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State of Minnesota

HOUSE OF REPRESENTATIVES

THIRD SPECIAL SESSION

H. F. No. 15

08/12/2020 Authored by Huot
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; directing the Minnesota School Safety Center to develop a
1.3 school threat assessment policy; modifying the allowable uses of the safe schools
1.4 levy; establishing requirements for school resource officers; requiring a report;
1.5 appropriating money; amending Minnesota Statutes 2018, section 126C.44;
1.6 proposing coding for new law in Minnesota Statutes, chapter 121A.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. [121A.07] THREAT ASSESSMENT POLICY.

1.9 A school board or charter school must adopt a threat assessment policy based on the
1.10 model policy developed by the Minnesota School Safety Center.

1.11 Sec. 2. [121A.275] SCHOOL RESOURCE OFFICERS.

1.12 Subdivision 1. Role within school setting. A school resource officer (SRO) supports
1.13 and facilitates the educational process in a school district or charter school by providing a
1.14 safe and secure environment, establishing meaningful relationships with students and staff,
1.15 and proactively interacting with the school community to ensure the enforcement of state
1.16 and local laws. An SRO is responsible for preserving public order, protecting life, and
1.17 preventing, detecting, or investigating crime. An SRO must work effectively with students,
1.18 parents, school personnel, and community agencies to support teaching and learning in
1.19 schools. An SRO must patrol district property to protect students, staff, and visitors from
1.20 physical harm and prevent loss to district property resulting from criminal activity. An SRO
1.21 must not arrest students for disciplinary issues that would be handled by a teacher or
1.22 administrator if there was not an SRO working in the school.

2.1 Subd. 2. Memorandum of understanding. A school district or charter school that  
2.2 contracts for peace officer services in the district's schools must maintain a memorandum  
2.3 of understanding with the law enforcement agency regarding the role of the SRO. The  
2.4 memorandum of understanding must establish an agreement between both parties about the  
2.5 role of the SRO, including:

2.6 (1) the relationship of the SRO and the school site administrators;

2.7 (2) a method to report complaints about the SRO to the law enforcement agency and a  
2.8 meaningful process for complaint resolution;

2.9 (3) documentation and reporting requirements requested by the school;

2.10 (4) information sharing, such as body-worn camera footage, in accordance with chapter  
2.11 13;

2.12 (5) financial responsibility for SRO training;

2.13 (6) day-to-day duties of the SRO;

2.14 (7) expectations of attendance at extracurricular activities and compensation for  
2.15 attendance; and

2.16 (8) additional SRO training requirements.

2.17 Subd. 3. SRO training. (a) An SRO must be trained on school-based policing by the  
2.18 school safety center, in addition to other peace officer training requirements, before initial  
2.19 placement with the school district or charter school. The SRO must receive at least 40 hours  
2.20 of initial training for a period not to exceed three months. The law enforcement agency is  
2.21 responsible for ensuring that the SRO is appropriately trained for school placement. Unless  
2.22 another agreement is established in the memorandum of understanding under subdivision  
2.23 2, the law enforcement agency and the school district or charter school must split the expense  
2.24 of training the SRO.

2.25 (b) The SRO training may be in-person or online. The SRO training must be based on  
2.26 the school safety center's training guide. SRO training topics must include community  
2.27 policing in schools, legal issues, cultural fluency, problem solving, safe school preparation,  
2.28 child development, mental health intervention, restorative justice practices, teaching, and  
2.29 classroom management strategies. At the end of training, the SRO must demonstrate mastery  
2.30 of skills taught during training. After the initial training, an SRO must receive a lesser  
2.31 amount of additional training each year to continue working as an SRO. Parties to the  
2.32 memorandum of understanding under subdivision 2 must determine the amount of additional  
2.33 SRO training required after the initial training.

3.1 (c) A school district or charter school may use safe school levy money for the training  
 3.2 costs associated with an SRO.

3.3 Subd. 4. **School administrator training.** A principal or other person with general  
 3.4 administrative control and supervision of a school building where an SRO is assigned must  
 3.5 complete one hour of training each year on the role of school administrators as it relates to  
 3.6 the role of the SRO. The school district or charter school is responsible to ensure that  
 3.7 principals are trained.

