

GETTING COPS OUT OF OUR CLASSROOMS

A Toolkit for Improving Student-Centered
Safety by Removing Resource Officers
from Iowa Schools



National Center
for Youth Law

COMMUNITY
EMPOWERMENT
LAW PROJECT

DSM
BLM
COLLECTIVE

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BONDURANT-FARRAR COMMUNITY SCHOOL DISTRICT, POLK
COUNTY (2021)

WHO WE ARE

DES MOINES BLACK LIBERATION MOVEMENT COLLECTIVE (DSM BLM)

Des Moines Black Liberation Movement Collective works to dismantle racist systems and structures through advocacy and direct action. The DSM BLM is a collective of young organizers in Des Moines, made up of various gender identities, cultural backgrounds, and political beliefs - but brought together around the unifying understanding that Black people matter and have been systematically oppressed since the inception of this nation. DSM BLM organizes to elevate awareness around the inner workings of systematic oppression in order to root them out. The leaders of DSM BLM include Yena Balekyani, Linda Brown, Jaylen Cavil, Jalesha Johnson, Giada Moresi, and LaShon Winfield.

NATIONAL CENTER FOR YOUTH LAW (NCYL)

The National Center for Youth Law works to fundamentally transform the nation's approach to education, health, immigration, foster care, and youth justice through impact litigation, policy advocacy, collaboration, and research.

COMMUNITY EMPOWERMENT LAW PROJECT (CELP)

The Community Empowerment Law Project at the University of Iowa College of Law works to strengthen communities, create economic opportunity, and advance social justice in the State of Iowa through the representation of nonprofit organizations and other entities. This toolkit was written by Will Davison, Katie Kustes, Sandra Morales, Tatiana Smith, and Maddison Steuber.

I. THE IMPORTANCE OF ADVOCACY

WHAT IS ADVOCACY?

Advocacy is commonly known as “any action that speaks in favor of, recommends, argues for a cause, supports or defends, or pleads on behalf of others.”¹ Advocacy actions may include, but are not limited to, the following:

Educating. Advocacy involves educating the public about the issue you are seeking to change. This may include something as simple as talking about the issue with your closest friends and family when you are spending time with them. It could also include widely distributing flyers to community members to inform them of issues and holding community forums on the issues in your community.

Organizing. Advocacy involves uniting people who are passionate about the same or similar issues in the community. It may involve getting people together for a protest or events like TED talks, sharing stories and facts about the issue.

Researching. Advocacy may involve gathering data, surveys, and stories so that you can present the reality of the issues in your community.

Learning. Advocacy takes humility. Advocacy will include learning from and amplifying the voices of the people the issue is affecting the most – often a marginalized community.

Presenting. The information you gather, and the reality of the issue in your community, should be presented to leaders in your community who can make a change – people like school boards, legislators, and city council.

WHO CAN ADVOCATE?

Anyone can advocate. In fact, you already may be an advocate. Do you talk with your family and friends about the issues you are curious about? Do you share posts on social media about issues you are passionate about? Have you chosen brands to support and buy from based on their values? An advocate is anyone who is committed to change and speaks in favor of that change. Advocates are open to sharing their commitment to change publicly and are willing to become more knowledgeable about the issue.

¹ ALL. FOR JUST., WHAT IS ADVOCACY? DEFINITIONS AND EXAMPLES, https://mffh.org/wp-content/uploads/2016/04/AFJ_what-is-advocacy.pdf.

WHY IS ADVOCACY IMPORTANT?

Our world is not perfect, and there are issues in your community that you may not even know about yet. There are also issues you do know about, that others in your community do not know about. It is important that you use your voice to make a change for the issues you see in your community.

Advocacy Amplifies Voices. Through advocacy, people whose voices are ignored or silenced make themselves heard. Using tools like public education and organizing, community members, politicians, and media are forced to confront the issue in question.

Advocacy Drives Change. Educating the public on the issues in your community will raise awareness and can bring more potential supporters of change together. As more people become passionate and begin to share a commitment to change, this larger and louder group has a better chance of directly influencing decisions of policy- and lawmakers.

Advocacy Is Inclusive. Advocacy requires people to work together for common goals. It invites participation of anyone who is willing to learn more about the issue and has a commitment to change. Effective advocacy builds on the experiences of the people most impacted and empowers them to speak for themselves. Through advocacy, people learn from each other and better understand each other.

Advocacy Builds Strong Leadership. Participation in one advocacy movement can give individuals the tools to continue advocating for change related to the original issue or a wholly new problem in the community.

Advocacy can have a significant impact on your community and lead to real change. It unites and empowers people and builds leaders who will continue to advocate for change in their community. It is important to remember why we advocate when advocacy gets hard, so that we are encouraged to continue this work.

This toolkit will focus on why it is important to advocate for the removal of School Resource Officers (SROs) from schools and give practical tips for advocating for this change.

II. DEFINE THE PROBLEM

TYPES OF LAW ENFORCEMENT

A school district may employ different types of security or enforcement personnel. There are generally two different types of security personnel that work in schools:

School Resource Officers (SROs). SROs are sworn law enforcement officers – or officers who have taken an oath to support the Constitution of the United States, their state, and the laws of their agency’s jurisdiction – like police in the community. However, they may have completed different training than other police officers. Regardless, SROs have the full powers of police officers to provide verbal warnings and citations, referrals, arrests, interrogations, detainments, and use deadly force against individuals accused of criminal activity. SROs are also often armed like on-duty police, carrying firearms, tasers, and less frequently batons. SROs can be in full police uniform or can be assigned “plainclothes” uniforms, like blue polo shirts, to limit the perception of authority.

These officers are assigned to work at a school or group of schools under an agreement approved by the school board. The city, representing the local police department, creates a contract with the school district to allow officers to patrol school grounds and classrooms in a law-enforcement capacity, typically described in vague detail by the contract itself. In virtue of their ties to the police department, SROs are government employees, acting as agents on behalf of local, county and state law.

Security Guards. Security guards, by contrast, are not sworn law enforcement officers and rarely carry weapons. They may work for a private company and wear a uniform that is similar but not identical to a police uniform. They don’t have the ability to arrest or to use deadly force in the vast majority of circumstances.

Students may not always know if the person who patrols their school hallways and lunchroom is a police officer or not. It is important for advocates to ask questions to find out what type of officers are in your school district. This toolkit assumes that your district employs SROs, as the approach of school boards dealing directly with local police departments is the universal standard in most Iowa districts.

HISTORY OF SROS GENERALLY

In order to effectively advocate for the removal of SROs, advocates need to understand the history of SROs: how they came to be, why they exist, and what their roles are. The only definition of SRO in current federal law appears under the authorizing legislation

Community Oriented Policing Services office (COPS). The statute defines an SRO as “a career law enforcement officer, with sworn authority, deployed in community-oriented policing and assigned by the employing police department or agency to work in collaboration with school and community-based organizations.”² Its goal as related to schools was to provide grant awards to school districts to improve security at schools.³

SROs have several roles. As for daily duties, the National Association of School Resource Officers (NASRO) indicates that officers play a tripartite role of law enforcement, informal mentor and counselor, and sometimes teacher.⁴ The goals of an SRO program are “providing safe learning environments in our nation’s schools, providing valuable resources to school staff members, fostering positive relationships with youth, developing strategies to resolve problems affecting youth and protecting all students, so that they can reach their fullest potentials.”⁵ It is important to note that the roles of SROs in school districts are laid out in the memorandum of understanding (also known as 28E agreements), which is another way to describe the contract between the school and the local police department delineating what police can and cannot do as well as how long they will be at a specific school district.

The history of SROs spans 74 years.⁶ The year 1948 marked the start of school policing.⁷ In 1948, the Los Angeles School Police Department formed a security unit to patrol and protect schools in newly desegregated neighborhoods; thus, it is thought to be the first school policing program in the nation.⁸ Then, in the 1950s, SROs come to be (the official name). In the 1950s, school police become known as SROs, and the first SRO program began in Flint, Michigan, in 1953.⁹ A year later, the Supreme Court passed *Brown v. Board of Education* which held that school segregation was unconstitutional.¹⁰ There were many schools that refused to desegregate following the Supreme Court decision, leading to federal military intervention. This police presence, though, did not go away and only continued to expand to school districts throughout the U.S.¹¹ By the 1990s, “local police departments in Tucson, Chicago, Miami, Baltimore, New York and Washington, D.C. began placing police officers on school grounds, patrolling hallways and performing random

² *School Resource Officers*, U.S. DEP’T OF JUST., <https://www.ojp.gov/ncjrs/virtual-library/abstracts/school-resource-officers>.

³ *Organization, Mission and Functions Manual: Office of Community Oriented Policing Services*, U.S. DEP’T OF JUST. (Sept. 21, 2022), <https://www.justice.gov/doj/organization-mission-and-functions-manual-office-community-oriented-policing-services>.

⁴ *Frequently Asked Questions*, NAT’L ASS’N OF SCH. RESOURCE OFFICERS, <https://www.nasro.org/faq>.

⁵ *Id.*

⁶ Giulia Heyward, *How Police Officers Started Working at Schools – And Why Some People Want Them Out*, CAPITAL B (June 3, 2022, 11:12 AM), <https://capitalbnews.org/school-resource-officers>.

⁷ *The History of School Policing*, CTR. FOR PUB. INTEGRITY (Sept. 8, 2021), <https://publicintegrity.org/education/criminalizing-kids/the-history-of-school-policing>.

⁸ *Id.*

⁹ Spencer C. Weiler & Martha Cray, *Police at School: A Brief History and Current Status of School Resource Officers*, 84 THE CLEARING HOUSE 160, 160 (2011).

¹⁰ *School Policing Timeline*, #POLICEFREESCHOOLS, <https://policefreeschools.org/timeline>.

¹¹ *Id.*

check-ins.”¹² The increase in police officers in schools was attributed to three major factors: concerns about rising rates of juvenile crime in the 1990s, the federal government’s funding of community policing programs in the 1994 crime bill and its establishment of the COPS hiring program, and the 1999 Columbine shooting in Littleton, Colorado.¹³

In the 2000s, the rapid expansion of SROs in schools continued. The U.S. Department of Education pushed for zero-tolerance policies across the country.¹⁴ Zero-tolerance policies are policies which result in harsh, predefined, mandatory consequences applied to a violation of school rules. These policies prevent a decisionmaker from taking into account the seriousness of the behavior, any mitigating circumstances, or the context of the behavior.¹⁵ In 2003, a report published by the Advancement Project, described the use of law enforcement agencies in schools and the juvenile justice system as a “double jeopardy mechanism” that effectively funnels students from an academic track in school to a future in the juvenile legal system.¹⁶ From 1997 to 2013, it is estimated that the number of SROs in schools grew from 9,400 to 20,000.¹⁷ A recent report from 2018 by the National Center for Education Statistics showed that 42% of public schools had at least one SRO present at least one day a week during the 2015-2016 academic year.¹⁸

SROS IN IOWA

In 2017, the Iowa Association of School Resource Officers reported that at least 29 out of 99 counties had one or more police departments with a resource officer in a school.¹⁹ Iowa has approximately 340 school districts and about 80 districts currently have SROs. That is to say that about 23% of school districts in Iowa have SROs.

For example, the city of Davenport has four officers assigned to the Davenport Community School District. The contract or MOU between the city and the school districts describes:

[t]he primary duty and responsibility of the SROs is to assist the [school district] in creating an environment that leads to positive educational outcomes by preserving the individual

¹² *Id.*

¹³ Stephen Sawchuk, *School Resource Officers (SROs), Explained*, EDUC. WEEK (Nov. 16, 2021), <https://www.edweek.org/leadership/school-resource-officer-sro-duties-effectiveness>.

¹⁴ *School Policing Timeline*, *supra* note 10.

¹⁵ Nancy A. Heitzeg, *Criminalizing Education: Zero Tolerance Policies, Police in Hallways, and the School to Prison Pipeline*, 453 COUNTERPOINTS 11, 12 (2014).

¹⁶ ADVANCEMENT PROJECT, *EDUCATION ON LOCKDOWN: THE SCHOOLHOUSE TO JAILHOUSE* (2005), https://www.njln.org/uploads/digital-library/Education-on-Lockdown_Advancement-Project_2005.pdf.

¹⁷ *Id.*

¹⁸ Table 233.70. *Percentage of Public Schools with Security Staff Present at Least Once a Week, and Percentage with Security Staff Routinely Carrying a Firearm, By Selected School Characteristics: 2005–06 through 2017–18*, NAT’L CTR. FOR EDUC. STAT., https://nces.ed.gov/programs/digest/d19/tables/dt19_233.70.asp.

¹⁹ Will Greenberg, *Iowa City and Surrounding Schools Exploring School Resource Officers*, IOWA CITY PRESS-CITIZEN (March 12, 2018, 4:16 PM), <https://www.press-citizen.com/story/news/2018/03/12/iowa-city-and-surrounding-schools-exploring-school-resource-officers/412418002>.

safety and security of students and staff members. This includes resolving and de-escalating conflict between students, securing the building from intruders, and responding to calls for service at the schools regarding criminal matters. SROs do not proactively ‘police’ school buildings but work with administrators to resolve criminal incidents as they arise.²⁰

In August 2020, the Davenport School District and the City of Davenport approved a funding agreement in which the school district reimburses the city the cost of two Davenport personnel assigned to district buildings.²¹ While many Iowa districts have SROs, others have considered, but decided against, a police presence in their schools. In 2019, the School Safety Advisory Committee in the Iowa City Community School District made several recommendations to increase school safety, including the introduction of SROs.²² The school board members, though, vetoed the recommendation due to concerns about the potential negative impacts on students of color and students with disabilities, as well as little evidence that SROs make schools safer.

INEFFECTIVE SROS: MASS SHOOTINGS IN THE U.S.

Mass shootings at schools are often invoked as a reason to have police in schools. However, there is no evidence that suggests SROs decrease the frequency of school shootings, nor the severity of them. Mass shootings are defined as one in which at least 4 people are shot.²³ In 2022 so far, there has been a total of 611 mass shootings and, of those, 46 were school shootings with serious injuries or deaths.²⁴ In the 46 school shootings, 131 people have been killed or injured: 29 student fatalities, 7 adult fatalities, and 95 people injured.²⁵ Communities in 24 states and the District of Columbia have been impacted by school shootings this year. These shootings have occurred on the East Coast, the West Coast, in the South, and the Midwest, in red states and blue states. School shootings this year have been in: Washington, California, Texas, Oklahoma, Iowa, Illinois, Minnesota, North Carolina, Louisiana, Florida, Mississippi, Missouri, Virginia, Wisconsin, Ohio, Massachusetts, New York, Pennsylvania, Maryland, Arizona, South Carolina, D.C., Michigan, Kansas, and Alabama.²⁶

²⁰ School Resource Officers, CITY OF DAVENPORT, <https://www.davenportiowa.com/government/departments/police/sro>.

²¹ *Id.*

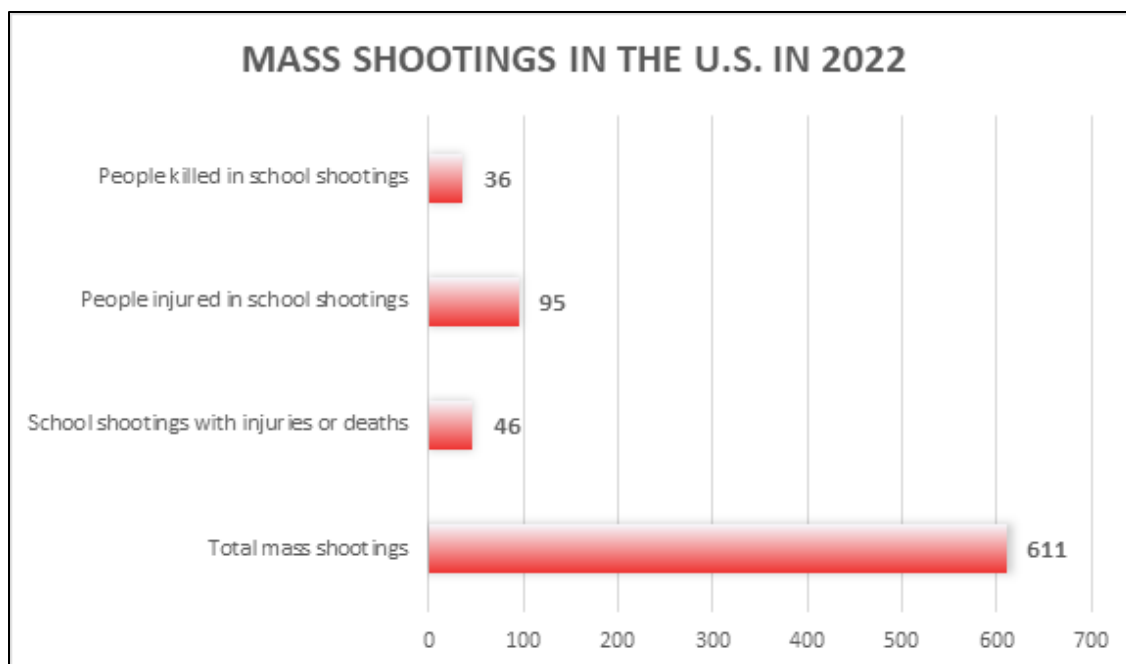
²² Aimme Breau, *Idea to Put Police Officers on Campuses Gets Cold Reception from Iowa City School Board*, IOWA CITY PRESS-CITIZEN (Apr. 24, 2019, 10:11 AM), <https://www.press-citizen.com/story/news/2019/04/23/idea-school-resource-officers-sro-police-shooting-iowa-city-school-board/3542360002>.

²³ Janie Boschma, *Mass Shootings in the US: 2022 Could Be the Second-Highest Year*, CNN (Nov. 23, 2022, 3:12 PM), <https://www.cnn.com/2022/11/23/us/2022-mass-shootings-tracking-second-highest/index.html>.

