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S.76

Introduced by Senators Terenzini, Benning, Brock, Collamore, Ingalls, Parent  
and Starr

Referred to Committee on

Date:

Subject: Education; school resource officers; grant funding

Statement of purpose of bill as introduced: This bill proposes to expand the  
use of school resource officers by providing grant funding for schools to retain  
them.

An act relating to the expansion of, and grant funding for, school resource  
officers in Vermont schools

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

(a) The rural nature of Vermont’s communities could result in relatively  
slow response times for law enforcement when responding to life threatening  
incidents in schools. During a life-threatening incident in a school, the safety  
of children and staff is imperative and schools without a school resource  
officer (SRO) on-site are at a severe disadvantage in responding in a timely  
manner.

1       (b) Having SROs in schools can lead to trust and relationship building with  
2       students and staff. According to findings issued by the University of  
3       Virginia’s Curry School of Education and Human Development, the Virginia  
4       Secondary School Climate Survey conducted in the winter of 2020 asked high  
5       school staff how often they spoke with their SRO and whether their SRO  
6       makes them feel safer at school and makes a positive contribution to their  
7       school. A statewide sample of 15,707 staff in 299 high schools reported  
8       speaking with their SROs: every day (18 percent), about weekly (30 percent),  
9       once or twice a semester (37 percent), or never (15 percent). Most staff agreed  
10       (somewhat to strongly agree) that the SRO makes them feel safer at school  
11       (85 percent) and makes a positive contribution to the school (90 percent).

12       (c) There are numerous documented incidents where an SRO stopped a  
13       mass tragedy while on site. For example, television station WDRB reported on  
14       April 18, 2019 that an SRO arrested an 18-year-old male student who was  
15       allegedly walking toward the school while armed with a loaded revolver in his  
16       front pocket and a full, 50-round box of ammunition. The television station  
17       reported that the school had suspended the student the previous week after  
18       making a veiled threat of gun violence. Television station KMOV4 reported  
19       on April 4, 2019 that, while armed with a loaded handgun, a 17-year-old male  
20       student allegedly made verbal threats in the presence of an SRO to “shoot up”  
21       the school. The suspect allegedly spoke the threats while the SRO was

1 intervening in a fight in which the suspect was involved. The SRO  
2 subsequently discovered the weapon in the suspect's backpack.

3 (d) A first layer of defense in a school is added when an SRO is onsite  
4 during a serious incident. According to a report entitled "Ten Essential  
5 Actions to Improve School Safety" issued by the COPS Office's School Safety  
6 Working Group to the U.S. Attorney General in 2020 (report), school resource  
7 officers "may have a profound impact on the school's ability to prevent  
8 targeted violence and other maladaptive behaviors." The report includes  
9 school-based law enforcement as part of the Working Group's ten essential  
10 recommendations for the physical and emotional safety of schools.

11 (e) While the report suggests that every SRO, whether a law enforcement  
12 officer or an individual who is privately hired, receives ongoing training, it  
13 specifically recommends 40 hours of specialized training at a minimum in  
14 areas including implicit bias, de-escalation, trauma-informed investigations,  
15 adolescent development, crisis intervention, and active shooter situations.

16 Sec. 2. 16 V.S.A. § 1167 is amended to read:

17 § 1167. SCHOOL RESOURCE OFFICER OFFICERS; MEMORANDUM  
18 OF UNDERSTANDING

19 ~~(a) Neither the State Board nor the Agency shall regulate the use of restraint~~  
20 ~~and seclusion on school property by a school resource officer certified pursuant~~  
21 ~~to 20 V.S.A. § 2358.~~

1       ~~(b) School boards and law enforcement agencies are encouraged to enter~~  
2       ~~into memoranda of understanding relating to:~~

3             ~~(1) the possession and use of weapons and devices by a school resource~~  
4       ~~officer on school property; and~~

5             ~~(2) the nature and scope of assistance that a school resource officer will~~  
6       ~~provide to the school system.~~

7       (a) School Resource Officers encouraged. School districts, or supervisory  
8       unions on behalf of their member school districts, are encouraged to contract  
9       for the services of one or more school resource officers (SRO), as defined  
10       under 34 U.S.C. § 10389, whose primary responsibility is to protect and  
11       preserve the lives and property of the students and staff, not to serve as a  
12       disciplinarian in the school. An SRO may assist with drug and alcohol  
13       prevention and anti-cyber bullying training.

14       (b) Retention of SROs.

15             (1) A school district, or a supervisory union on behalf of its member  
16       school districts, may retain and pay for an SRO on its own, or may retain and  
17       pay for an SRO jointly with a State or local law enforcement agency or unit  
18       where funding for the position comes in part from the State or municipal  
19       budget that supports the law enforcement agency or unit.

20             (2) An individual serving as an SRO shall have a minimum of three  
21       years of law enforcement experience with no infractions for excessive use of

1 force or other acts of misconduct noted on the individual's law enforcement  
2 personnel file.

3 (3) If the SRO is to be retained jointly by a school district or supervisory  
4 union, on the one hand, and a State or local law enforcement agency or unit, on  
5 the other hand, the parties shall:

6 (A) enter into a memorandum of understanding relating to:

7 (i) the possession and use of weapons and law enforcement  
8 devices by the SRO on school property;

9 (ii) the nature and scope of assistance that the SRO will provide to  
10 the school district or supervisory union;

11 (iii) the position or positions to whom the SRO reports and is  
12 accountable; and

13 (iv) the allocation between the school district or supervisory  
14 union, on the one hand, and a State or local law enforcement agency or unit, on  
15 the other hand, of responsibility for the salary and benefits of the SRO; and

16 (B) jointly interview and agree to the retention of the SRO.

17 (c) Training. Each SRO shall participate annually in not less than 40 hours  
18 of specialized training in implicit bias, de-escalation, trauma-informed  
19 investigations, adolescent development, crisis intervention, and active shooter  
20 situations.



1 funding is designed to encourage school districts and supervisory unions that  
2 have not previously retained an SRO to retain one or more SROs and shall be  
3 used to pay the salary and benefits of SROs who are first retained by a school  
4 district or supervisory union on or after July 1, 2021.

5 (b) School districts and supervisory unions shall submit applications for  
6 this grant funding to the Agency of Education in a form developed by the  
7 Agency for this purpose on or before each of July 31, 2021, 2022, 2023, and  
8 2024. If the applications for grant funding in any year exceeds the funds  
9 appropriated for this purpose for that year, the Agency shall prorate the grant  
10 awards.

11 Sec. 5. APPROPRIATION FOR SCHOOL RESOURCE OFFICER GRANTS

12 There is appropriated to the Agency of Education from the General Fund  
13 for fiscal year 2022 the amount of \$1,000,000.00 for school resource officer  
14 grants under Sec. 4 of this act.

15 Sec. 6. AGENCY OF EDUCATION; ANNUAL BUDGET REQUEST

16 The Agency of Education shall, in its annual budget request for each of  
17 fiscal years 2023, 2024, and 2025 to the General Assembly, include the amount  
18 of \$1,000,000.00 for school resource officer grants under Sec. 4 of this act.

1       Sec. 7. TRANSITION

2           School district and supervisory unions that are not in compliance with  
3           16 V.S.A. § 1167 as amended by this act have until December 31, 2021 to  
4           come into compliance.

5       Sec. 8. EFFECTIVE DATE

6           This act shall take effect on passage.