

## **Officers in Schools: A Snapshot of Legislative Action**

There is a long history of sworn police officers being assigned to specified public schools to help with such activities as crime prevention, mentoring, addressing crime and disorder, and critical incident or disaster planning. Schools may have municipal or county school resource officers (SROs) assigned to their campuses. They may also have school police officers from school districts' own police agencies on campus. Following high-profile school-focused tragedies, there has been increased attention on the hiring of officers as part of school safety and security plans. Some schools also have non-sworn security personnel that may patrol schools alone or in combination with these school-based officers.

In 2013, at least 29 states introduced more than 90 bills related to SROs and other school police. As of September 2013, at least 17 of these bills were enacted in state legislatures:

1. Alabama SB 383 authorizes SROs if they are qualified to carry a deadly weapon while on duty.
2. Alabama HB 600 allows retired law enforcement officers to serve as part-time SROs.
3. Arkansas SB 140 provides for training for law enforcement officers in preventing and responding to acts of school violence, terrorism, and natural disaster.
4. Arkansas SB 7777 clarifies that limits on the number of auxiliary law enforcement officers do not apply to SROs.
5. Colorado SB 138 defines SROs and requires the School Safety Center to provide training suggestions.
6. Connecticut SB 972 provides for training of SROs regarding children's mental, social, emotional and behavioral health needs.
7. Connecticut SB 1099 requires that school security personnel be law enforcement or retired law enforcement officers.
8. Indiana SB 1 defines SROs, provides funding, and requires training for SROs.
9. Missouri HB 152 provides that the Missouri training center for the DARE program must develop the curriculum and certification requirements for SROs, including legal operations within an educational environment, intruder training and response planning, juvenile law, and any other relevant topics relating to the job and functions of a SRO.
10. Mississippi SB 2659 establishes a grant program to assist law enforcement agencies in providing additional SROs to engage in community policing in and around primary and secondary schools.
11. North Carolina SB 402 allows the sheriff to create a volunteer school safety resource

*This research and compilation of state statutes was completed by the National Conference of State Legislatures, including background discussions with state legislative staff. This summary provides a snapshot of legislation passed in 2013 as well as previous statutes that relate to police officers in schools. It only includes an examination of education statutes and any cross-referenced statutes. It does not otherwise include reviews of statutes found in the criminal code. Special thanks to Lauren Heintz who conducted this review.*

officer program for public schools.

12. North Carolina HB 491 directs the Lee County Sheriff to provide SROs to the county schools.
13. Pennsylvania SB 10 authorizes school safety grants that may be used for the training and compensation of SROs.
14. Rhode Island SB 801 requires that school safety officers be adequately trained.
15. Tennessee HB 6 provides that the cost of SROs is a law enforcement responsibility.
16. Texas HB 1009 creates a new category of law enforcement officer called a “school marshal” and provides for training. School marshals must be employees of the school district or charter school and appointed by the governing board to act as school security.  
  
School marshals may make arrests and exercise all authority given to peace officers. They act to prevent offenses that threaten serious injury of students, faculty, or visitors on school premises. They may not issue traffic citations. They may not carry a concealed handgun but can have it on school grounds in a locked and secure safe.
17. Virginia HB 1500 authorizes an appropriation combined with federal funds for the School Resource Officer Incentive Grants.

### **50-State Legislative Scan of School Officer-Related Legislation**

In current state statutes, eight states provided some kind of state-level funding available for SROs or other school-based police, including grant programs and available matching funds. Four states had county-specific funding mechanisms provided for in statute, such as tax levies, county general funds, and various permit fees. The majority of states leave the funding of school-based police to the individual school districts.

As of September 2013, 29 states have existing statutes that require SROs or school police to be sworn peace officers or certified law enforcement officers.<sup>1</sup> Six states have a statewide school safety center that offers additional school safety training to law enforcement officers working in schools.

Five states have specific requirements for setting up a school district-run police agency in state statutes, such as specific contracts or memorandums of understanding and jurisdiction agreements.<sup>2</sup>

States that lack statutory language regarding SROs and school police may have state regulations that provide such information or may leave further regulation to the discretion of district and local entities.

Below are summaries of each state’s current statutes related to SROs and school police.<sup>3</sup>

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<sup>1</sup> The 29 states are AL, AZ, AR, CA, CO, CT, FL, GA, IN, KY, LA, MD, MI, MN, MS, MO, NV, NJ, NY, NC, ND, OR, PA, SC, TN, TX, UT, VT, VA.

<sup>2</sup> The five states are AZ, CA, IN, MI, and OK.

<sup>3</sup> The state data does not include truancy or attendance officers. Further information about these kinds of law enforcement in school can be found in other parts of state statute.

## **Alabama**

Alabama provides that the local boards of education have the authority to employ school security personnel or to contract with a local chief of police or sheriff to employ SROs. SROs in Alabama must be certified by the Alabama Peace Officers' Standards and Training (POST) Commission as law enforcement officers in good standing, as well as be certified in active shooter training, firearm qualifications, and the carrying and proper usage of a non-lethal weapon. Additional statutory provisions related to SROs only apply to specific counties and include funding mechanisms and allow for the use of retired officers to serve as part-time SROs.

- ALA. CODE § 16-1-44.1 (2013): A local board of education may employ persons as school security personnel or contract with a local chief of police or sheriff to employ [SROs]. [SROs must be certified by the Alabama Peace Officers' Standards and Training Commission and must further have good standing and successful completion of active shooter training. They must also pass, annually, a firearm requalification, as well as carry a non-lethal weapon and be trained in the use of such weapon.]
- ALA. CODE § 45-28-100.02 (2013): [Applies to Etowah County and allows a person who retired from the position of municipal police officer, deputy sheriff, or other position that required certification by the Alabama Peace Officers' Standards and Training Commission, and who retired in good standing, to be employed as a part-time SRO.]
- ALA. CODE § 45-28-232 (2013): [Fees collected for pistol-carrying permits in Etowah County shall go into the Sheriff's Law Enforcement Fund to fund the sheriff's SRO or school safety program.]
- ALA. CODE § 45-31-241.01 (2013): [Allows for a tax levy in Geneva County to fund SROs.]
- ALA. CODE § 45-5-244 (2013): [Allows tobacco tax monies in the General Fund of Blount County to assist in the funding of the SRO program.]

