

THE DATA GAP

SCHOOL POLICING IN LOUISIANA

MAY 2019



Following the tragic 2018 shooting at Marjory Stoneman Douglas High School in Parkland, Florida, school districts across the country grappled with the question: “What makes a school safe?” Many school districts responded by creating or expanding their law enforcement programs or placing school resource officers (SROs) on school grounds and at school-related activities.

Law enforcement officials were first placed on school campuses in the early 1950s.¹ Today, 41 percent of the nation’s public schools report having an SRO on their campuses,² and this number is on the rise. Though the presence of law enforcement in schools has been increasing, there is no evidence that school-based law enforcement make schools safer. Due to a lack of data, inaccurate data, and challenges in accessing data on school policing programs, it is impossible to adequately evaluate SRO program effectiveness.³

Sound data on school policing programs is needed: 1) to measure the effectiveness of these programs and determine whether taxpayer dollars should be funneled into creating or expanding them; 2) to help evaluate whether schools are complying with federal anti-discrimination laws; and 3) to measure whether schools are safe and welcoming for all students. In the absence of this information, anecdotes – while helpful in rounding out the picture – are the primary influencers of school policing policy, not rigorous research.

While school-based law enforcement duties vary across school districts, the primary responsibility of officers on campuses is law enforcement.⁴ SROs, however, have also been increasingly called upon to respond to school disciplinary incidents, resulting in harsher consequences for minor misbehaviors by students.⁵

Schools are required to collect and report data on key education and civil rights issues – including school policing data such as the number of students referred

to law enforcement, the number of students arrested at school-related activities, and the number of sworn law enforcement officers (including SROs) in their district – to the U.S. Department of Education’s Office for Civil Rights (OCR), which is charged with enforcing certain federal anti-discrimination laws in schools.⁶

What’s more, school districts and state departments of education are required to publish data on school policing under the Every Student Succeeds Act.⁷ Though Louisiana has school data collection laws, these laws have not caught up to federal requirements for the collection and publication of certain student data, including school-based arrests and referrals to law enforcement and the presence of SROs in Louisiana’s schools.

Through research and public records requests, the SPLC found that local school districts are not accurately and consistently collecting data on their school policing programs, and the data that was collected and reported had discrepancies compared to data reported to the OCR and data collected by law enforcement agencies. This suggests that educators, families, and policymakers lack accurate, basic information about school policing in the state. The Louisiana Legislature should require schools, school districts, and the Louisiana Department of Education to accurately collect and publicly report data on school-based arrests and referrals to law enforcement as already required by federal law.

41%

OF THE NATION'S
PUBLIC SCHOOLS
REPORT HAVING
AN SRO ON THEIR
CAMPUSES TODAY

About the Southern Poverty Law Center

The Southern Poverty Law Center, based in Montgomery, Alabama, is a nonprofit civil rights organization founded in 1971 and dedicated to fighting hate and bigotry, and to seeking justice for the most vulnerable members of society.

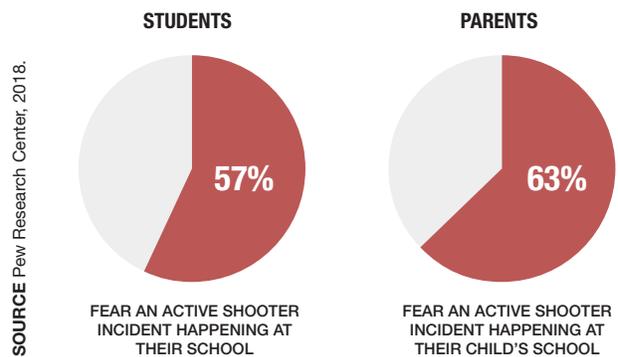
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AN INTRODUCTION TO SCHOOL POLICING

On Feb. 14, 2018, a former student of Marjory Stoneman Douglas High School in Parkland, Florida, was dropped off by an Uber at the school shortly before dismissal. He carried a duffel bag and a backpack.⁸ Less than seven minutes later, Nikolas Cruz had fatally gunned down 17 staff members and students and wounded 17 others.

Mass killings make up less than 1 percent of gun deaths in the United States, and of these incidents, only an average of one takes place in the school setting per year (here, a mass shooting is defined as one with four or more fatalities).⁹ However, it only takes one tragic school shooting to strike fear in the hearts of parents and students alike. After the Parkland shooting, the Pew Research Center found that 57 percent of American teens reported being in fear of an active shooter incident happening at their school, and 63 percent of parents shared their concerns.¹⁰

In the wake of Parkland, communities and schools across the nation are once again exploring how to ensure school safety. In November 2018, *The Washington Post* reported that the market for school security has grown to \$2.7 billion, as schools clamor to implement measures that purport to further school safety.¹¹ These attempts have often come in the form of increased surveillance, metal detectors, and clear or mesh backpacks – regardless of whether the research supports the measures. However, many schools and school districts have opted for sworn law enforcement officers – or school resource officers – on their campuses as a strategy to increase school safety.



The history of school policing

The origin of school policing programs can be traced back to the 1950s.¹² Research indicates that the first assignment of a law enforcement officer to a school occurred in Liverpool, England, in 1951.¹³ In the early 1950s, the Flint Police Department in Michigan was the first known law enforcement agency in the United States to place an officer on a school campus full-time.¹⁴ The officer was tasked with deterring and responding to violent crimes on school grounds and working to foster a better relationship between local law enforcement and youth.¹⁵ The term “school resource officer” was not used to describe a law enforcement officer placed at a school until a Miami police chief coined the term in the 1960s.¹⁶

Flint’s program led to the establishment of programs in other states such as Arizona, Florida, and North Carolina in the 1960s and early 1970s.¹⁷ By the 1970s, school districts sought to create their own police departments, due to legislation allowing districts to establish departments under their direction.¹⁸ During this time, just 100 SROs were reported to be scattered across 1 percent of U.S. school campuses.¹⁹

School resource officer programs gained national legitimacy in 1973 with the National Advisory Commission on Criminal Justice Standards and Goals’ support of their use.²⁰ The commission recommended that law enforcement agencies annually conduct a presentation on the role of the law enforcement officer in society, and recommended that agencies with over 400 officers assign officers full time to senior and junior high schools in their jurisdiction.²¹ In the same decade, the Florida Legislature mandated that SROs be placed on all middle and high school campuses.²²

SRO programs got another boost when political scientist John Dilulio Jr. introduced the concept of the juvenile “super-predator”²³ to the American consciousness amid the spread of broken windows policing,²⁴ a concept that

SCHOOL POLICING TIMELINE

- 1950s** Flint, Michigan, places officer on school campus full time for the first time in the U.S.
- 1960s** Arizona, Florida, and North Carolina start similar programs
- 1970s** School districts begin creating their own police departments. 100 SROs are reported on 1% of U.S. school campuses
- 1973** National Advisory Commission on Criminal Justice Standards and Goals support school resource officer programs
- 1991** The inaugural board of the National Association of School Resource Officers is established
- mid 1990s** Over 2,000 SROs are on school campuses across the U.S., the juvenile “super-predator” concept is introduced
- 1994** Safe Schools Act of 1994 passed, incentivizing police in schools
- 1998** Omnibus Crime Control and Safe Streets Act of 1968 amended, encouraging police in schools
- 1999** Columbine High School shooting occurs
- early 2000s** Congress authorizes \$68 million from DOJ’s Community Oriented Policing Services (COPS) for the implementation of school policing programs
- 2005** COPS’ Cops in Schools program is terminated; federal funding for school policing programs declines
- 2009** Safe and Drug Free Schools and Communities Act expires, fueling federal funding decline
- 2012** Sandy Hook Elementary School shooting occurs; federal funding increases
- 2015 – 2016** 42% of all public schools have a full- or part-time school resource officer



\$2,000,000

cost for St. Tammany Parish Public School System to have SROs at all 55 of its school campuses for the 2018-19 school year

promoted policies designed to crack down on teenage drug use and violence in the mid-1990s.²⁵ Despite teen crime and violence being on the decline throughout that decade, the perception of rising adolescent criminality only heightened the concern within school districts.²⁶

As a result, the number of law enforcement officers in schools skyrocketed. In 1991, the first national convention of school resource officers was held in Sarasota, Florida, and the inaugural board of National Association of School Resource Officers was established.²⁷ By the mid-1990s, over 2,000 SROs had been placed on school campuses throughout the country – a 1,900 percent increase from the 1970s.²⁸

The passage of the Safe Schools Act of 1994 and the 1998 amendment to the Omnibus Crime Control and Safe Streets Act of 1968 further incentivized the placement of law enforcement in schools by allowing the allocation of federal money for these programs.²⁹ Fear of high-profile school shootings – such as the 1999 Columbine High School shooting – further fueled the expansion of these programs.

