

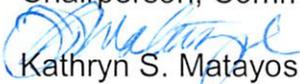


STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
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HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

November 3, 2015

TO: The Honorable Patricia Halagao  
Chairperson, Committee on Student Achievement

FROM:   
Kathryn S. Matayoshi  
Superintendent

SUBJECT **Committee Action on Board Policy 305.3, Safe Schools, Including  
Consideration of Issues Regarding School Resource Officers**

1. RECOMMENDATION

The Department recommends adoption of amended Board Policy 305.3, revising language relating to School Resource Officers (SRO) as contained in Exhibit A.

2. RECOMMENDED EFFECTIVE DATE

Immediately

3. RECOMMENDED COMPLIANCE DATE (if different from the effective date)

August 1, 2016, First Day for School for Students for School Year 2016-17.

4. DISCUSSION (if different from the effective date)

a. Conditions leading to the recommendation

Schools partner with local law enforcement, which assign officers to schools as SROs. Eighteen secondary schools on the Neighbor Islands currently have SROs assigned to their schools. SROs are typically active duty police officers assigned to schools and paid for by the counties. The Department has agreements with each of the respective counties regarding the arrangements.

The SROs establish positive relationships with students, families, and school administrators; support positive student behavior; and support school safety. Principals are very supportive of the program, as indicated by testimony submitted for the October 6, 2015, Student Achievement Committee meeting. Many principals have stated that SROs are a positive presence on campus, help streamline work for administrators, and engage in constructive community engagement work on campus. In addition, principals have indicated that SROs have provided law-related guidance and counseling for students and that SROs' visibility is a helpful preventative measure. Many principals have also indicated that their SROs help contribute to a positive school climate.

The Department has been gathering feedback from school-level administrators who have SROs on their campuses to inform the Department's recommendation to provide clarity of roles and expectations in order to advance student safety and school climate, including protection of student rights and positive relationships between schools and law enforcement.

Initially, the Board's Permitted Interaction Group recommended SROs be included as part of draft Board Policy 101.7, School Climate and Discipline. Feedback from administrators indicated that draft language pertaining to SROs did not allow principals and complex area superintendents the discretion to best meet the safety needs of their students. Additionally, the administrator and community feedback suggested that the draft policy language could create confusion and conflict with existing agreements with county police departments and provisions of the Hawaii Administrative Rules.

At the direction of the Board on September 1, 2015, at the General Business Meeting, the Department identified Board Policy 305.3, Safe Schools, as an appropriate policy to amend to include policy regarding SROs. Based on initial feedback from administrators, testimony about SROs in response to proposed Board Policy 101.7 and review of the existing Memoranda of Agreement between the Department and counties regarding current arrangements for SROs in our schools, the Department is recommending revised language to adequately address the safety and climate needs of schools.

b. Previous action of the Board on the same or similar matter

On February 17, 2015, at the General Business Meeting, the Board approved Board Policy 305.3, Safe Schools, which referenced policy regarding SROs in Board Policy 101.7. Provisions relating to SROs were originally included in draft Board Policy No. 101.7. At the September 1, 2015, General Business Meeting, the Board approved Board Policy 101.7, while directing the Department to remove policy language

regarding SROs from Board Policy 101.7 and place such language in another appropriate policy addressing related matters.

Relevant language was proposed to be included in Board Policy 305.3, Safe Schools. On October 6, 2015, the Board's Student Achievement Committee discussed a draft of the Department's recommendation for revised Board Policy 305.3. In alignment with the Department's recommendation at that time, the Student Activities Committee deferred action on Board Policy 305.3 to allow the Department to complete its feedback cycle.

c. Other policies affected

N/A

d. Arguments in support of the recommendation

The recommended language accommodates concerns raised about previous drafts of SRO provisions and reflects the fact that there have been no identified school-level concerns with the operating SRO program. Principals from the three high schools on Kauai and the Kauai Complex Area Superintendent provided testimony on October 6, 2015, to the Student Activities Committee in support of their SRO program, indicating that SROs:

- (1) Are involved as part of the school's staff and assist with safety plans, campus security support, and provide class presentations on the law;
- (2) Provide proactive support addressing education, safety, and security for students and staff;
- (3) Have been instrumental in building positive relationships with school staff, students, and the school community;
- (4) Help create positive relationships between students and law enforcement;
- (5) Help students make positive choices to avoid future confrontations with the law; and
- (6) Have participated in ongoing professional development activities, including safety and security workshops; Title 8, Chapter 19, Hawaii Administrative Rules; and other individual school-level activities addressing school-wide goals.

