

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.

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**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:

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

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

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

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

- 16 (i) mission statement, goals, and objectives of the SRO program;
- 17 (ii) roles and responsibilities of the SROs, the police agency, and the schools;
- 18 (iii) process for selecting SROs;
- 19 (iv) mechanisms to incorporate SROs into the school environment, including school
20 safety meetings;
- 21 (v) information sharing between SROs, school staff, and other partners;
- 22 (vi) organizational structure of the SRO program, including supervision of SROs and
23 the lines of communication between the school district and police agency; and
- 24 (vii) training for SROs, including but not limited to continuing professional
25 development in child and adolescent development, conflict resolution, and diversion strategies

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

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

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

34 (1) the SRO uniform;

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

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

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

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

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

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

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

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

52 “and for the municipal police training committee, under section 116 of chapter 6”

53 and inserting in place thereof the following words:-

54 “, municipal police training committee, under section 116 of chapter, and the school
55 resource officer training program”

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

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

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

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

69 (1) national association of school resource officers;

70 (2) Massachusetts juvenile police officer’s association

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

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

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

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

77 (1) school building security;

78 (2) school resource officer roles and responsibilities;

79 (3) child and adolescent development;

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

82 (5) data collection and analysis;

83 (6) juvenile law

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

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

86 and;

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

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

- 91 (1) school building security;
- 92 (2) SRO roles and responsibilities;
- 93 (3) integrating SROs into the school environment;
- 94 (4) developing memoranda of understanding;
- 95 (6) program evaluation, data collection and analysis;
- 96 (7) administering a school resource officer program; and,
- 97 (8) other topics approved by the municipal police training committee and the
- 98 department of elementary and secondary education.

99 (k) The municipal police training committee shall develop a school resource officer

100 certificate for officers who have completed requisite training in topics described in subsection (i).

101 The municipal police training committee shall develop requirements defining continuing

102 education for recertification.

103 (l) The municipal police training committee shall develop standards defining minimum

104 training standards for school resource officers that are consistent with subsection (i). The

105 municipal police training committee shall publish on the committee website a collection of

106 resources and experts guides relating to SRO programs, training, and administration.

107 (m) The secretary of public safety and security, in consultation with the department of

108 elementary and secondary education, shall promulgate rules and regulations for subsections (g)

109 through (l), inclusive.