²⁴ *School Shootings This Year: How Many and Where*, EDUC. WEEK (Dec. 14, 2022), <https://www.edweek.org/leadership/school-shootings-this-year-how-many-and-where/2022/01>.

²⁵ *Id.*

²⁶ *Id.*



The school shooting in Uvalde, Texas, on May 24, 2022, shook the nation.²⁷ During this shooting at Robb Elementary School, 21 people died – 19 students and two teachers.²⁸ There were 376 law enforcement officers from state and federal agencies at the scene – including 5 officers from the school police force – more than 75 minutes before an officer acted, confronted the gunman, and killed him.²⁹ It was not an SRO that killed the gunman; it was a tactical team from the U.S. Border Patrol that ended up breaching the classroom door and killing the gunman.³⁰ The SROs in the Uvalde school district didn’t deter or prevent the gunman from entering the school, nor did they ultimately end his rampage.³¹

RACIAL TARGETING

While schools have worked to improve security by increasing security personnel, metal detectors, and cameras, there has also been an increase in the number of arrests and referrals to juvenile courts made by schools, which has disproportionately affected minority groups³² and students with disabilities.³³ Disproportionate impact means that a racial, ethnic, or other group is overrepresented compared to its percentage in the total

²⁷ Zach Despart, “Systemic Failures” in Uvalde Shooting Went Far Beyond Local Police, *Texas House Report Details*, TEX. TRIB. (July 17, 2022, 12:00 PM), <https://www.texastribune.org/2022/07/17/law-enforcement-failure-ualde-shooting-investigation>.

²⁸ ‘She Was My Sweet Girl’: Remembering the Victims of the Uvalde Shooting, N.Y. TIMES (June 16, 2022), <https://www.nytimes.com/2022/06/05/us/ualde-shooting-victims.html>.

²⁹ Despart, *supra* note 27.

³⁰ *Id.*

³¹ *Id.*

³² 2017-18 *State and National Estimations*, C.R. DATA COLLECTION, <https://ocrdata.ed.gov/estimations/2017-2018>.

³³ Jennifer Counts, Kristina N. Randall, Joseph B. Ryan & Antonis Katsiyannis, *School Resource Officers in Public Schools*, 41 *EDUC. & TREATMENT OF CHILD.* 405, 406 (2018).

population.³⁴ To begin with, SROs are commonly placed in schools where the majority of students identify as Black.³⁵ In schools where 75% or more of the student population identified as Black, 54% had one or more SROs present, contrasted against just 33% of schools where students identified as all white.³⁶ Furthermore, Black students make up 15% of the nationwide K-12 student population but constitute 31%³⁷ of all referrals to law enforcement and 36% of all school-based arrests.³⁸ When it comes to white students, they constitute 49% of the nationwide K-12 population, but only account for 37% of referrals by law enforcement.³⁹

A significant reason for SROs introduction to schools was Black migration, and Black students entering white schools.⁴⁰ In Los Angeles schools, school overcrowding and an increasingly racially and socioeconomically diverse student population led to a shift from viewing discipline as an educational matter and the teacher's responsibility to a criminal matter to be dealt with by police officers.⁴¹ Researchers studying Los Angeles schools found that school policing was "developed in an attempt to suppress assertions of Black culture, Black autonomy, and Black liberation movements within schools."⁴² School policing has a disproportionate impact on students of color, but this is not surprising given the origins of police in school.

Research on "school discipline and on the juvenile justice system indicates that minority students are more likely to receive frequent, harsh treatment by educators than their white peers, and that children of color who become involved with law enforcement have higher rates of subsequent arrest and conviction."⁴³ Furthermore, Black girls "are disproportionately punished and pushed out of schools due to their perceived 'bad attitudes,' the criminalization of their appearance, and punitive school practices like zero-tolerance policies."⁴⁴ This targeting of Black students and students of color mirrors the

³⁴ CHILDREN'S BUREAU, CHILD WELFARE PRACTICE TO ADDRESS RACIAL DISPROPORTIONALITY AND DISPARITY (Apr. 2021), https://www.childwelfare.gov/pubpdfs/racial_disproportionality.pdf.

³⁵ For a chart illustrating referrals of Black students, see Janeen Jones, *Referrals of Students Per Thousand (By Group)*, FLOURISH (Aug. 10, 2021), <https://public.flourish.studio/visualisation/6911448>.

³⁶ Kristen Harper & Deborah Temkin, *Compared to Majority White Schools, Majority Black Schools Are More Likely to Have Security Staff*, CHILD TRENDS (Apr. 26, 2018), <https://www.childtrends.org/blog/compared-to-majority-white-schools-majority-black-schools-are-more-likely-to-have-security-staff>.

³⁷ CRDC Data Reports and Presentations, C.R. DATA COLLECTION, <https://ocrdata.ed.gov/resources/datareports> (providing more information about student demographics in schools).

³⁸ Emily Fulks, Kaylor Garcia & Kristen Harper, *Research to Consider as Schools Address Community Demands to Renegotiate School-Police Partnerships*, CHILD TRENDS (June 29, 2020), <https://www.childtrends.org/blog/research-to-consider-as-schools-address-community-demands-to-renegotiate-school-police-partnerships>.

³⁹ *Id.*

⁴⁰ E.O. Turner & A.J. Beneke, 'Softening' School Resource Officers: The Extension of Police Presence in Schools in an Era of Black Lives Matter, School Shootings, And Rising Inequality, 23 RACE ETHNICITY & EDUC. 221, 223 (2020).

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.* at 224.

⁴⁴ *Id.*

incarceration rates for adults: Black adults are incarcerated at nearly 5 times the rate of white Americans, though in some states the disparity is far greater.⁴⁵

These trends hold true in Iowa. In Cedar Rapids, Iowa, for example, data shows that Black students are six times more likely than white students to have a complaint filed against them.⁴⁶ Black students were also arrested at higher rates than white students. Over a four-year period, 371 Black and 285 White students were arrested by school officers.⁴⁷ White students are 60.4% of the student body in Cedar Rapids schools, but only accounted for approximately 40% of the criminal allegations.⁴⁸

School policing in Des Moines had a similar disproportionate impact on students of color. Data from April 2021-April 2022 showed that Black students were overrepresented in the number of complaints received that year.⁴⁹ Black youth comprised 59.2% of all Des Moines public schools' complaints in 2021-22 yet are only 20.8% of the enrolled student population.⁵⁰ White youth comprised 26.5% of all complaints in 2021-22 and 34.3% of the enrolled student population in Des Moines public schools.⁵¹ Nationally, and within Iowa, SROs -- and harsher discipline policies that criminalize misbehavior -- negatively and unfairly impact Black students.

STUDENTS WITH DISABILITIES

When it comes to students with disabilities, a similar type of targeting occurs. “Nationally, “students with disabilities were referred to law enforcement at nearly twice their share of the overall student population.”⁵² Students with disabilities have different needs, which SROs are often not trained to identify, let alone address. This results in SROs criminalizing behavior that may be considered typical for a student with a disability.⁵³

⁴⁵ Adriana Rezal, *The Racial Makeup of America's Prisons*, U.S. NEWS (Oct. 13, 2021, 4:15 PM), <https://www.usnews.com/news/best-states/articles/2021-10-13/report-highlights-staggering-racial-disparities-in-us-incarceration-rates>.

⁴⁶ Izabela Zaluska, *CRCSO to 'Act with Urgency' on Racial Disparities in How Students are Treated by School Police Officers*, LITTLE VILLAGE (June 17, 2021), <https://littlevillagemag.com/crcsd-to-act-with-urgency-on-racial-disparities-in-how-students-are-treated-by-school-police-officers>.

⁴⁷ Grace King, *Iowa Schools Work Through Pilot Programs*, *Social Justice Issues*, THE GAZETTE (Sept. 28, 2021, 6:00 AM), <https://www.thegazette.com/iowa-ideas/iowa-schools-work-through-pilot-programs-social-justice-issues>.

⁴⁸ *Id.*

⁴⁹ IOWA DEP'T OF HUM. RTS., *ANALYSIS OF JUVENILE COMPLAINTS OCCURRING AT DES MOINES PUBLIC SCHOOLS 2018–2019 AND 2021–22* (2022).

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² Corey Mitchell, Joe Yerardi & Susan Ferriss, *School Policing in Iowa and U.S. Falls Hardest on Black Students and Those with Disabilities*, *Analysis Shows*, DES MOINES REG. (Sept. 9, 2021, 8:19 AM), <https://www.desmoinesregister.com/story/news/education/2021/09/08/black-disabled-children-face-harsher-discipline-police-iowa-schools/5774693001>.

⁵³ PAMELA FENNING & MIRANDA JOHNSON, *DISCIPLINE DISPARITIES AMONG STUDENTS WITH DISABILITIES* 178 (2022).

In 2022, the U.S. Department of Education released guidance regarding discipline for students with disabilities noting that “many students with disabilities are disciplined “because they are not receiving the support, services, interventions, strategies, and modifications to school or district policies that they need to manage their disability-based behavior.”⁵⁴ The agency warned that the number of students with disabilities referred to law enforcement is likely higher than federal data shows because schools may fail to report referrals as required and undercount the number of children eligible for disability rights protections.⁵⁵ The federal guidance suggests that “schools re-examine their policies and procedures to avoid disability discrimination in interactions between students and law enforcement.”⁵⁶

According to two experts on disability rights in Iowa, children with disabilities are often restrained and secluded by SROs, who unnecessarily escalate situations that didn’t require a police officer in the first place. Although courts⁵⁷ have emphasized the importance in appropriate training for SROs, the experts did not believe that proper training would transform the way in which students with disabilities are treated, in large part because SROs are police officers who are trained to exert physical control over individuals.

HARMS TO MENTAL HEALTH

“Although a visible police presence is expected to deter violent behavior and reassure students, community-based research has found that a high-profile police presence actually makes some people feel less safe.”⁵⁸ Research demonstrates that the presence of SROs generally leads to increased fear and anxiety among students,⁵⁹ and students’ experiences bear this out. Two alums of the Des Moines Public Schools described that SROs made them feel unsafe: They explained that it felt like SROs were there to punish, not to protect them. Such feelings are not uncommon among students. A junior at Richard Montgomery High School in Rockville, Maryland, explained that “[i]t makes me feel very uncomfortable, . . . [I]t was hard knowing that ‘an emblem of a racist force’ was ‘watching me walk to school in a place where I’m supposed to feel safe and protected.’”⁶⁰

⁵⁴ U.S. DEP’T OF EDUC. OFF. FOR C.R., SUPPORTING STUDENTS WITH DISABILITIES AND AVOIDING THE DISCRIMINATORY USE OF STUDENT DISCIPLINE UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973 ii (2022), <https://www2.ed.gov/about/offices/list/ocr/docs/504-discipline-guidance.pdf>.

⁵⁵ Corey Mitchell, Joe Yerardi & Susan Ferriss, *When Schools Call Police on Kids*, CTR. FOR PUB. INTEGRITY (Sept. 8, 2021), https://archive.publicintegrity.org/education/criminalizing-kids/police-in-schools-disparities/?_gl=1*dz08yz*_ga*YW1wLVRIN0RBUXFlb0VlaDdOYXZVVlhsY2c (providing a chart with different states).

⁵⁶ Corey Mitchell, *Schools Target Students with Disabilities Too Often*, CTR. FOR PUB. INTEGRITY (Aug. 12, 2022), <https://publicintegrity.org/inside-publici/newsletters/watchdog-newsletter/schools-target-students-disabilities-discipline>.

⁵⁷ See, e.g., *Wordlow v. Chi. Bd. of Educ.*, No. 16-cv-8040, 2018 WL 6171792 (N.D. Ill. Nov. 26, 2018).

⁵⁸ Matthew T. Theriot & John G. Orme, *Student Resource Officers and Students’ Feelings of Safety at School*, 14 YOUTH VIOLENCE & JUV. JUST. 130, 131 (2016).

⁵⁹ Suzanne E. Perumean-Chaney & Lindsay M. Sutton, *Students and Perceived School Safety: The Impact of School Security Measures*, 38 AM. J. CRIM. JUST. 570, 570 (2013).

⁶⁰ Molly Castle Work, *Students Feel Unsafe and Anxious with Police in Schools*, MY MCM (May 13, 2021), <https://www.mymcmmedia.org/students-feel-unsafe-and-anxious-with-police-in-schools>.

THE SCHOOL-TO-PRISON PIPELINE

The school-to-prison pipeline, also known as the schoolhouse-to-jailhouse track, or the cradle-to-prison track, describes the relationship between school discipline and adult incarceration: students who have encounters with police are more likely to later go to prison as adults.⁶¹ Zero-tolerance policies at schools tend to increase the risk of students being suspended, expelled, and/or arrested at school. Consequently, young students are either being arrested directly at school, or their infractions are reported to the SRO.⁶² This is particularly true when it comes to students of low economic status, students with disabilities, and students of color, whom the school-to-prison pipeline disproportionately impacts.⁶³ An expert who works in Iowa's juvenile justice system noted the data shows that the presence of SROs tends to drive-up arrest rate disparities. With the introduction of police officers in schools, behavior that was once considered childish becomes criminal, and school is no longer a safe place for children to test boundaries or try out new behavior.

⁶¹ Heitzeg, *supra* note 15, at 12.

⁶² *Id.*

⁶³ *Id.* at 23.

III. DEBUNKING THE NEED FOR SROS

UNDERSTANDING THE ARGUMENTS

After defining the problem, an essential part of advocacy is understanding the reasons in favor of, as well as against, a particular policy, and the matter of School Resource Officers (SROs) is no different. This section analyzes the most common arguments made by proponents of SROs: that they make schools safer and prevent school shootings. Understanding the reasons provided in support of SROs in schools will allow you to anticipate and prepare for much of the pushback you may receive.

Both proponents for and opponents to SROs agree that students deserve to be safe from physical threats and understand that students must both *be* and *feel* safe in their environment in order to learn. Physical safety, of course, is only one part of student well-being; in order to create safe and successful schools in Iowa, every student also needs a *supportive learning environment* as well as *emotional and mental health support* when they need help. It is vital that advocates recognize the importance of holistic conversations and plans to ensure all facets of school safety.

SROs Make Schools Safer? NO.

Creating safe school environments for all students is a complex and ever-evolving goal, both in Iowa and across the country. One step that school districts in our state can and should take to move closer to this goal is ending armed police presence in our schools. Even though school safety is often the stated goal of school districts implementing SROs, research conducted by the American Civil Liberties Union (ACLU) of Pennsylvania shows that having embedded police officers patrol school hallways does not actually make students safer.⁶⁴ Instead, having SROs in schools generally leads to greater student alienation and a more threatening school environment. Simply put, there is no conclusive evidence that police presence in school buildings reduces crime among students.

Regardless of how well-intentioned they may be, armed police officers in schools create an environment of control and punishment, more focused on “law and order” than on students’ social and emotional well-being. Law enforcement officials of all types are trained to look for criminal behavior and to gain control of a situation.⁶⁵ Given this training, it is not surprising that SROs are more likely to treat young individuals like potential criminals, instead of like students. And regardless of training, they often harm, handcuff, arrest, interrogate, detain, or otherwise restrict the liberty of students. This is especially true for

⁶⁴ AARON KUPCHIK, AM. C.L. UNION PA., RESEARCH ON THE IMPACT OF SCHOOL POLICING (2022), <https://www.endzerotolerance.org/impact-of-school-policing>.

⁶⁵ Caroline Preston, *Police Education is Broken. Can it be Fixed?*, THE HECHINGER REP. (June, 28, 2020), <https://hechingerreport.org/police-education-is-broken-can-it-be-fixed>.

students of color and students with disabilities, feeding a school-to-prison pipeline and creating criminal records that follow students around for their entire lives. These criminal records can make future access to housing, employment, and social services much more difficult to obtain.

SROs Prevent School Shootings? NO.

Data shows that the presence of SROs has virtually no impact on the prevention of mass shootings. A 2018 study reviewing 179 shootings on school grounds found no evidence that the presence of SROs lessened the severity of school shooting incidents.⁶⁶ In fact, their presence tended to be correlated with *more* casualties, not fewer. A separate study published in 2021, conducted by researchers at Hamline University and Metropolitan State University in Minnesota, examined 133 school shootings and determined that the presence of school resource officers did nothing to deter violence.⁶⁷

SROs Build Positive Relationships? NO.

Since the summer of 2020, school districts around the country have been reconsidering having local law enforcement in their buildings. This has been motivated in large part by a nationwide reckoning with racial disparities in U.S. policing practices. These racial disparities carry over into school policing as well, with the school arrest rate of Black students being 3 times that of white students nationally, according to a 2019 ACLU report.⁶⁸ In Iowa, this disparity is even worse: according to the most current federal civil rights data, Black students are 7.7 times more likely to be arrested than their white counterparts.⁶⁹

For many students, the history of police use of deadly force against unarmed Black people, coupled with the presence of police officers in schools, creates trauma in an environment that should be safe and nurturing. When students are subject to use of force, arrest, and the full weight of the criminal legal system for breaking school rules, their experience at school is not safe. In Iowa, according to U.S. Department of Education data, Black students are referred to law enforcement at 5 times the rate of white students, and students with disabilities are referred to law enforcement at 2.8 times the rate of students without disabilities.⁷⁰

⁶⁶ Melvin D. Livingston, Matthew E. Rossheim & Kelli Stidham Hall, *A Descriptive Analysis of School and School Shooter Characteristics and the Severity of School Shootings in the United States, 1999–2018*, 64 J. ADOLESCENT HEALTH 797 (2019).

⁶⁷ Jillian Peterson, James Densley & Gina Erickson, *Presence of Armed School Officials and Fatal and Nonfatal Gunshot Injuries During Mass School Shootings, United States, 1980–2019*, JAMA NETWORK OPEN (2021).