In recent decades, school resource officer programs have grown, particularly in urban school districts.³⁰ In the early 2000s, Congress authorized the departments of Justice and Education to provide millions of dollars for the implementation of school policing programs in hundreds of communities – including \$68 million from the Department of Justice’s Community Oriented Policing Services (COPS).³¹

Federal funding for school policing programs briefly declined after 2005, following the 2005 termination of the COPS’ Cops in Schools program, which awarded federal grants for school security personnel, and the expiration of the Safe and Drug Free Schools and Communities Act in 2009.³² Federal funding picked up again after the 2012 school shooting at Sandy Hook Elementary School in Newtown, Connecticut.³³ The U.S. Department of Education noted a surge in the number of SROs in schools during the 2013-14 school year, and 42 percent of all public schools reported having a full or part-time school resource officer during the 2015-16 school year.³⁴

Within this climate, it appears these programs are more likely to expand than downsize.

The role of school resource officers

While one of the fastest growing areas of law enforcement is school policing, the role of law enforcement in schools is unclear.³⁵ The duties, responsibilities, and titles of law enforcement vary across school districts, and stakeholders have yet to reach a consensus regarding their role.³⁶

SRO responsibilities are typically outlined in agreements

between schools and law enforcement agencies often referred to as memoranda of understanding.³⁷ Overall, the primary responsibility of officers on school campuses is law enforcement.³⁸

SROs, however, have been increasingly called upon to step outside of these duties and respond to school disciplinary incidents, resulting in unnecessarily harsh consequences for students.³⁹ The growing involvement of SROs in disciplinary matters has been linked to increased arrests of students for minor misbehavior and disproportionate arrests of black students on school campuses.⁴⁰

The current state of school policing in Louisiana

Louisiana law defines a school resource officer as a “peace officer,”⁴¹ the duties of which include responding to crime, making arrests, and conducting searches and seizures.⁴² After Parkland, many Louisiana school districts attempted to expand school policing programs. Some parishes, including the following, succeeded:

Bossier Parish

After forming a committee with members of Bossier Parish School Board and community members to address school safety after Parkland, Bossier Parish Schools increased funding to add five SROs to its high schools in August 2018.⁴³

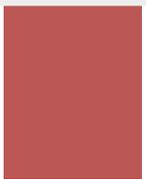
Lafayette Parish

In July 2018, Lafayette Parish School System tripled its funding for SROs. To afford the \$4 million program, the school board reorganized the district’s central office and cut some positions.⁴⁴

St. Tammany Parish

St. Tammany Parish Public School System elected to have SROs at all 55 of its school campuses for the 2018-19 school year, costing \$2 million to support this initiative, along with additional funding to provide mental health services in its schools.⁴⁵ These measures arose from the school superintendent convening a group of parents, administrators, teachers and others to discuss security measures.

Some efforts were unsuccessful. In November 2018, Livingston Parish voters considered a \$5.5 million sales tax proposal by the school district and local sheriff’s office, to place SROs on each Livingston Parish public school campus,



\$68 MILLION

In the early 2000s, Congress authorized \$68 million from the DOJ’s Community Oriented Policing Services (COPS) for the implementation of school policing programs in hundreds of communities.

and to provide these officers with equipment that included firearms and stun guns.⁴⁶ The proposal failed as 56 percent of voters opposed it.⁴⁷

Through such referenda and discussions about SROs at school board meetings, Louisiana communities are engaged in the debate about law enforcement in schools and its impact on student safety – a debate whose importance has only been underscored by the Parkland shooting. Yet, this dialogue is occurring without the benefit of publicly reported – and accurate – data.



In November 2018, Livingston Parish voters considered a \$5.5 million sales tax proposal to place SROs on each school campus and to provide the officers with equipment. The proposal failed with 56% voter opposition.

A LOOK AT DATA COLLECTION

Public school districts are legally obligated to collect and publicly report data on school quality, climate and safety – including school policing. Through the Civil Rights Data Collection (CRDC), the U.S. Department of Education’s Office for Civil Rights requires public school districts to collect data verifying that districts are adhering to certain federal anti-discrimination laws. The Every Student Succeeds Act imposes the additional obligation on school districts – as well as state departments of education – to collect and publicly report CRDC data.

Collection of school data under the CRDC

The Office for Civil Rights is responsible for enforcing federal civil rights laws that prohibit discrimination in programs or activities that receive federal money from the U.S. Department of Education. These federal laws prohibit discrimination on the basis of race, color, national origin, sex, disability status, and age.⁴⁸

As part of its federal civil rights enforcement and monitoring strategy, since 1968, the Office for Civil Rights has required school districts to collect data on issues relating to education and civil rights and to submit this data to the office.⁴⁹ This mandate is known as the Civil Rights Data Collection.⁵⁰ The Office for Civil Rights publishes this data collected by school districts to the general public, biennially (every two years).⁵¹ The CRDC’s most recent survey, released in the summer of 2018, contains data collected from every public school district for the 2015-16 school year.⁵²

Specifically, school districts are required to collect information on enrollment and school characteristics, early childhood education, college and career readiness, student discipline (including types of discipline used, bullying and harassment, and restraint and seclusion), and staff and resources.⁵³ They are required to collect the following information about school policing:

- The number of K-12 students who were: 1) arrested in the course of school or during a school-related activity or; 2) referred to a law enforcement agency or official in the course of school or during a school activity (“school-based arrests and referrals to law enforcement”).⁵⁴ School districts are required to break this information down by race, sex, disability status and English learner status.⁵⁵
- The number of school resource officers in schools.⁵⁶

The Every Student Succeeds Act

The Every Student Succeeds Act (ESSA)⁵⁷ imposes an additional obligation on public school districts to collect and publicly report CRDC data, including school policing.

The ESSA is a federal statute that authorizes the U.S. Department of Education to provide financial assistance to school districts under the statute’s nine titles to enhance academic achievement for disadvantaged children.⁵⁸ ESSA Title I, Part A grants are allocated to each state’s department of education, to be distributed to eligible school districts for programs designed to increase academic achievement for low-income or minority children.⁵⁹

Each state and school district that receives a Title I, Part A grant must prepare annual “Report Cards” that include measures of school quality, climate, and safety – including data on school-based arrests and referrals to law enforcement agencies.⁶⁰ The Report Card must present school policing data in the same way that such data is submitted to the Office for Civil Rights – broken down by disability status, race, sex, and English learner status.⁶¹

This requirement is significant because the ESSA makes some CRDC data – including school policing data – available to the public annually, rather than every two years, which is the case with the CRDC survey. The Louisiana Department of Education receives Title I funds from the ESSA, which means Louisiana public school districts must include school policing data in their annual report cards.⁶²

PUBLIC SCHOOL DISTRICTS ARE LEGALLY OBLIGATED TO COLLECT & PUBLICLY REPORT DATA ON SCHOOL QUALITY, CLIMATE, AND SAFETY - INCLUDING SCHOOL POLICING

THE NEED FOR GOOD SCHOOL POLICING DATA

As school districts continue to increase the number of school resource officers, collecting and publicly reporting data on their impact on students and school safety is critical. Schools must collect and report school policing data under federal law. As discussed earlier, public school districts are required to collect and report, at a minimum, data on school-based arrests and referrals to law enforcement on an annual basis.⁶³ But there are other reasons data about school-based policing is needed:

➤ **There is not enough data to know if school policing is effective.**

A recent congressional report on school resource officers noted, “There is a limited body of research available regarding the effect SROs have on the school setting.”⁶⁴ The lack of research evaluating the effectiveness of school policing programs is attributed to a lack of data and difficulty in accessing what little data there is available.⁶⁵ At best, the research that exists offers conflicting evidence on the efficacy of school based policing. At worst, there is no evidence that school resource officers are effective.⁶⁶

➤ **Schools are accountable to taxpayers.**

As of 2013, estimates placed the cost of having armed security at every school in the United States as much as \$23 billion.⁶⁷ As states and school districts consider funding school policing programs, it is important to keep the public informed to ensure tax dollars are spent effectively and responsibly.

➤ **School policing data is an important measure of school quality and climate.**

School climate is described as “the quality and character of school life.”⁶⁸ A positive school climate is crucial to better academic outcomes and the beneficial development of youth. School safety is an important aspect of this climate that includes physical and socioemotional security as well as discipline.⁶⁹

“There is a limited body of research available regarding the effect SROs have on the school setting.”

CONGRESSIONAL REPORT
ON SCHOOL RESOURCE OFFICERS

**\$23
BILLION**

is the estimated cost, as of 2013, of having armed security at every school in the United States.

An SPLC Investigation

DOES LOUISIANA COMPLY WITH LAWS AND REGULATIONS?

