

RECOMMENDATIONS

RECOMMENDATION 1: INVEST IN PREVENTION, INTERVENTIONS, & ALTERNATIVES

The General Assembly should provide adequate resources for localities to implement proven and developmentally appropriate strategies for improving school climate, preventing student misbehavior, and productively intervening when misbehavior occurs.

The General Assembly should allocate new, adequate, recurring funding to be used by divisions for proven and developmentally appropriate strategies for improving school climate, preventing student misbehavior, and productively intervening when misbehavior occurs. Examples of proven strategies – each of which is described below – that could be funded are multi-tiered system of support, systems of care, trauma-informed practices, social and emotional learning programming, staff training, and restorative justice.¹²⁵ The VDOE should also receive funding to:

- Administer the funds;
- Form a commission of experts to develop guidelines and provide technical assistance for school divisions; and
- Monitor and evaluate implementation.

“There has to be an alternative to sending kids to jail or juvenile detention centers. I think in law enforcement today, with all that's going on across the country, we have to change from being warriors to guardians.” – Alfred Durham, Richmond Police Chief, NBC12, 6/10/15

Multi-Tiered System of Support

Multi-tiered system of support (MTSS) is a framework that promotes school improvement through research-based academic and behavioral practices. To oversimplify, MTSS is a newer framework that combines two existing frameworks:¹²⁶ Response to Intervention (RTI)¹²⁷ and Positive Behavioral Interventions and Supports (PBIS).¹²⁸ RTI involves academic interventions, where PBIS involves behavioral interventions. MTSS typically involves three levels. See Figures 5 and 6. If implemented well, each level involves:

- A team-based approach (schools typically have a “leadership team,” which may also be the “child study team”);
- Staff professional development;
- Evidence-based strategies;
- Culturally relevant implementation;

“We’ve got to do a better job of helping young people deal with their issues before sending them into the criminal justice system.” – Donald Coleman, Richmond School Board Chair, *The Richmond Times-Dispatch*, 4/10/15

- Frequent and continuous progress monitoring; and
- Data-based decision-making (*i.e.*, using data to decide when to move students between tiers, what interventions to attempt, etc.).

Figure 5: MTSS tiers

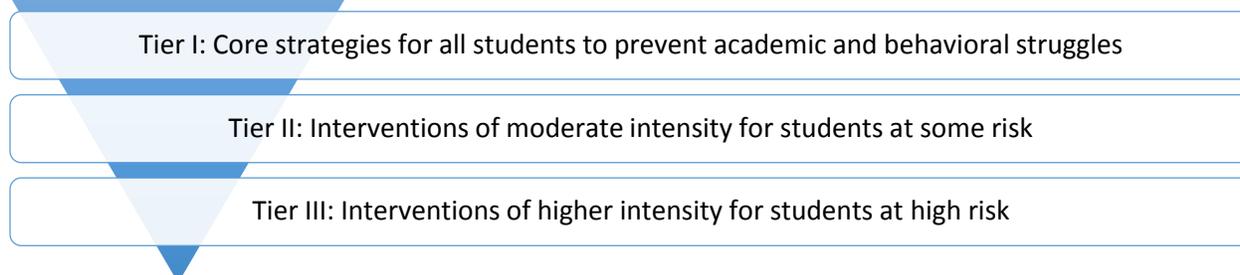


Figure 6: Examples of RTI and PBIS strategies

Tier	RTI Examples	PBIS Examples
I	<ul style="list-style-type: none"> • High-quality core instruction • Universal screenings of students 	<ul style="list-style-type: none"> • Defining core behavioral expectations, and communication and teaching what those behaviors look like in various school settings • Effectively designing the physical environment of the classroom • Acknowledging and rewarding appropriate behavior • Establishing a consistent continuum of consequences for inappropriate behavior
II	<ul style="list-style-type: none"> • More instructional time • Small group instruction 	<ul style="list-style-type: none"> • Increased adult supervision • Increased instruction and practice with self-regulation and social skills • Increased antecedent manipulations
III	<ul style="list-style-type: none"> • Smaller group instruction • One-on-one assistance 	<ul style="list-style-type: none"> • Functional behavioral assessments • Individualized plans of support • Wraparound supports that actively involves family and community supports and resources