⁶⁸ AMIR WHITAKER ET AL., AM. C.L. UNION, COPS AND NO COUNSELORS HOW THE LACK OF SCHOOL MENTAL HEALTH STAFF IS HARMING STUDENTS (2019), <https://www.aclu.org/report/cops-and-no-counselors>.

⁶⁹ *Policing in Iowa Schools at a Glance*, AM. C.L. UNION IOWA, <https://www.aclu-ia.org/en/policing-iowa-schools-glance>.

⁷⁰ *Id.*

SROs Are a Good Use of School Funds? NO.

There is also a substantial financial cost to police presence in schools. Although the exact cost of an SRO program varies radically from district to district, the average employment cost of a single full-time SRO is between \$75,000 and \$97,000 per year.⁷¹ In higher-population districts, contracts between the local police and the schools can be as high as \$1 million dollars annually.⁷² While Iowa school districts spend money on SROs, most of the state's schools do not meet the recommended student-professional ratios for counselors, social workers, or psychologists.⁷³ Many schools do not even have nurses on site. When pushing for change in the district, advocates can ask their local principals and school board members one simple question: what could the school environment look like if this money was spent on educating and supporting students instead of investigating and arresting them?

All Teachers Want SROs in Schools? NO.

If you plan to remove SROs from your schools, it is important to understand what the role of teachers can and should be. It's a cliché in education, but it's true: Teachers do more than just teach. For many students, the classroom represents a home away from home; for some it provides a sense of structure and guidance, and for others it provides a freedom that they cannot get at home. Teachers are often elevated to perform a parental role on top of an educational role, providing life advice, first aid, and even clothes or food for students who lack basic necessities.

Because of the extremely personal nature of teaching in a typical school environment, it is essential to understand where teachers stand on the issue of police in schools, why, and what they need instead of police. Most teachers care deeply about the well-being of their students, but they are also over-taxed and under-resourced. Some teachers welcome another adult in the school building to help with disciplinary issues. Other teachers see that a police presence increases students' anxiety and makes learning more challenging. Speaking with local educators, learning what they know and showing them the facts, can build key and compelling support for the campaign against SROs. This approach is of particular importance in a post-pandemic landscape: Teachers were essentially front-line workers during the pandemic, providing critical educational services with even fewer resources than usual, while balancing the personal traumas of COVID-19.

⁷¹ Edward W. Hill, *The Cost of Arming Schools: The Price of Stopping a Bad Guy with a Gun*, URBAN PUBL'NS (2013), https://engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1677&context=urban_facpub.

⁷² Khalil Maycock, *Des Moines Public Schools Replacing SROs With New System*, WE ARE IOWA (Sept. 3, 2021, 1:19 PM), <https://www.weareiowa.com/article/news/education/des-moines-public-schools-dmps-replacing-sro-school-resource-officers-new-program-safety-urban-dreams/524-338775a7-2eda-4321-9ee3-545fedbdf9b7>.

⁷³ *Cops and No Counselors: How the Lack of School Mental Health Staff Is Harming Students*, AM. C.L. UNION, <https://www.aclu.org/issues/juvenile-justice/school-prison-pipeline/cops-and-no-counselors>.

IV. RE-DEFINING SAFETY IN SCHOOLS

On average, children in Iowa spend six hours per day in school, five days per week, for 180 days a year⁷⁴ - at least 25% of their waking hours in a given year, not including programs like aftercare, sports, and extracurricular clubs. School is the place where our youth are growing up. It's the place where children learn how to read and do math, along with some of the biggest life lessons that they will take into adulthood. School is where children are prepared to be contributing members of society as they grow up. The youth in schools must feel safe in school, so that they can focus on learning. A safe environment for our youth to learn in will only be accomplished with collaborative and comprehensive efforts of school staff and community members.

SAFETY IS SUBJECTIVE

Safety is often perceived by people as merely protection from threats in the environment. The reality is that safety is subjective, and it means different things to different people. Schools must take on the task of listening to, and understanding, what makes their students feel safe.

A recent survey in the Des Moines School District of perspectives on the presence of SROs revealed that SROs do not make students feel substantially safer at school.⁷⁵ Forty-seven percent - nearly half of students - in grades 6-12 had a negative response rate to SROs in general.⁷⁶ And 58% - more than half - did not think it was helpful to have an SRO at school.⁷⁷ A solution to safety concerns, the presence of SROs, cannot be effective if half of students have negative feelings about the solution. Students cannot learn in an environment where they do not feel comfortable and are constantly worried about their safety.

BALANCING PHYSICAL AND PSYCHOLOGICAL SAFETY

An assessment of physical safety in schools focuses on the physical structures and the design of the school environment.⁷⁸ Psychological safety in schools focuses on the emotional and behavioral well-being of students and staff.⁷⁹ Interventions for the physical

⁷⁴ Erin Murphy, *More Schools Count by Hours*, THE GAZETTE (Nov. 9, 2018, 8:00 AM), <https://www.thegazette.com/news/more-schools-count-by-hours>.

⁷⁵ DES MOINES PUB. SCHS., SCHOOL RESOURCE OFFICER PROPOSAL, <https://dmpps-juiceboxinteract.netdna-ssl.com/wp-content/uploads/2021/02/SRO-Report-1.22.21.pdf>.

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ KATIE EKLUND & STEPHEN E. BROCK, *BALANCING PHYSICAL & PSYCHOLOGICAL SAFETY IN SCHOOLS* (2015), <https://www.schoolmentalhealth.org/media/SOM/Microsites/NCSMH/Documents/Archives/8.9-Eklund--Balancing-Physical-and-Psychological-Safety.pdf>.

⁷⁹ *Id.*

safety of students often sacrifice the emotional safety of students. Students have reported feeling uncomfortable when there are measures taken to ensure their physical safety – like metal detectors and armed guards. It is important that schools consider both physical safety and psychological safety of students.

A comprehensive study after a school shooting identified methods of promoting physical safety without inducing anxiety in students:

- Having only one access point inside of a building;
- Enforcing visitor control procedures;
- Proper lighting inside and outside;
- Administration staff – maybe the front desk staff – should have a clear line of sight outside of the building; and
- Teachers should monitor time spent in the halls between class periods.⁸⁰

These methods of securing a school are less invasive and threatening to students. This balanced approach will help to ensure that students feel safe all around and that schools don't unnecessarily increase anxiety and other negative mental health outcomes.

INDICATORS OF HOW YOUR SCHOOL DEFINES SAFETY

Schools which focus only on physical safety prioritize the use of invasive tactics like metal detectors, surveillance cameras, armed guards or SROs, and bars on windows. Schools attempting to balance physical and psychological safety will have counselors on staff and incorporate social and emotional well-being into the curriculum. They use evidence-based approaches to assess student mental health and any potential threats, and prepare students for worst-case scenarios, like school shootings, in non-traumatizing ways. These schools are committed to fostering a positive school climate. Advocates need to understand how local schools approach safety, and what tools the school has already implemented.

Counselors

Counselors are essential for students to navigate the various feelings they have about themselves, their loved ones, and the world they live in. They interact with, and support students during the most important developmental stages in their life. Students can not only seek out a school counselor about school-related issues such as bullying, but students can also go to them for support regarding issues at home or in other parts of their lives.

Today's students are experiencing high levels of depression, anxiety, and trauma. Schools are meant to be safe, positive learning environments for students, yet the presence of SROs

⁸⁰ *Id.*

impedes student learning and overall well-being.⁸¹ Despite the growing number of students experiencing mental health troubles, 14 million students in America have police officers working in their district, but no school mental health professional such as a counselor, social worker, nurse, or school psychologist. School mental health professionals are often the first adults to interact with students who are sick, stressed, or traumatized, especially in low-income schools.

Schools that are staffed with mental health professionals see improved attendance rates, higher academic achievement, and higher graduations rates.⁸² These schools also see lower rates of suspension, expulsion, and other disciplinary incidents. The recommended student-to-counselor ratio is 1 school mental health professional per 250 students. Only three states in the country have schools that meet this recommendation. In Iowa, the school-to-counselor ratio is 1 school mental health professional to every 378 students.

School mental health professionals can prevent school shootings and promote school safety.⁸³ Frequently, the students who commit assaults were themselves victims of bullying. The culmination of stressors and pent-up emotions at home and at school can lead a student to commit a violent act. According to a Secret Service study that examined 41 cases of school shootings and how they could be prevented, in nearly every instance, students who committed the violent act had already come to the attention of adults and classmates.⁸⁴ The key to preventing school shootings and safe-guarding physical safety is mental health professionals. Unlike SROs, school mental health professionals are trained to work with students. Counselors have knowledge on the types of traumas that can affect children during their developmental years and have training in how to effectively address mental health issues of students. Money that is used to fund SROs could and should be redirected towards hiring mental health professionals in schools.

Comprehensive School Threat Assessment Guidelines (CSTAG)

Formerly known as the Virginia Student Threat Assessment Guidelines, CSTAG is an evidence-based model that was developed to use in conducting threat assessments of students.⁸⁵ The CSTAG Model of Assessment is an approach to violence prevention that emphasizes early identification of issues such as teasing, bullying, and student conflict before they escalate into violent behavior. As opposed to a punitive, zero-tolerance approach, school staff members are encouraged to adopt a flexible, problem-solving

⁸¹ *Cops and No Counselors: How the Lack of School Mental Health Staff Is Harming Students*, AM. C.L. UNION, <https://www.aclu.org/issues/juvenile-justice/school-prison-pipeline/cops-and-no-counselors>.

⁸² *Id.*

⁸³ Dewey G. Cornell & Matthew J. Mayer, *School Shootings Could be Prevented If We Intervened in Cases of Troubled Students*, NBC NEWS (Dec. 8, 2019, 3:31 AM), <https://www.nbcnews.com/think/opinion/school-shootings-could-be-prevented-if-we-intervened-cases-troubled-ncna1097376>.

⁸⁴ U.S. SECRET SERV., *AVERTING TARGETED SCHOOL VIOLENCE: A U.S. SECRET SERVICE ANALYSIS OF PLOTS AGAINST SCHOOLS* (2021), <https://www.secretservice.gov/sites/default/files/reports/2021-03/USSS%20Averting%20Targeted%20School%20Violence.2021.03.pdf>.

⁸⁵ *The Comprehensive School Threat Assessment Guidelines*, U. OF VA., <https://education.virginia.edu/faculty-research/centers-labs-projects/research-labs/youth-violence-project/comprehensive-school>.

approach. The CSTAG model is intended to create a broad change in staff-student interactions around disciplinary matters and create a more healthy, positive school climate. In a pre-post survey study of 351 school staff members, the use of CSTAG made participants less anxious about the possibility of school homicide. Participants also reported being more willing to use threat assessment methods to help students resolve conflicts and less inclined to a zero-tolerance approach.

The CSTAG uses a five-step decision-tree. The first two steps act as a triage process in which school staff investigate a reported threat and determine whether the threat can be immediately resolved as a transient threat. Transient threats can include jokes or statements made in anger that are expression of feelings rather than intention to harm someone. Threats that cannot be identified and resolved as transient are considered a substantive threat that require protective action to prevent the threat being carried out. The next three steps guide school staff through a more thorough assessment and response based on the nature of the threat. Mental health professionals are involved in the most serious cases. The five-step guidelines of the CSTAG model act as a safety plan to address the problem or conflict that is underlying the threat. For all types of threats, the CSTAG model emphasizes the importance of helping students resolve conflict and minimizes the use of punitive disciplinary responses such as zero-tolerance.

Developmentally Appropriate Drill Content

Active shooter drills harm students' development and well-being. Extreme simulations that are conducted unannounced are particularly dangerous. Despite this, drills are present in 95% of schools.⁸⁶ According to a study by Everytown and Georgia Tech, active shooter exercises can cause students, parents, and teachers to experience long-lasting increases in depression, stress, and anxiety as well as a fear of dying.⁸⁷ Based on the data, Everytown, the American Federation of Teachers (AFT), and the National Education Association (NEA) do not advise students to practice active shooter scenarios.

If schools choose to include their students in active shooter drills, these expert organizations recommend, at a minimum, that:

- Schools should create age and developmentally appropriate drill material with the involvement of school staff and school-based mental health professionals;
- Schools should take trauma-informed approaches while conducting drills to address students' well-being;
- Drills should not include simulations that mimic an actual active shooter incident;
- Parents should be informed before any drill is conducted at the school;
- Drills should be announced to students and school staff prior to the start of any drill; and

⁸⁶ *How Can We Prevent Gun Violence in American Schools?*, EVERYTOWN RSCH. (Sep. 20, 2021), <https://everytownresearch.org/report/how-can-we-prevent-gun-violence-in-schools>.

⁸⁷ *Id.*

- Schools should continuously track data about the efficacy and effects of drills and their impact on students' well-being.

Promoting Alternative Thinking Strategies (PATHS)

In 2007, a high school student in the Cleveland Metropolitan School District (CMSD) shot two teachers and two students, then killed himself.⁸⁸ The district, the city, and the community were devastated.

“We still talk about the shooting today because we don’t ever want another child to feel that desperate again,” says Eric Gordon, district CEO. “We didn’t spend a lot of time thinking, ‘Why did this happen? How did this happen?’ We spent a lot of time saying, ‘We knew he needed help. Why didn’t we have the help to give him?’ This created an urgency to solve the problem.”⁸⁹

Over a six-month period, the American Institute for Research (AIR) interviewed more than 100 people, surveyed all students in grades 5-12, conducted site visits, focus groups, and interviews in randomly selected schools in the CMSD. The focus of the survey went beyond a narrow scope of school safety in order to obtain a broad perspective on the conditions for learning and school climate. AIR discovered that, despite many strengths within CMSD, many students struggled from the effects of poverty, violence, trauma, and loss. Students also had inadequate support from their school in mitigating these effects.

The CMSD implemented the PATHS program. PATHS is a comprehensive program that aims to promote emotional and social competencies as well as reduce aggression and acting-out behaviors in elementary school-aged children. This program is a multiyear prevention model with a curriculum geared towards students ages 5-12 and is used by school staff and counselors. PATHS has been researched with students in a regular education classroom setting as well as with a variety of special needs students. Ideally, the PATHS curriculum should be implemented starting in kindergarten and continuing through Grade 5.

Under the PATHS curriculum, teachers and school staff are provided with developmentally appropriate lessons, materials, and instructions for teaching their students:

- Emotional literacy;
- Self-control;
- Social competence;
- Positive peer relationships; and
- Interpersonal problem-solving skills.

⁸⁸ David Osher, *Advancing School Safety, Climate, and Culture in Cleveland*, AIR (Dec. 12, 2018), <https://www.air.org/resource/field/advancing-school-safety-climate-and-culture-cleveland>.

⁸⁹ *Id.*

Evaluations of the PATHS curriculum have shown improvements in protective factors and a reduction in behavioral risk factors. Youth that participate in the PATHS program, including both regular and special needs students, compared to control youth, show improvement in the following areas:

- Improved self-control;
- Improved understanding and recognition of emotions;
- Increased ability to tolerate frustration;
- Use of more effective conflict-resolution strategies;
- Improved thinking and planning skills;
- Decreased anxiety/depressive symptoms;
- Decreased conduct problems;
- Decreased symptoms of sadness and depression; and
- Decreased report of conduct problems, including aggression.

The PATHS curriculum focuses on improving mental and emotional health, as a way to decrease school violence and shootings. It is a way to increase physical safety without sacrificing the psychological safety of the students.

Foster a Positive School Climate

Research has shown that a positive school climate can lead to a decrease in crime, aggression, and violent behavior in schools.⁹⁰ “A positive school climate reflects attention to fostering social *and* physical safety, providing support that enables students and staff to realize high behavioral and academic standards, as well as encouraging and maintaining respectful, trusting, and caring relationships throughout the school community.”⁹¹ It takes a collaborate effort to build a positive school climate. Schools can take four key steps to improve school climate:

Engage Parents. Research has shown that students with parents involved in their education, no matter what their income or background, are more likely to “have better social skills, show improved behavior, and adapt well to school.”⁹² While parental engagement may include activities like volunteering at school activities or participating in fund-raising efforts, not all parents have the luxury of making this choice. Critically, parents stay engaged in their child’s education by talking to their children about school, communicating with the school about any problems, and encouraging/expecting good grades of their students. Schools should support parents in their engagement.

⁹⁰ *School Climate*, SCH. SAFETY, <https://www.schoolsafety.gov/school-climate?page=0#views-exposed-form-resources-by-subtopic-block-1>.

⁹¹ AM. INSTS. FOR RSCH., U.S. DEP’T OF EDUC., QUICK GUIDE ON MAKING SCHOOL CLIMATE IMPROVEMENTS 1 (Mar. 2016), https://safesupportivelearning.ed.gov/sites/default/files/NCSSLE_SCIRP_QuickGuide508%20gdc.pdf.

⁹² ANNE T. HENDERSON & KAREN L. MAPP, NAT’L CTR. FOR FAM. & CMTY. CONNECTIONS WITH SCHS., A NEW WAVE OF EVIDENCE: THE IMPACT OF SCHOOL, FAMILY, AND COMMUNITY CONNECTIONS ON STUDENT ACHIEVEMENT 7 (2002).

Promote Peer-to-Peer Interactions. Positive peer relationships will help students to feel included and valued as a student at their school and in their classroom, and are associated with better mental health.⁹³ Schools and teachers can promote peer-to-peer interactions by holding group meetings in class, using restorative justice practices⁹⁴ to resolve conflict, and assigning group work that requires collaboration.

Celebrate Growth and Good Behavior. Punitive measures taken in schools to deal with challenging or disruptive behavior often lead to decreases in feelings of connection and belonging that students should have, and have been unsuccessful in improving student behavior.⁹⁵ Instead, approaches that “reinforce positive behaviors to replace negative behaviors” are often more effective.⁹⁶ School faculty should be clear and consistent about what they expect of their students, laying out clear district policy on how behavior will be handled. These interventions should be applied to all students equally.

