



Governor's Advisory Council for Exceptional Citizens (GACEC)
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MEMORANDUM

DATE: May 24, 2017

TO: The Honorable Members of the Delaware General Assembly

FROM: Dafne A. Carnright, Chairperson
GACEC

RE: **House Bill No. 142 (School Resource Officer Training)**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed House Bill No. 142 which will improve guidelines for training by school districts and charters as it pertains to School Resource Officers (SRO), their duties and their training when interacting with students with disabilities. Council **endorses** the proposed legislation since the training required should reduce prospects for uneven or inappropriate responses to student behavior, particularly students with disabilities. Council representatives worked closely with legislators to develop the proposed bill; however, we would like to share additional legal analysis and comments provided to Council after the drafting of the legislation.

House Bill No. 142 is intended to promote the training of SROs active in Delaware public schools. It would require participation of SROs in annual training with emphasis on interventions with students with disabilities (lines 10-25 and 35-36). It would also require the SRO to meet with building staff at the outset of the school year to become familiar with expected disability-related behaviors and responses (lines 26-28). Each district or charter school would be expected to have a memorandum of agreement (MOA), based on a DOE template, with each agency providing the SROs (lines 32-34). The legislation would be effective on July 1, 2018 (line 50).

First, the scope of individuals subject to the training standards could be a bit clearer. On the one hand, it would cover anyone defined in §4112F(a)(4). See lines 4-6). However, that section includes not only an SRO but also "an employee or contractor providing educational services within a Department of Correction or Division of Youth Rehabilitative Services facility". There are many YRS employees who would be expected to "assist with or independently intervene with students with disabilities" (lines 6-7). Moreover, while the bill imposes obligations on districts and charter schools (lines 10-11, 19-22, 23-25, 32-36), DOC and YRS personnel are not employees and contractors of districts and charter schools.

Second, there is some tension between characterizing the education as “awareness training” (lines 11, 13, and 17) and the expectation that the education include some meaningful, hands-on training. Descriptions of training offered by the National Association of School Resource Officers and the N.J. Safe Schools Resource Officer/School Liaison Training indicate that there are readily available, robust curricula for SRO training. The references to “awareness” training may possibly infer to some that the education will be weak or limited.

Thank you for your time and consideration of our endorsement. We appreciated the opportunity to collaborate with you on this legislation. Please feel free to contact me or Wendy Strauss at the GACEC office should you have any questions.

CC: The Honorable Matt Denn, Attorney General
Kathleen MacRae, ACLU of Delaware