

EDUCATION

Resolution EDU-19-14

A RESOLUTION ON SCHOOL RESOURCE OFFICER

WHEREAS, according to the National Center for Education Statistics in the 2015-16 school year, Black students were 15 percent of the school population nationwide, yet the U.S. Department of Education reported that Black children accounted for 31 percent of the students referred to law enforcement or arrested;

WHEREAS, in 28 states, the share of arrested students who are black is at least 10 percentage points higher than their share of enrollment. In 10 of those states, that gap is at least 20 percentage points;

WHEREAS, the overwhelming majority of these arrests are for relatively minor issues such as misbehavior, arguments or theft;

WHEREAS, school shootings such as the February 2018 one occurring in Parkland, FL, have intensified calls from parents for more SROs, but not an equivalent amount of transparency, accountability, and clear definition of their duties;

WHEREAS, only 12 states require specialized training for SROs, according to a 2015 study by the American Institutes for Research;

WHEREAS, many of our children aren't afforded the appropriate support needed to overcome the challenges posed by poverty;

WHEREAS, analysis of the 2013-14 civil rights data by the U.S. Department of Education, Office of Civil Rights found that 1.6 million students attended schools with police presence but with no school counselors and that these students were more likely to be Hispanic or Black;

WHEREAS, many school districts allow SRO's to switch from being law enforcement officers to administrators; this intentionally ambiguous policy allows officers to conduct activities such as searches and seizures, stop and frisk, or interrogations as administrators that would otherwise be prohibited as officers, and then use evidence collected to instigate criminal proceedings, potentially creates constitutional violations that the average child would not be aware of or have the wherewithal to defend against; and

EDUCATION

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WHEREAS, most SRO policies do not empower parents to intervene on their children's behalf to protect against self-incrimination or unwarranted searches and more needs to be done to ensure that parents know what SROs are doing on a regular basis, and parents deserve the right to intervene prior to their children being questioned in relation to an alleged crime.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) should remind local school boards that their primary responsibility of educating the children must reside with the teachers and the principals in the school and in the school system;

BE IT FURTHER RESOLVED, that the NBCSL remind local school boards that the primary disciplinary responsibilities for the students, where needed, must reside with the teachers and principal in the school and the school system;

BE IT FURTHER RESOLVED, that the NBCSL call for a standardized SRO policy and procedure manual describing SRO's duties and that distinguishes them from those of school administrators is developed for nationwide use and that the SRO's duties are included with the student code of conduct and the disciplinary matrix;

BE IT FURTHER RESOLVED, that the NBCSL will urge its members to collect data, aggregated by race, gender, and type of offense, that includes all student offenses and actions charged by SROs and call for that data to be released and monitored, to ensure the safety of all students in said school;

BE IT FURTHER RESOLVED, that the NBCSL will use data from the U. S. Department of Education, Office of Civil Rights data collections to educate communities about racial disparities in school-based arrests and will advocate for local school districts, state legislators, courts, and local law enforcement agencies to eliminate racial disparities in school-based arrests;

BE IT FURTHER RESOLVED, that the NBCSL members will advocate for legislation or other appropriate action that prohibits SROs from engaging in racial profiling and 'stop and frisk' policies;

BE IT FURTHER RESOLVED, that the NBCSL will advocate for legislation or other appropriate action to mandate that all SROs must have specific yearly training in child development, de-escalation techniques, mental and physical limitations, trauma, and recognizing and addressing implicit bias and cultural competencies;

EDUCATION

Resolution EDU-19-14

BE IT FURTHER RESOLVED, that the NBCSL will advocate for SRO policies to empower parents or the responsible adult for the child to intervene on the child's behalf before the child is questioned or legally detained; and

BE IT FINALLY RESOLVED, that the NBCSL send a copy of this resolution to the President of the United States, the Vice President of the United States, members of Congress, and other federal and state government officials as appropriate.

SPONSOR: Representative Brenda Gilmore (TN)

Committee of Jurisdiction: Education Policy Committee

Certified by Committee Chair(s): Assemblymember Shirley Weber (CA) and Representative Harold Love (TN)

Ratified in Plenary Session: Ratification Date is November 30, 2018

Ratification is certified by: Representative Gregory W. Porter (IN), President