Build Meaningful Relationships. In Iowa, the teacher to pupil ratio is roughly 14:1.⁹⁷ To make sure that students build meaningful relationships with school faculty, there needs to be more support staff in the building interacting with students. Schools can divert any funds that were being used to pay SROs and use them to hire more support staff to be present in their school. Paraeducators and hall monitors are good examples of adult figures that could be interacting with students and building positive relationships with them. Meaningful relationships between school staff and students will help students to feel like they belong, and they are cared for.

⁹³ Emily Long, Claudia Zucca & Helen Sweeting, *School Climate, Peer Relationships, and Adolescent Mental Health: A Social Ecological Perspective*, 53 *YOUTH SOC'Y* 1400 (2021).

⁹⁴ See Section V of this document for more on the use restorative justice practices in schools.

⁹⁵ *A Framework for Safe and Successful Schools*, NAT'L ASS'N OF SCH. PSYCHOLOGISTS, <https://www.nasponline.org/resources-and-publications/resources-and-podcasts/school-safety-and-crisis/systems-level-prevention/a-framework-for-safe-and-successful-schools>.

⁹⁶ *Id.*

⁹⁷ *Public Schools Student:Teacher Ratio Statistics in Iowa*, PUB. SCH. REV. (2022), <https://www.publicschoolreview.com/student-teacher-ratio-stats/iowa>.

V. THE ROLE OF RESTORATIVE JUSTICE

RETHINKING HOW WE DO SCHOOL

Educators, lawyers, and advocates addressing gun violence all believe that restorative justice has the potential to totally transform the way schools are structured. Rather than emphasizing punishment, restorative justice focuses on restoring relationships and the power of communication. Restorative justice “is a process whereby all the parties with a stake in a particular [incident] come together to resolve collectively how to deal with the aftermath of the [incident] and its implications for the future.”⁹⁸

In the criminal context, this would mean that the “those most closely affected by the crime (the victim, the offender, and the community) [have] an opportunity to come together to discuss the event and attempt to arrive at some type of understanding about what can be done to provide appropriate reparation.”⁹⁹ In the school setting, restorative justice provides an opportunity for a student who misbehaved to sit down with the person harmed, and both people can share their understanding of what happened, motivations, intentions, impacts, and ways to repair the harm.

Restorative justice programs hold students accountable for their actions, while also supporting them in recognizing their mistakes.¹⁰⁰ Each approach asks fundamentally different questions about the incident that happened:

Punitive Response	Restorative Response
What rules were broken?	Who was harmed?
Who is to blame?	What is needed for repair?
What consequences should be imposed on them?	Who is obligated to fill these needs?

When SROs and traditional discipline are used in schools, there is no opportunity to discuss, apologize, make amends, or reach a resolution among students. Punitive approaches, such as citations issued by SROs, focus on punishment and create shame. Because these approaches define and frame the problem very differently, they have markedly different outcomes.

⁹⁸ Jeff Latimer, Craig Dowden & Danielle Muise, *The Effectiveness of Restorative Justice Practices: A Meta-Analysis*, 85 *THE PRISON J.* 127, 128 (2005).

⁹⁹ *Id.*

¹⁰⁰ Kristin Reimer, *How to Use Restorative Justice in Your Classroom and School*, MONASH U. (Nov. 14, 2019), <https://www.monash.edu/education/teachspace/articles/how-to-use-restorative-justice-in-your-classroom-and-school>.

RESTORATIVE JUSTICE IN PRACTICE

How does a school implement restorative justice? There are five foundational considerations to a successful program:

Combine strong leadership and grassroots change. Restorative justice requires a culture shift. A community must bring in school leaders committed to restorative justice, or persuade those already in power, in what is considered a “top-down, bottom-up reform process.”¹⁰¹

Start where you are. Take stock of what is already occurring at the school and use positive practices as a foundation for change. It is possible that there are already restorative justice practices in place. Even if things are not labeled as restorative, that does not mean that a school hasn’t already started to change the way students are disciplined.

Invite voluntary participation. No one should be forced into the restorative process. The restorative process is “voluntary and should occur only once the offender has admitted guilt and has begun to take responsibility for his or her actions.”¹⁰² Similarly, when a school decides to engage in restorative justice practices, staff members should talk about their goals with these practices, why they are desirable, and what the challenges may be to being successful. Everyone should be included.

Shift the paradigm about punishment and control. Schools have to change how they view students, their behavior, and their value.¹⁰³ Rather than controlling behavior, staff should promote collaboration, mutual respect, accountability, and growth.¹⁰⁴

Implement a hierarchy of responses. There must be a whole-school effort to build a school community characterized by respect and open communication, and repairing relationships when conflict arises through small-group conferences, peer mediation, and offender conferencing. The school’s goals should be explicit and ensure that student needs are met.¹⁰⁵

Structure of a Program

Many restorative justice programs in schools take a three-tiered approach. These tiers include Prevention, Intervention, and Implementation.¹⁰⁶

¹⁰¹ Katherine R. Evans, *Restorative Justice in Education: What We Know So Far*, 44 MIDDLE SCH. J. 57, 61-62 (2013).

¹⁰² *Id.* at 62.

¹⁰³ *Id.*

¹⁰⁴ *Id.*

¹⁰⁵ *Id.* at 62.

¹⁰⁶ OAKLAND UNIFIED SCH. DIST., RESTORATIVE JUSTICE IMPLEMENTATION GUIDE: A WHOLE SCHOOL APPROACH, <https://www.ousd.org/cms/lib/CA01001176/Centricity/Domain/134/BTC-OUSD1-IG-08b-web.pdf>.

Tier 1 – Prevention

Restorative justice can be used proactively in order to prevent an injustice from occurring in the first place. Many schools have implemented prevention tools such as restorative justice circles. In these circles, educators and school staff support the students by creating a safe setting to express their view and feelings more effectively. The students get to share their problems with their peers, such as a bullying incident at school or concern about a new school policy. In sharing these feelings, students are community-building with their teachers and peers while also improving their communication skills. Some examples of restorative justice circles include the following:¹⁰⁷

Guidelines/Expectation Circles. This circle establishes common values and helps build understanding and trust among participants. The goal is to create guidelines and expectations around how students and school staff interact with each other. Guidelines and expectations should be frequently revisited and revised as necessary. Groups of students can reflect on how well they are doing and identify things they would like to improve.

Morning Check-In Circles. At the beginning of the day, a group of students meet together along with a trained facilitator to reflect on how each person is feeling at that moment. Students have the opportunity to assess their readiness to learn, and to share something new, important, or challenging. This circle is a safe space for students to transition from their home environment into a learning environment. This check-in can be brief.

Learning/Curriculum Circles. As a way to reflect on academic content, students can participate in a learning circle. This gives students the opportunity to share ways in which academic content was useful in life, highlight something they found interesting from class, demonstrate new knowledge or skills, or bring less dominant voices into discussion. Learning circles allow students to teach other students something new as opposed to traditional teacher-led lessons.

Tier 2 – Intervention

Intervention is an important aspect of restoring relationships. Tier 2 of the restorative justice framework takes place when a student has broken the rules or caused harm to another student. Unlike punishments implemented by SROs, restorative justice practices give the opportunity for the offending student and affected party to discuss the issue and explain the circumstances. In doing so, both parties will be able to understand what led up to the harmful event and the feelings involved. The discussion that occurs between the two parties in the intervention stage allows the parties to be on good terms, and consequently

¹⁰⁷ VT. AGENCY OF EDUC., WHOLE-SCHOOL RESTORATIVE APPROACH RESOURCE GUIDE, <http://restorativesolutions.us/wp-content/uploads/2019/02/Vermont-Implementation-Manual.pdf>.

decreases the likelihood of harmful events occurring in the future. Common forms of intervention include:

Restorative Conferencing. This conferencing model involves face-to-face encounters between those directly affected by the event. Students can bring individuals to the restorative conferences for support. Individuals who have been indirectly affected by the incident may also be involved in the conference. A trained facilitator leads the conference and seeks to identify, repair, and prevent harm.

Family Group Conferencing. This restorative conferencing model includes “private family time” in which a student and his or her immediate caregivers create a first draft of a plan to make things right.

Depending on the situation, some conference models are heavily scripted while others have a more organic, unscripted, dialogue between the parties.¹⁰⁸

Tier 3 – Reintegration

The final tier comes into play for students who have been out of school for reasons such as suspension, truancy, and expulsion. Restorative justice programs give students an opportunity to reintegrate back into their schools while ensuring a protected, positive environment for both the reintegrating student and their peers at the school. Educators and support staff assist with student reintegration by acknowledging the student’s challenges while promoting accountability and achievement.

Who Implements Restorative Justice?

Behavior Interventionist

A school behavioral interventionist is a professional who has been trained to prevent disruptive behavior and to build the use of positive behavior in order to communicate.¹⁰⁹ Ideally, intervention is provided as a collaborative process across multiple disciplines such as social work, psychology, counseling, as well as special education. Behavior interventionists can help implement frameworks such as positive behavioral intervention support (PBIS). PBIS is a school prevention strategy for improving behavior and enhancing school climate. With a PBS framework, schools establish three to five clear behavioral expectations for all students and school staff. From the very beginning, PBIS sets a positive interaction between the students and teachers, bus drivers, or any school staff.

¹⁰⁸ Id.

¹⁰⁹ *Restorative Justice and Positive Behavior Intervention Support*, COUNCIL FOR A STRONG AM. (Apr. 25, 2017), <https://www.strongnation.org/articles/411-restorative-justice-and-positive-behavior-intervention-support>.

Restorative Justice Coordinator

A Restorative Justice Coordinator works in collaboration with students, teachers, administrators, parents, and all members of the community to coordinate a positive, restorative climate and approach to discipline in schools. They integrate community building practices such as restorative justice circles, peer mediation, and peer mentoring. They are responsible for integrating restorative practices and resources related to enrichment, health, and behavior into school structures, staffing, forums, and other access points such as advisory periods, after school programs, sports teams, and targeted school events. A Restorative Justice Coordinator provides unbiased advocacy for youth during disciplinary meetings and works in collaboration with school counselors, social workers, and psychologists to determine steps to take when a harmful event between students occurs.

Peer Mediator

Peer mediation is a process in which students of the same age-group facilitate resolving disputes between two people or small groups. Peer mediators are volunteers who are trained as a neutral third party. They help their peers get clear about their concerns, better understand one another, and come to a mutual agreement about how to move forward. Unresolved conflict between students can fuel anger, frustration, or violence, and peer mediation seeks to address an issue before it escalates. During a peer mediation, a student (or pair of students) listens as other students present their side of a disagreement or conflict. Then, a peer mediation leads discussion to help the students find common ground. This restorative process can help change the way students understand and resolve conflict in their own lives.

Community Intervention Worker

Community Intervention Workers work in schools, around schools, and/or in the larger community, and may be paid staff or volunteers. The role of intervention workers includes mentoring youth who are most often impacted by violence and trauma. They work to prevent and address bullying and provide rumor control. When conflict arises, a Community Intervention Worker works to resolve conflict between youth, groups of youth, and/or neighborhoods. A Community Intervention Worker can work alongside a Restorative Justice Coordinator to help facilitate restorative justice circles. They help students avoid or leave neighborhoods and provide a safe passage to and from school. A Community Intervention Worker connects students to both needed services within the school and external sources. Overall, the role of a Community Intervention Worker is to provide mentorship and safety to students as well as connect students with the resources and services they need most.

Restorative Justice Example Scenario in a K-12 Setting

The scenario that follows is an example of how restorative justice practices were successfully applied in real life, as per a case study from the University of San Diego.¹¹⁰

Incident

At a high school in San Diego, two students got in a fight based on their different racial backgrounds. There wasn't much history of conflict between the students. However, one day at school, Alex, a Latino student, called Josh the 'N' word as he passed by. Josh confronted Alex about this name-calling, and they went to the bathroom together. Alex launched the opening blow and Josh punched him back. Josh's punch caused Alex to fall and hit his head on a metal towel rack. Alex cut his head, and it was later determined that Josh's punch gave Alex a concussion. Josh ran away and left Alex bleeding in the bathroom. Despite Alex initiating the fight, Josh caused the most physical harm. Some of Alex's injuries were not Josh's fault. Both students were impacted by harm and responsible for harm. As punishment, the high school authorities expelled Josh from school the day of the fight. San Diego Unified proposed a restorative conference as an alternative to a punitive, high-level expulsion.

Restorative Process

The facilitators contacted Josh and Alex and asked them who should participate in the restorative conference. Those in attendance at the conference included Alex's parents, Josh's mother, a friend of Alex, and a friend of Josh, a teacher that both students trusted, the school's counselor, the Vice Principal President (VP), and the two facilitators. Prior to the conference, the facilitators met individually with each person to prepare them to discuss the individual harms, the broader impact of the fight, and how they might want to move forward to reach a resolution. The conference took an hour and a half. The conference started with a one-word check-in. Following the check-in, Josh acknowledged the harms that he had caused the day of the fight. Then, Alex took responsibility for the harms he had caused as well. Josh and Alex discussed what had happened during the fight and had time to reflect on the words they said to one another. Alex expressed regret and it became difficult for him to recount the incident in front of his loved ones. Josh discussed the racism he deals with on a regular basis at school and hardships he faces because of it. Next, the facilitators asked the students' loved ones, the teacher, the counselor, and the VP to share the impact of the fight from their perspective. The counselor and the teacher discussed the larger context of racism surrounding the conflict. Both the teacher and counselor supported the students and said that although they made hurtful choices the day of the fight, they had good behavior on other occasions.

¹¹⁰ *Restorative Justice 101: Implementing Restorative Programs & Measuring Effectiveness*, U. OF SAN DIEGO, <https://pce.sandiego.edu/restorative-justice-101-implementing-restorative-programs-measuring-effectiveness>.

To conclude the conference, the facilitators asked the students and attendees how they wish to move forward.

Outcomes

The outcomes of this scenario are drastically different than punitive punishment outcomes. Following the restorative conference, Josh returned to school. Josh and Alex committed to following-up on the harms shared during the conference by meeting one-on-one with the school counselor. Both students prepared an assembly to share with their peers how the restorative process works and what they went through. They discussed to the larger student body what they are doing to hold each other accountable and what they have learned through the process. Additionally, Josh and Alex organized a variety of speakers from the community to talk about racism and race relations. With the support of the school, Josh and Alex organized a trip to the San Diego Museum of Man to continue learning about race.

RESTORATIVE JUSTICE WORKS

Restorative justice approaches have a positive effect on school climate, culture, and academics. Restorative justice is a way to heal trauma. Beyond that, restorative justice is a way of life and being: It fundamentally changes how each participant views relationships, harm, and conflict. The Youth Restoration Project identifies the benefits of restorative practices as:

- Promote self-regulation;
- Teach social skills;
- Develop work and career-ready attitudes;
- Minimize disruption, distraction, interpersonal friction and bullying;
- Improve relationships between and among students, teachers, staff, and administrators;
- Hold wrong-doers accountable for the effects of their actions on others;
- Helping kids succeed according to standard measures, including test scores.¹¹¹

One peer reviewed study of restorative justice practices found: “While individual schools employed [restorative justice] in slightly different ways, the majority of elementary, middle, and high schools employing such approaches reported decreases in major disciplinary issues, reductions in the number of expulsions and out-of-school suspensions and shifts from expelling students with drug and alcohol issues to providing supports that resulted in a reduction in substance abuse.”¹¹² These positive outcomes are reflected in the experiences of specific schools and districts:

¹¹¹ *The Benefits of Restorative Practices*, YOUTH RESTORATION PROJECT, <https://yrfpri.org/benefits-of-restorative-practices>.

¹¹² Katherine R. Evans, *Restorative Justice in Education: What We Know So Far*, 44 MIDDLE SCH. J. 57, 60 (2013).

- At Ed White Middle School in San Antonio, TX, the implementation of restorative practices led to a 65% drop in in-school suspensions for conduct violations for 6th grade and a 47% drop for 7th grade. Out-of-school suspensions dropped by 57% for 6th grade and 35% for 7th grade.¹¹³
- Denver Public Schools reported that students who participated in a restorative program at school experienced a 50% decrease in school absences and a 64% decrease in tardiness.¹¹⁴
- In Minneapolis, two public high schools used restorative justice circles in the classroom and saw a reduction in behavioral referrals by 45% and another school by 63%.¹¹⁵
- In Oakland, California 70% of staff reported that restorative practices improved overall school climate during the first year of implementation.¹¹⁶

Case Studies: Successful Restorative Justice Programs

Des Moines Public Schools

Following the police murder of George Floyd in 2020, students, parents, and community members pushed for the removal of SROs from Des Moines Public Schools (DMPS).¹¹⁷ Activists spoke out during DMPS board meetings and in the end, DMPS cut ties with the police department. DMPS saved \$750,000 from this broken contract and used these funds to hire 20 new positions, including specially trained restorative practice staff, for the city's five public high schools. DMPS began their restorative practices in 2018 and the reallocated funds allowed the district to expand their programs.

The restorative educational model focuses on school safety, violence prevention, and mediation. “Check and connect” is one core proactive practice of the restorative model. The “check” and connect” is a micro-practice that can be as simple as having teachers and staff greet each student as they enter the building. This allows teachers to build trusting and supportive relationships with students. In the case that a conflict does arise, students can call on trusted adults to help them work through the conflict.

¹¹³ MARILYN ARMOUR, ED WHITE MIDDLE SCHOOL RESTORATIVE DISCIPLINE EVALUATION: IMPLEMENTATION AND IMPACT, 2013/2014 SIXTH & SEVENTH GRADE (2015).