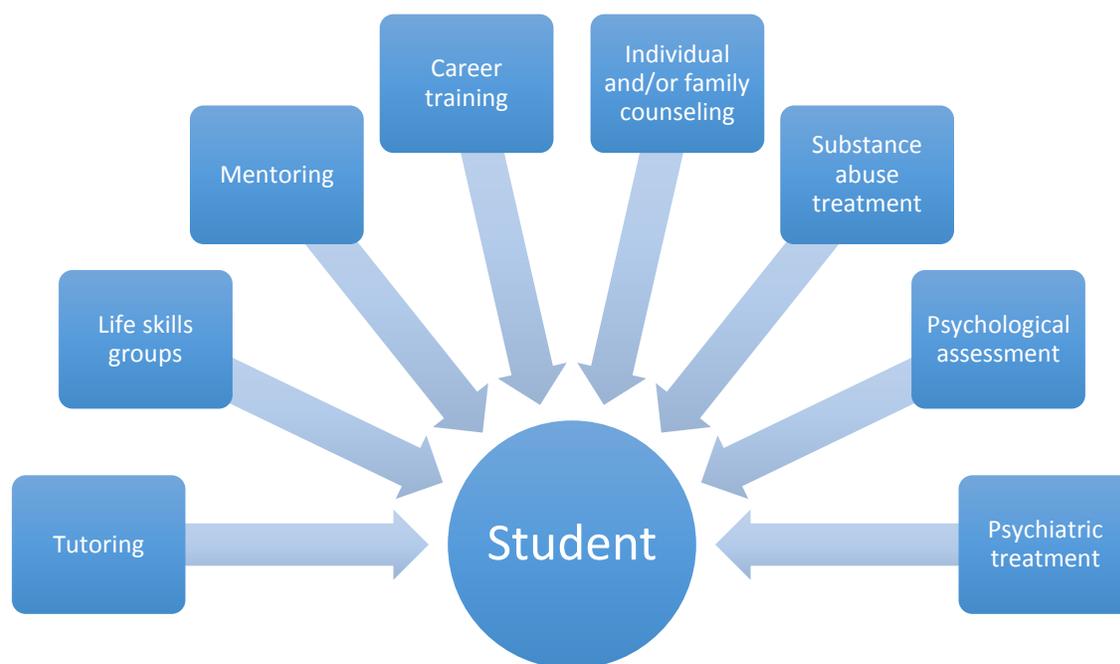
Research has shown that the PBIS framework is effective in reducing the need for disciplinary action, improving school climate, and improving students' academic, social, emotional, and behavioral health outcomes.¹²⁹

The VDOE's Division of Special Education and Student Services has a Virginia Tiered Systems of Support (VTSS) initiative.¹³⁰ It provides training, coaching, technical assistance, and resources to schools and divisions.¹³¹ However, VTSS is not required and only implemented in a limited number of schools.¹³²

Systems of Care

A systems-of-care (SOC) approach focuses on providing students with greater access to comprehensive, coordinated services designed to address their behavioral health and related needs. See Figure 7. SOC often involves combining funding sources and local partnerships with nonprofit organizations, health professionals, private providers, and public agencies, including universities and colleges, health and substance abuse clinics, community foundations, and mental health, juvenile justice, and child welfare agencies. The partnership can be formed using an MOU, or the services can be part of a community school model (*i.e.*, a school that offers a comprehensive set of services). Regardless, when schools are partners in SOC, results include fewer arrests, sustained mental health improvements, reduced suicide-related behaviors, improved school attendance and achievement, and decreased placements in juvenile facilities.¹³³

