to the latest available data from the National Center for Education Statistics (http://nces.ed.gov/fastfacts/display.asp?id=49), released in 2011, 85 percent of public schools reported one or more acts of assault, theft, rape or other offenses in the 2009-2010 school year.

That amounted to 1.8 million crimes, or 40 per 1,000 students, in that period. At the same time, 60 percent of the nation's schools sought police intervention in handling 689,000 crimes, or 15 per 1,000 students.

The same report also noted that the number of 12- to 18-year-old public school students reporting that they were crime victims at school dropped from 7.6 percent in 1999 to 3.9 percent in 2009.

Of 33 deaths of students, non-students and staff in schools, the center reports, 25 were homicides, five were suicides and three resulted from police action that was deemed legal.

Against that backdrop, says Canady, SROs should be considered dedicated professionals who play a key role in protecting young people and often expressly choose to be assigned to the schoolhouse beat.

Nevertheless, he adds, in some school districts around the country, SROs' collaboration with educators, school counselors and law enforcement still leaves much to be desired.

"There has to be inter-agency collaboration between law enforcement and a school district. There has to be a written plan and agreement. It has to be the right officer (and) it has to be the right fit."

Yet, many critics "are lumping all the armed guards, armed security, school safety officers—trained or not—into one big barrel," he adds.

Less Than Half of US Schools Employ SROs

SROs, however, are a specific class of professionals and usually wear their departmental uniforms while at school. According to the National Center on Education Statistics, 42.8 percent of schools had SROs during the 2009-2010 school year.

That compares to 46.3 percent in 2007-2008 and 41.7 percent in 2005-2006. Shortfalls in funding for SRO salaries caused that decline, Canady says.

The 2011 report also showed that 28 percent of all SROs, armed guards or other security personnel routinely carried guns while in school during 2009-2010, down from 34 percent in 2007-2008.

Canady, along with Moses Robinson, a 28-year veteran of the Rochester (NY) Police Department, helped facilitate a webinar earlier this month sponsored by the Supportive School Discipline Communities of Practice (http://ssdcop.neglected-delinquent.org/) on "navigating the roles and responsibilities" of SROs (http://safesupportiveschools.ed.gov/index.php?id=9&eid=1737).

Robinson, who has spent the last 18 years as an SRO at Rochester's East High School, says that some critics unfairly dismiss police, as well as armed guards who are not sworn law enforcement officials, as inherently bad for schools and school kids.

"Some people are being totally reactionary in their thinking about intervention and prevention strategies," Robinson says. "We all need to come to the table and talk about what this really needs to be, to create a plan that is reality-based and not reactionary."

Robinson and Canady concede that police departments sometimes use their school resource division as a dumping ground for disgruntled officers who weren't performing well in positions to which they were previously assigned.

But both men argue that the most severe behavioral problems confronted by rural and urban schools—physical violence, drug abuse, gang influences—demand a school resource officer's presence.

Murdered Students

Since Robinson, who grew up in in north Philadelphia, one of that city's toughest neighborhoods, began working in Rochester's East High, 15 of its students have been murdered, 14 of them with guns. The other youth was stabbed to death.

Though those killings occurred in the surrounding neighborhood, not on school property, they suggest much about the pressures and temptations confronting youth in that community.

While most students at East are good kids, a small fraction of them are clearly adrift and at-risk for causing major classroom disruptions, Robinson says.

"The goal at the end of the day is not to take anyone to jail," adds Canady.

"It's to mediate the situation,

And, says Canady, "When SROs are doing the job right, and they go into school environment, the arrest rate doesn't go up, it goes down."

"If it's done right," he says. "It's the epitome of community-based policing.

"Done wrong, it's a nightmare."

Neither the police officer nor the school are best served when SROs aren't performing their jobs well, he explained—particularly when arrests are used to discipline disruptive students.

The disproportionate suspensions and arrests of mainly black, brown and disabled youth—exemplified by a March 2013 consent decree banning that practice in Meridian, MS (http://www.justice.gov/opa/pr/2013/March/13-crt-338.html)—have raised critics' ire.

School to Prison Pipeline

Education reform advocates cite research demonstrating, they say, that suspensions from classroom heighten the chances that suspended students will flunk, drop out, or wind up in the juvenile justice system (http://justicecenter.csg.org/resources/juveniles).

The critics argue instead for more school-based social workers, psychologists and others trained to work with troubled kids.