## **Alaska**

Alaska provides that local law enforcement may assist with the training and control of school safety patrols.

- ALASKA STAT. § 14.33.050 (2013): The state troopers or the police department of a political subdivision of the state may, upon request by the department, a school board, or a private or denominational school, assist in the training and control of safety patrols.

## **Arizona**

Arizona requires that the state department of education work with county and local officials to assign peace officers to work with the safe schools program in each school in the county, and that the cost of these peace officers be funded through the department of education. Additional school safety program grants provided by the education department may fund SROs. Arizona also requires that if a school or school district enters into a contract with a law enforcement agency under this program, it must include a dispute resolution process in its service agreement.

- ARIZ. REV. STAT. § 15-153.01 (LexisNexis 2013): Beginning in the 2012-2013 school year, the school safety program oversight committee . . . shall include in the school safety program guidance manual a requirement that a dispute resolution process be included in the service agreement between a school district or charter school that received a grant from the school safety program and the law enforcement agency providing services to the school district or charter school.
- ARIZ. REV. STAT. § 15-154 (LexisNexis 2013): [Allows money from the department of education to go to districts' school safety program, which may include SROs.]
- ARIZ. REV. STAT. § 15-155 (LexisNexis 2013): The department of education shall cooperate with the county school superintendent, the county sheriff and the local chief of police to permit a law enforcement agency, with the consent of the school, to assign a peace officer or a full authority Arizona peace officer standards and training board certified reserve peace officer to participate in the safe schools program in each school in the county. The cost of the peace officer is a state charge that is funded by the department of education.

### **Arkansas**

Arkansas provides that law enforcement agencies do not need to limit the number of officers they appoint as SROs and allows the Director of Arkansas State Police to create and conduct a training school for police officers. The General Assembly also recognizes the role law enforcement can play in ensuring school safety.

- ARK. CODE ANN. § 12-8-119 (2013): The Director of the Department of Arkansas State Police may establish, maintain, and conduct a police training school . . . [for] school police officers and judicial officers of the various political subdivisions [in Arkansas].
- ARK. CODE ANN. § 12-9-306 (2013): [Provides for limitations on the amount of auxiliary law enforcement officers allowed to be appointed by a law enforcement agency does not apply to law enforcement officers appointed by political subdivisions to serve as SROs.]
- ARK. CODE ANN. § 12-9-501 (2013): [The General Assembly recognizes the role law enforcement can play in school safety through the prevention and response to violence, terrorism, and natural disasters.]

### **California**

California provides for a school-law enforcement partnership to administer school safety programs. State funds are appropriated in state statute for school safety and may be used for school peace officers and for the establishment of school and local law enforcement partnerships. The governing board of a school district may establish a school police reserve officer corps of trained officers, a security department, and/or a school police department. The governing board must establish standards for the officers, with a minimum requirement of completion of a peace officer training course by the Commission on Peace Officer Standards and Training and appropriate training if the officer carries a firearm. Funding for such officers may also be provided by a school district's general fund. State statute further provides for a pilot grant program for two school districts to bring law enforcement officers on school campuses to work with students around school safety.

- CAL. EDUC. CODE § 32262 (Deering 2014): [Establishes the School/Law Enforcement Partnership, composed of the Superintendent of Public Instruction and the Attorney General to provide the administration of safe school programs and all training, procedures, and activities as well as the development of programs and policies.]
- CAL. EDUC. CODE § 32228.1 (Deering 2014): [Appropriates state funds to school districts to fund school safety including law enforcement personnel who are trained and sworn peace officers, and establishes cooperative arrangements with local law enforcement agencies for appropriate school-community relationships.]
- CAL. EDUC. CODE § 35021.5(a) (Deering 2014): The governing board of a school district may establish a school police reserve officer corps to supplement a police department established pursuant to Section 38000. Any person deputized by a school district as a school police reserve officer shall complete the training prescribed by Section 832.2 of the Penal Code.
- CAL. EDUC. CODE § 38000 (Deering 2014): The governing board of a school district may establish a security department under the supervision of a chief of security . . . [and] the governing board of a school district may employ personnel to ensure the safety of school district personnel and pupils and the security of the property of the school district. . . . The governing board of a school district may establish a school police department under the supervision of a school chief of police and . . . may employ peace officers . . . . The governing board of a school district that establishes a security department or a police department shall set minimum qualifications of employment for the chief of security or school chief of police, respectively, including, but not limited to, prior employment as a peace officer or completion of a peace officer training course approved by the Commission on Peace Officer Standards and Training.
- CAL. EDUC. CODE §§ 38000-38001.5 (Deering 2014): [Persons employed and compensated as members of a police department of a school district, when appointed and duly sworn, are peace officers, for the purposes of carrying out their duties of employment. Every school security officer employed by a school district who works more than 20 hours a week as a school security officer shall complete a course of training developed no later than July 1, 1999, by the Bureau of Security and Investigative Services of the Department of Consumer Affairs in consultation with the Commission on Peace Officer Standards and Training. If any school security officer subject to the requirements of this subdivision is required to carry a firearm while performing his or her duties, that school security officer shall additionally satisfy the training requirements.]
- CAL. EDUC. CODE § 38002 (Deering 2014): [Funding transferred into the general fund of any school district may be made available for the training of persons employed and compensated as members of a police department of a school district, pursuant to the requirements or approval of the Commission on Peace Officer Standards and Training.]
- CAL. EDUC. CODE §§ 49350-49350.5 (Deering 2014): [Provides state funding assistance, strict participation guidelines and assessments for the Community Policing and Mentoring for School Safety Pilot Program to bring highly trained law enforcement officers onto school campuses to work with students during and after school. These two-

year grants are for ABC Unified School District and the Downey Unified School District and cannot be used for SROs.]