¹¹⁴ ADVANCEMENT PROJECT, TEST, PUNISH, AND PUSH OUT: HOW “ZERO TOLERANCE” AND HIGH-STAKES TESTING FUNNEL YOUTH INTO THE SCHOOL-TO-PRISON PIPELINE (2010).

¹¹⁵ MINN. DEP'T OF EDUC., RESTORATIVE MEASURES IN SCHOOLS SURVEY, 2011, https://educationdoctbox.com/Special_Education/65804997-Restorative-measures-in-schools-survey-2011.html.

¹¹⁶ OAKLAND UNIFIED SCH. DIST., RESTORATIVE JUSTICE IN OAKLAND SCHOOLS IMPLEMENTATION AND IMPACTS (2014), <http://www.ousd.k12.ca.us/cms/lib07/CA01001176/Centricity/Domain/134/OUSD-RJ%20Report%20revised%20Final.pdf>.

¹¹⁷ Andy Kopsa, *The City That Kicked Cops Out of Schools and Tried Restorative Practices Instead*, IN THESE TIMES (Dec. 12, 2022), <https://inthesetimes.com/article/the-city-that-kicked-cops-out-of-schools-and-tried-restorative-practices-instead>.

In addition to the “check and connect” practice, Roosevelt High School implemented a “Think Tank,” which is a designated area created by staff for students who violate school rules. Students are able to go to the Think Tank in lieu of suspension. The Think Tank is a safe, quiet space where students can go if they feel overwhelmed. Vanessa, a freshman at Roosevelt High School, uses the Think Tank as a place of respite. She says, “Sometimes the classroom got to be too much...I would get overwhelmed and then I would ask to go to the Think Tank so I was able to do my work.” Brandi Young, the Restorative Practice coordinator at Roosevelt says that the Think Tank has helped students focus in school and improve their grades. She reports that there are students who have gone from an F to a passing grade within hours of sitting in the Think Tank just by completing missing assignments.

San Francisco Unified School District

In 2009, a restorative justice program was launched by the San Francisco Board of Education.¹¹⁸ This program was passed as a resolution for schools to find alternatives to suspension and expulsion. In the previous seven years, suspensions had increased by 152%. African American students made up half of suspensions and more than half of expulsions, despite being one-tenth of the district student population. According to San Francisco Board member Sandra Lee Fewer, “Sixty percent of inmates in the San Francisco County jail have been students in the San Francisco public school system, and the majority of them are people of color. We just knew we had to somehow stop this schoolhouse-to-jailhouse pipeline.”

As part of the restorative justice program, Peer Courts were implemented. Peer Courts are a city-funded restorative justice program that trains students to run hearing for offenders, or “respondents”, who have committed misconduct that ranges from chronic defiance to theft to fighting. Tony Litwak, the director of the Peer Courts program, says that Peer Courts do not judge guilt or innocence. Rather, Peer Courts try to identify who was hurt by the wrongdoing and then help the respondent to make things right. Dean of Students, Kathleen Rodriguez says that the Peer Courts helps both the volunteers who run the hearings and the kids in conflict to take responsibility for the process.

Los Angeles Unified School District

In 2021, the Los Angeles School Board voted unanimously to replace school police officers on campuses with staff trained in de-escalation strategies and conflict resolution.¹¹⁹ Instead of having cops in schools, school climate coaches are stationed at all high schools. Officers remain on call to respond to emergencies and incidents on campuses with a goal of a 3-5

¹¹⁸ Jeremy Adam Smith, *Can Restorative Justice Keep Schools Safe?*, GREATER GOOD MAG. (Mar. 6, 2012), https://greatergood.berkeley.edu/article/item/can_restorative_justice_keep_schools_safe.

¹¹⁹ Margaret Shuttleworth, *LA School Board Unanimously Votes to Remove Officers from Campuses, Approves Black Student Investment*, NBC L.A. (Feb. 17, 2021, 8:41 AM), <https://www.nbclosangeles.com/news/local/la-school-board-unanimously-votes-to-remove-officers-from-campuses-approves-black-student-investment/2528512>.

minute response time. The school climate coach role assists administrators and staff to support a safe and positive school culture and climate for all students and staff. School climate coaches are trained to:

- Implement positive school culture and climate;
- Use social-emotional learning strategies to strengthen student engagement;
- Use de-escalation strategies and support conflict resolution;
- Build positive relationships and elevate student voices;
- Eliminate racial disproportionately in school discipline practices; and
- Understand and address implicit bias.

The approved proposal included the development of oversight and accountability committees, including:

- The Black Student Achievement Steering Committee, which develops and monitors strategies to improve student achievement;
- The Black Student Achievement Staff Working Group, which is made up of school board staff and oversees and evaluate initiatives; and
- The Oversight and Accountability Team, which is responsible for day-to-day monitoring.

Oakland Unified School District

Oakland Unified School District first implemented its restorative justice program at Cole Middle School in 2007.¹²⁰ Cole Middle School, a primarily minority and low-income school in West Oakland, was studied by three researchers from the University of California-Berkeley School of Law on the effects of its restorative justice program. Suspensions decreased by 87% and expulsions dropped to zero, according to their data from December 2010. The school was described as being “more peaceful, with fewer fights among students and better behavior in the classroom, relative to earlier years,” according to both students and teachers who participated in the program. Students who participated in the report's survey claimed that the program was “helping kids at Cole,” “reducing fighting at Cole,” and “improving relationships with other students.” During an interview, one student stated, “Normally when I get into a conflict, my instinct is to fight. But restorative justice kinda taught me to calm down a bit, taught me to talk it out.” Due to years of declining attendance, Cole Middle School eventually closed after the pilot program was implemented. However, motivated by the success of the restorative justice program at Cole, the Oakland Unified School District Board of Directors adopted restorative justice as a system-wide alternative for zero-tolerance discipline in 2009.

¹²⁰ 'Restorative Justice' School Program Reduces Student Delinquency, NEWS WISE (Dec. 16, 2010, 9:00 AM), <https://www.newswise.com/articles/restorative-justice-school-program-reduces-student-delinquency>.

Racial Healing in Restorative Justice Circles

The use of restorative justice practices in schools has been shown to decrease the disproportionate impacts of school discipline on students of color community as a whole. Kay Pranis, Independent Trainer and Facilitator for Peacemaking Circles at the International Institute for Restorative Practices, says restorative justice frameworks provide direct action to take that can change the future in terms of racial dynamics.¹²¹ The space of a restorative justice circle is a space in which white people can witness and listen.

¹²¹ *Restorative & Racial Justice*, OAKLAND UNIFIED SCH. DIST., <https://sites.google.com/ousd.org/restorative-and-racial-justice/home>.

VI. CASE STUDIES OF SCHOOLS THAT REMOVED SROS

Police-free schools are not hard to imagine – many parents and teachers grew up in schools without them! In America, 55% of public schools do not have School Resource Officers (SROs).¹²² Removing SROs from schools is not a radical request. Many schools have successfully removed SROs and seen dramatic increases in positive school climate and student success rates.

AMES COMMUNITY SCHOOL DISTRICT IN AMES, IOWA

The school board of the Ames Community School District (ACSD) voted unanimously to terminate their contract with the Ames Police Department for the 2022-23 school year.¹²³ SROs were removed from the middle school and high school. The push for the removal of SROs was sparked by an incident that occurred between high school students and an SRO. The SRO used the N-word and continued to repeat the slur after a Black student used it originally. Later, a group of students confronted the SRO, where he began to use the N-word yet again. ACSD students Kenaiya James and David Lee presented their concerns at the board meeting. They recounted instances where students of color felt discomfited, silenced, or even abused by other students and some staff members. Kenaiya and David both experienced and observed racially-motivated incidents involving SROs. ACSD even has their own data on SRO incidents within their district. This data shows disproportionate numbers of interactions with Black or African American students. It also shows that students who qualify for free or reduced-price meals, English language learner students, and homeless students are disproportionately overrepresented in SRO interactions within ACSD.¹²⁴

The school board's decision to cut ties with the Ames Police Department saved the district and city a total of \$241,512 per year, which is the cost of officer pay, equipment, vehicles, and training.¹²⁵ ACSD has added an additional Assistant Principal to the high school and have reinstated unarmed campus monitors in the secondary schools in the district.

¹²² U.S. DEP'T OF EDUC., CRIME, VIOLENCE, DISCIPLINE, AND SAFETY IN U.S. PUBLIC SCHOOLS: FINDINGS FROM THE SCHOOL SURVEY ON CRIME AND SAFETY: 2017-18: FIRST LOOK (2019), <https://nces.ed.gov/pubs2019/2019061.pdf>.

¹²³ Lily Lupardus, *School Board Decides Against SRO's, Ames High Students Speak*, THE WEB (Jan. 10, 2022), <https://www.ameshighweb.com/news/2022/01/10/school-board-decides-against-sros-ames-high-students-speak>.

¹²⁴ Phillip Sitter, *Some Ames Activists Want Immediate Action on SROs, But District Not Yet Finished Looking at the Issue*, AMES TRIB. (Mar. 23, 2021, 4:18 PM), <https://www.amestrib.com/story/news/education/2021/03/23/ames-schools-racial-justice-advocates-see-police-in-school-resource-officer-sro-changes/6963511002>.

¹²⁵ Isabella Rosario, *Ames School Board Votes to End Its School Resource Officer Program Next School Year*, AMES TRIB. (Dec. 14, 2021, 1:20 PM), <https://www.amestrib.com/story/news/2021/12/13/ames-schools-end-contract-police-2022-23-school-year/6496928001>.

ORCHARD GARDENS IN ROXBURY, MASSACHUSETTS

In 2010, Orchard Gardens, an inner-city school in Roxbury, Massachusetts, was one of the lowest ranking schools in the state.¹²⁶ Orchard Gardens faced serious challenges and had six principles in seven years. The school had several restrictive practices, including prohibiting students from carrying backpacks and zero-tolerance policies. The study body was made up of 25% English-language learners, 90% free or reduced lunch qualifying children, and 25% special needs students. Plagued with fears of violence and low test scores, the school increased their security and standardized lessons, but abandoned their arts programs.

When Principal Andrew Bott was hired, he decided to redirect school resources and refocus the school. Bott fired the SROs at Orchard Gardens and used the funds to hire new teachers and implement a curriculum that centered around the arts. Within four years, Orchard Gardens saw a spike in student attendance rates and students and staff reported a more positive school climate. Orchard Gardens became ranked as one of Boston's top public schools.

INTERMEDIATE DISTRICT 287 IN PLYMOUTH, MINNESOTA

When officials at Intermediate District 287 began noticing that students of color with mental health challenges were frequently being removed from class and arrested by SROs, they knew they had to change the school's culture and priorities.¹²⁷

The district removed SROs from their schools and used the funds to hire school safety coaches. A school safety coach builds relationships with students and advocates for them when they engage in challenging behavior rather than punishing them. They provide educational assistance and help run groups in school, such as the social-skills lunch bunch. They are also involved in activities with students in the community. These unarmed school safety coaches focus on proactive measures, while SROs are primarily reactive. They informally screen all students as they get off their buses in the morning by asking how they are doing. Then, they spend time in the hallways, classrooms, and their office so students and staff can seek their aid throughout the day if needed. If a student in a morning class begins to show signs that he is struggling and refuses to do an assignment, for example, the teacher can contact a safety coach to check on him and figure out what's bothering him before the situation escalates. These coaches essentially function as highly dedicated proctors who make connections with students.

¹²⁶ *Art Program Transforms Failing School*, NBC NEWS (May 1, 2013), <https://www.nbcnews.com/video/art-program-transforms-failing-school-28659267933>.

¹²⁷ *ISD 287 Restorative Practices*, WILDER FOUND., <https://www.wilder.org/wilder-research/research-library/isd-287-restorative-practices>.

MINNEAPOLIS PUBLIC SCHOOLS IN MINNEAPOLIS, MINNESOTA

Following the murder of George Floyd, the Minneapolis School Board voted to end its contract with the Minneapolis Police Department (MPD).¹²⁸ By September 2020, Minneapolis Public Schools (MPS) had 11 new unarmed public safety support specialists. In the previous school year, when SROs were staffed in schools, there were nearly 250 student incidents that involved law enforcement in some way. However, in the first half of the school year without SROs, the number of law enforcement-involved incidents dropped to 13.

It was a priority of the district to have a racially diverse group of school safety staff, who “better reflected the student population.”¹²⁹ Many of the new school safety staff attended or previously worked at local schools. Under this new school safety model, teachers and students report that things are going much better without SROs present. Kennedy Rance, a former student at Minneapolis’s Patrick Henry High School, explained, “When SROs were present, a lot of students said it made them uncomfortable and that they wanted another way, someone who wasn’t law enforcement, who wasn’t carrying.”¹³⁰ Prior to the removal of SROs, Minneapolis schools took about 13,000 disciplinary actions in the 2018-19 school year. Yet, in 2020-21, the school year following the removal of SROs, Minneapolis schools took only 1,900 disciplinary actions against students in the first half of the school year, a reduction of over 70%.

¹²⁸ Cinnamon Janzer, *What Happened After Minneapolis Removed Police Officers from Schools*, JUV. JUST. INFO. EXCH. (Aug. 3, 2022), <https://jjie.org/2022/08/03/what-happened-after-minneapolis-removed-police-officers-from-schools>.

¹²⁹ *Id.*

¹³⁰ *Id.*

VII. STEPS FOR ADVOCACY

For any advocacy campaign to ultimately be successful, it is vital that those looking to make changes to the system understand how the system works and who has the power to change it. Advocates for removing School Resource Officers (SROs) from local school districts need to understand why SROs are in schools in the first place, what they are tasked with doing, and whether they are successful. This section of the toolkit will lay out key steps like locating your Memorandum of Understanding, looking at local and national data, speaking with successful advocates, identifying decision makers in your community, setting campaign goals, using social media to your advantage, and staying organized and persistent.

LOCATE YOUR MEMORANDUM OF UNDERSTANDING

Under Iowa law, most school districts with SROs have entered into formal agreements with their city government to share in the funding and distribution of officers from their local police departments into local schools. These agreements are known as a Memoranda of Understanding (MOUs) or called “28E Agreements,” after the Chapter of the Iowa Code which outlines the rules for these agreements.¹³¹ These operating agreements are generally made available on your school district’s website, and they can also be located using the 28E agreement search tool on the Iowa Secretary of State’s website.

However, it may take time to track down these MOUs, and frequently they do not make it to a publicly searchable site. If you cannot find the MOU on your district website or via the Iowa Secretary of State’s website, you should be able to obtain a copy by contacting your school board or administration directly. Districts typically designate a contact, like a board secretary, known as a records custodian. Under Iowa law, any individual can file a request to see a public record,¹³² and the request must be responded to within 10-20 days.¹³³ As contracts involving the investment of public funds, these agreements are public records and should not be subject to any of the exemptions for confidential records.¹³⁴

Once you’ve acquired a copy of your district’s MOU, it is important to take note of its key elements. Like many legal documents, the MOU was not written to be easily understood by the general public. Advocates are advised to read through their MOU multiple times and to “make a friend of Google” while doing so. Several important pieces of information to look for in an MOU include:

¹³¹ IOWA CODE § 28E.

¹³² IOWA CODE § 22.2. For an example of a record request, see *Sample Records Request Letter*, IOWA PUB. INFO. BD., <https://ipib.iowa.gov/sample-records-request-letter>; and *Iowa Sample FOIA Request*, NAT’L FREEDOM OF INFO. COAL., <https://www.nfoic.org/iowa-sample-foia-request>.

¹³³ *Chapter 22 Frequently Asked Questions*, IOWA PUB. INFO. BD., <https://ipib.iowa.gov/faqs/chapter-22>.

¹³⁴ IOWA CODE § 22.

Purpose Statement.

What is the policing program trying to accomplish? How does it plan to measure its goals? Advocates have a strong argument if school policing isn't accomplishing the stated goals and/or there is no way to measure progress towards the goals.

Expiration Date.

When does the agreement between the district and law enforcement end? It is common for school boards to vote on new agreements in the weeks leading up to an MOU's end date; this can be a particularly good time to advocate for changes.

Privacy.

Does the agreement lay out how student and family privacy will be protected, for example, consistent with the Family Educational Rights and Privacy Act (FERPA)? What limits are being put on law enforcement's ability to access student records? Not respecting student privacy can endanger them by exposing their private information to unknown actors.

Searches and Questioning.

What limits are placed on law enforcement searches of students? Are students informed of their rights and offered a chance to have an adult caregiver present before being questioned by police? Students have rights, too – it's important that police not treat them like second-class citizens.

Accountability.

Is there a complaint process in place if students have a bad experience with an officer in the school building? How often do the district and the police department

Iowa Secretary of State
321 East 12th Street
Des Moines, IA 50319
sos.iowa.gov

FILED
Filing Date: 08/10/2021 02:45 PM
Filing Number: MS13967

28E Agreement

Party 1	Full Legal Name	Organization Type	County
Party 2	Bondurant-Farrar Community School District	School District	Polk

Participate:
110 - Police Protection
Service Type:
Polk County and Bondurant-Farrar Community School District agreement for School Resources Officer
Effective:
06/30/2024
Duration:
[BONDURANT-FARRAR-SCHOOL-DISTRICT-28E.pdf](#)
Upload Scanned Agreement

Contact Person: (Optional)

Frank
Contact First Name
Marasco
Contact Last Name
Job Title:
Polk County Sheriff
Department:
Email Address: 1
515-286-3943
Phone Number

LAW ENFORCEMENT SERVICES AGREEMENT

PARTIES

This Agreement is made and entered into by and between the COUNTY OF POLK (County) and the BONDURANT-FARRAR COMMUNITY SCHOOL DISTRICT (District).

PURPOSE

It is the purpose of this Agreement to establish the terms and conditions for the Polk County Sheriff to provide law enforcement services to the District.