"Just adding more police is not a good idea," says classroom teacher-turned-attorney Daniel Losen, director of the University of California at Los Angeles (UCLA) Center for Civil Rights Remedies (http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/front-matter).

"But if we're going to have school resource officers, that training piece is important. A lot of school districts have police (officers) in schools who are not well trained, and they don't really have the money to train them.

"Where will that money come from?"

In January 2013, the UCLA center released Out of School & Off-Track: The Overuse of Suspensions in American Middle and High School (http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/out-of-school-and-off-track-the-overuse-of-suspensions-in-american-middle-and-high-schools/Exec_Sum_OutofSchool_OffTrack_UCLA.pdf) , a 2009-2010 school year survey of 26,000 schools, which concluded that one in nine students was suspended.

Most suspensions arose out of minor infractions such as disrupting the classroom, tardiness and violating the dress code. The report did not probe expulsions for more severe criminal offenses.

Because school safety officers can be expected to intervene in all those kinds of cases, the NASRO's training courses (http://www.nasro.org/class-training) include basic instruction for those newly assigned to schools.

The instructions cover interviewing students; identifying deceptive verbal and written communication from unruly students; and steps to take when a threat requires a school lockdown.

Legal Protections

But they also advise SROs to be conscious of not violating students' legal protections against unwarranted search and seizure, sexual harassment and other unwarranted or inappropriate intrusions.

With the Tactical Defense Institute (http://tdiohio.com/), a West Union, OH organization training civilians and law enforcement and military personnel, NASRO offers the recently created "active shooter response" course, a three-day program that trains officers on how to respond to school shootings.

In addition to intervening and mediating with students, the best SROs also act as informal counselors and teachers, Canady says.

"We train officers on issues such as classroom management, how to take a law-related education topic into the classroom and (how to) teach kids about the laws of their state or constitutional law," Canady says.

The courses, he adds, are designed to draw the best out of a workforce that was launched in the 1950s in Flint, MI—but has surged since former President Bill Clinton introduced the Safe Schools/Healthy Students Initiative in 1999 (http://clinton4.nara.gov/WH/Accomplishments/additional.html)

The initiative has provided more than $2.1 billion in grants to over 300 local education agencies across the country for anti-violence and drug abuse programs for students.

Both Robinson and Canady make clear that good training remains essential to ensuring that schools are safe from violence.

“You cannot put in place anyone who hasn’t been sufficiently trained to deal with students and expect a positive outcome,” Robinson says.

Freelance journalist Katti Gray covers criminal justice, health, higher education and other topics for a range of national and regional magazines, newspapers and online news sites. A contributing editor of The Crime Report, she welcomes comments from readers.

Article #4

With Police in Schools, More Children in Court

Michael Stravato for The New York Times

Craig Davis, an officer at E. L. Furr High School in Houston. Officers once issued so many citations that students felt antagonized. More Photos »

By ERIK ECKHOLM
Published: April 12, 2013 | 318 Comments

HOUSTON — As school districts across the country consider placing more police officers in schools, youth advocates and judges are raising alarm about what they have seen in the schools where officers are already stationed: a surge in criminal charges against children for misbehavior that many believe is better handled in the principal's office.

Since the early 1990s, thousands of districts, often with federal subsidies, have paid local police agencies to provide armed "school resource officers" for high schools, middle schools and sometimes even elementary schools. Hundreds of additional districts, including those in Houston, Los Angeles and Philadelphia, have created police forces of their own, employing thousands of sworn officers.

Last week, in the wake of the Newtown, Conn., shootings, a task force of the National Rifle Association recommended placing police officers or other armed guards in every

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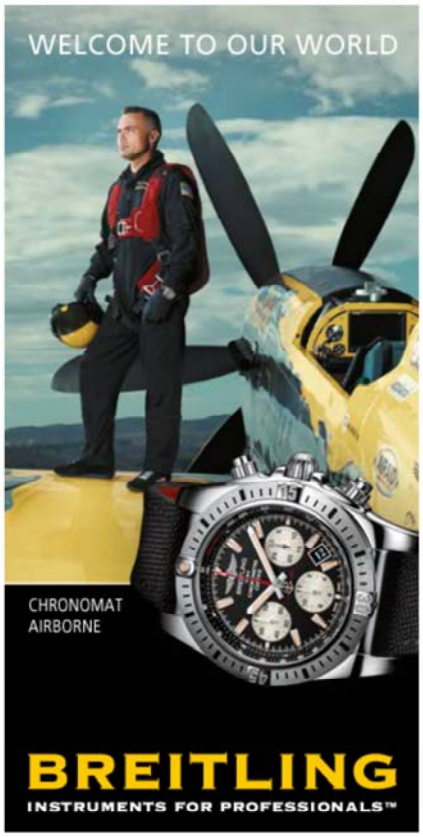

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school. The White House has proposed an increase in police officers based in schools.