### **Colorado**

Colorado defines an SRO as a peace officer with specialized training to work with staff and students for school safety. The Peace Officers Standards and Training board will create a SRO training curriculum, and after 2015, each county sheriff and municipal law enforcement agency must employ at least one officer who has completed this curriculum. The state School Safety Resource Center will provide additional training suggestions. Additional statutes require SROs and school police must provide notification of arrests and summons or tickets issued.

- COLO. REV. STAT. § 22-32-109.1 (2013): [Defines SRO as] a peace officer . . . who has specialized training . . . to work with school staff and students and who is assigned to a public school or charter school for the purpose of creating a safe learning environment and responding to all-hazard threats that may impact the school.
- COLO. REV. STAT. § 24-31-312 (2013): On or before January 1, 2014, the [Peace Officers Standards and Training] board shall identify a [SRO] training curriculum to prepare peace officers. [Further, o]n and after January 1, 2015, each county sheriff and each municipal law enforcement agency of the state shall employ at least one peace officer who has successfully completed [this] training curriculum . . . .
- COLO. REV. STAT. § 24-33.5-1803 (2013): [The state School Safety Resource Center will provide suggestions for SRO training to the peace officers standards and training board.]
- COLO. REV. STAT. § 22-32-146 (2013): [Requires school on-site peace officers as SROs to provide to school principals within 24 hours any notifications of arrests and other notices (e.g., summons or tickets) issued.]

### **Connecticut**

Connecticut requires that boards of education employ either a police officer or retired police officer for school safety if the individual possesses a firearm. A retired officer is required to be a qualified law enforcement officer and must receive annual firearms training. State statute further provides for training for school security personnel through the Police Officer Standards and Training Council.

- CONN. GEN. STAT. § 7-294x (2013): The Police Officer Standards and Training Council . . . shall provide training to security personnel employed in the public schools by a local or regional board of education.
- S. 1099, 1st Sess. (Conn. 2013): [From July 1, 2013 onward,] no municipality or local or regional board of education may employ or enter into an agreement . . . with any person, other than a sworn member of an organized local police department or a retired police officer of . . . this section, to provide security services in a public school if such person will possess a firearm . . . while in the performance of his or her duties. . . . A municipality or a local or regional board of education may employ or enter into an agreement with a retired police officer to provide security services in a public school if such retired police officer is a qualified retired law enforcement officer . . . . Such retired

officer shall receive annual training . . . and shall successfully complete annual firearms training provided by a certified firearms instructor that meets or exceeds the standards of the Police Officer Standards and Training Council . . . .

### **Delaware**

Delaware does not have specific prescriptive language for SROs and school police as of September 2013.

### **Florida**

Florida authorizes district school boards to establish SRO programs through agreements with law enforcement agencies. SROs must be certified law enforcement officers that abide by district policy and maintain the power to make arrests for violations of law on school property. Salaries for these officers may be paid jointly by the law enforcement agency and the district school board. Florida has also appropriated state funds to school districts that may be used to hire SROs in 2013.

- FLA. STAT. § 1006.12 (LexisNexis 2013): District school boards may establish [SRO] programs, through a cooperative agreement with law enforcement agencies . . . . [SROs] shall be certified law enforcement officers . . . who are employed by a law enforcement agency . . . . SROs shall abide by district school board policies and shall consult with and coordinate activities through the school principal, but shall be responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a district school board and a law enforcement agency. . . . School safety officers shall be law enforcement officers . . . employed by either a law enforcement agency or by the district school board. . . . A district school board may commission one or more school safety officers [and if so must comply with appropriate provisions as the employment agency.] A school safety officer has and shall exercise the power to make arrests for violations of law on district school board property and to arrest persons, whether on or off such property, who violate any law on such property under the same conditions that deputy sheriffs are authorized to make arrests. A school safety officer has the authority to carry weapons when performing his or her official duties. . . . A school safety officer's salary may be paid jointly by the district school board and the law enforcement agency, as mutually agreed to.
- SB 1500: [The sum of \$64,456,019 is provided for Safe Schools activities and each district shall receive \$62,660. SROs can be funded through this appropriation.]

### **Georgia**

Georgia allows school security personnel to have the same law enforcement powers, including the power of arrest, as other law enforcement officers in the county or city, if they have completed training requirements for a peace officer, are certified by the Georgia Peace Officer Standards and Training Council, and meet other requirements.

- GA. CODE ANN. § 20-8-5 (2013): In each public school system in [Georgia], school security personnel employed by the board of education of a county or an independent board of education of a municipality . . . who are authorized by the board of education of

that county or the independent board of education of that municipality shall have the same law enforcement powers on school property, including the power of arrest, as law enforcement officers of that respective county or municipality.[These school security personnel must be certified by the Georgia Peace Officer Standards and Training Council as having met the qualifications and having completed the basic training requirements for a peace officer.]

## **Hawaii**

Hawaii does not have specific prescriptive language for SROs and school police as of September 2013.

## **Idaho**

Idaho provides for a general school safety loan and grant program, which may be used to fund SROs.

- IDAHO CODE ANN. § 33-1017 (2013): [Provides for the school safety and health revolving loan and grant fund for school districts that do not have the financial resources to abate unsafe or unhealthy conditions and which is eligible to seek additional funds. These funds may be used for SROs.]

