SENATE DOCKET, NO. 1699 FILED ON: 1/16/2025

SENATE . . . . . No. 387

The Commonwealth of Massachusetts

PRESENTED BY:

Robyn K. Kennedy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to safer schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Robyn K. Kennedy	*First Worcester*

SENATE DOCKET, NO. 1699 FILED ON: 1/16/2025

SENATE . . . . . No. 387

By Ms. Kennedy, a petition (accompanied by bill, Senate, No. 387) of Robyn K. Kennedy for legislation relative to safer schools. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *300* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to safer schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 37P of chapter 71 of the general laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 84 through 89, the fifth paragraph of subsection (b) and inserting the following words:-

The model memorandum of understanding shall expressly state that school resource officers, and any special service officers appointed to the school district, shall not: (i) serve as school disciplinarians, enforcers of school regulations or in place of licensed school psychologists, psychiatrists or counselors; and (ii) use police powers to address traditional school discipline issues, including non-violent disruptive behavior. The guiding principle for involving a school resource officer in a school-related matter is whether conduct rises to the level of criminal and delinquent conduct that (1) poses substantial harm to the physical well-being of

another person or (2) is willful and malicious and causes substantial harm to the property of the school or (3) constitutes the taking of property of substantial value belonging to another with intent to permanently deprive the property owner of the property. The school resource officer's response to the school-related matter shall be guided by the techniques, including de-escalation and anti-bias training, required for certification as a school resource officer under section 116H of chapter 6.

SECTION 2. Said section 37P of said chapter 71, as so appearing, is hereby further amended by striking out, in lines 121 through 140, the first paragraph of subsection (d) and inserting in its place the following words:

(d) For the purpose of fostering a safe and healthy environment for all students through strategic and appropriate use of law enforcement resources and to achieve positive outcomes for youth and public safety, a chief of police, at the request of the superintendent and subject to approval from the department of elementary and secondary education and to appropriation, shall assign at least 1 school resource officer to serve the city, town, commonwealth charter school, regional school district or county agricultural school. In the case of a regional school district, commonwealth charter school or county agriculture school, the chief of police of the city or town in which the school is located shall, at the request of the superintendent and subject to approval from the department of elementary and secondary education, assign the school resource officer who may be the same officer for all schools in the city or town. Annually, not later than July 16, the superintendent shall report to the department of elementary and secondary education and publicly present to the relevant school committee: (i) the cost to the school district of the assigned school resource officers, any special service officers appointed to the school district, and any security staff; (ii) a description of the proposed budget for mental, social or emotional

health support personnel for the school; and (iii) the number of school-based arrests, citations, and court referrals, applications for criminal or delinquency complaints, field interviews, searches and seizures made of students and any other interactions between students and officers resulting in student disciplinary action or diversion made in the previous year, disaggregated as required by the department of elementary and secondary education. The superintendent shall also report and publicly present the number of school-related reports entered into the local law enforcement agency's computer system, and the number of school-related reports shared with other law enforcement agencies, including via the Boston Regional Information Center and other federal fusion centers. The superintendent will ensure that the district collaborates with the local law enforcement agency in compiling the data for submission in accordance with requirements of the department of elementary and secondary education. A district's data submissions shall accurately reflect the school-related incident data maintained by the local law enforcement agency. A superintendent's failure to provide and publicly present the data as described above shall bar the department of elementary and secondary education's approval of the assignment of any school resource officer(s), or appointment of any other special service officers to the school district, unless and until such data is provided and publicly presented to the department of elementary and secondary education and relevant school committee, mayor, city council, and board of aldermen.

SECTION 3. Said section 37P of said chapter 71, as so appearing, is hereby further amended by striking out, in lines 219 and 220, the words "school-based arrests, citations and court referrals of students" and inserting in place thereof the following words:-

the data described in subsection (d) above and shall make such report available for public review. The department and the executive office of public safety and security, in consultation

with the model school resource officer memorandum of understanding review commission, shall jointly develop and disseminate guidance to school districts and local law enforcement agencies on how to compile these data.