The methodology

To gauge compliance with federal data collection and reporting obligations – as well as whether districts are keeping adequate data to measure program effectiveness – the Southern Poverty Law Center sent public records requests (Appendix A) to eight Louisiana school districts in the “Florida Parishes” region.⁷⁰ These requests focused on the presence and use of law enforcement officers in schools for the 2015-16, 2016-17 and 2017-18 school years.

Through news stories and the SPLC’s work, we learned of an active presence of law enforcement in the region’s school districts, making it ideal for study.⁷¹ The surveyed school districts are Bogalusa City Schools, Livingston Parish Public Schools, Northshore Charter School,⁷² St. Helena Parish School District, St. Tammany Parish Public School System, Tangi Academy,⁷³ Tangipahoa Parish School System, and Washington Parish School System.

To compare and measure the accuracy of the data reported by these school districts, the SPLC sent public records requests to 33 law enforcement agencies located within

the parishes of the selected school districts (Appendix B). The selected school districts and law enforcement agencies were surveyed on the existence of school policing programs and memoranda of understanding; policies and procedures regarding law enforcement in schools; training requirements for school-based officers; data on school-based arrests and referrals to law enforcement; and for school districts only, any additional security measures on school campuses.⁷⁴

The SPLC requested records from the school districts and law enforcement agencies in February 2018. Generally, the Louisiana Public Records Act requires a recipient of a public records request to provide written responses no later than three business days from the date the request was received.⁷⁵ However, in an effort to obtain full and accurate responses, the SPLC devoted hundreds of hours to corresponding with school districts and law enforcement agencies from Feb. 23, 2018, to Jan. 4, 2019.⁷⁶

The findings

When the SPLC undertook its survey, it found these school districts are not accurately and consistently collecting data on their school policing programs. As a result, the SPLC – or any researcher – cannot measure the effectiveness of these school policing programs due to scarce data and limited means to verify its accuracy. As the detailed findings below demonstrate, until these failures are addressed, it is not

possible to fully assess the quality, climate, and safety of Louisiana’s public schools.

A majority of school districts surveyed were unable to provide complete data on school-based arrests and referrals to law enforcement.

- Of the eight school districts surveyed, only two produced fully disaggregated data (See Table 1) on the number of arrests and referrals to law enforcement for the years requested.
- Two school districts provided partially disaggregated data for the years requested.⁷⁷
- Three school districts said they had no records on school-based arrests and referrals to law enforcement. Washington Parish School System responded: “The option to document arrest data became available March 2018 so we have begun documenting arrests by law enforcement.” Livingston Parish Public Schools reported that it had no records of referrals to law enforcement for the years requested. St. Tammany Parish Public School System said that it had no documents responsive to the SPLC’s request.

At least one school district provided inaccurate data on referrals to law enforcement.

St. Helena Parish Schools reported that there were no referrals to law enforcement during the 2015-16 school year, but reported in the CRDC that 17 students were referred to law enforcement for 2015-16.⁷⁸

Some school districts reported more arrests than referrals, suggesting confusion.

The CRDC defines a referral to law enforcement as “an action by which a student is reported to any law enforcement agency or official, including a school police unit, for an incident that occurs on school grounds, during school-related events, or while taking school transportation, regardless of whether official action is taken. Citations, tickets, court referrals,

and school-related arrests are considered referrals to law enforcement.”⁷⁹

Accordingly, the number of reported school-based arrests should be less than or equal to the number of reported referrals to law enforcement – not greater. In the most recent CRDC survey (2015-16), however, the school districts below reported to the Office for Civil Rights higher numbers of arrests than referrals, which suggests confusion around the terms and inconsistent data reported as a result.⁸⁰

- St. Tammany Parish Public School System
- Bogalusa City Schools
- Washington Parish Public School System

It is difficult to determine the exact number of SROs in schools.

Nationally, only estimates exist of the number of police in schools.⁸¹ During this survey, the SPLC was unable to use the data reported from school districts to determine the number of SROs in their district for the 2017-18 school year for the following reasons:

- Some law enforcement agencies did not respond to any portion of our public records request. The failure to do so rendered the SPLC unable to verify the accuracy of the school districts’ responses.
- The CRDC data on the number of school resource officers in school districts for the 2017-18 school year is not yet available, adding to the difficulty of checking the accuracy of information reported by the school districts.

Also, while the Every Student Succeeds Act requires the annual reporting of school-based arrests and referrals to law enforcement,⁸² it does not require school districts to report the number of school resource officers within their district.

TABLE 1. REFERRALS TO LAW ENFORCEMENT AND SCHOOL-BASED ARRESTS DATA REPORTED TO THE SPLC BY SCHOOL DISTRICTS

SCHOOL DISTRICT	REFERRALS TO LAW ENFORCEMENT DATA			ARREST DATA		
	FULLY DISAGGREGATED ¹	PARTIALLY DISAGGREGATED	NO REFERRALS	FULLY DISAGGREGATED	PARTIALLY DISAGGREGATED	NO ARRESTS
St. Helena Parish School District			●			●
Tangipahoa Parish Public School System		●				
Tangi Academy	●			●		
Washington Parish Public School System*						
Bogalusa City Schools		●			●	
Northshore Charter School	●			●		
St. Tammany Parish Public School System*						
Livingston Parish Public Schools*						

(*) School district indicated that it had no records responsive to the number of arrests and referrals to law enforcement from its schools.

¹ School districts that provided “fully disaggregated” responses to the SPLC’s public records requests (See Appendix A), submitted data on the total number of school-related arrests and referrals to law enforcement for the years requested, broken down by each category in items five and six.

RECOMMENDATIONS

As school districts and lawmakers consider implementing or expanding school-based policing programs, it is imperative that accurate, quality data is collected and reported to meet state and federal obligations. Schools also have an obligation to parents and community members to ensure that their tax dollars are funding effective programs that keep schools safe and promote a positive school climate.

As the SPLC's findings demonstrate, current data collection practices on school-based arrests and referrals to law enforcement fall short of school districts' federal obligations, making it impossible to determine the effectiveness of school policing programs. Lawmakers, the Louisiana Department of Education, and Louisiana school districts and their boards, must consider the following recommendations to improve data collection:

FOR THE LOUISIANA LEGISLATURE

Require the annual collection and public reporting of student discipline data.

➤ This data should include school-based arrests and referrals to law enforcement in the disaggregated form required by federal laws and regulations. The state's existing laws do not explicitly require the collection and reporting of school-based arrests and referrals to law enforcement, unlike states such as Arkansas,⁸³ Maryland,⁸⁴ and Kentucky.⁸⁵

➤ At a minimum, legislation should require disaggregation of this data by race, national origin, sex, and disability status to ensure that school policing programs are not violating the civil rights of these protected groups.⁸⁶

Require school districts to annually collect the total number of SROs in its schools.

Despite the Office for Civil Rights requiring school districts to report data on the total number of SROs placed in the district⁸⁷ – data published in the biennial CRDC Survey – it is difficult to verify its accuracy, as there are no state laws requiring school districts or law enforcement agencies to publicly report SRO data annually.⁸⁸

FOR THE LOUISIANA DEPARTMENT OF EDUCATION

Work with school districts on an ongoing basis to ensure data accuracy.

➤ The department should devote adequate staff resources to ensure the accuracy of school- and district-level data, and implement accountability measures to ensure data integrity, including an emphasis on disaggregating data as required by the Office for Civil Rights.⁸⁹

➤ The department should provide best practices for data collection by school districts, as other states, such as Maryland, have done.⁹⁰

Publicly report state and district level school data, including data on school-based arrests, referrals to law enforcement and SRO data.

➤ Data on school-based arrests and referrals to law enforcement should be reported publicly, disaggregated as required by the Office for Civil Rights for the Civil Rights Data Collection and under the Every Student Succeeds Act,⁹¹ and in a manner that parents and others can easily understand, as required by the ESSA.⁹²

➤ The department should include state- and district-level data on the total SROs in its school safety report posted on its website. Currently, the department does not publicly report school-based arrest and law enforcement referral data on its website, despite the requirement under the ESSA.⁹³

FOR LOUISIANA SCHOOL BOARDS

The district's annual budget should prioritize the hiring and training of a district-wide data manager as well as ensure adequate data collection software is available.

➤ Each school district should have a data manager overseeing the accurate collection of school data. This manager would be responsible for reporting data to the Office for Civil Rights for the CRDC Survey and to the Louisiana Department of Education for the ESSA Report Card.

➤ Each school district should have data software that is regularly updated and maintained for data collection, reporting, and analysis.

FOR LOUISIANA SCHOOL DISTRICTS

Use the Louisiana Department of Education School Behavior Report form to collect data on when a disciplinary infraction results in an arrest or referral to law enforcement.