TERMS AND CONDITIONS

Pursuant to the provisions in Iowa Code Chapter 28E, it is hereby agreed by the Parties as follows:

- The Parties agree that the Polk County Sheriff shall provide the following services within the facilities of the District:
 - Enforcement of criminal-related State laws and Local ordinances;
 - Coordinating and providing security during school hours;
 - Coordinating and providing security during sporting events, activities, special events, and other related extracurricular events as requested by the District;
 - Teaching a curriculum with topics which may include:
 - Peer pressure;
 - Bullying / harassment;
 - Common teenage crimes;
 - Drugs and alcohol;
 - Internet safety.
 - Providing short programs covering law enforcement related subjects, as requested by the District;
 - Monitoring the parking lots during high traffic times;
 - Working in coordination with the Juvenile Court Officer assigned to the District;
 - Interacting daily with the students, parents and faculty to develop positive relationships;
 - Performing other duties as determined by mutual agreement of the Polk County Sheriff's Office and the District.
- The County will provide a minimum of one Patrol vehicle and one Patrol Deputy within the facilities and grounds of the District for 40 hours per week for a period of 9 months. The schedule will be mutually agreed to by the District and the County.
- The District may request changes in the schedule which shall be accommodated by the County to the extent personnel and equipment are available without the County incurring any additional expenses. The final schedule decisions shall be made by the County.
- The District agrees that the County is not responsible for providing continuous surveillance for any twenty-four (24) hour period unless the County determines the threat of criminal activity warrants such surveillance.
- If the County is not able to provide the assigned School Resource Officer (SRO) for any reason, the County shall proportionally reduce the amount charged to the District, unless a back-up SRO is requested by the District and provided by the County.

Page 1 of 3

SAMPLE:

First two pages of Bondurant-Farrar Community School District, Polk County MOU (2021).

Full version in section **X. Appendix: Sample MOU.**

evaluate if they're meeting the goals of the program? What does that process look like? Having a complaint process ensures that dissenting voices are being heard and that problems with the program are addressed swiftly.

Data Collection.

Are either the district or the police department collecting data on officer activities (referrals, arrests, etc.)? If so, is this data broken down by race, gender, disability status, and other demographic categories, to assess disproportionate or discriminatory enforcement? Is the data available to the public? How is the data being used? By collecting data, districts can better understand the macro-level impacts that policing is having on their students, including disproportionate effects on students of color or students with disabilities.

If any of these are missing from the MOU, it can be a sign that the district needs to provide more oversight. Advocating for filling these gaps can be a good place to start if your district is not ready to remove their police presence entirely.

LOOK AT THE DATA

This toolkit includes both national and statewide data, but it will likely be most persuasive for you to use data specific to your school district. Specific data about your district can be very effective in assessing and convincing others that SROs pose a serious issue to the safety of students – not just generally, but in the specific district.

You can check data about any school using the U.S. Department of Education Civil Rights Data Collection website provides data collected from districts across the United States and allows you to search for data on your school district,¹³⁵ as well as search for a specific school.¹³⁶

¹³⁵ Find District(s), C.R. DATA COLLECTION, <https://ocrdata.ed.gov/search/district>.

¹³⁶ Find School(s), C.R. DATA COLLECTION, <https://ocrdata.ed.gov/search/school>.

CIVIL RIGHTS Data Collection

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School & District Search

Detailed Data Tables

Data Analysis Tools

Special Reports

State and National Estimations

Data Reports and Presentations

Downloadable Data Files

Additional Resources

FAQ/Tutorial

Office for Civil Rights

CRDC Civil Rights Data Collection

Wide-Ranging Education Data Collected from our Nation's Public Schools

Quick Search

Find School(s) Find District(s)

School Name _____ State (Choose 1 or more) _____ Search

School and District Search
View a summary of selected facts about a school or district as well as tables and graphs of reported data

Did You Know?
The CRDC includes data about:

- Enrollment Demographics
- Preschool
- Math & Science Courses
- Advanced Placement
- SAT & ACT
- Student Retention
- Harassment or Bullying
- Discipline
- Restraint or Seclusion
- School Staff
- School Expenditures

2017-18 CRDC data are now available at this site and at <https://crdc.ed.gov>

Detailed Data Tables

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Additional Resources

FAQ/Tutorial

Office for Civil Rights (OCR)

Basic Search

To find the school(s) that you are looking for, enter one or more search criteria and click 'Search'

School Name Longfellow Elementary School ID _____ District Name Iowa City

Street Address _____ City _____ State (Choose 1 or more) _____ Zip _____

Distance 0 Survey Year 2017 OCR Regional Office _____

Search Tip: If you are having difficulty finding your school, try entering only the city, zip and/or keyword in the name field.

Advanced Search Criteria

Reset Search

In addition to obtaining general data about the school, the Discipline Report (listed under Special Reports and Other Profile Facts) includes information arrests and referrals to law enforcement in school, broken down by demographic data like race and disability status.

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Female	47.9%
Male	52.1%
Students with Disabilities (IDEA)	10.3%
Students with Disabilities (Section 504 Only)	4.1%
English Learner (EL) students	0.0%
Free and Reduced-price Lunch (FRPL)	0.0%

SOURCE: U.S. Department of Education, National Center for Education Statistics, ED Facts.

	Student Enrollment	* Chronically Absent
All Students	100%	9.1%
American Indian or Alaska Native	0.6%	
Asian	1.5%	
Black or African American	7.9%	1.5%
Hispanic or Latino of any race	4.4%	0.3%
Native Hawaiian or Other Pacific Islander	0.0%	
Two or more races	4.7%	1.2%
White	80.9%	6.2%

LEA Information

Total Schools	27
Total Student Enrollment	14,317

Special Reports and Other Profile Facts

- English Learner (EL) report
- Discipline Report

Characteristics and Membership

- EL
- Students w/Disabilities (IDEA)
- Students w/Disabilities (504)
- EDFacts IDEA
- Civil Rights Coordinators

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Longfellow Elementary School
Iowa City Comm School District | Iowa City, IA
 NCES ID: 191470000895 (Survey Year: 2017)

Home
 Print Page
 Search Results

Discipline Report [Return to Summary](#)

School Characteristics

Receives Title I Funds: No	Offers Advanced Placement: No
Classified as Charter School: No	Offers Gifted & Talented Education Programs: Yes
Classified as Magnet School: No	Offers International Baccalaureate Diploma Programme: -

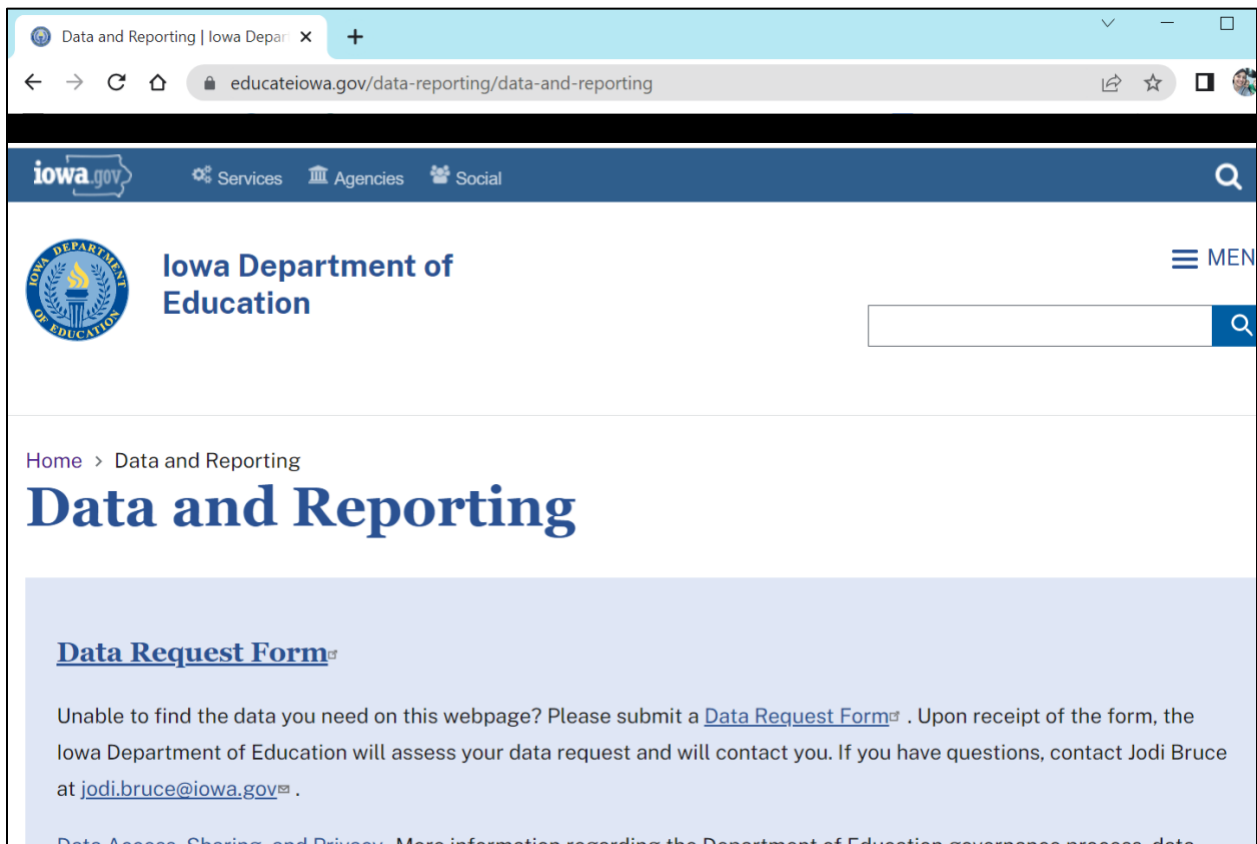
Student Enrollment: 340
 American Indian or Alaska Native: 0.6%
 Asian: 1.5%

You can also access a range of data from the Iowa Department of Education on their website.¹³⁷

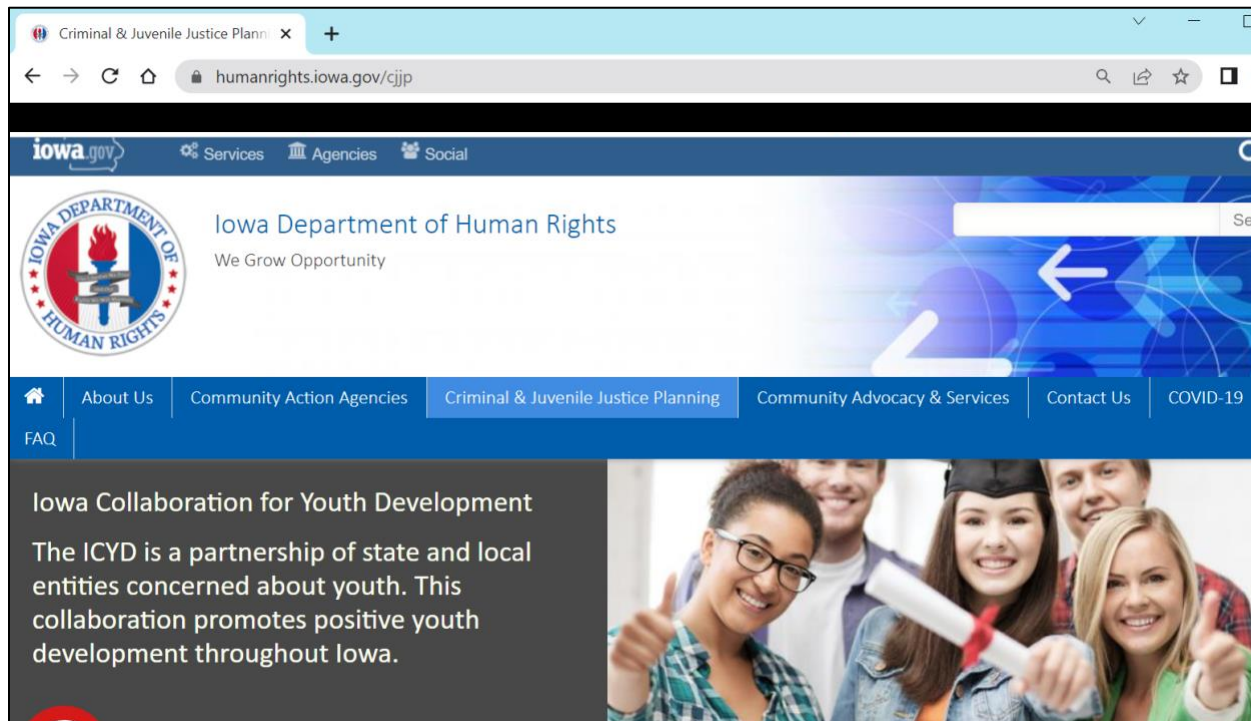
¹³⁷ Data and Reporting, IOWA DEPT OF EDUC., <https://educateiowa.gov/data-reporting/data-and-reporting>.



If the website doesn't publish specific data, there is a mechanism to request data:



Another potential district-specific data source is the Iowa Department of Human Rights (IDHR), Division of Criminal and Juvenile Justice Planning (CJJP). They have access to and can compile aggregate state juvenile justice data reports, which may be useful for getting a more complete picture of what law enforcement activity in your school looks like.



However, keep in mind that while the CJJP has juvenile justice data available by school, it is not specific enough to pinpoint whether a school resource officer was involved.¹³⁸

DRAW ON EXPERIENCES OF SUCCESSFUL ADVOCATES

To date, both the Des Moines Public Schools and the Ames Community School District have ended their SRO programs. This shift in the school policing landscape occurred because students, parents and caregivers, educators, and other community members shared their personal experiences of police officers in schools and pushed their district administration to consider the facts. Much of this toolkit draws on those advocates' experiences. However, communication with advocates in these communities about specific issues may be useful.

One key to a successful advocacy campaign is coalition building. As you plan your approach to SRO removal, be sure to reach out to and include other students, educators, school staff, and community members in your efforts. A wide range of groups and individuals will

¹³⁸ Contact Us, IOWA DEP'T OF HUM. RTS., <https://humanrights.iowa.gov/contact-us>.

strengthen your case. There may be supporters of SRO removal who are easy to identify, like students and families who have had negative experiences with SROs or any district employees whose job centers on diversity, equity, and inclusion (DEI), but other groups or individuals may also support your efforts including:

- Students with special education plans, known as Individualized Education Plans (IEPS), and their families;
- Recent graduates of the school, who had negative interactions with SROs;
- Graduates of the school, who attended before there was a police presence;
- Parents who have professional expertise in mental health or child development;
- Individuals who run community centers or after school programs;
- Former school board members, teachers or employees of the school, who may face less risk by speaking against their prior employer;
- Local faith leaders, who get to know local youth and may favor less punitive responses; or
- Local juvenile public defenders.

Your advocacy should be driven by, and center, student voices – especially those from communities that are heavily policed and have experienced harm from the criminal legal system. What is it that the students really need? Is that need being filled by the correct type of professional? Successful campaigns have found that students’ personal experiences, shared in their own voices, make the most compelling case for reform. Providing a platform for students will help communicate to teachers, parents, and other stakeholders in the community the severity of the problem from the perspective of those most impacted.

IDENTIFY DECISION MAKERS

School boards are the entities that ensure students are satisfying the basic education requirements set by state law. In general, school boards have three main roles: hire and evaluate superintendents and district staff, propose budgets to approve, and make policy decisions for the district. It is predominantly these last two functions that will impact advocacy to remove police from schools.

All seven school board members in each district are elected; they are supposed to be responsive to the changing needs of students and the community. To ensure that they are listening to community members, school boards provide an opportunity for the public to comment before (usually in writing) or during their meetings (usually in person). Advocates can use that allotted time to express concerns about SROs in schools. School boards often have a specific process and rules around participation at meetings, which are generally explained on the school board website. In addition, the Iowa Code provides for a petition process by which community members can require the school board to place an item on the agenda.¹³⁹ The petition must have either 500 signatures or the equivalent of 10% of the voters in the last school board election – whichever is less. With the required signatures,

¹³⁹ IOWA CODE § 279.8B.

the school board must place the item on the agenda of the next regular meeting or a meeting held within 30 days of submitting the petition.

Two key personnel work closely with the school board: the superintendent and the principal(s). It is the role of superintendents to implement the vision, policy, and plans of the school board, while principals oversee the activities of particular schools in the district. While the target of your advocacy will be primarily the school board, it is also important to make your demands known to the superintendent since superintendents translate policy into action. Similarly, the principal will have to enact the policy of the school board. If you have a supportive principal, it may be useful to engage that principal as an ally.

SET CAMPAIGN GOALS

It's important to set clear and specific goals for the campaign, so you have a well-defined "ask" to present to school officials. An "ask" is most effective when it provides an alternative. For example, you could say, "We don't want any SROs in our schools." However, a more effective ask – because it requires less work on the part of the decisionmaker – would be, "We don't want police in our schools; instead, we want two additional social workers, the creation of a peer mediation program, and a team of people trained in restorative justice." Being *for* something is stronger than only being *against* something. Consult with your community to come to a consensus on what that ask is, but any proposal should include additional staff that will perform either an assistant role to instructors or specific mental health counseling.

If your district is far from embracing police-free schools, you could start by reducing the number of police officers in schools. Fewer police in the building means fewer opportunities for negative interactions with kids, and it means police are less likely to get involved in non-emergency situations. Can you reduce the number of school police by half? Can you achieve police-free elementary and middle schools, even if your high school isn't ready to let go of a police presence?

When keeping in mind other decision factors – like the relative costs of police contracts – remember that budgets are not just an accounting technique: they are *policy documents* that reflect your district's *priorities*. For example, the American School Counselors Association recommends that the ratio of students to counselors be no more than 250:1, as this ratio serves the minimum requirements for mental health assistance in youth.¹⁴⁰ If your school district does not meet this recommendation, you can point to these staffing standards to urge changes to the budget.

