HOUSE . . . . . No. 4128

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, January 22, 2018.

The committee on Education to whom were referred the petition (accompanied by bill, House, No. 227) of James M. Cantwell and others relative to creating a school resource officer grant program and fund, the petition (accompanied by bill, House, No. 328) of Aaron Vega, Elizabeth A. Malia and others for legislation to implement alternatives to arrest for non-violent and verbal student misconduct and the petition (accompanied by bill, House, No. 2021) of James M. Cantwell and others relative to appointment, training and funding of school resource officers, reports recommending that the accompanying bill (House, No. 4128) ought to pass.

For the committee,

ALICE HANLON PEISCH.

FILED ON: 1/16/2018

HOUSE . . . . . No. 4128

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act promoting local control and effective training of school resource officers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 37P of Chapter 71, as appearing in the 2014 Official Edition, is hereby amended by striking the second paragraph in subsection (b) and inserting in place thereof the following:

In assigning a school resource officer (hereinafter, "SRO"), the chief of police shall assign officers that the chief believes would strive to foster an optimal learning environment and educational community. The chief of police shall give preference to candidates who demonstrate the requisite personality and character to work with children and educators in a school environment and who have received specialized training relating to working with adolescents and children, including cognitive development, de-escalation techniques, and alternatives to arrest and diversion strategies. The appointment shall not be based solely on seniority. The performance of an SRO shall be reviewed annually by the superintendent and the chief of police.

The superintendent and the chief of police shall enter into a written memorandum of understanding which shall be placed on file in the offices of the school superintendent and the chief of police.

The memorandum of understanding shall, at minimum, describe the following:

(i) mission statement, goals, and objectives of the SRO program;

(ii) roles and responsibilities of the SROs, the police agency, and the schools;

(iii) process for selecting SROs;

(iv) mechanisms to incorporate SROs into the school environment, including school safety meetings;

(v) information sharing between SROs, school staff, and other partners;

(vi) organizational structure of the SRO program, including supervision of SROs and the lines of communication between the school district and police agency; and

(vii) training for SROs, including but not limited to continuing professional development in child and adolescent development, conflict resolution, and diversion strategies

The memorandum of understanding shall state that SROs shall not serve as school disciplinarians, as enforcers of school regulations, or in place of licensed school psychologists, psychiatrists, or counselors, and further that officers shall not use police powers to address traditional school discipline issues, including non-violent disruptive behavior.

The chief of police, in consultation with the school superintendent, shall establish standard operating procedures (hereinafter, “SOP”) to provide guidance to SROs about daily

operations, policies, and procedures. At minimum, the SOP, as established by the chief of police, shall describe the following for the school resource officer:

(1) the SRO uniform;

(2) use of police force, arrest, citation, and court referral on school property;

(3) a statement and description of students' legal rights, including the process for searching and questioning students and when parents and administrators shall be notified and present;

(4) chain of command, including delineating to whom the SRO reports and how school administrators and the SRO work together;

(5) performance evaluation standards, which shall incorporate monitoring compliance with the MOU and use of arrest, citation, and police force in school;

(6) protocols for diverting and referring at-risk students to school- and community-based supports and providers; and

(7) information sharing between the SRO, school staff, and parents or guardians

The executive office of public safety and security, in consultation with the department of elementary and secondary education, shall make available to all communities examples of model memoranda of understanding, statements of procedures, and non-binding advisories on how to establish said documents.

SECTION 2. Section 2JJJJ of Chapter 29, is hereby amended by striking the following words-

"and for the municipal police training committee, under section 116 of chapter 6"

and inserting in place thereof the following words:-

", municipal police training committee, under section 116 of chapter, and the school resource officer training program"

SECTION 3. Section 12 of chapter 89 is hereby amended by striking out the word "$5" and inserting in place thereof "$6"

SECTION 4. Section 20 of chapter 90 is hereby amended by striking out the word "$25" and inserting in place thereof "$30"

SECTION 5. Section 37P of Chapter 71, as appearing in the 2014 Official Edition, is hereby amended by inserting the following subsections:

(g) Subject to appropriation, the municipal police training committee shall establish a school resource officer training program (hereinafter, program) to train school resource officers (hereinafter, SRO) and chiefs of police, police supervisors, and school administrators who oversee or administer SRO programs. The municipal police training committee shall offer grants to municipalities, regional school districts, county agricultural schools, charter schools, and police agencies to cover the tuition and fees for training. Grants shall fund training in topics consistent with subsections (i) and (j) offered by the committee or the following organizations:

(1) national association of school resource officers;

(2) Massachusetts juvenile police officer's association

(3) the national center for mental health and juvenile justice; and

(3) any other training program that is approved by the municipal police training committee or the department of elementary and secondary education.

(h) The secretary of public safety and security shall, subject to appropriation, direct funding from the public safety training fund for the school resource officer training program.

(i) Program training for officers shall include instruction on:

(1) school building security;

(2) school resource officer roles and responsibilities;

(3) child and adolescent development;

(4) de-escalation and conflict resolution techniques with children and adolescents, positive school discipline, and implicit bias;

(5) data collection and analysis;

(6) juvenile law

(7) Information sharing, including federal and state privacy laws;

(8) diversion strategies, including restorative justice and community based supports; and;

(9) other topics approved by the municipal police training committee and the department of elementary and secondary education.

(j) Program training for school administrators, chiefs of police, and supervising police officers shall include instruction to promote knowledge, skills, and strategies in:

(1) school building security;

(2) SRO roles and responsibilities;

(3) integrating SROs into the school environment;

(4) developing memoranda of understanding;

(6) program evaluation, data collection and analysis;

(7) administering a school resource officer program; and,

(8) other topics approved by the municipal police training committee and the department of elementary and secondary education.

(k) The municipal police training committee shall develop a school resource officer certificate for officers who have completed requisite training in topics described in subsection (i). The municipal police training committee shall develop requirements defining continuing education for recertification.

(l) The municipal police training committee shall develop standards defining minimum training standards for school resource officers that are consistent with subsection (i). The municipal police training committee shall publish on the committee website a collection of resources and experts guides relating to SRO programs, training, and administration.

(m) The secretary of public safety and security, in consultation with the department of elementary and secondary education, shall promulgate rules and regulations for subsections (g) through (l), inclusive.