3.8 Subd. 5. **Report.** The commissioner of education must report annually to the chairs and  
 3.9 ranking minority members of the legislative committees having jurisdiction over public  
 3.10 safety, kindergarten through grade 12 education, and human services on or before March  
 3.11 15 on the work of SROs including, at a minimum:

3.12 (1) the number of SROs working in the state, the names of the schools and school districts  
 3.13 where they are working, and the monetary amounts spent on training and employing an  
 3.14 SRO;

3.15 (2) the number of encounters between an SRO and students, the names of the schools  
 3.16 and school districts where the encounter occurred, and the reason for the encounter by  
 3.17 reporting categories as determined by the commissioner of education, commissioner of  
 3.18 public safety, and school safety center;

3.19 (3) the number of juvenile arrests, the names of the schools and school districts where  
 3.20 the arrests occurred, and the reason for the arrests; and

3.21 (4) the number of incidents that involved the use of force by the SRO, the names of the  
 3.22 schools and school districts where the force occurred, and the reason for the use of force.

3.23 Sec. 3. Minnesota Statutes 2018, section 126C.44, is amended to read:

3.24 **126C.44 SAFE SCHOOLS LEVY.**

3.25 (a) Each district may make a levy on all taxable property located within the district for  
 3.26 the purposes specified in this section. The maximum amount which may be levied for all  
 3.27 costs under this section shall be equal to ~~\$36~~ \$44 multiplied by the district's adjusted pupil  
 3.28 units for the school year. The proceeds of the levy must be reserved and used for directly  
 3.29 funding the following purposes or for reimbursing the cities and counties who contract with  
 3.30 the district for the following purposes:

3.31 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace  
 3.32 officers and sheriffs for liaison in services in the district's schools;

4.1 (2) to pay the costs for a drug abuse prevention program as defined in section 609.101,  
 4.2 subdivision 3, paragraph (e), in the elementary schools;

4.3 (3) to pay the costs for a gang resistance education training curriculum in the district's  
 4.4 schools;

4.5 (4) to pay the costs for security in the district's schools and on school property;

4.6 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,  
 4.7 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the  
 4.8 school district;

4.9 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school  
 4.10 social workers, licensed school psychologists, and licensed alcohol and chemical dependency  
 4.11 counselors to help provide early responses to problems;

4.12 (7) to pay for facility security enhancements including laminated glass, public  
 4.13 announcement systems, emergency communications devices, and equipment and facility  
 4.14 modifications related to violence prevention and facility security;

4.15 (8) to pay for costs associated with improving the school climate; ~~or~~

4.16 (9) to pay costs for collocating and collaborating with mental health professionals who  
 4.17 are not district employees or contractors;

4.18 (10) to pay for the costs associated with training a school resource officer; or

4.19 (11) to pay for costs associated with the threat assessment policy under section 121A.07.

4.20 (b) For expenditures under paragraph (a), clause (1), the district must initially attempt  
 4.21 to contract for services to be provided by peace officers or sheriffs with the police department  
 4.22 of each city or the sheriff's department of the county within the district containing the school  
 4.23 receiving the services. If a local police department or a county sheriff's department does  
 4.24 not wish to provide the necessary services, the district may contract for these services with  
 4.25 any other police or sheriff's department located entirely or partially within the school district's  
 4.26 boundaries.

4.27 (c) A school district that is a member of an intermediate school district may include in  
 4.28 its authority under this section the costs associated with safe schools activities authorized  
 4.29 under paragraph (a) for intermediate school district programs. This authority must not exceed  
 4.30 ~~\$15~~ \$18 times the adjusted pupil units of the member districts. This authority is in addition  
 4.31 to any other authority authorized under this section. Revenue raised under this paragraph  
 4.32 must be transferred to the intermediate school district.

5.1 Sec. 4. APPROPRIATIONS.

5.2 Subdivision 1. Department of Education. The sums indicated in this section are  
5.3 appropriated from the general fund to the Department of Education for the fiscal years  
5.4 designated.

5.5 Subd. 2. School resource officer report. (a) For the costs associated with school resource  
5.6 officer reporting requirements under Minnesota Statutes, section 121A.275, subdivision 5:

5.7 \$ ..... .. 2021

5.8 (b) The base for fiscal year 2022 and later is \$.....

5.9 Subd. 3. Minnesota School Safety Center. (a) For a grant to the Minnesota School  
5.10 Safety Center to develop a model threat assessment policy:

5.11 \$ ..... .. 2021

5.12 (b) The model policy must be based on the United States Secret Service's National Threat  
5.13 Assessment Center's recommendations found in the operational guide titled "Enhancing  
5.14 School Safety Using a Threat Assessment Model."

5.15 (c) The base for fiscal year 2022 and later is \$.....