## **Illinois**

Illinois does not have specific prescriptive language for SROs and school police as of September 2013.

## **Indiana**

Indiana permits the governing body of a school to establish a police department and requires these officers to complete a pre-basic training course as well as the minimum basic training and educational requirements adopted by the law enforcement training board. Officers may not make an arrest, conduct a search, or carry a firearm without this training. School corporations may also contract with SROs, defined to be individuals who have completed law enforcement officer training as well as at least 40 hours of certified SRO training. SRO contracts may be created between law enforcement agencies and school corporations or charter schools, and must state the nature of the scope of work. SROs must be able to exercise police powers, including the power of arrest, but must consult local law enforcement when developing school safety plans. State statute further provides that the safe schools fund may provide training to SROs regarding gang activity.

- IND. CODE ANN. § 10-21-1-2 (LexisNexis 2013): [Establishes a matching grant program funded by appropriations from the general assembly, grants from the Indiana safe schools fund, federal grants and any other public or private source-, in order to employ a SRO or enter into a contract or a memorandum of understanding with a local law enforcement agency to provide a SRO.]
- IND. CODE ANN. § 20-26-16-2 (LexisNexis 2013): [Permits the governing body of a school to establish a police department.]
- IND. CODE ANN. § 20-26-16-4 (LexisNexis 2013): [Requires individuals appointed as a school corporation police officer to successfully complete a pre-basic training course and



the minimum basic training and educational requirements adopted by the law enforcement training board necessary for law enforcement officers.]

- IND. CODE ANN. § 20-26-16-5 (LexisNexis 2013): [Specifies that an individual appointed as a school corporation police officer may not make an arrest, conduct a search or a seizure of a person or property, or carry a firearm unless they successfully complete a pre-basic training course.]
- IND. CODE ANN. § 20-26-18.2-1 (LexisNexis 2013): [Defines a SRO to be an individual that has successfully completed the minimum training requirements established for law enforcement officers, received at least forty hours of certified SRO training through the Indiana law enforcement training board, the National Association of School Resource Officers, or a certified SRO instructor. Training must include information on school campuses and school building security. School corporations or charter schools may enter into an engagement with SROs by a contract, or memorandum of understanding regarding SRO duties.]
- IND. CODE ANN. § 20-26-18.2-2 (LexisNexis 2013): [A SRO may be employed by school corporations or charter schools through a contract between a local law enforcement agency and the school through a memorandum of understanding, or a contract with an Indiana business that can provide certified and trained SROs. A contract or memorandum of understanding must state the nature and scope of the SROs responsibilities. A SRO shall consult with local law enforcement officials and first responders when assisting in the development of a school safety plan.]
- IND. CODE ANN. § 20-26-18.2-3 (LexisNexis 2013): [Allows a SRO to exercise other police powers with respect to the enforcement of Indiana laws, including the power of arrest. It also clarifies jurisdiction.]
- IND. CODE ANN. § 5-2-10.1-2 (LexisNexis 2013): [States that the Indiana Safe Schools Fund may provide educational outreach to school personnel and training to school safety specialists and SROs concerning gang activity.]

## **Iowa**

Iowa does not have specific prescriptive language for SROs and school police as of September 2013.

## **Kansas**

Kansas authorizes the board of education of any school district to employ campus police officers to assist and supplement local law enforcement.

- KAN. STAT. ANN. § 72-8222 (2012): [The board of education of any school district may employ school security officers and may designate them as campus police officers to aid and supplement law enforcement agencies in which the school district is located. School security officers shall be responsible for the property of the school district and the protection of students, teachers and other employees. Campus police officers shall have the power and authority of law enforcement officers within their jurisdiction. The board of education of each school district shall adopt a policy providing for notification of a

student's parents or guardians whenever the student is taken into custody by a campus police officer.

### **Kentucky**

Kentucky defines SROs to be sworn law enforcement officers with specialized training. A school district and a local law enforcement agency may create a contract to employ SROs. The state Center for School Safety must also provide additional school safety training for law enforcement.

- KY. REV. STAT. ANN. § 158.441 (LexisNexis 2013): [Defines a SRO as] a sworn law enforcement officer who has specialized training to work with youth at a school site. [SROs are] employed through a contract between a local law enforcement agency and a school district.
- KY. REV. STAT. ANN. § 158.442 (LexisNexis 2013): [The state Center for School Safety shall provide additional training for law enforcement and shall provide school safety grants to local school districts.]

### **Louisiana**

Louisiana allows any city, parish, or public school system to create an agreement with a local law enforcement agency to provide SROs who are certified by a nationally accredited SRO program or a state SRO training program certified by the Council on Peace Officer Standards and Training. The Council on Peace Officer Standards and Training must develop a school violence prevention training program with other state partners.

- LA. REV. STAT. ANN. § 17:416.19 (2013): Any city, parish, or other local public school system and any nonpublic school may make or enter into agreements with a local law enforcement agency to provide for [SROs].
- LA. REV. STAT. ANN. § 40:2404.1 (2013): The Council on Peace Officer Standards and Training shall develop and implement a School Violence Prevention Training Program . . . with the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, the office of state police, local law enforcement agencies, and the State Board of Elementary and Secondary Education.

### **Maine**

Maine does not have specific prescriptive language for SROs and school police as of September 2013.

### **Maryland**

Maryland defines an SRO as a law enforcement officer who has been assigned to a school through a memorandum of understanding between the chief of a law enforcement agency and a local education agency. The Maryland Center for School Safety must initiate collaborative partnerships between school systems and law enforcement. Maryland statute also specifically provides for a Baltimore City school police force, composed of school police officers trained through the Maryland Police Training Commission and the Civil Service Commission of Baltimore City.