¹⁴⁰ *School Counselor Roles & Ratios*, AM. SCH. COUNSELOR ASS'N, <https://www.schoolcounselor.org/About-School-Counseling/School-Counselor-Roles-Ratios>.

USE SOCIAL MEDIA TO YOUR ADVANTAGE

The present, and future, of advocacy is heavily reliant on social media for communication and outreach. Making your advocacy coalition well-known and identifiable in your community is a high priority of any campaign, and the best way to build your reputation is through social media platforms. Social media can be used for outreach, making public statements, coalition building, and public education. It is also an essential tool for logistics, like scheduling meetings or campaign events, or reminding the community about school board meetings. To perform all these various tasks, it is usually necessary to have at least one volunteer willing to run and manage your social media accounts to ensure regular posts and consistency across platforms, including Facebook, Instagram, Twitter, Snapchat and TikTok. Some of these platforms – like Facebook or Twitter – may be more likely to reach parents and teachers, while others – like TikTok and Instagram – may be better-suited to build youth engagement with the campaign.

Social media is powerful – it can both attract and alienate supporters. In addition to taking time to craft your social media messaging, be sure that your group has a policy in place for respectful online communication and how to deal with members who deviate from those standards.

STAY ORGANIZED, BE PERSISTENT, & PRACTICE SELF-CARE

Regardless of what approach you take in your advocacy, keep in mind that no campaign can succeed in disorder. When you have even a few people involved, make sure that responsibilities are delegated, so that one person is not overwhelmed by the workload. In addition to a volunteer who maintains the social media presence, a campaign may also need volunteers who focus on, growing and tracking supporters, public education gatherings, communications with school and district administrators, and other discrete responsibilities.

And finally, stay persistent. The demanding, time-consuming nature of advocacy can weigh heavily on those seeking change in their community. Advocates may find that friends and neighbors feel differently about SROs in schools, and administrators may simply ignore your campaign, especially in its early stages. The path to significant social change is rarely linear, but more like one step forward, two steps back. The campaign will be stronger and last longer, if realistic expectations are set about what might be accomplished within a specific time frame. It will also help to have both short-term goals (attract 10 new followers on Facebook) and long-term goals (hire 2 counselors for each high school). As your campaign progresses, you will find greater support from your community, as any skepticism gives way to respect for your commitment to school safety.

Everyone – but particularly advocates – should engage in self-care. Practicing self-care has been shown to reduce anxiety, depression, and stress, improve concentration and energy, increase happiness, and minimize anger and frustration. Self-care is critical to staying persistent and keeping a campaign alive.

Here are a few ways you can practice self-care. Choose one or a few and do your best to stay consistent.¹⁴¹

Eat. Eating a balanced diet and drinking plenty of water improves energy and focus. Try to limit your caffeinated beverages, such as soda or coffee.

Sleep. Getting enough sleep needs to be a priority – ideally, 8 hours. Reducing blue light exposure from phone or computer screens before bedtime can help you fall asleep faster.

Relax. Look into relaxation or wellness apps or programs. Relaxation techniques include meditation, muscle relaxation, and breathing exercises. Schedule time on your calendar to relax if you need to. You cannot work all the time.

Hygiene. Good personal hygiene helps to protect against illness. When we are passionate about work or overwhelmed by obligations, personal hygiene can fall by the wayside. Maintaining critical habits, like showering, handwashing, and tooth-brushing, will help keep you healthy and can boost your mood and self-confidence.

Exercise. Walking only 30 minutes every day can improve your health and boost your mood. Don't be discouraged if you can't do 30 minutes at one time – smaller amounts of exercise will add up.

Prioritize. Determine what needs to be done soon and what can wait. One person can't do everything. It's okay to say "no" if you're overwhelmed. Focus on what you've accomplished at the end of the day, rather than what you still have left to do.

Stay Connected. Keep in touch with friends and family. Build family and friend time into your schedule and be sure you do non-advocacy-related activities to help you relax.

Practice Gratitude. Remind yourself what you are grateful for. Make a list of five things every day.

¹⁴¹ For more in-depth information, see the National Institutes of Health's toolkits: *Your Healthiest Self: Wellness Toolkits*, NAT'L INSTS. HEALTH, <https://www.nih.gov/health-information/your-healthiest-self-wellness-toolkits>.

Focus on the Positives. Challenge your negative and unhelpful thoughts. You are enough and you are important, so take care of yourself.

VIII. KEEPING PEOPLE INFORMED THROUGHOUT THE PROCESS

People like to know what is happening in their community. When change is happening and there appears to be little transparency, even if unintended, it can make community members nervous or worried about how the changes will affect those that they care about. Community members may resist the change or even advocate against you simply because they do not fully understand the reasons for making a change and they were caught by surprise. Because of this, it is critical to keep everyone informed during your advocacy efforts. Don't forget to allow teachers and school staff into the discussion – just because they work in the school does not mean that they are involved every time a policy change is discussed or implemented. Having the support of your teachers and school staff can make a huge difference to your advocacy efforts.

Before going to the school board to advocate for removal of SROs, you will want to make sure you have support for “ask” and the reasoning behind it. After gaining general support from others, you will want to gain any support possible from school administrators. After gaining general support and potential administrative support, you will want to go to a school board meeting and present the issue to the school board members. The main goal is to keep everyone in the community feeling well-informed, as comfortable as possible with this change, and to give advocates the chance to address any concerns early in the process. Remember, resistance to change often comes from a lack of knowledge.

WHO SHOULD FIRST BE INFORMED OF YOUR ADVOCACY IDEAS?

- Students within the school district
- Parents
- Teachers
- School staff
- Heads of community centers or youth-focused organizations
- Disability rights advocates or parent groups
- Local racial justice groups
- Faith leaders
- Elected officials (city council, mayor, etc.)
- Members of the community

WHAT INFORMATION SHOULD YOU BE EMPHASIZING?

- ❑ Your own personal experiences with the School Resource Officers (SROs) and/or the personal experiences of others in your school;
- ❑ District-specific data on the disproportionate impacts caused by the SROs;
- ❑ Facts that debunk the assumption that SROs make schools safer;
 - There is no conclusive evidence that SROs prevent shootings or reduced crime in schools.
- ❑ SROs are trained to deal with adult criminals as police officers and likely did not receive any training in how to de-escalate problems with children;
 - Check your school district's memorandum of understanding (MOU) between the police department and school district to see if there are provisions that require any additional training for the police officer before working as an SRO.
 - Few MOUs in Iowa require any additional training before a police officer can work as an SRO. Most often, a MOU states the SRO must only have met the minimum requirements to become a police officer. Occasionally, a MOU may require the SRO to have knowledge of the juvenile justice system and child welfare. This is not additional training. Look for concrete training activities, such as having to complete a specific course within their first year.
- ❑ Valuing student safety should include supporting students' mental health;
 - Students need to feel safe and comfortable in their school to effectively learn and do their best.
- ❑ The presence of a permanent police officer in schools contributes to the school-to-prison pipeline and often has lifelong consequences for misbehaving children;
- ❑ Removing SROs will likely save the school district a lot of money; and
 - Check your school district's MOU to see if there is a provision that states how much money the school district spends on SROs.
- ❑ Explain viable alternatives to SROs.
 - How would you address student safety instead?

HOW CAN YOU KEEP PEOPLE THAT YOU DON'T KNOW INFORMED?

- ❑ Use social media to post, share, and reach out to others;
- ❑ Distribute flyers or brochures;
- ❑ Ask friends to help spread the word, both personally and on their social media;
- ❑ Speak at Parent-Teacher Organization (PTO) meetings;
- ❑ Write to a local newspaper or TV station;
- ❑ If you are a student, ask teachers for five minutes of class time to explain your concerns to your classmates; and
- ❑ Reach out to advocacy organizations for help.
 - Suggested contacts:

- **Des Moines Black Liberation Movement** works to dismantle racist systems and structures through advocacy and direct action.
- The **National Center for Youth Law** works to ensure children are treated with dignity and have fair opportunities to achieve their dreams.
- **Advocates for Social Justice** works towards creating social change within the Cedar Rapids community.

WHEN SHOULD YOU TALK TO THE SCHOOL BOARD?

After gaining the support of other students, parents, school staff, and community members, take your concerns to any school administrators that may be willing to speak to the school board on your behalf. School administrators are superintendents, principals, and assistant principals, and other individuals with director in their title. Schedule a meeting with the administrator and bring a small group of experienced and well-informed supporters, who reflect the diversity of individuals and interests supporting the removal of SROs. Think of this as an opportunity to practice presenting to the school board.

After identifying school administrators that support removing the SROs, find an upcoming school board meeting and present the issue to everyone there.¹⁴² The main speaker should prepare and practice before the meeting. At a typical board meeting, a community member may only have 3–5 minutes to speak and that time should be used intentionally: What will be most persuasive to individual board members? Anyone speaking may also have to answer questions from board members. If you are asked a question that you do not know the answer to, do not make up an answer. Be honest and say you are not sure right now, but you will find out and get back to them. Lastly, bring as many supporters as possible that are willing to make a statement in support of removing SROs.

It is unlikely that after one meeting the school board will immediately vote to terminate the school district’s MOU with the police department. Although this may be frustrating, keep an open dialogue with the school board members. You want them to feel comfortable sharing their concerns with you and you want them to feel like they can work with you on fixing this problem.

When the school board agrees to remove SROs, it remains critical to keep everyone informed. Let the community know what the school board and administrators agree to change and the timeline for implementing those changes. Make sure those in charge of implementation are being held accountable by everyone that supported the change.

Once you have successfully removed SROs and possibly implemented a new program, the work is not over. The community needs to know that the implemented changes were

¹⁴² To find your local school board members and meeting times enter your zip code at *Find Your Local District and School Board*, XQ, <https://xqsuperschool.org/school-board-lookup>.

successful. Make sure to check in with your supporters to let them know that their support made a positive difference within the school and was well worth their while.

IX. LEGAL FAQ

ARE TEACHERS IN IOWA ALLOWED TO PHYSICALLY INTERVENE WHEN STUDENTS ARE FIGHTING?

Yes: school employees may intervene when necessary to protect others or property and to obtain a dangerous object.

Iowa Code § 280.21. Corporal punishment – burden of proof.

...

2. A school employee who, in the reasonable course of the employee's employment responsibilities, comes into physical contact with a student shall be granted immunity from any civil or criminal liability which might otherwise be incurred or imposed as a result of such physical contact, if the physical contact is reasonable under the circumstances and involves any of the following:

...

- b. Protecting the employee, the student, or other students.
- c. Obtaining possession of a weapon or other dangerous object within a student's control.
- d. Protecting employee, student, or school property.
- e. Quelling a disturbance or preventing an act threatening physical harm to any person.
- f. Removing a disruptive student from class or any area of the school premises, or from school-sponsored activities off school premises.
- g. Preventing a student from the self-infliction of harm.
- h. Self-defense.

Iowa Administrative Code § 281-103.5(256B,280). Use of reasonable and necessary force.

103.5(1) Notwithstanding the ban on corporal punishment in rule 281-103.3(256B,280), no employee subject to these rules is prohibited from:

- a. Using reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:
 - (1) To quell a disturbance or prevent an act that threatens physical harm to any person.
 - (2) To obtain possession of a weapon or other dangerous object within a student's control.
 - (3) For the purposes of self-defense or defense of others as provided for in Iowa Code section 704.3.
 - (4) To remove a disruptive student from class or any area of the school's premises or from school-sponsored activities off school premises.
 - (5) To prevent a student from the self-infliction of harm.

(6) To protect the safety of others.

(7) To protect property as provided for in Iowa Code section 704.4 or 704.5.

b. Using incidental, minor, or reasonable physical contact to maintain order and control.

103.5(2) An employee subject to these rules is not privileged to use unreasonable force to accomplish any of the purposes listed above.

WHAT TRAINING ARE POLICE REQUIRED TO HAVE BEFORE WORKING IN SCHOOLS AS A SCHOOL RESOURCE OFFICER (SRO)?

Police officers are not required to have any specific training before working with children. Iowa Administrative Code § 281-103.8(256B,280) concerns the training of all school employees before physical restraint can be used on a student.

Iowa Administrative Code § 281-103.8(256B,280). Training, documentation, debriefing, and reporting requirements.

103.8(1) *Training.* An employee must receive training prior to using any form of physical restraint or seclusion. Training shall cover the following topics:

- a. The rules of this chapter;
- b. The school's specific policies and procedures regarding the rules of this chapter;
- c. Student and staff debriefing requirements;
- d. Positive behavior interventions and supports, and evidence-based approaches to student discipline and classroom management;
- e. Research-based alternatives to physical restraint and seclusion;
- f. Crisis prevention, crisis intervention, and crisis de-escalation techniques;
- g. Duties and responsibilities of school resource officers and other responders, and the techniques, strategies and procedures used by responders; and
- h. Safe and effective use of physical restraint and seclusion.

WHAT IS REQUIRED IN A CONTRACT BETWEEN POLICE DEPARTMENTS AND SCHOOL DISTRICTS IN IOWA?

There are no laws or regulations relating specifically to contracts, or memorandums of understanding (MOUs), between police departments and school districts.

Most available SRO contracts within Iowa are for full time, 40-hours per week, positions. Part-time SRO positions are generally either 8-hours per week or 15-hours per week at a school. The length of the contract varied, with the majority of contracts lasting between

two and five years. A handful of contracts were for only a one-year period and a handful were for an indefinite period of time.

Every contract does not include the salary of an SRO or how the payments are divided between the city or county and school district. When the division of payments is addressed, the SRO salary and any other associated fees were commonly split in half, or close to half, between the city or county and school district. If not split evenly, the school district typically paid more than the city or county, paying up to 75% of the SRO costs. In a few contracts, the city or county paid the entire cost. The yearly SRO salary is rarely included in a contract but ranged from \$87,520 to \$139,279 in the available SRO contracts.

Most contracts did not include any training requirement that police must complete before becoming an SRO, instead including vague provisions such as topics with which the officer must be familiar. A few contracts included that the SRO must complete the National Association of School Resource Officers Training Program within their first year. One contract required SROs to pass the D.A.R.E instructor course, active shooter instructor courses, and the written and physical agility tests administered by the local Civil Service Commission.

Other common sections throughout the contracts include assignment and selection of the SRO, duties of the SRO, duties of the school district, removal or replacement of the SRO, and termination of the contract. The assignment and selection provisions were often short, indicating that the Chief of Police will choose whichever officer they see fit to be an SRO. Duties of the SRO often included teaching curriculum or leading programs relating to peer pressure, bullying, crimes, drugs and alcohol, and internet safety.

WHEN IS AN SRO ALLOWED TO SEARCH A STUDENT'S BAG?

Searches and seizures are governed by the Fourth Amendment to the Constitution as well as the Iowa Constitution and Iowa law. Iowa law requires school boards to create a student search rule. Look for this rule in your school's student handbook. A school official can search a student when they have a *reasonable suspicion* that the student may be violating a school rule or the law. The search must also be conducted in a way that "is reasonably related to the objectives of the search."¹⁴³ Searches are not allowed if it would be unreasonable given the student's age and/or sex, or the nonseriousness and nature of the suspected violation.¹⁴⁴ Students must be informed if their bag is searched without the student present.¹⁴⁵

¹⁴³ Iowa Code § 808A.2.1.

¹⁴⁴ Iowa Code § 808A.2.3.

¹⁴⁵ Iowa Code § 808A.2.5.

When police officers that are not assigned to work at a school and are investigating a strictly law enforcement action, the standard for searching a student is *probable cause*. Probable cause exists when “there is a fair probability that contraband or evidence of a crime will be found in a particular place.”¹⁴⁶

Iowa Code § 808A.1. Definitions.

As used in this chapter, unless the context otherwise requires:

1. “*Protected student area*” includes, but is not limited to:
 - a. A student’s body.
 - b. Clothing worn or carried by a student.
 - c. A student’s pocketbook, briefcase, duffel bag, bookbag, backpack, knapsack, or any other container used by a student for holding or carrying personal belongings of any kind and in the possession or immediate proximity of the student.
- ...
3. “*School official*” means a licensed school employee, and includes unlicensed school employees employed for security or supervision purposes.
- ...
5. “*Student search rule*” means a rule established by the school board of a public school, pursuant to section 279.8 or 279.9, or the authorities in charge of a nonpublic school controlling the manner of the searching of students or protected student areas and school lockers, desks, and other facilities or spaces owned by the school. A student search rule, to be valid for purposes of this chapter, shall require that all searches of students or protected student areas be reasonably related in scope to the circumstances which gave rise to the need for the search and based upon consideration of relevant factors which include, but are not limited to, the following:
 - a. The nature of the violation for which the search is being instituted.
 - b. The age or ages and gender of the students who may be searched pursuant to the rule.
 - c. The objectives to be accomplished by the search.

Iowa Code § 808A.2. Searches of students, protected student areas, lockers, desks, and other facilities or spaces.

1. The school board of each public school and the authorities in charge of each nonpublic school shall establish and may search a student or protected student area pursuant to a student search rule. The student search rule shall be published in each public school's and each nonpublic school's student handbook. A school official may search individual students and individual protected student areas if both of the following apply:
 - a. The official has reasonable grounds for suspecting that the search will produce evidence that a student has violated or is violating either the law or a school rule or regulation.

¹⁴⁶ Illinois v. Gates, 462 U.S. 213, 238 (1983).