Figure 7: Types of services in SOC



Trauma-Informed Schools

Trauma is a response to a negative external event or series of events that: a) is experienced by an individual as physically and emotionally harmful or threatening; and b) has lasting adverse effects on the individual's physical, social, or emotional well-being. See Figure 8. There are two types of trauma. Acute trauma results from a single, sudden, usually unexpected event, such as a rape, a bad car accident, a natural disaster, or loss of a loved one. Chronic trauma arises from long-standing, repeated events, such as sexual or physical abuse, witnessing intimate partner violence or community violence, living through war and displacement, or serious illness.¹³⁴ Research suggests that approximately 25% to 50% of U.S. children will experience at least one traumatic event by age 16.¹³⁵

Figure 9: Seven key elements of trauma-informed systems

- 1) Screen routinely for trauma exposure and symptoms;
- 2) Implement culturally appropriate, evidence-based assessments and treatments for traumatic stress and symptoms;
- 3) Provide resources to children, families, and providers on trauma, its impact, and treatment options;
- 4) Build on the strengths of children and families impacted by trauma;
- 5) Address parent and caregiver trauma;
- 6) Collaborate across child-serving systems to coordinate care; and
- 7) Support staff by minimizing and treating secondary traumatic stress, which can lead to burnout.

Trauma-informed approaches represent a holistic method of shaping organizational culture, policies, and practices to be sensitive to the experiences and needs of traumatized individuals. See Figure 9.¹³⁶ Schools should be trauma-informed because:

- Many students experience trauma;
- The cognitive and psychological impacts of trauma impact students' learning and behavior at school;
- Punitively disciplining students may re-traumatize them and exacerbate the effects of trauma (See Figure 10);
- Trauma-informed schools reduce misbehavior, seclusions and restraints, suspensions, and expulsions;¹³⁷ and
- Trauma-informed schools improve school climate, academic achievement, safety, and staff job satisfaction.¹³⁸

At the heart of trauma-informed schools is the belief that students' actions are a direct result of their experiences, and when students act out or disengage, the question that should be asked is not "what's wrong with you," but rather "what happened to you?" By being sensitive to students' past and current experiences with trauma, educators can break the cycle of trauma, prevent re-traumatization, and engage a child in learning and finding success.

Trauma-informed schools:

- Have a shared understanding and recognition among all staff of the potential effects of trauma on attendance, grades, test scores, classroom behavior, etc.;

Figure 8: Possible effects of trauma

- Acting out
- Aggression
- Anxiety
- Avoidance of people and places
- Confusion
- Depression
- Disorientation
- Distrustfulness
- Impaired short-term memory
- Moodiness/irritability
- Poor hygiene and appearance
- Substance abuse

Difficulty with:

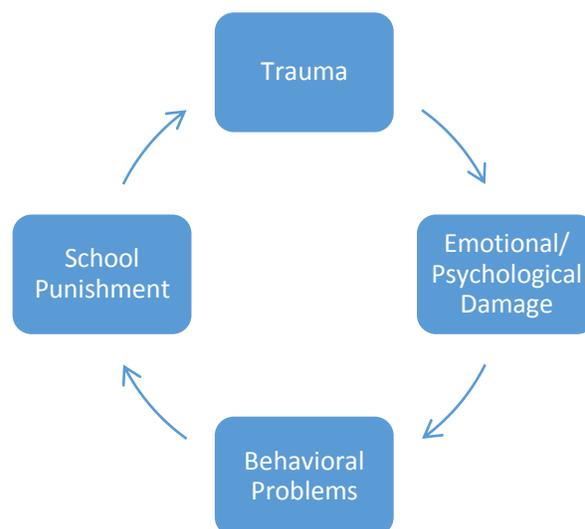
- Anticipating consequences
- Concentration
- Eating and sleeping
- Goal setting
- Impulse control
- Inter-personal relationships
- Organizing and planning
- Social cues

School:

- Absenteeism
- Decreased reading ability
- Academic failure
- Poor relationships with peers and staff
- Suspension and expulsion
- Dropping out