- MD. CODE ANN., EDUC. § 4-318 (LexisNexis 2013): [Defines and outlines the powers of a Baltimore City school police officer as a person who is authorized by law to make arrests and who is a member of the Baltimore City School Police Force. Members shall be appointed by the Baltimore City Board of School Commissioners and the Commissioner may adopt further regulation. The Maryland Police Training Commission and the Civil Service Commission of Baltimore City shall adopt education and training standards as well as standards for the performance of duties for a Baltimore City school police officer.]
- MD. CODE ANN., EDUC. § 7-1502 (LexisNexis 2013): [The Maryland Center for School Safety shall initiate collaborative partnerships and facilitate coordination among school systems, law enforcement agencies, government, and community organizations to ensure equitable school safety.]
- MD. CODE ANN., EDUC. § 7-303 (LexisNexis 2013): [Specifies what offenses related to gang activity for which a student may be arrested by school security.]
- MD. CODE ANN., EDUC. § 26-102 (LexisNexis 2013): [Defines a SRO as a law enforcement officer who has been assigned to a school in accordance with a memorandum of understanding between the chief of a law enforcement agency and the local education agency. Authorizes SROs to deny access to school building or grounds under certain circumstances.]

### **Massachusetts**

Massachusetts does not have specific prescriptive language for SROs and school police as of September 2013.

### **Michigan**

Michigan authorizes the board and/or the chief executive officer of a school district that meet specific requirements to create a school law enforcement agency. The board or chief may grant the same powers, immunities, and authority to these officers as are granted to other peace and police officers.

- MICH. COMP. LAWS SERV. § 380.1240 (LexisNexis 2013): The board of a school district that has a membership of at least 20,000 pupils and that includes in its territory a city with a population of at least 180,000 . . . may create a law enforcement agency in accordance with and as provided under the public body law enforcement agency act. If the school district is a qualifying school district . . . , the chief executive officer of the school district, with the concurrence of the school reform board of the school district, may create a law enforcement agency . . . . If the board or chief executive officer of a school district creates a law enforcement agency . . . , the board or chief executive officer may grant to law enforcement officers of that law enforcement agency the same powers, immunities, and authority as are granted by law to peace officers and police officers to detect crime and to enforce the criminal laws of this state and to enforce state laws, local ordinances, and the ordinances and regulations of the school district . . . .

### **Minnesota**

Minnesota allows school violence prevention programs to include police liaison officers and provides grant funding that may be used for such efforts in school districts. School districts are also authorized to levy a tax on property located within their districts that may be used for the costs of peace officers and sheriffs for school liaison work.

- MINN. STAT. § 126C.44 (2013): [Allows school districts to make a levy on all taxable property located within the district for, among other uses, the costs of the salaries, benefits, and transportation costs of peace officers and sheriffs for liaison services in the district's schools.]
- MINN. STAT. § 145.958 (2013): [Allows school violence prevention programs to include a school-related initiative involving police liaison officers.]
- MINN. STAT. § 299A.62 (2013): [Creates a community-oriented policing grant program that may be used for law enforcement liaison efforts with local school districts, among other school safety efforts.]

### **Mississippi**

Mississippi allows school boards in districts to contract with police or sheriff's departments to provide additional officers certified by the Law Enforcement Officers Training Academy-certified in schools. These police are funded as the district and department agree upon. School boards may also employ peace officers as school security personnel. SROs serving in this capacity must at least receive basic law enforcement training as determined by the Board of Law Enforcement Officer Standards and Training and the State Board of Education.

- MISS. CODE ANN. § 21-19-49 (2013): [Authorizes municipalities, municipal police departments and the sheriffs' departments to contract with the school board of any school district to provide additional Law Enforcement Officers Training Academy-certified police protection to the district, funded as the district and department agree upon.]
- MISS. CODE ANN. § 37-7-321 (2013): [The school board of any school district may employ security personnel and may also designate the personnel as peace officers once certain requirements are met. Any person employed by a school board as a security guard or SRO must at least receive basic law enforcement training, as jointly determined and prescribed by the Board on Law Enforcement Officer Standards and Training and the State Board of Education.]
- MISS. CODE ANN. § 37-7-323 (2013): [Establishes the jurisdiction for a SRO and other school security personnel.]

### **Missouri**

Missouri allows school districts to have SROs with the enactment of a memorandum of understanding between the school board and each municipal law enforcement agency and county sheriff's office with law enforcement jurisdiction in the area. SROs must be licensed peace officers and must also complete training developed and provided by the Missouri training center for the DARE program. The Peace Officers' Standards and Training Commission also has statutory authority to establish standards for school protection officer training.

- MO. REV. STAT. § 162.215 (2013): [The school board of any school district may have school officers to enforce laws relating to crimes committed on school premises, at school activities, and on school buses with the enactment of a memorandum of understanding with each municipal law enforcement agency and county sheriff's office which has law enforcement jurisdiction over the school district's premises and location of school activities. School officers shall be licensed peace officers and their authority will be limited to the school's jurisdiction.]
- MO. REV. STAT. § 168.450 (2013): [Provides that the Missouri training center for the D.A.R.E program shall develop the curriculum and certification requirements for SROs, including legal operations within an educational environment, intruder training and planning, juvenile law, and any other relevant topics relating to the job and functions of a SRO.]
- MO. REV. STAT. § 590.205 (2013): [Authorizes the POST commission to establish minimum standards for school protection officer training instructors, training centers, and training programs.]

### **Montana**

Montana does not have specific prescriptive language for SROs and school police as of September 2013.

### **Nebraska**

Nebraska does not have specific prescriptive language for SROs and school police as of September 2013.

### **Nevada**

Nevada grants the powers of a peace officer to a school police officer. The board of trustees of a school district may contract with a police department to provide police services in public schools that require the creation of a separate designated school police unit. The department may also establish qualifications and training requirements for such school police. The board of trustees may also contract with a sheriff's department or metropolitan police department to provide school officers, and may also employ a law enforcement officer to serve as the chief of school police to supervise all school police officers. State statute also requires that the board of trustees of each school district, the school police officers of the school district, and the local law enforcement agencies create a policy for the procedure used for arresting a student on school grounds during school hours.