- b. The search is conducted in a manner which is reasonably related to the objectives of the search and which is not excessively intrusive in light of the age and gender of the student and the nature of the infraction.
2. School officials may conduct periodic inspections of all, or a randomly selected number of, school lockers, desks, and other facilities or spaces owned by the school and provided as a courtesy to a student. The furnishing of a school locker, desk, or other facility or space owned by the school and provided as a courtesy to a student shall not create a protected student area, and shall not give rise to an expectation of privacy on a student's part with respect to that locker, desk, facility, or space. Allowing students to use a separate lock on a locker, desk, or other facility or space owned by the school and provided to the student shall also not give rise to an expectation of privacy on a student's part with respect to that locker, desk, facility, or space. However, each year when school begins, the school district shall provide written notice to all students and the students' parents, guardians, or legal custodians, that school officials may conduct periodic inspections of school lockers, desks, and other facilities or spaces owned by the school and provided as a courtesy to a student without prior notice. An inspection under this subsection shall either occur in the presence of the students whose lockers are being inspected or the inspection shall be conducted in the presence of at least one other person.
3. Under no circumstances may a search be made which is unreasonable in light of the following:
 - a. The age of the student.
 - b. The nonseriousness of the violation.
 - c. The sex of the student.
 - d. The nature of the suspected violation.
4. A school official shall not conduct a search which involves:
 - a. A strip search.
 - b. A body cavity search.
 - c. The use of a drug sniffing animal to search a student's body.
 - d. The search of a student by a school official not of the same sex as the student.
5. If a student is not or will not be present at the time a search of a protected student area is conducted pursuant to subsection 1, the student shall be informed of the search either prior to or as soon as is reasonably practicable after the search is conducted.

Iowa Code § 808A.3. Student search by peace officer.

The search of a student or of a protected student area by a peace officer who is not a school official, or by a school official at the invitation or direction of a peace officer who is not a school official, shall be governed by the statutory and common law requirements for police searches.

Iowa Code § 808A.4. Exclusion of evidence.

Material or evidence obtained directly or indirectly as a result of a search conducted in violation of this chapter is inadmissible in a criminal proceeding against a student.

WHAT OTHER RIGHTS DO STUDENTS HAVE IN SCHOOL?

Free Speech. Free speech is governed by the First Amendment to the Constitution, as well as specific cases decided by the Supreme Court of the United States, and the Iowa Constitution and state law. Students do not lose the right to free speech in school. As long as a student's speech is not substantially interfering with school operations, a student may express their opinions freely within school.¹⁴⁷ However, there is a limit. Students may be punished for using obscene and lewd language in school.¹⁴⁸

Oaths. Like free speech, oaths are governed by federal and state law. Students do not have to salute the American flag or recite the Pledge of Allegiance in public schools.¹⁴⁹

Religion. Life free speech, freedom of religion is governed by federal and state law. Students may pray, read scripture, and discuss religion within school as long as it does not disrupt school operations. The problem begins when the school itself promotes religious activities. Public schools cannot hold prayer sessions, even if students are not required to participate and the prayer is not focused on a specific religion.¹⁵⁰ Public schools cannot invite a religious speaker to offer prayers at school ceremonies, such as graduation.¹⁵¹ Public schools cannot be required to teach Christian creationism as a valid alternative to evolution.¹⁵²

¹⁴⁷ See *Tinker v. Des Moines*, 393 U.S. 503 (1969). In this case, a few students in Des Moines, Iowa, wore armbands in school to show their support for ending the Vietnam war. The school created a policy against armbands and sent the students home for wearing them in school. The students sued, claiming their right to free speech was violated. The Supreme Court agreed with the students.

¹⁴⁸ See *Bethel School v. Fraser*, 478 U.S. 675 (1986). In this case, a student delivered a speech that included explicit and graphic sexual metaphors. The school suspended the student for two days. The student sued, claiming their right to free speech was violated. The Supreme Court disagreed with the student.

¹⁴⁹ See *Board v. Barnette*, 319 U.S. 624 (1943). In this case, students that refused to salute the American flag were sent home from school. The students sued, claiming their right to free speech was violated. The Supreme Court agreed with the students.

¹⁵⁰ See *Engel v. Vitale*, 370 U.S. 421 (1962). In this case, the New York State Board of Regents authorized schools to start the day with a voluntary prayer. Organizations sued, claiming the right to religious freedom was violated. The Supreme Court agreed with the organizations because of the constitutional separation of church and state.

¹⁵¹ See *Lee v. Weisman*, 505 U.S. 577 (1992). In this case, a middle school principal invited a rabbi to recite prayers at the school's graduation ceremony. A parent and student sued, claiming their right to religious freedom was violated. The Supreme Court agreed with the parent and student.

¹⁵² See *Edwards v. Aguillard*, 482 U.S. 578 (1987). In this case, a Louisiana law required Christian creationism (the belief that all advanced life forms were placed on Earth by God) to be taught in conjunction with the theory of evolution. A group of students, parents, and other community members sued, claiming their right to religious freedom was violated. The Supreme Court agreed with the community.

Additional Searches. School officials are not allowed to conduct strip searches, body cavity searches, or search a student of the opposite sex.¹⁵³

Lockers & Desks. Areas such as a “locker, desk, or other facility or space owned by the school and provided as a courtesy” are not protected.¹⁵⁴ Iowa law states that students should not expect privacy in areas provided by the school. School officials may conduct random searches of these areas.

Drug Testing. Drug testing counts as a search and seizures under Iowa law because school officials are seizing the DNA of a student. Drug testing a student is subject to the requirements of Iowa Code Chapter 808A (see sections above). School officials must have a *reasonable suspicion* that the student has been using drugs. School officials are not allowed to use drug sniffing animals to search a student’s body.¹⁵⁵

Discrimination. Iowa Code § 216.9 ensures that no student can be discriminated against by an educational institution because of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability in any program or activity.

Iowa Code § 216.9 Unfair or discriminatory practice – education.

1. It is an unfair or discriminatory practice for any educational institution to discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability in any program or activity. Such discriminatory practices shall include but not be limited to the following practices:

- a. Exclusion of a person or persons from participation in, denial of the benefits of, or subjection to discrimination in any academic, extracurricular, research, occupational training, or other program or activity except athletic programs;
- b. Denial of comparable opportunity in intramural and interscholastic athletic programs;
- c. Discrimination among persons in employment and conditions of employment;
- d. On the basis of sex, the application of any rule concerning the actual or potential parental, family or marital status of a person, or the exclusion of any person from any program or activity or employment because of pregnancy or related conditions dependent upon physician's diagnosis and certification.

2. For the purpose of this section, “*educational institution*” includes any preschool, elementary or secondary school, community college, area education agency, or postsecondary college or university and their governing boards. This section does not prohibit an educational institution from maintaining separate toilet facilities, locker rooms, or living facilities for the different sexes so long as comparable facilities are provided. Nothing in this section shall be construed as prohibiting any bona fide religious institution from imposing qualifications based on religion, sexual orientation, or gender identity when

¹⁵³ Iowa Code § 808A.2.4.

¹⁵⁴ Iowa Code § 808A.2.2.

¹⁵⁵ Iowa Code § 808A.2.4.

such qualifications are related to a bonafide religious purpose or any institution from admitting students of only one sex.

WHAT SHOULD YOU DO IF YOU'VE BEEN HARMED BY AN SRO?

- ❑ Keep track of what happened. Write everything down you remember, as soon as you can after the incident. If friends witness the event, ask them to do the same. Try to record any interactions if possible
- ❑ Get advice.
 - Talk to parents, community members, teachers, or any adult that you trust.
 - Contact an organization for legal advice if necessary.
 - Suggested contacts:
 - **Disability Rights Iowa** works to ensure individuals with disabilities and mental illness can live and learn in the most integrated environment.
 - **Lavender Legal Center** represents and advocates for individuals within the LGBTQ+ community, particularly youth.
 - The **National Center for Youth Law** works to ensure children are treated with dignity and have fair opportunities to achieve their dreams.
 - The **American Civil Liberties Union of Iowa** fights to advance civil liberties and assure the rights of Iowans.
 - **Iowa Legal Aid** provides assistance for Iowans most in need.

X. APPENDIX: SAMPLE MOU

BONDURANT-FARRAR COMMUNITY SCHOOL DISTRICT, POLK COUNTY (2021)

Iowa Secretary of State
321 East 12th Street
Des Moines, IA 50319
sos.iowa.gov



FILED
Filing Date: 08/10/2021 02:45 PM
Filing Number: M513967

28E Agreement

	Full Legal Name	Organization Type	County
Party 1	Polk County, Iowa	County	Polk
Party 2	Bondurant-Farrar Community School District	School District	Polk

Participants

110 - Police Protection

Service Type

Polk County and Bondurant-Farrar Community School District agreement for School Resources Officer

Purpose

06/30/2024

Duration

[BONDURANT-FARRAR-SCHOOL-DISTRICT-28E.pdf](#)

Upload Scanned Agreement

Contact Person: (Optional)

Frank

Contact First Name

Marasco

Contact Last Name

Job Title

Polk County Sheriff

Department

Email Address 1

515-286-3943

Phone Number

LAW ENFORCEMENT SERVICES AGREEMENT

PARTIES

This Agreement is made and entered into by and between the COUNTY OF POLK (County) and the BONDURANT-FARRAR COMMUNITY SCHOOL DISTRICT (District).

PURPOSE

It is the purpose of this Agreement to establish the terms and conditions for the Polk County Sheriff to provide law enforcement services to the District.

TERMS AND CONDITIONS

Pursuant to the provisions in Iowa Code Chapter 28E, it is hereby agreed by the Parties as follows:

1. The Parties agree that the Polk County Sheriff shall provide the following services within the facilities of the District:
 - a. Enforcement of criminal-related State laws and Local ordinances;
 - b. Coordinating and providing security during school hours;
 - c. Coordinating and providing security during sporting events, activities, special events, and other related extracurricular events as requested by the District;
 - d. Teaching a curriculum with topics which may include:
 - 1) Peer pressure;
 - 2) Bullying / harassment;
 - 3) Common teenage crimes;
 - 4) Drugs and alcohol;
 - 5) Internet safety.
 - e. Providing short programs covering law enforcement related subjects, as requested by the District;
 - f. Monitoring the parking lots during high traffic times;
 - g. Working in coordination with the Juvenile Court Officer assigned to the District;
 - h. Interacting daily with the students, parents and faculty to develop positive relationships;
 - i. Performing other duties as determined by mutual agreement of the Polk County Sheriff's Office and the District.
2. The County will provide a minimum of one Patrol vehicle and one Patrol Deputy within the facilities and grounds of the District for 40 hours per week for a period of 9 months. The schedule will be mutually agreed to by the District and the County.
3. The District may request changes in the schedule which shall be accommodated by the County to the extent personnel and equipment are available without the County incurring any additional expenses. The final schedule decisions shall be made by the County.
4. The District agrees that the County is not responsible for providing continuous surveillance for any twenty-four (24) hour period unless the County determines the threat of criminal activity warrants such surveillance.
5. If the County is not able to provide the assigned School Resource Officer (SRO) for any reason, the County shall proportionally reduce the amount charged to the District, unless a back-up SRO is requested by the District and provided by the County.

6. The Sheriff's Office shall retain discretion at all times to determine whether or not it is appropriate to file charges of any type. Polk County Sheriff's Office audio/video recordings of incidents within the District's facilities and grounds may be viewed by the District's designated legal counsel, at the discretion of the Sheriff.
7. The Sheriff shall make written monthly reports to the District, including a summary of the law enforcement activities occurring within the District's facilities and grounds. Reports shall be provided through the designated liaisons.
8. The District agrees that its officers, agents, and employees shall cooperate fully with the County in the performance of the County's responsibilities under this Agreement.
9. Assignment of duties, discipline of County employees, and all matters incident to the performance of the duties of County employees under this Agreement shall remain the responsibility of the County and its officers, employees, and commissions. The District may provide requested information and reports to facilitate the County's assignment and supervision of personnel.
10. To the extent allowed by law, the Parties shall indemnify, defend, and hold each other harmless from and against all claims, liabilities, demands, loss, cost and expense related to personal injury, death, or damage to persons or property arising out of or connected with and attributable to the indemnifying Party's own act, error, omission or negligence in the performance of any terms, obligations or duties imposed by this Agreement or required by law. Both Parties shall maintain the defenses available to it pursuant to Chapter 670 of the Code of Iowa, as it now exists or may be amended from time to time.
11. The County shall be responsible for the payment of salary wages and/or any other compensation or benefits to any County employee providing services under this Agreement unless otherwise expressly agreed upon by the parties. Except as otherwise specified in this Agreement, the District shall not be liable for compensation to any County employee for workers' compensation claim for injury or sickness occurring while the employee undertakes duties and fulfillment of this Agreement.
12. The District and the County, through Polk County Sheriff's Office, shall each appoint a contract administrator as the designated point of contact. The contract administrator or designated backup for each Party shall be available on a 24/7 basis. Each Party shall at all times provide current contact information for the appointed administrators and their designated backups and prompt notification of the primary administrators' schedule. The contract administrators shall also establish and maintain a regular meeting schedule to review any issues or concerns with the execution of services provided under the contract. Written notifications, requests for service, and contract changes shall be made in writing and provided through the contract administrators.
13. No real or personal property will be jointly acquired by the parties pursuant to the Agreement.
14. Adjustments may be made to the annual payment amount(s) to the County, if mutually agreed upon in writing by the parties, due to any of the following:
 - a. Changes to the scope of services provided;
 - b. Changes to the amount of hours of service provided;
 - c. Salary and benefits adjustments;
 - d. Action taken by the United States or State of Iowa which increases the cost of wages, insurance, or other benefits for employees.
15. Each Party shall allow access to all records, documents, and papers necessary for the financial auditing of the parties' transactions. Appropriate records, documents, and papers necessary to conduct a financial audit shall be maintained a minimum of three (3) years.

16. Each party shall submit to the Secretary of State an initial report and all required biennial reports throughout the term of this Agreement pursuant to Iowa Code §28E.8.

PAYMENT

17. The District agrees to pay the County the following amounts over the term of this Agreement for the services agreed upon above. A monthly invoice will be submitted by the County during the school year. The District shall make payment to the County within thirty (30) days of receipt of the invoice.

- a. FY 2021/2022 – The total annual contract sum shall not exceed \$85,655.
- b. FY 2022/2023 – The total annual contract sum shall not exceed \$89,639.
- c. FY 2023/2024 – The total annual contract sum shall not exceed \$93,810.

18. In the event the County is unable to perform according to the agreement, the County shall discount the monthly invoice for the period of non-performance in proportion to the contract price.

PERIOD OF AGREEMENT

19. This Agreement shall become effective upon signing by both parties and shall remain in effect until June 30, 2024.

20. The County or District may terminate this Agreement at any time, with or without cause, by providing written notice to the other Party not less than sixty (60) days prior to the termination date. The effective date of termination will occur sixty (60) days following written notice or upon another termination date agreed to by the parties in writing. Any amendment, modification, or termination of this Agreement will be filed by the County with the Secretary of State pursuant to Iowa Code §28E.8.

21. Upon execution by each Party to this Agreement, this Agreement shall be electronically filed by the County with the Secretary of State pursuant to Iowa Code §28E.8.

Dennis D. Lebert
Legal Representative of District

Angela Connolly
Chairperson – Polk County Board of Supervisors

Carry G. Lanham School District President
(Please Print Name and Title)

Angela Connolly
(Please Print Name)

7-12-21
Date

8/10/21
Date

POLK COUNTY SHERIFF'S OFFICE
Bondurant Farrar Community School District
Contract Law Enforcement- School Resource Officer
FY 21/22 through FY 23/24 Contract Extension Proposal

Law Enforcement Services	Year 1 FY 21/22	Year 2 FY 22/23	Year 3 FY 23/24
Annual Compensation per Position			
Base Salary ¹	\$ 78,667	\$ 80,634	\$ 82,650
Benefits/Annual ^{2,3}	33,964	35,543	37,206
Annual Compensation Per Position	\$112,631	\$116,177	\$ 119,856
Support Supplies & Services Estimate			
Vehicle Maint./Operations	\$ 4,185	\$ 4,310	\$ 4,440
Misc. supplies	\$ 6,314	\$ 6,503	\$ 6,698
Support Supplies & Services	\$ 10,499	\$ 10,814	\$ 11,138
Vehicle & Equipment Depreciation Estimate			
Ballistic Vest	\$ 200	\$ 200	\$ 200
Hand Held Radio (10 year depreciation/replacement)	450	450	450
Vehicle&Equipment Depreciation (See Vehicle Info. Tab)	14,646	14,646	14,646
Vehicle & Equip. Depreciation	\$ 15,296	\$ 15,296	\$ 15,296
Estimated Expense Per Position	\$138,426	\$142,287	\$ 146,290
Personnel Costs			
FTE's Required	1.0	1.0	1.0
Expense Per Position	\$138,426	\$142,287	\$ 146,290
Personnel Costs	\$138,426	\$142,287	\$ 146,290
Grand Total Annual Expense	\$138,426	\$142,287	\$ 146,290
Number of School Months	9	9	9
Average Monthly Expense	\$ 11,536	\$ 11,857	\$ 12,191
Total School Year Expense	\$103,824	\$106,713	\$ 109,719
School Year Expense			
% District's Funding for 9 Months ⁴	82.5%	84.0%	85.5%
District's Funding Responsibility	\$ 85,855	\$ 89,639	\$ 93,810
9 Monthly Payments	\$ 9,517.0	\$ 9,960.0	\$10,423.0
% Sheriff's Office Funding for 9 Months	17.5%	16.0%	14.5%
Sheriff's Office Funding Responsibility	\$ 18,169	\$ 17,074	\$ 15,909
9 Monthly Contract Amount	\$ 9,517	\$ 9,960	\$ 10,423
Proposed Contract Amount	\$ 85,655	\$ 89,639	\$ 93,810
Total Contract Amount	\$269,104		

- 1) Salary- Calculated using 2.5% increase annually.
2) Insurance- Calculated using 6.0% increase annually.
3) IPERS- Calculated using FY 21/22 Deputy rate of 9.01%

H:\OPD\Resolutions, Memorandums, Agreements\SRO Agreements\
SRO Contract Proposals FY 21-22 to 23-24 Calculation
Bondurant-Farrar 3 Year