

RIGHTS REGARDING SCHOOL RESOURCE OFFICERS IN MASSACHUSETTS

**Prepared by the Mental Health Legal Advisors Committee
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What do school resource officers do in schools?

School Resource Officers (SROs) are typically law enforcement officials based in public schools. They are generally allowed to make arrests in schools. They may or may not be armed and may be uniformed or plain clothed.¹

In some cases, SROs are not law enforcement officials affiliated with police departments. Such SROs may not have the power to arrest students.

What information can SROs share?

In some cases, when SROs are employees of both the school and the police department, SROs share student information between the two parties. This practice can violate a student's privacy rights.

What kind of training do SROs receive?

SROs who are law enforcement officers typically receive standard police training. Often, SROs are not specially trained to deal with troubled children. A new law, however, forbids police chiefs from relying solely on seniority in assigning SROs and requires them to "consider" officers who are inclined to "foster an optimal learning environment and educational community."² The law allows chiefs to give preference to officers with relevant "specialized training."³

What is the role of SROs in school discipline?

While the initial purpose for placing SROs in schools was to prevent violent incidents, in many communities they have taken on a routine role in school discipline. There are many documented cases where SROs have been used inappropriately to this end.⁴ Indeed, some memoranda of understanding or MOUs between police and school departments explicitly permit police to enforce school policy.

How can the presence of SROs be improved to benefit students?

There are ways to make the presence of SROs more helpful to students.⁵ A new law requires school and police departments in districts using police in schools to enter into MOUs.⁶ Parents should ask to see this document. The MOU must "clearly define the roles and duties" of SROs. If the MOU description of the SRO's duties is too broad, parents can advocate for a more specific statement of the SROs role with school administrators or district school committees.

ENDNOTES

¹ ACLU, Arrested Futures: The Criminalization of School Discipline in Massachusetts' Three Largest Districts (2012),

<http://cfjj.org/pdf/ArrestedFutures-CfJJ-ACLU.pdf>.

² Chapter 284 of the Acts of 2014 amending M.G.L. c. 71, § 39P.

³ Chapter 284 of the Acts of 2014 amending M.G.L. c. 71, § 39P.

⁴ ACLU, Hard Lessons: School Resource Officer Programs and School-Based Arrests in Three Connecticut Towns (2008),

http://www.aclu.org/files/pdfs/racialjustice/hardlessons_november2008.pdf.

⁵ Johanna Wald and Lisa Thurau, First, Do No Harm, How Educators and Police Can Work Together More Effectively to Preserve School Safety and Protect Vulnerable Students: A CHHIRJ Policy Brief (March. 2010),

<http://charleshamiltonhouston.org/assets/documents/news/FINAL%20Do%20No%20Harm.pdf>.

(recommendations on how SROs may be more effectively deployed so as to better protect students' rights).

⁶ Chapter 284 of the Acts of 2014 amending M.G.L. c. 71, § 39P.