- NEV. REV. STAT. ANN. § 289.190 (LexisNexis 2013): A person employed or appointed to serve as a school police officer . . . has the powers of a peace officer.
- NEV. REV. STAT. ANN. § 280.287 (LexisNexis 2013): The department may enter into a contract with the board of trustees of the school district . . . for the provision and supervision of police services in the public schools . . . . If the department enters into [such] a contract . . . the department shall create a separate unit designated as the school police unit for this purpose. . . . The department may establish different qualifications and training requirements for officers assigned to the school police unit . . . .

- NEV. REV. STAT. ANN. § 391.100 (LexisNexis 2013): [The board of trustees of a school district may employ or appoint persons to serve as school police officers. If this occurs, the board of trustees shall employ a law enforcement officer to serve as the chief of school police to supervise all school police officers. The board of trustees of a school district may also contract with a metropolitan police department for the provision and supervision of police services in the public schools. If such a contract is made, the contract must make provision for the transfer of each school police officer employed by the board of trustees to the metropolitan police department. The board of trustees of a school district may also contract with the sheriff of that county for the provision of police services in the public schools.]
- NEV. REV. STAT. ANN. § 391.275 (LexisNexis 2013): [Defines the jurisdiction of a school police officer.]
- NEV. REV. STAT. ANN. § 392.855 (LexisNexis 2013): [The board of trustees of each school district, the school police officers of the school district, and the local law enforcement agencies shall establish a policy for the procedures to be followed by a peace officer in arresting a pupil on school grounds during school hours.]

### **New Hampshire**

New Hampshire does not have specific prescriptive language for SROs and school police as of September 2013.

### **New Jersey**

New Jersey authorizes boards of education to employ public school law enforcement officers if approved by the county superintendent. SROs must complete the safe schools resource officer training course in the state and must complete an additional training course if acting as a school liaison to law enforcement. State statute further authorizes a city governing body to employ security officers in schools under a separate division or unit of the police department or force.

- N.J. REV. STAT. § 18A:17-43 (2013): [The commissioner may authorize any board of education to employ public school law enforcement officers and to station such public school law enforcement officers in public schools. Public school law enforcement cannot be appointed without an application from the board of education and with the approval of the county superintendent.]
- N.J. REV. STAT. § 18A:17-43.1 (2013): [A board of education shall not assign a SRO to a public school unless they first complete the safe schools resource officer training course.]
- N.J. REV. STAT. § 40A:14-146.1 (2013): [A city governing body may appoint and commission security officers to patrol the grounds, buildings and other areas and facilities of all schools, libraries, museums, hospitals, housing projects, municipal parks, and municipal buildings. The municipality shall organize these security officers into a separate division or unit of its police department or force, and they shall have all the powers conferred by law on police officers. Security officers shall be subject to and receive training in the same manner as other members of the police force.]

- N.J. REV. STAT. § 52:17B-71.8 (2013): The Police Training Commission in the Division of Criminal Justice in the Department of Law and Public Safety, in consultation with the Attorney General, shall develop a training course for safe schools resource officers and public school employees assigned by a board of education to serve as a school liaison to law enforcement.

### **New Mexico**

New Mexico does not have specific prescriptive language for SROs and school police as of September 2013.

### **New York**

New York requires all boards of education in the state to adopt district-wide comprehensive school safety programs that must include policies regarding collaborative agreements with state and local law enforcement officials and local school boards that ensure adequate training and recruitment of school safety officers. State statute also provides possible state funding through a school violence prevention grant program for school safety programs that involve collaboration with law enforcement agencies.

- N.Y. EDUC. LAW § 2814 (McKinney 2012): [This state omnibus school violence prevention grant program provides possible funding for collaborative school safety programs with law enforcement agencies or community-based organizations.]
- N.Y. EDUC. LAW § 2801-a (McKinney 2012): [Each board of education must create a comprehensive district-wide school safety program. It shall include policies regarding collaborative arrangements with state and local law enforcement officials, designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations. School safety officers must be effectively and fairly recruited.]

### **North Carolina**

North Carolina authorizes the Lee County Sheriff to provide SROs to the county schools and to provide state funds for the officers.

- NC HB 491: [The Lee County Sheriff shall be responsible for providing SROs to the Lee County Schools. The Lee County Sheriff and the Lee County Board of Education shall enter into a memorandum of understanding for the provision of these services for the Lee County Schools. The Sheriff shall use funds appropriated by Lee County to the Sheriff's Office for SROs to provide them to the Lee County Schools.]

### **North Dakota**

North Dakota allows a school to create or designate a school law enforcement unit in accordance with the Family Educational Rights and Privacy Act. The statute also defines conditions for school law enforcement units regarding the release of students' records.

- N.D. CENT. CODE § 15.1-19-14 (2013): A school may create or designate a school law enforcement unit [in accordance with the Family Educational Rights and Privacy Act].

Records of a school law enforcement unit regarding a student at a school are confidential but may be released to [a juvenile court, counsel for a party in proceedings, officers of public entities to whom the student is committed, officers of law enforcement agencies for use in discharge of official duties, superintendents and principals of schools in which the student wishes to enroll, and the student's legal guardians.]

## **Ohio**

Ohio does not have specific prescriptive language for SROs and school police as of September 2013.

## **Oklahoma**

Oklahoma authorizes boards of public school districts to establish campus police departments and to define specific jurisdiction for such police.

