

HOUSE No. 338

The Commonwealth of Massachusetts

PRESENTED BY:

Claire D. Cronin and Thomas P. Kennedy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to positive outcomes and relations for students.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>
<i>Thomas P. Kennedy</i>	<i>Second Plymouth and Bristol</i>
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>

<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>

HOUSE No. 338

By Representative Cronin of Easton and Senator Kennedy, a joint petition (accompanied by bill, House, No. 338) of Claire D. Cronin and others relative to student safety . Education.

The Commonwealth of Massachusetts

—————
In the One Hundred and Eighty-Ninth General Court
(2015-2016)
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An Act relative to positive outcomes and relations for students.

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. Chapter 71 of the General Laws, as amended by section 11 of chapter 284
2 of the acts of 2014, is hereby amended by striking subsection (b) in its entirety, and inserting in
3 place thereof the following:-

4 (b) (1) Every chief of police, in consultation with the superintendent and subject to
5 appropriation, shall assign at least 1 school resource officer to serve the city, town,
6 commonwealth charter school, regional school district or county agricultural school. In the case
7 of a regional school district, commonwealth charter school or county agricultural school, the
8 chief of police of the city or town where the school is located, in consultation with the
9 superintendent, shall assign the school resource officer, which may be the same officer for all
10 schools in the city or town.

11 (2) In assigning a school resource officer, the chief of police must choose a candidate that
12 the chief believes would strive to foster an optimal learning environment and educational
13 community; provided further, that the chief of police must give preference to candidates who

14 have received specialized training in (i) child and adolescent development; (ii) de-escalation and
15 conflict resolution techniques with children and adolescents; (iii) behavioral health disorders in
16 children and adolescents; and (iv) alternatives to arrest and other juvenile justice diversion
17 strategies and behavioral threat assessment methods. The appointment shall not be based solely
18 on seniority. The performance of school resource officers shall be reviewed annually by the
19 superintendent and the chief of police.

20 (3) The superintendent and the chief of police shall enter into a written memorandum of
21 understanding to clearly define the role and duties of the school resource officer which shall be
22 placed on file in the office of the school superintendent. Memorandum of understanding written
23 under this section shall be reviewed biannually by the Department of Elementary and Secondary
24 Education. The memorandum of understanding shall include, at minimum, the following: (i) a
25 mission statement outlining the overarching purpose of the school resource officer program
26 which shall be one of positive collaboration, communication, and ongoing evaluation; (ii) the
27 goals and objectives of the school resource officer program, which should be informed by a
28 needs assessment to identify the issues impacting school safety; (iii) the role and responsibilities
29 of the school resource officer, within the larger context of the educational mission and the school
30 resource officer's role related to discipline, teaching, crisis situations, and truancy; (iv) the level
31 and type of commitment from partners, including allocations of funding and resources; (v) the
32 governance structure which shall include the leadership team, the chain of command, the
33 decision-making process, the lines of communications across state agencies, and school resource
34 officer supervision and accountability; (vi) the process for selecting school resource officers;
35 (vii) the minimum training requirements for school resource officers; (viii) the process by which
36 partners will gather and share information; (ix) the process by which a school resource officer

37 program will be evaluated for success; (x) a discussion of students' rights related to a safe and
38 positive school environment, police search and seizure, and use of force; (xi) the mechanisms
39 that will be used to incorporate the school resource officer into the school environment and
40 existing school-based prevention and promotion efforts; (xii) a process, created by the
41 Department of Elementary and Secondary Education, for the collection and public sharing of
42 data related to school resource officer programming, including numbers of school resource
43 officers and law enforcement interventions, and outlining plans to openly and appropriately share
44 information about arrests, police use of force, and school wide disciplinary actions by school
45 resource officers with school staff and parents.

46 (4) The superintendent and the chief of police shall establish standard operating
47 procedures to provide detailed guidance to school resource officers about daily operations, policy
48 and procedures. Standard operating procedures may be included in the memorandum of
49 understanding. Said procedures shall include, at minimum, the following: (i) a delineation of
50 which offenses require a legal referral versus the use of traditional school discipline procedures,
51 including behaviors that may not fall neatly into the categories of criminal offense or school
52 discipline; (ii) the limitation of arrests for public order offenses to ensure that discipline remains
53 the responsibility of school staff; (iii) a delineation of whom the officer reports to, how the
54 administrator and the officer will collaborate to address incidents, and what the procedure is
55 when there is a disagreement between the administrator and the school resource officer; (iv)
56 when arrest or restraint of students or the taking of students into custody is appropriate,
57 recognizing that these are actions of last resort to deal with offenses that cannot be handled
58 through traditional school procedures; (v) procedures for arresting students, including whom
59 should be consulted and when and where arrest should take place; (vi) procedures for calling in

60 patrol officers to arrest students to protect the relationship between the school resource officer
61 and the student body; (vii) when the school resource officer will speak with school staff and law
62 enforcement offices to discuss issues, including at-risk students and ongoing investigations; (viii)
63 what school meetings the school resource officer should attend; (ix) how school resource officers
64 will be integrated into educational teams to help the school resource officer adapt to the school
65 culture and improve understanding of school resources, referral options, and information sharing;
66 (x) an outline of school resource uniform requirements, including law enforcement attire, a
67 utility belt, and a service weapon, which should be concealed unless safety permits otherwise,
68 recognizing that in some communities traditional police uniforms may create disruptions or
69 mistrust among the student population and school resource officer uniforms can vary based on
70 community needs and the requirements of the law enforcement agency; (xi) and an outline of
71 when and how a school resource officer can search and question students and whether
72 administrators and parents need to be alerted prior to the search.

73 (5) A school resource officer must receive initial and regular trainings. At minimum,
74 training should include instruction on: (i) teaching, mentoring, and counseling students; (ii)
75 working collaboratively with administrators and staff; (iii) managing time in a school
76 environment; (iv) adhering to juvenile justice and privacy laws; (v) mental illness and mental
77 health problems to better recognize the signs of emotional disturbance and intervene in mental
78 health crisis; (vi) adolescent physical and social development and developmentally appropriate
79 communication so that the school resource officer can better respond to youth misbehavior; (vii)
80 how to implement controlled responses to promote fair and impartial reactions to misbehavior
81 and offenses; (viii) how to recognize and respond to the causes and implications of trauma so
82 that officers can intervene more effectively when signs of trauma appear; (ix) de-escalation

83 techniques; (x) school-specific topics like bullying prevention, positive school discipline,
84 substance abuse, truancy, dropout prevention, and school crisis planning; and (xi) cultural
85 competence to prepare officers to communicate and tailor interventions based on an
86 understanding of student and staff cultures.