The Louisiana school data collection statute requires the completion of the report form (Appendix C) by school personnel to document each disciplinary infraction by a student and the school's response.⁹⁴ The form, which contains codes for school-based arrests and referrals to law enforcement, is currently used to inform a student's parents or guardians, but could be used to collect school-based arrest or referral data. The form also documents the disability status of the student, making it easier to determine the number of students with disabilities arrested or referred to law enforcement.

Collect data on the number of SROs in the district for each school year.

Each district – not each school within the district – should annually document the number of SROs on the district's school campuses and submit the data to the Louisiana Department of Education.

APPENDIX

APPENDIX A: PUBLIC RECORDS REQUEST TO SCHOOL DISTRICTS



Fighting Hate
Teaching Tolerance
Seeking Justice

Southern Poverty Law Center

www.splcenter.org

February 23, 2018

VIA ELECTRONIC MAIL AND U.S. MAIL



RE: Public Records Request for Information Related to the Use of Law Enforcement and School Resource Officers in [REDACTED]

Dear [REDACTED],

We write under Article XII, Section 3 of the Louisiana Constitution, La. Const. Ann. art. XII, § 3, and the Louisiana Public Records Act, La. Stat. Ann. §§ 44: 1-44:41, to request data and other public information about the use of law enforcement officials, school police, and security officers in [REDACTED]. All requests seek only non-confidential, non-privileged information as defined under applicable state and federal law. Where responsive records exist that contain both confidential or privileged information and non-confidential or non-privileged information, please redact the confidential information (e.g., personally identifying information, or PII¹) or privileged information, and product the balance of the records.

Specifically, we request the following information:

1. The number of law enforcement or other safety or security officers, sworn or unsworn, placed on or assigned to school campuses. Within that officer population, please indicate: (a) who the officers are employed by, (b) which school(s) they are assigned to, and (c) the nature of their assignment/placement (e.g., at one school campus for the entire day; assigned to two schools for a half day at each; assigned from a central location to respond to requests for assistance from schools, etc.).

¹Under the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. § 1232g, PII includes information such as a student's name, address, personal identifier such as a social security number, indirect identifier such as a student's date of birth, or other information that is linkable to a specific student and would allow a reasonable person in the school community to identify the student with reasonable certainty. 34 C.F.R. § 99.3. An educational agency may release records or information that would otherwise be subject to FERPA protections after the removal of all PII, provided that the educational agency or institution or other party has made a reasonable determination that a student's identity is not personally identifiable, taking into account other reasonably available information. 34 C.F.R. § 99.31(b).

APPENDIX A: PUBLIC RECORDS REQUEST TO SCHOOL DISTRICTS

2. All memoranda of agreement or understanding (MOAs or MOUs), contracts, or other legal agreements in effect for the 2017-2018 school year between the district and any law enforcement agency regarding the employment or placement of law enforcement officers or other safety or security personnel, sworn or unsworn, in [REDACTED].
3. All information on trainings provided by [REDACTED] for law enforcement and other safety or security officers, sworn or unsworn, placed on school campuses, including:
 - a. Whether these officers receive training(s);
 - b. What training(s) they receive;
 - c. How many hours of training(s) they receive;
 - d. How often they receive the training(s);
 - e. Who provides the training(s); and
 - f. The content of any training(s) they receive.
4. All district policies and procedures regarding law enforcement and other safety or security officers, sworn or unsworn, in [REDACTED] (e.g., Standard Operating Procedures, relevant educator or policing handbooks, etc.).
5. Total number of student school-related arrests² for the 2015-2016, 2016-2017, and 2017-2018 school years disaggregated by:
 - a. Date;
 - b. School;
 - c. Race;
 - d. Ethnicity;
 - e. Sex/Gender;
 - f. Grade Level;
 - g. Disability Status;
 - h. English Language Learner (ELL) Status;
 - i. Eligibility for Free and Reduced Lunch; and
 - j. School outcome (in-school suspension, out-of-school suspension, expulsion, etc.), if any.
6. Total number of student referrals to law enforcement³ for the 2015-2016, 2016-2017, and 2017-2018 school years disaggregated by:
 - a. Date;
 - b. School;

²A “school-related arrest” is an arrest of a student for any activity conducted on school grounds, during off-campus school activities (including while taking school transportation), or due to a referral by any school official. All school-related arrests are considered referrals to law enforcement. See United States Department of Education, Civil Rights Data Collection, “Master List of 2015-2016 CRDC Definitions,” available at: <https://crde.grads360.org/services/PDCService.svc/GetPDCDocumentFile?fileId-20523> (hereinafter “CRDC Definitions”).

³A “referral to law enforcement” refers to an action by which a student is reported to any law enforcement agency or official, including a school police unit, for an incident that occurs on school grounds, during school-related events, or while taking school transportation, regardless of whether official action is taken. Citations, tickets, court referrals, and school-related arrests are considered referrals to law enforcement. See CRDC Definitions. *supra* n. 2.

APPENDIX A: PUBLIC RECORDS REQUEST TO SCHOOL DISTRICTS

- c. Race;
- d. Ethnicity;
- e. Sex/Gender;
- f. Grade Level;
- g. Disability Status;
- h. English Language Learner (ELL) Status;
- i. Eligibility for Free and Reduced Lunch; and
- j. School outcome (in-school suspension, out-of-school suspension, expulsion, etc.), if any.

7. Other information, including policies, procedures, and training, related to any other security measures the school district uses (e.g., metal detectors, other forms of hardware security, etc.).

Please respond to this request within five (5) days as required by law, La. Rev. Stat. Ann. § 44:35(A), and provide a timeline for production and an estimate of production costs. If the records will collectively total more than 1,000 pages, or if the cost is more than \$500, please contact me via email or phone prior to collecting them. Please contact me by phone at [REDACTED], by facsimile at [REDACTED], or by email at [REDACTED] with any questions. Thank you in advance for your prompt consideration of this request.

Sincerely,

A large black rectangular redaction box covering the signature area.

APPENDIX B: PUBLIC RECORDS REQUEST TO LAW ENFORCEMENT AGENCIES



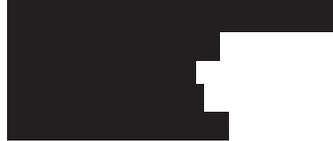
Fighting Hate
Teaching Tolerance
Seeking Justice

Southern Poverty Law Center

www.splcenter.org

February 23, 2018

VIA U.S. MAIL



RE: Public Records Request for Information Regarding the Use of [REDACTED]
[REDACTED] Officers in Schools.

Dear [REDACTED],

We write under Article XII, Section 3 of the Louisiana Constitution, La. Const. Ann. art. XII, § 3, and the Louisiana Public Records Act, La. Stat. Ann. §§ 44: 1-44:41 to request public records and data regarding the use of [REDACTED] officers in public elementary, middle, and high schools. All requests seek only non-confidential, non-privileged information, as defined under applicable state and federal law. Where responsive records exist that contain both confidential or privileged information and non-confidential or non-privileged information, Please redact the confidential information (e.g., personally identifying information on PII¹) or privileged information, and produce the balance of records.

Specifically, we request the following information:

1. The number of [REDACTED] officers, employed by, deployed to, or otherwise placed on school campuses. Within that officer population, please indicate: (a) which school(s) they are assigned to, and (b) the nature of their assignment/placement (e.g., at one school campus for the entire day; assigned to two schools for a half day each; assigned from a central location to respond to requests for assistance from schools, etc.).

¹Under the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. § 1232g, PII includes information such as a student's name, address, personal identifier such as a social security number, indirect identifier such as a student's date of birth, or other information that is linkable to a specific student and would allow a reasonable person in the school community to identify the student with reasonable certainty. 34 C.F.R. § 99.3. However, even records or information that would otherwise be subject to FERPA protections may be released after the removal of all PII, provided that the educational agency or institution or other party has made a reasonable determination that a student's identity is not personally identifiable, taking into account other reasonably available information. 34 C.F.R. § 99.31(b).

