

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

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 the current United States Department of Education 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;
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;
108 (d) a designation of offenses that are administrative issues that an SRO 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.

Legislative Review Note
Office of Legislative Research and General Counsel