SECTION 4. Said Chapter 71 is hereby further amended by inserting after section 37R the following new section:-

Section 37S. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Holistic school health and safety practices", practices that: a) have been shown to strengthen positive relationships and communication between students and adults; b) contribute to building a school-wide culture that is affirming and embracing of the diversity of cultural, linguistic, and racial backgrounds of enrolled students and their families; c) support non-disciplinary strategies of resolving conflicts with students; and d) are effective without unnecessary reliance on school exclusion or referral to law enforcement.

"School-based security personnel", school resource officers, special service officers appointed by local law enforcement agencies at the request of other departments of their cities, other law enforcement agents, or security guards who are assigned to the premises of a school or district, whether or not they are employed directly by the school or the district seeking such grants. For the purposes of this section, district-level staff who oversee a school district's safety operations are not considered "school-based security personnel."

(b) The board of elementary and secondary education shall, subject to appropriation, make one- or two-year grants to public school districts and/or individual public schools, including regional school districts and charter schools, for the cost of transitioning to, and/or

implementing, holistic school health and safety practices that do not include law enforcement presence. Such practices shall include all practices listed under the definition of "holistic school health and safety practices" listed in Section 375(a), as well as, but not limited to:

(1) The creation of advisory groups that enable students to meet regularly with a school staff member and a group of their peers, and other practices or adjustments to student and staff schedules that create space for relationship building;

(2) Practices that support the creation of healthy relationships and counter sexual harassment, sexual assault, and harassment based on other identities, including race, gender, sexual orientation, and religion;

(3) Restorative justice, and related practices shown to resolve and reduce conflict among students and/or between students and staff; and

(4) Staffing students' arrival, dismissal, and other transition periods with adults with ties to students' communities who are skilled at engaging youth and deescalating conflicts.

Nothing in this section shall prohibit a school from contacting law enforcement in an emergency.

(c) The following costs shall be eligible uses of such grants:

(1) Identifying and implementing holistic school health and safety practices;

(2) Hiring and training staff to implement holistic school health and safety practices, including licensed clinical social workers;

(3) Supporting and/or creating school safety teams that include parents, students, teachers, emergency responders, and community to develop or modify the individual school safety plans described above;

(4) Providing information and training to members of the school community, including students and parents, on the school safety plans and holistic school health and safety practices described above;

(5) Documenting and/or evaluating the impact of the grant, and,

(6) Identifying ways to allocate the cost savings of not placing police or other security personnel in schools, including continuation of holistic school health and safety practices upon completion of such grants.

The purchase of metal detectors, weapons, or surveillance technology, or the hiring or employment of school-based security personnel is not an eligible use of such grant funds, nor shall such purchases or hiring be made with other sources of funding during the grant term.

(d) A school or district is eligible to apply for such a grant whether or not it had previously staffed any school-based security personnel, including school resource officers as defined in section 37P of chapter 71. However, a school or district is not eligible to receive such a grant if it intends to continue staffing any school-based security personnel beyond the transition allowed in the first year of such grant. Among grant applicants, schools and districts with higher percentages of low-income students will be given a competitive preference for award of such a grant.

The department of elementary and secondary education shall establish application requirements for such grants. Such applications must include the prior three years' worth of data on school-based policing pursuant to section 37P of chapter 71, as well as the cost to the school and/or district of employing or assigning school-based security personnel and the sources of funding used to do so. The department shall also establish reporting requirements for grant recipients to evaluate the impact of the grant on school safety, including data on school-based policing as described above.

(e) The department shall serve as a repository for information on holistic school health and safety practices at use in the Commonwealth and elsewhere. To support grantees in implementing, evaluating, and/or replicating holistic school health and safety practices, the department shall establish a community of practice for grantees and other interested schools and districts to share best practices.