APPENDIX B: PUBLIC RECORDS REQUEST TO LAW ENFORCEMENT AGENCIES

2. All memoranda of agreement or understanding (MOAs or MOUs), contracts, or other legal agreements in effect for the 2017-2018 school year between [REDACTED] and any school or school district regarding the deployment or placement of law enforcement officers to school campuses.
3. All information on post-academy trainings and certifications for [REDACTED], [REDACTED] officers employed by, deployed to, or otherwise placed on school campuses, including:
 - a. Copies of all post-academy training materials related to their employment by, deployment to, or placement on school campuses;
 - b. Whether [REDACTED] officers employed by, deployed to, or otherwise placed on school campuses receive the training(s) provided in (3)(a) above;
 - c. Who provides the training(s);
 - d. What certifications officers employed by, deployed to, or otherwise placed on school campuses have received; and
 - e. How often the officers must be re-certified.
4. All other policies or procedures specifically for [REDACTED] officers assigned to schools.
5. Total number of school-related arrests² between August 1, 2015 and present day. Please further disaggregate the total number of arrests per school year by:
 - a. Date;
 - b. School where the arrest originated;
 - c. Race of student;
 - d. Sex of student;
 - e. Age of student;
 - f. Charge; and
 - g. Arresting Officer(s).
6. Total number of school referrals to law enforcement³ between August 1, 2015 and present day. Please further disaggregate the total number of referrals to law enforcement per school year by:
 - a. Date;
 - b. School where the referral originated;
 - c. Race of student;

² A “school-related arrest” is an arrest of a student for any activity conducted on school grounds, during off-campus school activities (including while taking school transportation), or due to a referral by any school official. All school-related arrests are considered referrals to law enforcement. See United States Department of Education, Civil Rights Data Collection, “Master List of 2015-2016 CRDC Definitions,” available at: <https://crde.grads360.org/services/PDCService.svc/GetPDCDocumentFile?fileId-20523> (hereinafter “CRDC Definitions”).

³ A “referral to law enforcement” refers to an action by which a student is reported to any law enforcement agency or official, including a school police unit, for an incident that occurs on school grounds, during school-related events, or while taking school transportation, regardless of whether official action is taken. Citations, tickets, court referrals, and school-related arrests are considered referrals to law enforcement. See CRDC Definitions. *supra* n. 2.

APPENDIX B: PUBLIC RECORDS REQUEST TO LAW ENFORCEMENT AGENCIES

- d. Sex of student;
- e. Age of student;
- f. Reason for referral, if available; and
- g. Responding Officer(s).

7. Total number of incidents at schools between August 1, 2015 and the present day where a [REDACTED] official used the following against a student:

- a. Taser;
- b. Mace; and
- c. Restraint/Seclusion.

Please respond to this request within five (5) days as required by law, La. Rev. Stat. Ann. § 44:35(A), and provide a timeline for production and an estimate of production costs. If the records will collectively total more than 1,000 pages, or if the cost is more than \$500, please contact me via email or phone prior to collecting them. Please contact me by phone at [REDACTED], by facsimile at [REDACTED], or by email at [REDACTED] with any questions. Thank you in advance for your prompt consideration of this request.

Sincerely,

[REDACTED]

APPENDIX C: THE LOUISIANA DEPARTMENT OF EDUCATION SCHOOL BEHAVIOR REPORT FORM



LOUISIANA DEPARTMENT OF EDUCATION SCHOOL BEHAVIOR REPORT

In accordance with R. S. 17:416(A) the purpose of this report is to inform parents/guardians of a behavior incident on the school campus, in the classroom, cafeteria, gymnasium, auditorium, elsewhere at the school or during school-related activities, and of subsequent disciplinary action taken by school officials. Because this or other incidents may jeopardize the safety, well-being or education of other students, parents are urged to discuss the incident and possible implications with the student to prevent further occurrences.

Name of Student:	Phone:	Grade/Section:	
Name of Teacher/Staff:	Teacher/Staff/Location:		
Name of Principal:	School:		
Check One: <input type="checkbox"/> Regular Education <input type="checkbox"/> 504 <input type="checkbox"/> Special Education	Date of Incident:	Time:	Location:

Time Code:	01 Before School on Grounds, 02 During Class, 03 Between Classes, 04 After Normal School Hours & Supervised, 05 To/From School, 06 At Bus Stop or Transfer Station, 07 During School Extracurricular/Assembly Event, 08 Recess, Club, Free Time, 09 Homeroom, 10 Breakfast/Lunch
Location Code:	01 Classroom, 02 Restroom, 03 Lunchroom, 04 Hallway, 05 Playground, 07 At Bus Stop or Transfer Station, 08 Parking Lot, 09 Locker Room, 10 Cell Phone, 11 Internet, 12 To or From School, 13 School Sponsored Event, 14 Home, 98 Offsite Program, 99 Other _____

INFRACTION/REASON CODES (Check all that apply)

- | | | | |
|---|--|--|--|
| 01. <input type="checkbox"/> Willful disobedience | 11. <input type="checkbox"/> Cuts, defaces, or injures any part of public school buildings/vandalism | 17. <input type="checkbox"/> Violates traffic and safety regulations | 36. <input type="checkbox"/> Cyber Bullying (*complete Bullying Form) |
| 02. <input type="checkbox"/> Treats an authority with disrespect | 12. <input type="checkbox"/> Writes profane and/or obscene language or draws obscene pictures | 18. <input type="checkbox"/> Leaves school premises or classroom without permission | 37. <input type="checkbox"/> False Alarm/Bomb Threat |
| 03. <input type="checkbox"/> Makes an unfounded charge against authority | 13. <input type="checkbox"/> Possesses weapon (s) as defined in Section 921 of Title 18 of the U.S. Code. *Use of code 13 requires additional submission of the Weapon Type code. | 19. <input type="checkbox"/> Is habitually tardy and/or absent | 38. <input type="checkbox"/> Forgery |
| 04. <input type="checkbox"/> Uses profane and/or obscene language | 14. <input type="checkbox"/> Possesses firearms (not prohibited by federal law), knives, or other implements, which may be used as weapons, the careless use of which might inflict harm or injury (Excludes pocket knives with a blade length < 2 1/2" - refer to code 31). | 20. <input type="checkbox"/> Takes another's property or possessions without permission | 39. <input type="checkbox"/> Gambling |
| 05. <input type="checkbox"/> Commits immoral or vicious practices | 15. <input type="checkbox"/> Throws missiles liable to injure others | 21. <input type="checkbox"/> Commits any other serious offense | 40. <input type="checkbox"/> Public Indecency |
| 06. <input type="checkbox"/> Conduct or habits injurious to his/her associates | 16. <input type="checkbox"/> Instigates or participates in fights while under school supervision | 30. <input type="checkbox"/> Discharge or use of weapon(s) prohibited by federal law | 41. <input type="checkbox"/> Obscene behavior or Possession of Obscene/Pornographic Material |
| 07. <input type="checkbox"/> Uses or possesses any controlled dangerous substances governed by the Uniform Controlled Dangerous Substances Law, in any form | | 31. <input type="checkbox"/> Possesses pocket knife or blade cutter with a blade length < 2 1/2" | 42. <input type="checkbox"/> Unauthorized use of Technology |
| 08. <input type="checkbox"/> Uses or possesses tobacco, lighter, or matches | | 33. <input type="checkbox"/> Use of OTC medication in a manner other than prescribed or authorized | 43. <input type="checkbox"/> Improper dress |
| 09. <input type="checkbox"/> Uses or possesses alcoholic beverages | | 34. <input type="checkbox"/> Possession of Body Armor | 44. <input type="checkbox"/> Academic dishonesty |
| 10. <input type="checkbox"/> Disturbs the school or habitually violates any rule | | 35. <input type="checkbox"/> Bullying/Harrassment (*complete Bullying Form) | 45. <input type="checkbox"/> Trespassing Violation |
| | | | 46. <input type="checkbox"/> Failure to Serve Assigned Consequence |
| | | | 47. <input type="checkbox"/> Misusing Internet/ Violates electronic/ technology policy |
| | | | 48. <input type="checkbox"/> Sexual Harassment |
| | | | 49. <input type="checkbox"/> False Report |
| | | | 50. <input type="checkbox"/> Crime of Violence (per R.S. 14:2B) |

REMARKS/DESCRIPTION OF INCIDENT: _____

(REVISED 7/7/2017)

APPENDIX C: THE LOUISIANA DEPARTMENT OF EDUCATION SCHOOL BEHAVIOR REPORT FORM



LOUISIANA DEPARTMENT OF EDUCATION SCHOOL BEHAVIOR REPORT

ACTION(S) TAKEN BY TEACHER OR OTHER SCHOOL EMPLOYEE

The student named above is hereby reported for inappropriate behavior as indicated in this report. This is the student's 1st 2nd 3rd 4th 5th (circle one) or other _____ cumulative behavioral referral(s). I have taken the following action(s):

- | | | |
|--|---|---|
| 011 <input type="checkbox"/> Referred to Office | 022 <input type="checkbox"/> Therapeutic Removal | 030 <input type="checkbox"/> Restorative Practices Implemented |
| 012 <input type="checkbox"/> Referred to Counselor | 025 <input type="checkbox"/> Intervention Room | 173 <input type="checkbox"/> Conference with Parents or Guardians |
| 013 <input type="checkbox"/> Referred to Social Worker | 080 <input type="checkbox"/> Assigned Remedial Work | 175 <input type="checkbox"/> Conference with Principal |
| 014 <input type="checkbox"/> Referred to SBLC | 120 <input type="checkbox"/> Student Conference | 999 <input type="checkbox"/> Other Action _____ |
| 018 <input type="checkbox"/> Secondary Referral (PBIS) | 140 <input type="checkbox"/> Student Reprimand | |
| 019 <input type="checkbox"/> Tertiary Referral (PBIS) | 160 <input type="checkbox"/> Loss of Privileges | |