- OKLA. STAT. tit. 74, § 360.16 (2013): [Defines a campus police officer as] an individual holding a commission from and employed by an institution of higher education, a public school district or an airport public trust pursuant to the Oklahoma Campus Security Act . . . .
- OKLA. STAT. tit. 74, § 360.17 (2013): The jurisdiction of campus police officers includes the campus and . . . the highways, streets, roads, alleys, easements, and other public ways immediately adjacent to their campus . . . . As limited by law, the provisions of this section, and the governing board, [the campus police department shall have the same authority as a municipal police department.]
- OKLA. STAT. tit. 74, § 360.18 (2013): Governing boards of institutions of higher education, boards of education of public school districts[,] and airport public trusts are authorized to establish campus police departments pursuant to the provisions of the Oklahoma Campus Security Act.

## **Oregon**

Oregon authorizes district school boards to establish a law enforcement agency and employ personnel to act as peace officers to ensure school safety. The state center for school safety must provide additional training for law enforcement on school safety, and school districts are encouraged to develop safe school partnerships with law enforcement.

- OR. REV. STAT. § 332.531 (2012): [The district school board is authorized to establish a law enforcement agency and employ personnel for school safety. Those employed as members of a law enforcement agency of a school district are peace officers when carrying out the duties of their employment and are not police officers (are not granted arrest/weapons powers outside of the school environment).]
- OR. REV. STAT. § 339.312 (2012): School districts are encouraged to form a safe school alliance of schools, law enforcement agencies, juvenile justice agencies[,] and district attorneys.
- OR. REV. STAT. § 339.331 (2012): [The state center for school safety shall provide program development and implementation expertise and technical support to schools, law enforcement agencies, and communities.]



## **Pennsylvania**

Pennsylvania allows school districts to apply to any judge of the court of common appeals to appoint officers to act as school police officers. The judge may also grant the officers the power to arrest, the authority to issue citations for summary offenses, or the authority to detain students until the arrival of local law enforcement. School police officers must take an oath and successfully complete appropriate training, including firearms certifications. The school district is responsible for funding the school police officers. A board of school directors is also authorized by statute to enter into an agreement with other political subdivisions to provide school security and safety, such as SROs, and may use school funds to share the costs with municipalities and counties. State statute also requires the state board of education to create a model memorandum of understanding for schools and local police departments.

- 24 PA. CONS. STAT. § 13-1302.1-A (2013): [The State Board of Education shall promulgate regulations including a model memorandum of understanding between school entities and local police departments.]
- 24 PA. CONS. STAT. § 6-617 (2013): The board of school directors of a school district may enter into agreements with other political subdivisions to provide for the safety and security of the school. The board of school directors may use school funds to share costs with municipalities and counties for such expenses as benefits and salaries of [SROs] and probation officers.
- 24 PA. CONS. STAT. § 7-778 (2013): [Any school district may apply to any judge of the court of common pleas of the county to appoint designates of the board of directors to act as school police officers for the school district and the judge may appoint such officers. The judge may grant the school police officers the power to arrest, the authority to issue citations for summary offenses or the authority to detain students until the arrival of local law enforcement. Every school police officer shall take and subscribe to the oath required by the seventh article of the Constitution, before an alderman or justice of the peace or prothonotary. Every school police officer who has been granted arresting and citation powers by the court or has been authorized to carry a firearm must, before entering upon the duties of his office, successfully complete training. The school district shall fund the school police as agreed upon between the board of school directors and the school police officer. School districts and municipalities may enter into cooperative police service agreements to specify jurisdictions.]

## **Rhode Island**

Rhode Island requires that school safety plans include a policy for developing agreements between state and local law enforcement officials regarding the adequate training and recruitment of school safety officers.

- R.I. GEN. LAWS § 16-21-24 (2013): [School safety plans shall include and address collaborative arrangements with state and local law enforcement officials designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations. They also must be effectively and fairly recruited.]

## **South Carolina**

South Carolina provides that the governing body of a municipality may designate officers to serve as SROs at the request of a school district. The SRO must be a sworn law enforcement officer who has completed a SRO basic course of instruction and have statewide jurisdiction regarding crimes in connection with a school activity or school-sponsored event.

- S.C. CODE ANN. § 5-7-12 (2012): The governing body of a municipality or county may upon the request of another governing body or of another political subdivision of the State, including school districts, designate certain officers to be assigned to the duty of a [SRO in the school system. The SRO] will have statewide jurisdiction to arrest persons committing crimes in connection with a school activity or school-sponsored event. . . . [If a SRO] arrests a student for a misdemeanor offense, the officer may issue a courtesy summons to appear to a student involved in the particular incident . . . . [The statute defines a SRO] as a person who is a sworn law enforcement officer pursuant to the requirements of any jurisdiction of this State, who has completed the basic course of instruction for [SROs] as provided or recognized by the National Association of School Resource Officers or the South Carolina Criminal Justice Academy, and who is assigned to one or more school districts within this State to have as a primary duty the responsibility to act as a law enforcement officer, advisor, and teacher for that school district.

## **South Dakota**

South Dakota requires that a school board implementing a school sentinel program of security personnel, school employees, or volunteers obtain the approval of the law enforcement official who has jurisdiction over the schools' grounds.

- S.D. CODIFIED LAWS §§ 13-64-1-13-64-2 (2013): [Any school board may create, establish, and supervise the arming of school employees, hired security personnel, or volunteers for school safety reasons. The school board shall obtain the approval of the law enforcement official who has jurisdiction over the school premises before beginning a school sentinel program.]

## **Tennessee**

Tennessee authorizes a chief of law enforcement and a local education agency to enter into a memorandum of understanding to provide school policing. The statute also defines a SRO as a law enforcement officer in compliance with the peace officers standards and training commission. The peace officers standards and training commission will administer specific training for SROs, with specific requirements on number of hours for SROs each year. Some state funding to hire SROs is available for local education agencies and law enforcement agencies through the Safe Neighborhoods Act state grant program.