- Review policies (e.g., school discipline policies) to ensure that they reflect an understanding of the role of trauma in student behaviors;
- Consider students' trauma histories and needs in every aspect of service delivery;
- Provide relevant professional development for staff;
- Maintain consistent routines, expectations, and consequences for students;
- Model respectful, caring, nonviolent relationships for students;
- Identify students who are in need of help due to trauma;
- Help traumatized students regulate their emotions (e.g., social and emotional learning programming);
- Build close and positive relationships with students and their caretakers;
- Discover and build on students' individual interests and competencies;
- Provide mental health services for traumatized students;¹³⁹
- Identify, develop relationships with, and utilize community supports and services; and
- Encourage and facilitate student participation in positive extracurricular activities.¹⁴⁰

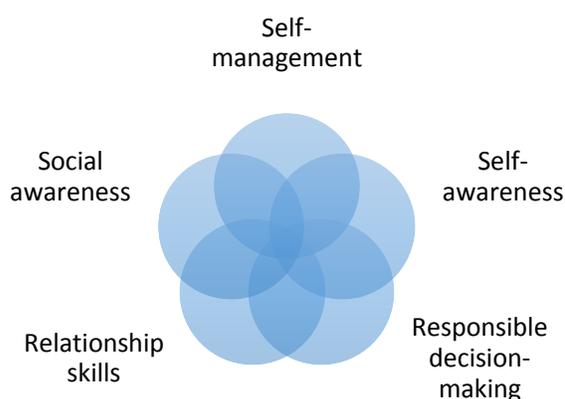
Figure 10: Cycle of trauma in school discipline



Social and Emotional Learning Programming

Social and emotional learning (SEL) is the process through which children and adults acquire and effectively apply the knowledge, attitudes, and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions.¹⁴¹ See Figure 11.¹⁴² SEL programs are designed to create learning environments that meet the developmental needs of students, including feelings of belonging, safety, and community, and thus provide ideal conditions for success across the domains of their lives – academics, relationships, personal, and later in the workforce.¹⁴³ The social and emotional education of children may be provided through a variety of diverse efforts, including as classroom instruction (i.e., directly teaching skills), extracurricular activities, implementing specific instructional and classroom-management practices, and involvement in community service.¹⁴⁴ Character education, Responsive Classroom,

Figure 11: Five interrelated sets of cognitive, affective, and behavioral competencies

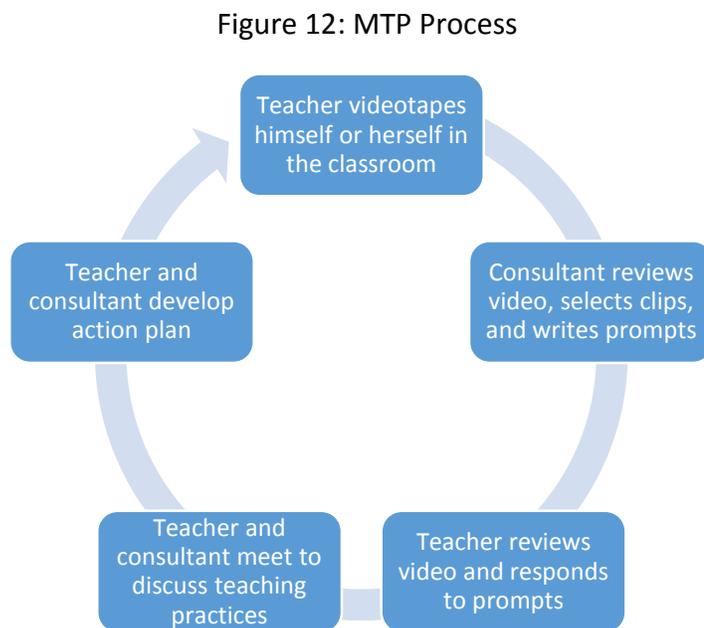


Character education, Responsive Classroom,

and Promoting Alternative Thinking Strategies (PATHS) are common examples of approaches that involve SEL.¹⁴⁵ SEL programming has been shown to improve school climate and attendance, and reduce negative behavioral incidents.¹⁴⁶