Contact Parent/Guardian? <input type="checkbox"/> Y <input type="checkbox"/> N	Date: _____	Time: _____	<input type="checkbox"/> Phone Call	<input type="checkbox"/> Letter	<input type="checkbox"/> Conference	Date: _____	Time: _____
RECOMMENDATION(S) BY TEACHER OR OTHER SCHOOL EMPLOYEE:							
Signature of School Employee: _____						Date: _____	

ACTION(S) TAKEN BY SCHOOL ADMINISTRATOR

The student named above is hereby reported for inappropriate behavior as indicated in this report. This is the student's 1st 2nd 3rd 4th 5th (circle one) or other _____ cumulative behavioral referral(s). I have taken the following action(s):

- | | | |
|---|---|---|
| 000 <input type="checkbox"/> No Action – only use if no reportable action was taken | 014 <input type="checkbox"/> Referred to School Building Level Committee (SBLC) | 080 <input type="checkbox"/> Assigned Remedial Work |
| 001 <input type="checkbox"/> Expulsion Recommendation | 016 <input type="checkbox"/> Court Referral Date: _____ | 120 <input type="checkbox"/> Student Conference Date: _____ |
| 002 <input type="checkbox"/> Suspension Out of School from ___ to ___ | 017 <input type="checkbox"/> Enforcement Referral (Arrest Resulted Y N) | 140 <input type="checkbox"/> Student Reprimand |
| 004 <input type="checkbox"/> Suspension In School from ___ to ___ | 020 <input type="checkbox"/> TOR (Time Out Room) | 160 <input type="checkbox"/> Loss of Privileges |
| 006 <input type="checkbox"/> Suspension Alternative Site from ___ to ___ | 030 <input type="checkbox"/> Restorative Practices Implemented | 173 <input type="checkbox"/> Conference w/ Parents or Guardians on: _____ |
| 012 <input type="checkbox"/> Referred to Counselor | 040 <input type="checkbox"/> In School Detention from ___ to ___ | 175 <input type="checkbox"/> Conference w/ Principal on: _____ |
| 013 <input type="checkbox"/> Referral to Social Worker | 043 <input type="checkbox"/> After School Detention from ___ to ___ | 180 <input type="checkbox"/> Corporal Punishment (if checked, complete "Corporal Punishment" Incidence Checklist) |
| | 045 <input type="checkbox"/> Weekend Detention from ___ to ___ | 999 <input type="checkbox"/> Other Action(s): _____ |

Perpetrator: Serious Bodily Injury Y N **Medical Treatment:** Y N **Victim:** Serious Bodily Injury Y N **Medical Treatment:** Y N

Contact Parent/Guardian? <input type="checkbox"/> Y <input type="checkbox"/> N	Date: _____	Time: _____	<input type="checkbox"/> Phone Call	<input type="checkbox"/> Letter	<input type="checkbox"/> Conference	Date: _____	Time: _____
SIS Primary Infraction/Reason Code Entered: _____				Signature of Principal: _____		Date: _____	

COMMENTS BY STUDENT AND/OR PARENT/GUARDIAN:

Signature of Student: _____	Signature of Parent/Guardian: _____	Current Date: _____
-----------------------------	-------------------------------------	---------------------

Check appropriate blocks as copies of the document are supplied:

- Parent/Guardian School's Pupil File Employee Filing this Report Principal

***NOTE: The principal shall return a completed copy of this form to the staff member who initiated the referral within 48 hours (excluding non-work days) of the time it was submitted to the principal.**

****Attachments:** Provide copies of all documents related to the behavior of the student named above and prepared by the employee submitting this referral.

(REVISED 7/7/2017)

