

1                   **SCHOOL RESOURCE OFFICERS AND SCHOOL**  
2                   **ADMINISTRATORS TRAINING AND AGREEMENT**

3                                   2016 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Chief Sponsor: Sandra Hollins**

6                                   Senate Sponsor: Daniel W. Thatcher

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7  
8 **LONG TITLE**

9 **General Description:**

10                   This bill enacts provisions regarding a law enforcement officer who provides police  
11 services to a public school.

12 **Highlighted Provisions:**

13                   This bill:

14                   ▶ defines terms;

15                   ▶ enacts provisions that require:

16                   • the State Board of Education to create a certain training program relating to a  
17 law enforcement officer who provides police services to a public school; and

18                   • a contract for a law enforcement officer to provide police services to a public  
19 school to contain certain provisions; and

20                   ▶ gives rulemaking authority.

21 **Money Appropriated in this Bill:**

22                   None

23 **Other Special Clauses:**

24                   None

25 **Utah Code Sections Affected:**

26 ENACTS:

27                   **53A-11-1601**, Utah Code Annotated 1953



- 28 [53A-11-1602](#), Utah Code Annotated 1953
- 29 [53A-11-1603](#), Utah Code Annotated 1953
- 30 [53A-11-1604](#), Utah Code Annotated 1953



32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section **53A-11-1601** is enacted to read:

34 **Part 16. School Resource Officers**

35 **53A-11-1601. Title.**

36 This part is known as "School Resource Officers."

37 Section 2. Section **53A-11-1602** is enacted to read:

38 **53A-11-1602. Definitions.**

39 As used in this section:

40 (1) "Governing authority" means:

- 41 (a) for a school district, the local school board;
- 42 (b) for a charter school, the governing board; or
- 43 (c) for the Utah Schools for the Deaf and the Blind, the State Board of Education.

44 (2) "Law enforcement agency" means the same as that term is defined in Section  
45 [53-1-102](#).

46 (3) "Local education agency" or "LEA" means:

- 47 (a) a school district;
- 48 (b) a charter school; or
- 49 (c) the Utah Schools for the Deaf and the Blind.

50 (4) "School resource officer" or "SRO" means a law enforcement officer, as defined in  
51 Section [53-13-103](#), who contracts with or whose law enforcement agency contracts with an  
52 LEA to provide law enforcement services for the LEA.

53 Section 3. Section **53A-11-1603** is enacted to read:

54 **53A-11-1603. School resource officer training -- Curriculum.**

55 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
56 State Board of Education shall make rules that prepare and make available a training program  
57 for school principals and school resource officers to attend.

58 (2) To create the curriculum and materials for the training program described in

59 Subsection (1), the State Board of Education shall:

60 (a) work in conjunction with the State Commission on Criminal and Juvenile Justice  
 61 created in Section [63M-7-201](#);

62 (b) solicit input from local school boards, charter school governing boards, and the  
 63 Utah Schools for the Deaf and the Blind;

64 (c) solicit input from local law enforcement and other interested community  
 65 stakeholders; and

66 (d) ~~follow~~ consider ~~the~~ the current United States Department of Education  
 66a recommendations on  
 67 school discipline and the role of a school resource officer.

68 (3) The training program described in Subsection (1) may include training on the  
 69 following:

70 (a) childhood and adolescent development;

71 (b) responding age-appropriately to students;

72 (c) working with disabled students;

73 (d) techniques to de-escalate and resolve conflict;

74 (e) cultural awareness;

75 (f) restorative justice practices;

76 (g) identifying a student exposed to violence or trauma and referring the student to  
 77 appropriate resources;

78 (h) student privacy rights;

79 (i) negative consequences associated with youth involvement in the juvenile and  
 80 criminal justice systems;

81 (j) strategies to reduce juvenile justice involvement; and

82 (k) roles of and distinctions between a school resource officer and other school staff  
 83 who help keep a school secure.

84 Section 4. Section **53A-11-1604** is enacted to read:

85 **53A-11-1604. Contracts between an LEA and law enforcement for school**  
 86 **resource officer services -- Requirements.**

87 (1) An LEA may contract with a law enforcement agency or an individual to provide  
 88 school resource officer services at the LEA if the LEA's governing authority reviews and  
 89 approves the contract.

90 (2) If an LEA contracts with a law enforcement agency or an individual to provide  
 91 SRO services at the LEA, the LEA's governing authority shall require in the contract:

92 (a) an acknowledgment by the law enforcement agency or the individual that an SRO  
 93 hired under the contract shall:

94 (i) provide for and maintain a safe, healthy, and productive learning environment in a  
 95 school;

96 (ii) act as a positive role model to students;

97 (iii) work to create a cooperative, proactive, and problem-solving partnership between  
 98 law enforcement and the LEA; ~~and~~

99 (iv) emphasize the use of restorative approaches to address negative behavior; ~~and~~

99a **(v) at the request of the LEA, teach a vocational law enforcement class;**

100 (b) a description of the shared understanding of the LEA and the law enforcement  
 101 agency or individual regarding the roles and responsibilities of law enforcement and the LEA  
 102 to:

103 (i) maintain safe schools;

104 (ii) improve school climate; and

105 (iii) support educational opportunities for students;

106 ~~**(c) provisions that prohibit an SRO from using formal law enforcement intervention,**~~  
 107 ~~**absent a real and immediate threat at the school;**~~

107a **(c) a designation of student offenses that the SRO shall confer with the LEA to resolve,**  
 107b **including an offense that:**

107c **(i) is a minor violation of the law; and**

107d **(ii) would not violate the law if the offense was committed by an adult;**

108 (d) a designation of ~~student~~ offenses that are administrative issues that an SRO  
 108a shall refer to a

109 school administrator for resolution;

110 (e) a detailed description of the rights of a student under state and federal law with  
 111 regard to:

112 (i) searches;

113 (ii) questioning; and

114 (iii) information privacy;

115 (f) a detailed description of:

116 (i) job duties;

117 (ii) training requirements; and

118 (iii) other expectations of the SRO and school administration in relation to law  
 119 enforcement at the LEA;

120 (g) that an SRO who is hired under the contract and the principal at the school where

121 an SRO will be working, or the principal's designee, will jointly complete the SRO training  
122 described in Section [53A-11-1603](#); and  
123 (h) if the contract is between an LEA and a law enforcement agency, that:  
124 (i) both parties agree to jointly discuss SRO applicants; and  
125 (ii) the law enforcement agency will accept feedback from an LEA about an SRO's  
126 performance.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**