- TENN. CODE ANN. § 38-8-120 (2013): A memorandum of understanding may be entered into between a chief of a law enforcement agency and a local education agency to provide school policing.

- TENN. CODE ANN. § 49-6-4202 (2013): [Defines a SRO as] a law enforcement officer . . . who is in compliance with all laws, rules and regulations of the peace officers standards and training commission and who has been assigned to a school in accordance with a memorandum of understanding between the chief of the appropriate law enforcement agency and the LEA . . . .
- TENN. CODE ANN. § 49-6-4217 (2013): Training courses for [SROs] shall be specifically for school policing and shall be administered by an entity approved by the peace officers standards and training (POST) commission. [SROs] shall participate in 40 hours of basic training in school policing within 12 months of assignment to a school. Every year thereafter they shall participate in a minimum of 16 hours of training specific to school policing that has been approved by the POST commission.
- TENN. CODE ANN. § 49-6-4302 (2013): [Local education agencies are authorized partners with local law enforcement agencies for the purpose of hiring SROs under the Safe Neighborhoods Act state grant program.]

## **Texas**

Texas authorizes the board of trustees of any school district to employ security personnel including peace officers. These peace officers may work with local law enforcement agencies, and the scope of their work will be determined by the board of trustees. School district police officers must be licensed by the Texas Commission on Law Enforcement. Additionally, the Texas School Safety Center must provide school safety courses for school district police officers and SROs.

- TEX. EDUC. CODE ANN. § 37.081 (LexisNexis 2013): [The board of trustees of any school district is authorized to employ security personnel and may commission peace officers to do so. The person must be a commissioned peace officer to carry a weapon and shall have authority in the school's jurisdiction. A school district peace officer may provide assistance to another law enforcement agency. The board of trustees shall determine the scope of work of a school district peace officer. School district police officers are supervised by the chief of police of the school district or designee and shall be licensed by the Texas Commission on Law Enforcement. If there are overlapping jurisdictions between school officers and other law enforcement agencies or departments, all shall enter into a memorandum of understanding that outlines communication and collaboration efforts.]
- TEX. EDUC. CODE ANN. § 37.205 (LexisNexis 2013): [The Texas School Safety Center shall conduct for school districts a safety training program that includes school safety courses for law enforcement officials, with a focus on school district police officers and SROs.]

## **Utah**

Utah specifies that school district police officers are categorized as law enforcement officers and that they maintain the power of criminal process and arrest.

- UTAH CODE ANN. § 53-13-103 (LexisNexis 2013): [The state’s definition of law enforcement officers includes school district police officers as designated by the board of education for the school district and serve criminal process and arrest violators of any law of this state and have the right to require aid in executing their lawful duties.]

### **Vermont**

Vermont allows school boards to enter into direct memorandums of understanding with law enforcement agencies regarding SROs.

- VT. STAT. ANN. tit. 16, § 1167 (2013): [Allows school boards and law enforcement agencies to create memorandums of understanding for SROs regarding the nature and scope of their assistance and weapons policy.]

### **Virginia**

Virginia defines SROs as certified law enforcement officers hired by the local law enforcement agency to ensure school safety. Virginia has a School Resource Officer Grants program supported by mixed funding to provide matching grants to law enforcement agencies and local school boards to train and employ SROs in middle and high schools. The Virginia Center for School Safety also provides training for school security officers.

- V.A. CODE ANN. § 9.1-101 (2014): [Defines a SRO as] an individual who is employed by the local school board for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of school board policies, and detaining students violating the law or school board policies on school property or at school-sponsored events and who is responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.
- V.A. CODE ANN. § 9.1-110 (2014): [The School Resource Officer Grants Program is established from the appropriated state funds, gifts, donations, grants, bequests, and other funds received on its behalf (to be administered by the Board, in consultation with the Board of Education), and a nonreverting fund within the state treasury known as the School Resource Officer Incentive Grants Fund. The Board shall award matching grants to local law-enforcement agencies and local school boards that have established a collaborative agreement to employ uniformed SROs in middle and high schools, with up to five percent of the fund available annually for the training of the SROs. SROs shall be certified law-enforcement officers and shall be employed to help ensure safety, to prevent truancy and violence in schools, and to enforce school board rules and codes of student conduct.]
- V.A. CODE ANN. § 9.1-184 (2014): [Funded by state appropriations through the Department of Education, the Virginia Center for School Safety will provide training for and certification of school security officers.]
- V.A. CODE ANN. § 22.1-280.2:1 (2014): [Local school boards may employ school security officers.]

### **Washington**

Washington does not have specific prescriptive language for SROs and school police as of September 2013.

### **West Virginia**

West Virginia does not have specific prescriptive language for SROs and school police as of September 2013.

### **Wisconsin**

Wisconsin provides that law enforcement units in school districts may be any individual, office, department, or division that is authorized to enforce the law and provide for the safety and security of a public school.

- WIS. STAT. § 118.125 (2013): [Defines a law enforcement unit to mean] any individual, office, department, division, or other component of a school district that is authorized or designated by the school board [to enforce any law or ordinance, or refer to the appropriate authorities a matter for enforcement of any law or ordinance, and maintain the physical security and safety of a public school.]

### **Wyoming**

Wyoming does not have specific prescriptive language for SROs and school police as of September 2013.

Suggested citation: Council of State Governments Justice Center, "Officers in Schools: A Snapshot of Legislative Action" (New York: Council of State Governments Justice Center, January 2014).

On January 8, 2014, the U.S. Department of Education released a compendium of school discipline laws and regulations. The PDF and online tool can be accessed at <http://safesupportivelearning.ed.gov/school-discipline-compendium>.

To learn more about the CSG Justice Center's School Discipline Consensus Project, visit <http://csgjusticecenter.org/youth/projects/school-discipline-consensus-project>.