ENDNOTES

- 1 Jennifer Counts et al., *School Resource Officers in Public Schools: A National Review*, 41 *Educ. & Treatment Child.* 405 (2018); Matthew T. Theriot & Matthew J. Cuellar, *School Resource Officers and Students' Rights*, 19 *Contemp. Just. Rev.* 363 (2016); Spencer C. Weiler & Martha Cray, *Police at School: A Brief History and Current Status of School Resource Officers*, 84 *Clearing House: J. Educ. Strategies, Issues & Ideas* 160 (2011).
- 2 Melissa Diliberti et al., *Crime, Violence, Discipline, and Safety in U.S. Public Schools: Findings From the School Survey on Crime and Safety: 2015–16* U.S. Dep't Educ. & Nat'l Ctr. Educ. Stats. (2017), <https://nces.ed.gov/pubs2017/2017122.pdf>.
- 3 Ben Brown, *Evaluations of School Policing Programs in the USA*, in *The Palgrave International Handbook of School Discipline, Surveillance, and Social Control* 327-349 (Jo Deakin, Emmeline Taylor, Aaron Kupchik eds., 2018); Anthony Petrosino et al., "Policing Schools" Strategies: A Review of the Evaluation Evidence, 8 *J. Multi Disciplinary Eval.* 80 (2012); Brad Myrston, *Public Perceptions of School Resource Officer (SRO) Programs*, 12 *W. Criminology Rev.* 20 (2011).
- 4 Theriot & Cuellar, supra note 1; Lynn M. Barnes, *Keeping the Peace And Controlling Crime: What School Resource Officers Want School Personnel to Know*, 89 *Clearing House: J. Educ. Strategies, Issues & Ideas* 197 (2016).
- 5 Lauren A. Maddox, "His Wrists Were Too Small": School Resource Officers and the Over-Criminalization of America's Students, 6 *U. Miami Race & Soc. Just. L. Rev.* 193 (2016); Theriot & Cuellar, supra note 1; Matthew T. Theriot & John G. Orme, *School Resource Officers and Students' Feelings of Safety at School*, 14 *Youth Violence & Juv. Just.* 130 (2016); Bethany J. Peak, *Militarization of School Police: One Route on the School-to-Prison-Pipeline*, 68 *U. Ark. L. Rev.* 195 (2015); Amanda Petteruti, *Education Under Arrest: The Case Against Police in Schools*, *Just. Pol. Inst.* (Nov. 15, 2011), http://www.justicepolicy.org/research/3177?utm_source=%2fEducationUnderArrest&utm_medium=web&utm_campaign=redirect; Barnes, supra note 4.
- 6 Office For Civil Rights, U.S. Dep't of Educ., *Know Your Rights* (Sept. 25, 2018), <https://www2.ed.gov/about/offices/list/ocr/know.html?src=ft>.
- 7 Every Student Succeeds Act of 2015, 20 U.S.C. § 6301 et. seq. (2018).
- 8 Richard Fausset et al., *On a Day Like Any Other at a Florida School*, 6 *Minutes of Death and Chaos*, *N.Y. Times* (Feb. 16, 2018), <https://www.nytimes.com/2018/02/16/us/stoneman-douglas-shooting.html>; Kevin Sullivan et al., *At a School Well Versed in Drills, Gunman Deals Out Death*, *Wash. Post*, Feb. 16, 2018, at A1.
- 9 Alia Wong, *The Gun Violence That's a Bigger Threat to Kids Than School Shootings*, *The Atlantic* (Feb. 19, 2019), <https://www.theatlantic.com/family/archive/2019/02/gun-violence-children-actually-experience/582964/>.
- 10 Nikki Graf, *A Majority of U.S. Teens Fear a Shooting Could Happen at Their School, and Most Parents Share Their Concern*, *Pew Res. Ctr.* (Apr. 18, 2018), <http://www.pewresearch.org/fact-tank/2018/04/18/a-majority-of-u-s-teens-fear-a-shooting-could-happen-at-their-school-and-most-parents-share-their-concern/>.
- 11 John Woodrow Cox & Steven Rich, *Armored School Doors, Bulletproof Whiteboards and Secret Snipers: Billions Are Being Spent to Protect Children From School Shootings. Does Any of it Work?* *Wash. Post* (Nov. 13, 2018), https://www.washingtonpost.com/graphics/2018/local/school-shootings-and-campus-safety-industry/?utm_term=.c1b5bc7f418a.
- 12 Counts et al., supra note 1; Theriot & Cuellar, supra note 1; Peak, supra note 5; Weiler & Cray, supra note 1.
- 13 Weiler & Cray, supra note 1.
- 14 Counts et al., supra note 1; Theriot & Cuellar, supra note 1; Joseph M. McKenna & Jocelyn M. Pollock, *Law Enforcement Officers in Schools: An Analysis of Ethical Issues*, 33 *Crim. Just. Ethics* 163 (2014); Weiler & Cray, supra note 1; Kerrin C. Wolf, *Assessing Students' Civil Rights Claims Against School Resource Officers*, 38 *Pace L. Rev.* 215 (2018).
- 15 McKenna & Pollock, supra note 14; Julie Kiernan Coon & Lawrence F. Travis, *The Role of Police in Public Schools: A Comparison of Principal and Reports of Activities in Schools*, 13 *Police Prac. & Res.* 15 (2012); Teresa Renee Robinson, *Understanding the Role of the School Resource Officer (SRO): Perceptions from Middle School Administrators and SROs* (Dec. 2006) (unpublished Ph.D. dissertation, University of Tennessee) (https://trace.tennessee.edu/utk_graddiss/2027/); Editorial, *Criminalizing Children at School* *N.Y. Times* (Apr. 18, 2013), <https://www.nytimes.com/2013/04/19/opinion/criminalizing-children-at-school.html>.
- 16 Peak, supra note 5; Theriot & Cuellar, supra note 1; McKenna & Pollock, supra note 14.
- 17 Coon & Travis, supra note 15; Robinson, supra note 15.
- 18 Robinson, supra note 15.
- 19 Coon & Travis, supra note 15; Robinson, supra note 15; *N.Y. Times*, supra note 15.
- 20 Coon & Travis, supra note 15; Robinson, supra note 15.
- 21 Robinson, supra note 15.
- 22 Robinson, supra note 15.
- 23 *Body Count*, a 1996 book co-authored by John DiIulio Jr., predicted a rise in juvenile crime and the emergence of new offender called "super-predators," characterized as youth who will "do what comes naturally: murder, rape, rob, assault, burglarize, deal deadly drugs, and get high—" comments which he later retracted. See William J. Bennett, John J. DiIulio, Jr. & John P. Walters, *Body Count: Moral Poverty and How to Win America's War Against Crime and Drugs* 23 (1996).
- 24 "Broken windows policing" is a policing strategy based upon the assumption that there is a relationship between disorder in the community and criminal behavior. Thus, minor criminal misbehavior leads to further, more serious, crime. In other words, "If a window in a building is broken and is left unrepaired, all the rest of the windows will soon be broken." See George L. Kelling & James Q. Wilson, *Broken Windows: The Police and Neighborhood Safety*, *The Atlantic* (Mar. 1982), <https://www.theatlantic.com/magazine/archive/1982/03/broken-windows/4465/>.
- 25 McKenna & Pollock, supra note 14; Coon & Travis, supra note 15; James Traub, *The Criminals of Tomorrow*, *New Yorker*, Nov. 4, 1996, at 50.
- 26 Peak, supra note 5; Weiler & Cray, supra note 1; Coon & Travis, supra note 15.
- 27 Robinson, supra note 15.
- 28 Peak, supra note 5; Coon & Travis, supra note 15; Robinson, supra note 15; *N.Y. Times*, supra note 14.
- 29 McKenna & Pollock, supra note 14; Coon & Travis, supra note 15.
- 30 Coon & Travis, supra note 15.
- 31 Coon & Travis, supra note 15; Robinson, supra note 15.
- 32 Philip M. Stinson & Adam M. Watkins, *The Nature of Crime by School Resource Officers: Implications for SRO Programs*, *Criminal Justice Faculty Publications*. 11 (2013), https://scholarworks.bgsu.edu/cgi/viewcontent.cgi?article=1010&context=crim_just_pub.
- 33 Id.
- 34 Diliberti, supra note 2; Lucina Gray et al., U.S. Dep't Educ. & Nat'l Ctr. Educ. Stats., *Public School Safety and Discipline: 2013–14* (2015), <https://nces.ed.gov/pubs2015/2015051.pdf>.
- 35 *Nat'l Ass'n School Resource Officers, To Protect & Serve: The School Resource Officer and the Prevention of Violence in Schools* (2012), <https://nasro.org/cms/wp-content/uploads/2013/11/NASRO-To-Protect-and-Educate-nosecurity.pdf>.
- 36 Aaron Kupchik, *Homeroom Security: School Discipline in an Age of Fear* 82 (2010); Counts et al., supra note 1; Deanna N. Devlin & Denise C. Gottfredson, *The Roles of Police Officers in Schools: Effects On the Recording and Reporting of Crime*, 16 *Youth Violence & Juv. Just.* 208 (2018); Brown, supra note 3; Coon & Travis, supra note 15.
- 37 Lynn M. Barnes, *Keeping the Peace And Controlling Crime: What School Resource Officers Want School Personnel to Know*, 89 *Clearing House: J. Educ. Strategies, Issues & Ideas* 197 (2016).
- 38 Theriot & Cuellar, supra note 1; Lynn M. Barnes, *Keeping the Peace And Controlling Crime: What School Resource Officers Want School Personnel to Know*, 89 *Clearing House: J. Educ. Strategies, Issues & Ideas* 197 (2016).
- 39 Lauren A. Maddox, "His Wrists Were Too Small": School Resource Officers and the Over-Criminalization of America's Students, 6 *U. Miami Race & Soc. Just. L. Rev.* 193 (2016); Theriot & Cuellar, supra note 1; Matthew T. Theriot & John G. Orme, *School Resource Officers and Students' Feelings of Safety at School*, 14 *Youth Violence & Juv. Just.* 130 (2016); Bethany J. Peak, *Militarization of School Police: One Route on the School-to-Prison-Pipeline*, 68 *U. Ark. L. Rev.* 195 (2015); Amanda Petteruti, *Education Under Arrest: The Case Against Police in Schools*, *Just. Pol. Inst.* (Nov. 15, 2011), http://www.justicepolicy.org/research/3177?utm_source=%2fEducationUnderArrest&utm_medium=web&utm_campaign=redirect; Barnes, supra note 4.
- 40 Maddox, supra note 5; Theriot & Cuellar, supra note 1; Theriot & Orme, supra note 5; Peak, supra note 5; Amanda Petteruti, *Education Under Arrest: The Case*

Against Police in Schools, Just. Pol. Inst. (Nov. 15, 2011), http://www.justicepolicy.org/research/3177?utm_source=%2fEducationUnderArrest&utm_medium=web&utm_campaign=redirect.

41 La. Rev. Stat. Ann. § 17:416.19(B)(1) (2018); La. Rev. Stat. Ann. § 40:2402(3)(a) (2018).

42 La. Rev. Stat. Ann. § 17:416.19(B)(1) notes that a SRO is “a peace officer as defined in R.S. 40:2402(1).” “Peace officer” means any employee of the state, a municipality, a sheriff, or other public agency, whose permanent duties actually include the making of arrests, the performing of searches and seizures, or the execution of criminal warrants, and is responsible for the prevention or detection of crime or for the enforcement of the penal, traffic, or highway laws of this state, but not including any elected or appointed head of a law enforcement department.” La. Rev. Stat. Ann. § 40:2402(3)(a) (2018).

43 Maranda Whittington, Bossier Schools Add Five New SRO's This Year, KSLA News 12 (Aug. 14, 2018), <http://www.ksla.com/story/38878284/bossier-schools-add-five-new-sros-this-year/>.

44 Amanda McElfresh, Lafayette School Board Approves Job Changes to Pay for Armed Officers, Lafayette Daily Advert. (July 16, 2018), <https://www.theadvertiser.com/story/news/local/education/2018/07/16/lafayette-school-board-look-new-central-office-structure-salaries/789119002/>.

45 Bob Warren, 55 St. Tammany Schools Will Have Police Officers for August Start, NOLA.com. (July 26, 2018), https://www.nola.com/northshore/index.ssf/2018/07/police_officers_at_st_tammany.html; St. Tammany Parish School Board Final Budget: General Fund (Sept. 13, 2018) (<http://www.stpsb.org/Budgets/2017-2018/GeneralFundFinalBudgetFY2017-2018.pdf>).

46 Caroline Grueskin, Livingston School Resource Officer Tax: Here's How Your Money Would Be Spent, The Advocate (Sept. 23, 2018), https://www.theadvocate.com/baton_rouge/news/communities/livingston_tangipahoa/article_8f03e7f2-b6c9-11e8-9c78-3fa590ad9662.html.

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49 Office for Civil Rights, U.S. Dep't of Educ., Civil Rights Data Collection Frequently Asked Questions (Sept. 25, 2018), <https://www2.ed.gov/about/offices/list/ocr/frontpage/faq/crdc.html>. See also 20 U.S.C. § 3413(c)(1) (2018).

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51 Id.