Training: My Teaching Partner

Offering supportive relationships to students and effective teacher-student interactions are essential to preventing misbehavior.¹⁴⁷ My Teaching Partner (MTP) is a system of professional development supports designed to improve teacher-student interactions and student engagement.¹⁴⁸ MTP provides online resources and activities, coaching, and video feedback for teachers.¹⁴⁹ See Figure 12.¹⁵⁰ MTP can increase student achievement and reduce the frequency of misbehavior and racial disparities.¹⁵¹



Restorative Justice

Broadly, restorative justice (RJ) is a philosophy, culture, and set of values. In the school discipline context, the U.S. Department of Education defines RJ practices as, “non-punitive disciplinary responses that focus on repairing harm done to relationships and people, developing solutions by engaging all persons affected by a harm, and accountability.” The RJ process generally involves the offender, victim, community (*e.g.*, staff, family, and other students), and a facilitator, all of whom are sitting in a circle. See Figure 13. It proceeds in two steps: (1) a non-adversarial, facilitated dialogue about the harms and needs of participants; and then (2) the development of a plan for how everyone involved will contribute to repairing the harm done, preventing future harm, and restoring relationships.



Examples of RJ processes include community conferencing, class meetings, peer juries, peer mediation, and circle processes. Examples of RJ outcomes are apologies, restitution, and community service. RJ processes can be used for non-disciplinary reasons, such as for a teacher

to introduce lesson plans, for a student to discuss a struggle she is having (*e.g.*, worrying about an ill relative, witnessing violence, or facing peer pressure), or for discussing current events or controversial issues.

RJ has been used successfully in elementary, middle, and high schools across the country,¹⁵² including in Baltimore,¹⁵³ Chicago,¹⁵⁴ Cleveland, Denver,¹⁵⁵ Madison, Minneapolis,¹⁵⁶ New Orleans, New York,¹⁵⁷ Oakland,¹⁵⁸ Palm Beach, Philadelphia,¹⁵⁹ Portland, San Francisco,¹⁶⁰ districts across Texas,¹⁶¹ Fairfax County (Virginia),¹⁶² and Loudoun County (Virginia).¹⁶³

Using restorative practices, Loudoun County Public Schools reduced its rates of suspension and referrals to law enforcement by about 40% over three years. - *Leesburg Today*, 5/14/15

Figure 14: Restorative justice versus traditional school discipline (*e.g.*, suspensions and court referrals)

	Traditional Discipline	Restorative Justice
Focuses & Goals	<ul style="list-style-type: none"> • Retribution and punishment for the offender • Enforce rules • Address offender • React swiftly 	<ul style="list-style-type: none"> • Addressing harms, healing, learning, and growth for all involved • Building relationships and community • Prevention and meaningful process
Questions	<ul style="list-style-type: none"> • What rule was broken? • Who broke the rule? • What punishment is warranted? 	<ul style="list-style-type: none"> • Who was harmed and what harm was done? • What are the needs and responsibilities of all affected? • How do all affected parties address needs and repair harms?
Results	<ul style="list-style-type: none"> • Exclusion and isolation • Stigmatization and alienation • Offender accepts punishment • Mental health problems for offender • Victim not heard/has less satisfaction • High recidivism • Lower attendance and graduation rates • Disparities • Damage to school climate 	<ul style="list-style-type: none"> • Inclusion and connectedness • Repaired, restored, and strengthened relationships • Offender takes responsibility • Social and emotional learning for all involved • Victim heard/has more satisfaction • Lower recidivism, suspensions, and court referrals • Higher attendance and graduation rates • Reduced disparities • Improved school climate