The effectiveness of using police officers in schools to deter crime or the remote threat of armed intruders is unclear. The new N.R.A. report cites the example of a Mississippi assistant principal who in 1997 got a gun from his truck and disarmed a student who had killed two classmates, and another in California in which a school resource officer in 2001 wounded and arrested a student who had opened fire with a shotgun.

Yet the most striking impact of school police officers so far, critics say, has been a surge in arrests or misdemeanor charges for essentially nonviolent behavior — including scuffles, truancy and cursing at teachers — that sends children into the criminal courts.

"There is no evidence that placing officers in the schools improves safety," said Denise C. Gottfredson, a criminologist at the University of Maryland who is an expert in school violence. "And it increases the number of minor behavior problems that are referred to the police, pushing kids into the criminal system."

Nationwide, hundreds of thousands of students are arrested or given criminal citations at schools each year. A large share are sent to court for relatively minor offenses, with black and Hispanic students and those with disabilities disproportionately affected, according to recent reports from civil rights groups, including the Advancement Project, in Washington, and the NAACP Legal Defense and Educational Fund, in New York.

Such criminal charges may be most prevalent in Texas, where police officers based in schools write more than 100,000 misdemeanor tickets each year, said Deborah Fowler, the deputy director of Texas Appleseed, a legal advocacy center in Austin. The students seldom get legal aid, she noted, and they may face hundreds of dollars in fines, community service and, in some cases, a lasting record that could affect applications for jobs or the military.

In February, Texas Appleseed and the Brazos County chapter of the N.A.A.C.P. filed a complaint with the federal Education Department's Office for Civil Rights. Black students in the school district in Bryan, they noted, receive criminal misdemeanor citations at four times the rate of white students.

Featured in the complaint is De'Angelo Rollins, who was 12 and had just started at a Bryan middle school in 2010 when he and another boy scuffled and were given citations. After repeated court appearances, De'Angelo pleaded no contest, paid a fine of $69 and was sentenced to 20 hours of community service and four months' probation.

"They said this will stay on his record unless we go back when he is 17 and get it expunged," said his mother, Marjorie Holmon.

Federal officials have not yet acted, but the district says it is revising guidelines for citations. "Allegations of inequitable treatment of students is something the district takes very seriously," said Sandra Farris, a spokeswoman for the Bryan schools.

While schools may bring in police officers to provide security, the officers often end up handling discipline and handing out charges of disorderly conduct or assault, said Michael Nash, the presiding judge of juvenile court in Los Angeles and the president of the National Council of Juvenile and Family Court Judges.

"You have to differentiate the security issue and the discipline issue," he said. "Once the kids get involved in the court system, it's a slippery slope downhill."

Mo Canady, the executive director of the National Association of School Resource Officers, defended placing police officers in schools, provided that they are properly trained. He said that the negative impacts had been exaggerated, and that when the right people were selected and schooled in adolescent psychology and mediation, both schools and communities benefited.

"The good officers recognize the difference between a scuffle and a true assault," Mr. Canady said.

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But the line is not always clear. In New York, a lawsuit against the Police Department's School Safety Division describes several instances in which officers handcuffed and arrested children for noncriminal behavior.

Many districts are clamoring for police officers. "There's definitely a massive trend toward increasing school resource officers, so much so that departments are having trouble buying guns and supplies," said Michael Dorn, director of Safe Havens International, in Macon, Ga., a safety consultant to schools.

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A version of this article appeared in print on April 12, 2013, on page A1 of the New York edition with the headline: With Police in Schools, More Children in Court.

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Article #5

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Juvenile Justice [1]

Controversy over cops in schools flares anew [2]

Post-Newtown worries over security conflict with concerns that school cops are putting too many kids in the criminal justice system

In post-Newtown America, those with power say they must act to prevent another massacre of innocents.

