

SUBJECT: Establishing duties for law enforcement and security personnel in schools

COMMITTEE: Public Education — favorable, without amendment

VOTE: 13 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, Dutton, M. González, K. King, Meyer, Sanford, Talarico, VanDeaver

0 nays

SENATE VOTE: On final passage, April 17 — 31-0, on Local and Uncontested Calendar

WITNESSES: *On House companion bill, HB 3470:*

For — Deborah Fowler, Texas Appleseed; Kyle Piccola, The Arc of Texas; (*Registered but did not testify*: Christine Broughal, Texans for Special Education Reform; Lisa Dawn-Fisher, Texas State Teachers Association; Jo DePrang, Children's Defense Fund-Texas; Lisa Flores, Easter Seals Central Texas; Will Francis, National Association of Social Workers-Texas Chapter; Greg Hansch and Alissa Sughrue, National Alliance on Mental Illness-Texas; Marilyn Hartman and Tesia Krzeminski, National Alliance on Mental Illness-Austin; Chris Jones, Combined Law Enforcement Associations of Texas; Chris Masey, Coalition of Texans with Disabilities; Patty Quinzi, Texas American Federation of Teachers; Josette Saxton, Texans Care for Children; Matt Simpson, ACLU of Texas; Gyl Switzer, Texas Gun Sense; Sophie Torres, San Antonio Hispanic Chamber of Commerce; Velma Ybarra, Texas Latino Education Coalition; Emma Thomson; CJ Grisham)

Against — None

On — Adrian Gaspar, Disability Rights Texas; Morgan Craven, Intercultural Development Research Association; (*Registered but did not testify*: Megan Aghazadian, Von Byer, and Melody Parrish, Texas Education Agency; Craig Schiebel)

BACKGROUND: Interested parties have noted the presence of school police on campus and their involvement with incidents or administrative tasks that may not

address a safety or security issue but are instead ordinary student discipline or monitoring matters. Some have expressed concern that this practice unnecessarily puts children in contact with the juvenile or criminal justice system.

DIGEST:

SB 1707 would authorize the board of trustees of any public school district and the governing board of the Texas School for the Deaf to enter into a memorandum of understanding with a local law enforcement agency for the provision of school resource officers. The board would have to determine the jurisdiction of a school resource officer as well as the enforcement duties of peace officers, school resource officers, and security personnel.

Duties would have to include protecting the safety and welfare of any person in the jurisdiction of the peace officer, resource officer, or security personnel and the property of the school district. School districts could not assign or require officers or security personnel to engage in:

- routine student discipline or school administrative tasks; or
- contact with students unrelated to prescribed duties.

Officers or security personnel would not be prohibited from informal contact with a student unrelated to assigned duties or an incident involving student behavior or law enforcement.

In determining law enforcement duties, the board of trustees of the school districts would be required to coordinate with district campus behavior coordinators and other district employees to ensure that officers and security personnel were tasked only with duties related to law enforcement intervention and not with behavioral or administrative duties better addressed by other district employees.

The duties of officers and security personnel would have to be included in the district improvement plan, the student code of conduct, any memorandum of understanding providing for a school resource officer, and any other campus or district document describing the role of peace

officers, school resource officers, or security personnel in the district.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.