PROMISING PRACTICES PROFILE: DIVERSION AGREEMENTS

Clayton County, Georgia

Steven Teske, a juvenile court judge in Clayton County, Georgia, formed a working group of members of the juvenile justice system, law enforcement, school system, social services groups, and community organizations, and a neutral facilitator. The team reviewed data, solicited input, and educated stakeholders on best practices. It then signed a collaborative agreement aimed at reducing school-based juvenile court referrals and racial disparities. The agreement prohibits referrals of middle and high school students for most misdemeanors, including fighting, disrupting school, disorderly conduct, most obstruction of police, and most criminal trespass, unless: a) the student commits a third or subsequent similar offense during the school year; and b) the principal conducts a review of the student's behavior plan. Under the agreement, students receive a warning after the first offense and a referral to a mediation or conflict training program after the second offense. The agreement also prohibits referrals of elementary school students for misdemeanors.

The group also created a Child Study Team to serve as a single point of entry for all child-serving agencies, including schools, when referring children, youth, and families at risk for petition to the court. The Team met regularly to assess the needs of students at risk for court referral and to recommend an integrated services action plan to address the students' disruptive behavior. The Team consisted of a mental health professional, the student's school social worker and counselor, a social services professional, a juvenile court officer, approved child service providers, and a trained facilitator provided by the court. The Team linked the child and family to an array of evidence-based treatment programs such as functional family therapy, multi-systemic therapy, cognitive behavioral programming, wrap-around services, and more. The Team has evolved into the Clayton County System of Care.

In 2004, Clayton County had 1,400 juvenile court referrals. By the end of the 2011-12 school year, the number of referrals had declined by 83%. There was also a dramatic reduction in serious weapons on campus and an increase in graduation rates.¹⁶⁴

Jefferson County, Alabama

In Jefferson County, Alabama, Judge Brian Huff led efforts to create and implement an initiative similar to the one led by Judge Teske. Subsequently, school-based court referrals in Jefferson County declined from 528 in 2007-08 to 174 in 2010-11; and cases in the juvenile court overall dropped by nearly 40%.¹⁶⁵

PROMISING PRACTICES PROFILE: DIVERSION AGREEMENTS

Connecticut School-Based Diversion Initiative

In 2009, the Child Health and Development Institute of Connecticut – in partnership with the Judicial Branch Court Support Services Division, the State Department of Education, the Connecticut Department of Children and Families, and the Department of Mental Health and Addiction Services – started the School-Based Diversion Initiative (SBDI) to: a) reduce the frequency of discretionary in-school arrests, expulsions, and out-of-school suspensions; b) link youth who are at risk of arrest to appropriate school- and community-based services and supports; and 3) build knowledge and skills among school staff to recognize and manage behavioral health crises in the school.

The SBDI works with middle and high schools to: a) provide training and professional development to help school personnel identify children with behavioral health needs; b) build connections between schools and effective community-based mental health services, including those that may serve as an alternative to arrest, suspension, and/or expulsion; and c) revise schools' policies and practices to increase capacity for responding to the mental health needs of all students.

Schools participating in the SBDI developed new policies for addressing school discipline and signed formal agreements with local law enforcement and community-based mental health agencies.

The SBDI has served 21 schools across 10 school districts and continues to expand to additional schools each year. Among schools participating since 2010, the average reduction in court referrals during their first year was 45%. Schools that participated in SBDI in the 2012-13 school year reduced arrests by an average of 20%, with some schools reducing arrests by over 90%.¹⁶⁶

PROMISING PRACTICES PROFILE: DIVERSION AGREEMENTS

Philadelphia Police School Diversion Program

The Philadelphia Police School Diversion Program (PSDP) – led by the Philadelphia Police Department (PPD), in partnership with the School District of Philadelphia, the Philadelphia Department of Human Services (DHS), and a local mediation organization and university – started in May 2014 in 214 Philadelphia public schools.