The Obama administration [3] wants stiffer gun control, and $150 million to help schools hire up to 1,000 more on-campus police or counselors, or purchase security technology. State legislators are considering shifting millions of dollars around to help schools hire more police. Some locals aren't waiting: The 5,500-resident town of Jordan, Minn. [4], has moved its entire eight-officer police force into schools.

"The only way to stop a bad guy with a gun is with a good guy with a gun," National Rifle Association Executive Vice President Wayne LaPierre [5] said after a young man shot his way into his former grammar school on Dec. 14 in Newtown, Conn., and killed 20 first-graders and six educators.

With the new year, the NRA has been flexing its political muscle [6], lobbying states not just to hire more school police — under the group's National School Shield project — but also to pass laws allowing teachers or other staff to bring licensed guns to school to defend their students and themselves.

Beyond the headlines, though, the push for more cops or other armed security personnel in schools is running headlong into another movement that's been quietly growing in states as diverse as Mississippi, New York, Utah, Texas and California.

It's a push to get police *out* of schools, or at least to end their involvement in routine discipline matters that principals and parents used to address without involvement from law enforcement officers.

Civil-rights groups and juvenile court judges — and even some officials within the Obama administration — argue that because the ranks of police began growing in schools in the late 1990s, the criminal justice system's involvement in student discipline has gotten entirely out of hand in some communities. That has put students, especially ethnic minorities, on a path to failure, they say — the so-called school-to-prison pipeline.

In Los Angeles, for example, scores of students, most Latino or black and many just 11 or 12 years old, have been ticketed by school officers [7] for minor infractions often categorized as disturbing the peace. In Austin, Texas, a 12-year-old was forced to court for spraying on perfume in class [8]. In DeSoto County, Miss. officers and a school district were sued [9] after a bus surveillance video — seen in part by a reporter [10] — revealed officers unjustifiably arresting black students, the suit alleged, and threatening others with a "a bullet between the eyes."

Optimists — Education Secretary Arne Duncan among them — say cops in schools are not an either/or proposition: careful training, they say, will ensure that school police deployed in the wake of Newtown protect, rather than intimidate, students.

But many civil-rights advocates are worried. They say plenty of cities and states are only beginning to come to grips with allegations that schools, and school-based police, have unjustifiably sent students into the criminal-justice system.

A push for security

Police presence in schools has been growing for years. The number of full-time city police officers assigned to schools increased nearly 40 percent from 1997 to 2007, according to the U.S. Justice Department. [11]One infamous incident fueling that rise was the 1999 massacre of 12 students and a teacher by two students at Columbine High School in suburban Denver.

After Newtown, though, an intense new round of calls for more cops in schools has echoed through small towns and big cities nationwide.

The state legislative delegation of Broward County, Fla. [12], for example, quickly approved a proposal in January — it must now be approved by state legislators — that could allow increases in property taxes in Broward to pay for more school police, at an annual cost of up to $130,000 per officer.

The National Conference of State Legislatures, a nonpartisan research group, told the Center for Public Integrity that in February it began tracking a flurry of school-security legislation in more than 20 states.

Since January, two school-security bills in Mississippi, publicly backed by NRA representatives, have been moving fast through the Statehouse.

One bill would set up a $7.5 million school-security fund [13] to offer Mississippi schools $10,000 matching grants to hire police. The other bill, which Mississippi's House of Representatives approved Feb. 13, would allow districts to designate teachers or other school staff to act as a secret defense force [14] in the event of an attack. Volunteers would take their own licensed, concealed weapons to school. The House rejected a proposal to require psychological evaluations of those designated by districts.

Alabama legislators [15]are considering creating a lottery to pay for a $20 million plan to put police officers in every school. Indiana lawmakers [16] are weighing a proposal to set aside $10 million to offer grants to schools to hire local police to post in schools. States where legislators have introduced proposals to allow designated teachers or other school staff to be armed include Alabama [17], Arizona [18], Arkansas, Georgia, Illinois, Maryland, Oklahoma and South Carolina [19]. Texas [20] and Utah [21] already allow licensed gun owners to take weapons onto campuses under certain circumstances. Legislators in those states are discussing ideas for supporting school staff who want to have weapons at school for defense.

The NRA isn't alone in trying to influence the debate. The Alabama-based National Association of School Resource Officers [22], or NASRO, is pushing for more law enforcement in schools. NASRO opposes arming teachers.

Stung by criticism of resource officers, the nonprofit NASRO vigorously disputes the idea that a school-to-prison pipeline is pervasive. In To Protect and Educate [23], a report issued last October, NASRO said: "Attacks against the school resource officer are superficial and polemical."