The Department completed collection and analysis of feedback from administrators on the Department's proposed language. Feedback is largely positive toward the modified language. Some expressed appreciation for having established roles and responsibilities that are

jointly determined by the Department and law enforcement agencies, sufficient flexibility and authority for the principal, and training provisions for the officers so they can adequately meet the needs of each individual campus.

The recommended language also addresses concerns that previous iterations could be interpreted as requiring individual schools to create agreements with law enforcement agencies and that role and responsibilities should be outlined prior to a school receiving an SRO.

While the recommended language contains requirements that are not included in all existing agreements with county law enforcement agencies and will therefore require that such agreements be updated, the additional requirements are consistent with the spirit of the SRO program and reflects day-to-day practice of the program on public school campuses.

The proposed language also addresses concerns raised by the NACCP in testimony related to SROs when such language was previously included in the School Climate Policy. This policy ensures clear, documented roles and responsibilities for schools and SROs that promote a positive school climate.

e. Arguments against the recommendation

The policy can be viewed as being too broad and not providing enough clarity with respect to training provisions.

SROs on campus are not new. Written agreements exist between the Department and each county providing SROs to schools. Some may view that a board policy about SROs may not be necessary, as raised at the October 6, 2015, Student Achievement Committee meeting.

No resources have been allocated to support new requirements for updated agreements, orientation or training, and reporting.

f. Other agencies or departments of the State of Hawaii involved in the action

This policy affects counties that have partnerships with the Department for SROs. The current draft language (Exhibit A) contains requirements that are not included in all existing agreements and will therefore require that such agreements be updated to reflect additional requirements.

g. Possible reaction of the public, professional organizations, unions, DOE staff and/or others to the recommendation

The Department expects a positive response toward efforts to provide structure and consistency to the SRO program while ensuring that schools with positive working relationships with their SROs have the flexibility to continue their successful trajectory.

h. Educational implications

The SRO program supports positive relationships between law enforcement and students, as well as their families. This facilitates a positive school climate that can improve learning opportunities for students.

i. Personnel implications

Requirements for developing and executing agreements, orientation, and/or training of SROs, and reporting on the program will need to be administered and monitored by DOE staff. At the state office, the Office of Curriculum, Instruction and Student Support's Comprehensive Student Support Branch will be responsible for overseeing the program. In light of budget restrictions, it is an additional responsibility for OCISS that is not supported by commensurate resources for implementation and oversight.

j. Facilities implications

N/A

k. Financial implications

As it is currently presented, the policy will require reporting on the SRO program and orientation or training for SROs. Depending upon the complexity and depth of reporting appropriate for the purpose and the extent of required training, there may be additional costs to accommodate these requirements.

KSM:TC:scn

Attachment: Exhibit A – Proposed Amendments to Board Policy 305.3, Safe Schools

c: Office of Strategy, Innovation, and Performance  
Office of Curriculum, Instruction and Student Support

## EXHIBIT A: Recommended Board Policy

### **POLICY 305.3**

#### **SAFE SCHOOLS**

The Department shall establish procedures for ensuring the safety and security of students, employees and facilities in the event of threats to safety, including, but not limited to, bomb threats and demonstrations.

~~[The use of school resource officers or other police presence on school campuses shall be primarily for such purposes and in accordance with Policy 401.7.]~~

The Department may enter into agreements with government entities to assign law enforcement officers to a school campus as school resource officers. Prior to any such assignment for an extended period, the Department and the appropriate entity representing the law enforcement officers shall establish a written agreement, approved by the Superintendent, defining the roles and responsibilities of the school resource officers and the parties to the agreement. The agreement shall affirm the principal's role as the administrative and operational head of the school campus and shall require appropriate orientation or training for school resource officers. The Department shall provide a regular report on the school resource officer program.

Rationale: Student safety and security is a critical component of an effective and enriching learning environment. It is imperative to ensure that schools are appropriately prepared. The Board also recognizes the benefits of school partnerships that involve law enforcement officers to encourage safe school learning environments and positive school climates.

*Italics: Edits recommended by the Department*