52 2015-2016 Civil Rights Data Collection (CRDC), For the 2015-2016 School Year (Dec. 17, 2018), <https://www2.ed.gov/about/offices/list/ocr/docs/crdc-2015-16.html>.

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54 2017-2018 Civil Rights Data Collection: General Overview, Changes, and List of Data Elements, U.S. Dep't of Educ., <https://www2.ed.gov/about/offices/list/ocr/docs/2017-18-crdc-overview-changes-data-elements.pdf> (last visited Jan. 20, 2019).

55 Id. 20 U.S.C. § 7801(20)(2012) (An “English learner” is defined as a person “(A) who is aged 3 through 21; (B) who is enrolled or preparing to enroll in an elementary school or secondary school; (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual— (i) the ability to meet the challenging State academic standards; (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or (iii) the opportunity to participate fully in society.”)

56 Id.

57 20 U.S.C. § 6301 et. seq. (2018).

58 Id.

59 U.S. Dep't of Educ., Improving Basic Programs Operated by Local Education Agencies (Title I, Part A) (Oct. 24, 2018), <https://www2.ed.gov/programs/titleparta/index.html>.

60 20 U.S.C. §§ 6311(h)(1)(C)(viii)(I)(2018) (ESSA requires the collection of the following data under CRDC: “measures of school quality, climate, and safety, including rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), incidences of violence, including bullying and harassment.”)

61 20 U.S.C. §§ 6311(h)(2)(C)(2018) (“The State educational agency shall ensure that each local educational agency collects appropriate data and includes in the local educational agency’s annual report the information described in paragraph (1)(C), disaggregated in the same manner as required under [CRDC]”).

62 La. Dep't of Educ., Every Student Succeeds Act (ESSA), [https://www.louisianabelieves.com/resources/about-us/every-student-succeeds-act-\(essa\)](https://www.louisianabelieves.com/resources/about-us/every-student-succeeds-act-(essa)) (last visited Jan. 20, 2019).

63 20 U.S.C. §§ 6311(h)(2)(A)(2018) (“A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card that includes information on such agency as a whole and each school served by the agency.”).

64 Cong. Research Serv., R45251, School Resource Officers: Issues for Congress 2 (2018), https://www.everycrsreport.com/files/20180705_R45251_db5492370a04c7e3b39f27ce52416d229a0ac17d.pdf.

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66 Peter Finn et al., Comparison of Program Activities and Lessons Learned Among 19 School Resource Officer (SRO) Programs, Nat'l Inst. Just. (2005), <https://www.ncjrs.gov/pdffiles1/nij/grants/209272.pdf>; Peter Finn & Jack McDevitt, National Assessment of School Resource Officer Programs Final Project Report, Nat'l Inst. Just. (2005), <https://www.ncjrs.gov/pdffiles1/nij/grants/209273.pdf>.

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69 Ming-Te Wang & Jessica L. Degol, School Climate: A Review of the Construct, Measurement, and Impact on Student Outcomes, 28 Educ. Psychol. Rev. 315, 320 (2016).

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71 Tangipahoa School Resource Officers Welcome Students Back to School, The Advocate (Aug. 30, 2017), https://www.theadvocate.com/baton_rouge/news/communities/livingston_tangipahoa/article_2c0e916c-7e0b-11e7-9861-af4baa9e3f75.html; Vic Couvillion, Livingston School Board Votes to Replace 55 Flood-Damaged

School Buses, *The Advocate* (Jun. 21, 2017), https://www.theadvocate.com/baton_rouge/news/communities/livingston_tangipahoa/article_59bb9c78-52d6-11e7-a4d1-b7269b4c71ff.html; Faimon A. Roberts II, *Lawsuit: Fontainebleau High Officials Violated Student's Rights in Searching His Cellphone*, *The Advocate* (Jun. 15, 2016), https://www.theadvocate.com/new_orleans/news/communities/st_tammany/article_025b44dd-fbed-570e-b11b-247cc0675315.html; Cheryl Mercedes, *Law enforcement officers, students remember deputy killed by alleged drunk driver*, *WAFB 9* (Oct. 2, 2017), <http://www.wafb.com/story/36504446/law-enforcement-officers-students-remember-deputy-killed-by-alleged-drunk-driver/>.

72 The SPLC sent public records requests to the Northshore Charter School in light of its status as a “Type 2” charter school, and therefore an independent, separate school district, during the 2015-2016 and 2016-2017 school years. See *La. Rev. Stat. Ann. § 17:3996 (C)* (2018) (“Any Type 2 or Type 5 charter school shall be considered the local education agency for the purposes of any special education funding or statutory definitions.”); *La. Dep’t of Educ., 2015-2016 Annual Report on Type 2, 4, and 5 Charter Schools 7*, <https://www.louisianabelieves.com/docs/default-source/school-choice/2015-2016-charter-annual-report.pdf?sfvrsn=7>; *La. Dep’t of Educ., 2016-2017 Annual Report on Type 2, 4, and 5 Charter Schools 6*, <https://www.louisianabelieves.com/docs/default-source/school-choice/2016-2017-type-2-4-and-5-charter-annual-report.pdf?sfvrsn=4>.

73 See *supra* note 70. Tangi Academy was a Type 2 Charter School during the 2015-16, 2016-17, and 2017-18 school years.

74 *Infra* Appendices A and B. Additionally, the SPLC exclusively requested data on incidences of seclusion, restraint, and the use of a TASER on students from law enforcement agencies, to obtain a further understanding of the methods of in which law enforcement officials are used in schools.

75 *La. Rev. Stat. Ann. §§ 44:32(A),(D)* (2018).

76 *Infra* Appendices A & B.

77 SPLC had no official cut-off date for receiving responses to its requests. However, for purposes of production of this policy brief, SPLC included responses it received to its request as of February 1, 2019.

78 2015-16 Civil Rights Data Collection, U.S. Dep’t Of Educ., <https://www2.ed.gov/about/offices/list/ocr/docs/2015-16-crdc-data.zip>.

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80 See *supra* note 78.

81 See Theriot & Cuellar, *supra* note 1.

82 See 20 U.S.C. §§ 6311(h)(1)(C)(viii)(I)(2018) (ESSA requires the collection of the following data under CRDC: “measures of school quality, climate, and safety, including ... school-related arrests, referrals to law enforcement.”)

83 See A.C.A. § 6-18-516. The Arkansas Department of Education is required to annually report to the State Board and all of its school districts, discipline data, including referrals to law enforcement agencies. <https://education.ky.gov/sdfs/Documents/2016-17%20Safe%20Schools%20Annual%20Statistical%20Report.pdf>

84 See MD. CODE 13A.08.01.12. School districts in Maryland are required to report data on school based arrests and referrals to law enforcement to the Maryland Department of Education.

85 Ky. Dep’t of Educ., Office of Continuous Improvement and Support. *Safe Schools 2016-2017 Annual Statistical Report* (Oct. 2017), <https://education.ky.gov/sdfs/Documents/2016-17%20Safe%20Schools%20Annual%20Statistical%20Report.pdf>.

86 *Safe Schools Healthy Students, The Importance of Disaggregating Student Data* (Apr. 2012), http://www.educationnewyork.com/files/The%20importance%20of%20disaggregating_0.pdf.

87 2017-2018 Civil Rights Data Collection: General Overview, Changes, and List of Data Elements, U.S. Dep’t of Educ., <https://www2.ed.gov/about/offices/list/ocr/docs/2017-18-crdc-overview-changes-data-elements.pdf> (last visited Jan. 20, 2019).

88 Office for Civil Rights, U.S. Dep’t of Educ., *Civil Rights Data Collection Frequently Asked Questions* (Sept. 25, 2018), <https://www2.ed.gov/about/offices/list/ocr/frontpage/faq/crdc.html>.

89 The ACLU of Connecticut stressed the importance of ensuring the SEA had adequate resources to ensure school policing data accuracy, a practice which SPLC further supports. *Id.*

90 Md. Dep’t of Educ., *2015-2016 Student Arrest Data Collection Manual* (July 2016) <http://marylandpublicschools.org/about/Documents/DSFSS/SSSP/StudentArrest/20152016StudentArrestsManual072016.pdf>

91 *Id.*

92 20 U.S.C. § 6311(h)(1)(B)(2018).

93 See 20 U.S.C. §§ 6311(h)(1)(C)(viii)(I)(2018) (ESSA requires the collection of the following data under CRDC: “measures of school quality, climate, and safety, including rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), incidences of violence, including bullying and harassment.”)

94 See *La. Rev. Stat. Ann. § 17:416(4)(A)(a)(ii)* (establishing uniform reporting for school disciplinary infractions); *La. Rev. Stat. Ann. § 17:3911(B)(3)* (charging school boards to ensure accurate reporting of school discipline data using the Louisiana School Behavior Report Form).

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