On a Facebook page [24], NASRO has posted multiple news reports about school resource officers foiling violent acts by students.

Kevin Quinn, NASRO president, said in an interview that NASRO regards cases of abuses by school police to be isolated. "The No. 1 way to combat that is training," said Quinn, a school resource officer in the Phoenix area.

Quinn agreed with civil rights advocates that some school districts have become too reliant on police to enforce discipline. Over the last decade, more schools have adopted "zero tolerance" polices, not just for guns or other weapons or drugs, but for behavior that's seen as disorderly or defiant.

"The problem," Quinn said, "is the school at times says, 'Oh, we've got a cop. Let him take care of things.' "

Out of hand?

Chief Juvenile Court Judge Steven Teske, of Clayton County, Ga., is not against police in schools, but firmly believes that a school-to-prison pipeline exists.

When Teske took the bench in 1999 in his Atlanta suburb, which is 66 percent black, one-third of the cases in his court were kids referred from schools. By 2004, he said, 92 percent of the 1,400 cases in his court came from schools, mostly for alleged disruption and disorderly conduct [25].

Lt. Francisco Romero, Clayton's school resource officer at the time, told the Center for Public Integrity [7] that he was disturbed to discover that one year he arrested more people — students — than any other officer in Clayton.

Fed up, Teske called together school and police leaders and hammered out a protocol requiring counseling and clear warnings before students were sent to court. Teske credits [26] the protocol with improving relationships between students and police, and driving down juvenile felonies by 51 percent and increasing graduation rates by 24 percent.

"If police are placed on campus without written protocols defining their role, the results will be disastrous — just as removing existing police from campus can have unintended consequences," Teske wrote in the publication *Youth Today* [27] after the Newtown killings.

Judith Browne Dianis, co-director of the Advancement Project, a national civil-rights group urging discipline reforms, said that after the 1999 Columbine shootings, police citations of students in the city of Denver skyrocketed. Student referrals to police increased by [28]71 percent between 2000 and 2004. Only 7 percent of referrals to law enforcement from Denver's schools, whose students are mostly nonwhite, were for serious offenses such as carrying a weapon.

In February, Denver school and police officials [29] signed an agreement that obliges school police to "de-escalate" conflicts, attend training sessions on child psychology and embrace "restorative justice," which requires students to sit down and resolve problems outside the criminal court system.

Dianis, whose group collaborated on the Denver agreement, hopes Denver's decision influences other jurisdictions as they weigh putting more police in schools.

In Los Angeles [7] — home to the country's largest school police force — school leaders, judges, police and civil-rights activists

have been holding a series of meetings to work toward a protocol for student citations and arrests.

The Center for Public Integrity [7] analyzed Los Angeles Unified School District Police records and found that from 2009 through 2011, officers issued about 10,000 tickets a year to students, mostly in low-income neighborhoods.

More than 40 percent of citations, the Center also found, went to students 14 or younger [30] in schools that parents said were more heavily policed. Juvenile court judges complained about a parade of children in court for infractions better dealt with at school.

Reconciling such findings with current security concerns is difficult, concedes Dennis Parker, director of the American Civil Liberties Union's Racial Justice Program. Parker said it sounds "callous" to protest placing more police in schools after Newtown, a town that immediately after the December massacre assigned officers to guard schools.

> "It's very likely that officers dealing with children in Newtown will deal with them differently than children in Harlem."

But one of the ACLU's high-profile lawsuits [31] involving schools right now accuses New York City police — whose ranks have grown in schools by 73 percent since 1998 — of violating students' rights by using excessive force, handcuffing and arrests in response to infractions such as drawing on a desk.

"It's very likely that officers dealing with children in Newtown will deal with them differently than children in Harlem," Parker said. "It is likely to be more of an 'Officer Joe, your friend,' who is there than someone who tells you to stand up against a wall and spread your legs."

New York City police administrators [32] insist that officers have lowered crime in schools and say that the ACLU "talks about arrests in schools but, conveniently, not crimes."

On Dec. 13, the day before the Newtown killings, Parker's Racial Justice Program filed a class-action lawsuit on behalf of ethnic-minority students allegedly rounded up by police in December 2010 at West High School in Salt Lake City [33].

The ACLU suit says that plaintiff Kevin Winston's son, Kaleb, was 14 when two plainclothes officers ushered the student, who is half-black, into a room and falsely accused him of gang membership and graffiti, or "tagging."

An officer allegedly grabbed Kaleb's arm, told him, "quit acting tough," and searched his backpack. The suit says that officers forced Kaleb, who has no juvenile record, to pose for a photo — to put in a gang database — holding a sign with his name and the word "tagger" on it.

After he was released, the suit says, Kaleb was shaken, called his parents and asked to go home. The suit says that when Lisa Winston, his mother, protested what had happened officers told her the sweep was done because of "a problem with the Mexicans."

On March 1, the Salt lake defendants filed a court document admitting that police had entered the school and questioned students. But in the documents, they deny that they "acted unconstitutionally" and deny that they referred to a problem with Mexicans.

In February, a similar suit filed by the ACLU of Southern California [34] in 2011 was partially settled on behalf of 56 students at Hoover High School in Glendale, Calif., near Los Angeles.

The suit says that school administrators and Glendale police interrogated Latino and other minority students [35], and made them pose for mock mug shots.

Glendale police Sgt. Thomas Lorenz told the Associated Press that the actions were an attempt to educate students [36] on the peril of gangs. He denied that officers' methods amounted to racial profiling.

"I've never been in trouble, and it was confusing, terrifying and humiliating," Ashley Flores, who was 16 when the incident happened.

The settlement requires Glendale police and school officials to notify parents if students are to be questioned on campus. To ensure that officers uphold students' rights, they will be trained to avoid racial profiling.

Walking the line

Michael Nash, presiding juvenile court judge in Los Angeles County, said in an interview that it's hard to argue against placing police in schools — if they stay out of discipline matters.

As president of the National Council of Juvenile and Family Court Judges [37], Nash sent a strongly worded letter [38] to the Obama administration on Jan. 15, responding to the administration's call for ideas on school safety.

"Research shows that aggressive security measures produce alienation and mistrust among students, which, in turn, can disrupt the learning environment," the letter said. "Such restrictive environments may actually lead to violence, thus jeopardizing, instead of promoting, school safety."

A student's odds of dropping out of high school quadruple with a first-time court appearance, Nash wrote. Last summer, the judges' council began a national campaign "to support school engagement and reduce school expulsion." Putting more armed personnel into schools, Nash said, could prove "counterproductive" to this effort.

On Jan. 16, the White House announced it would seek congressional authorization for a $385 million school violence prevention package for fiscal year 2014.

A spokesman for House Speaker John Boehner, R-Ohio [39], said the president's proposals would go to appropriate committees. A *Washington Post* poll [40] in January suggested that the recommendation for hiring more school police would face little opposition. The poll found that 55 percent of the public would even support a law to put an armed guard in every school.

A centerpiece of the White House proposal is the request for $150 million to help schools hire up to 1,000 new police. But in nod to concerns like Nash's, schools could also use grants to hire counselors and school psychologists.

The administration also proposes $50 million to help 8,000 schools create safer and more "nurturing" atmospheres at schools. Another $25 million would be used to help schools struggling with "pervasive violence," and $30 million would be for one-time grants for states to help schools develop emergency plans.

A total of $130 million would be for helping schools adopt conflict-resolution programs and improving early detection of student mental health problems.

In a January media call, Education secretary Duncan was asked to respond to concerns that more police would lead to misguided crackdowns on students.

"There's no reason why additional school resources have to drive up the schoolhouse-to-jailhouse pipeline," Duncan said. "Execution is really important — taking time train people in a really thoughtful way." The Department of Justice, he said, will be in on that training.

Duncan is no stranger to controversy over school discipline.

Between 2009 and 2012, the Department of Education launched more than 20 investigations into allegations in school districts that minority students were punished more harshly [41] than white pupils for the same violations of school rules. Duncan's department aims to amicably reach agreements with districts to change discipline practices. Last year, the department also released an unprecedented analysis [42] of national school data showing that black students, 18 percent of the sample, represented 42 percent of students referred to law enforcement.

These issues have been aired in two Congressional hearings since December.

In a February appearance before the House Education and the Workforce Committee, NASRO's executive director, Mo Canady said the role of school resource officers is as "a trusted adult that a student can come to for information, for guidance." He also said officers should leave "formal discipline" to educators.

Searching for balance

In Texas, police involvement in routine school discipline is a hot topic.

On Feb. 20, the NAACP Legal Defense Fund [43] and the National Youth Law Center filed a complaint with the U.S. Department of Education's Office for Civil Rights. The complaint [44] is based on citation records showing that black students in the Bryan Independent School District, 100 miles north of Houston, are given municipal court summonses in numbers far greater than the proportion of school enrollment they represent.

Black students represent almost 22 percent of the 15,500-pupil Bryan district but were given more than half of all Class C misdemeanor tickets issued to students for "disruption of class" and "disorderly conduct," according to the complaint. The complaint also says that staff of Texas Appleseed, a public-interest law group, observed Bryan students in court, including a 13-year-old whose teacher overheard him use profanity before class started and sent him to the principal, who, in turn, asked an officer to issue a ticket.

In a statement, the Bryan district said it would welcome "a dialogue" with federal education investigators. The citation numbers alleged in the complaint "were certainly no surprise to us, and we have been proactive in taking measures to address the issue," the district said. "We hope the measures we are taking to support our minority students will result in a more positive outcome."

Texas state Democratic Sen. John Whitmire, chairman of the Criminal Justice Committee, says it's time to stop these tickets, which can cost families hundreds of dollars and end up creating a criminal record for the student.

He said legislators will have to search for a balance between security and smart use of school police. The Houston Democrat hopes to pass a bill this year to stop ticketing for basic misbehavior, and require alternatives for students before schools send them to court.

It used to be a "comforting" to see a police officer at school, Whitmire said. Then cash-strapped schools shed counselors, police stepped in as enforcers, and Texas courts, he said, began to expect revenue from student tickets.

"These police departments have grown and grown, and they have to justify their budgets," Whitmire added. "They've even asked for legislation to be able to go [do enforcement] outside schools."

But in response to Newtown, Whitmire is co-sponsoring another proposal [45] with state Sen. Tommy Williams, a Republican from The Woodlands, to allow districts to try to raise taxes or other revenue to hire more school police or buy security technology.

He'd prefer adding police to arming teachers, Whitmire said, but he'll "make damn sure," he said, that more police doesn't lead to more tickets.

Mississippi state Democratic Rep. John Hines Sr. is concerned about safety, too. But he's also trying to get fellow legislators more interested in allegations of a school-to-prison pipeline in his state.

In January, Hines, who chairs the House Youth and Family Affairs Committee, held a state public hearing to discuss the "Handcuffs on Success [46]" report issued that month by the Advancement Project, the ACLU of Mississippi, the Mississippi State Conference of the NAACP and the Mississippi Coalition for the Prevention of Schoolhouse to Jailhouse.

> "I want kids safe. I don't want people coming off the street or an enraged child shooting people. But I don't want lots of people all strapped up with guns at our schools either."

The report notes that the Jackson Public Schools District was sued in 2011 in connection to allegations that its students were handcuffed to railings for dress-code violations or refusing to do their schoolwork. The district settled the suit last May with an agreement to stop handcuffing [47] children younger than 13, and to only handcuff older students when they are accused of a crime. A review of Jackson police records shows, according to "Handcuffs on Success," that 96 percent of student arrests at schools in 2010-11 were for misdemeanors, most for disorderly conduct. Only 4 percent were for suspected felonies.

Hines said he's also troubled by a lawsuit the U.S. Department of Justice filed last October against Meridian, Miss [48], alleging that students there "are regularly and repeatedly handcuffed and arrested in school and incarcerated for days at a time without a probable cause hearing."

"I want kids safe," Hines said. "I don't want people coming off the street or an enraged child shooting people. But I don't want lots of people all strapped up with guns at our schools either."

Republican Lester "Bubba" Carpenter, who also serves in Mississippi's House, is sponsoring the proposal to allow districts to designate teachers or employees as a secret "marshals" with permission to bring their own licensed, concealed weapons to school.

Mississippi is a "pretty poor state," Carpenter said, so the idea is cost-effective. He's not worried that teachers will panic and shoot in haste.

"I think they're smart enough individuals," Carpenter said. "We trust them with our children every day."

But Carpenter also supports the proposal to set aside $7.5 million so that schools can apply for $10,000 matching grants to hire police officers.

"I'll vote for both of them," Carpenter said of the proposals. "You can't get enough security at schools."

Carpenter said he wasn't that familiar with the allegations of police excesses alleged in the ACLU and U.S Justice Department lawsuits, or the "Handcuffs on Success" report.

"You're always going to have a bad apple," he said.