When a delinquent act occurs in school, the principal or school police officer contacts the PPD. The responding PPD officer reviews school records and conducts interviews with the involved individuals, the child’s teacher, and the child’s counselor or advisor. Based on the information gathered, the PPD officer determines whether or not the student is eligible for diversion. Students are eligible for diversion if they are: a) age 10 or older; b) have no previous juvenile record; and c) have committed a misdemeanor (*e.g.*, weapons possession, other than a firearm, criminal trespass, or disorderly conduct) on school grounds. If the student is eligible for diversion, then a DHS social worker visits the student’s home and conducts interviews within 72 hours. If the social worker determines that additional services are needed, he or she explains the terms and conditions of the PSDP to the family. If the family agrees, they are referred to an “Intensive Prevention Services” provider who conducts a thorough intake and determines the specific services to help the student change his or her behavior. The provider assigns a case manager to the family and schedules services. Over the course of a family’s participation, a social worker visits the home at least twice each month for up to a year and stays in contact with school officials.

During the first year of the PSDP, participating schools saw a 17% reduction in school-based behavioral incidents, a 54% reduction in arrests, and a 75% reduction in expulsions and school disciplinary transfers.¹⁶⁷

RECOMMENDATION 2: CLARIFY ROLES & RESPONSIBILITIES

The General Assembly should revise the Virginia Code to clarify the roles of SROs and circumscribe their functions in schools to align with national recommendations.

The NASRO and the U.S. Departments of Education and Justice have clearly stated that SROs should not be involved in routine school discipline matters or enforce school board policies, including codes of student conduct.¹⁶⁸ Even some Virginia school divisions are incorporating this recommendation into their MOU with law enforcement.¹⁶⁹

The General Assembly should delete the language in Virginia Code § 9.1-110(A) that is marked out in the excerpt below.

School resource officers shall be certified law-enforcement officers and shall be employed to help ensure safety, and to prevent truancy and violence in schools, ~~and to enforce school board rules and codes of student conduct.~~

State legislators should also revise the definition of SROs in Virginia Code §§ 9.1-100 and 9.1-101 to add the underlined language in the excerpt below.

School resource officer means a certified law-enforcement officer hired by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools. School resource officers are responsible for enforcing criminal laws and serious threats to physical safety, and shall not be responsible for routine school discipline issues or enforcing codes of student conduct.

“At no time should the SRO recommend or make decisions about student discipline or otherwise involve himself/herself directly or indirectly in disciplining a student.” – New MOU in Lynchburg City

“Schools should also ensure that school-based law enforcement officers do not become involved in routine school discipline matters.” – U.S. Dept. of Educ., *Guiding Principles*, Jan. 2014, p. 9

MOUs should “prohibit SROs from becoming involved in formal school discipline situations that are the responsibilities of school administrators.” – NASRO, *Best Practices for School Policing*, 8/14/15

“When it comes to formal discipline... there’s no place for law enforcement.” – Maurice Canady, Exec. Dir., NASRO, *Teaching Tolerance*, Summer 2015

An SRO “shouldn’t be a disciplinarian. That should not be his role. That’s the role of the school and the teachers to do that.” – Alfred Durham, Richmond Police Chief, *Richmond Times-Dispatch*, 10/29/15

RECOMMENDATION 3: IMPROVE TRAINING

The General Assembly and DCJS should require comprehensive, on-going training for SROs and SSOs.

States across the country – *e.g.*, California,¹⁷⁰ Indiana,¹⁷¹ Kentucky,¹⁷² Louisiana,¹⁷³ New Jersey,¹⁷⁴ South Carolina,¹⁷⁵ Tennessee,¹⁷⁶ and Texas¹⁷⁷ – require training for SROs. Virginia law requires training for SSOs, who do not carry weapons or have the power to arrest, but not for SROs, who do have such powers. All SROs and SSOs should receive training necessary to ensure they are prepared to work in schools and effectively and safely with children and youth:¹⁷⁸

- Contents of the local agreement between the school division and law enforcement agency providing SROs;
- Child and adolescent development and psychology;
- Working with students who have disabilities, mental health issues, and experience with abuse and trauma;
- Recognizing manifestations of disabilities;
- Methods schools use to provide extra support to individual students (*e.g.*, 504 Plans, Individualized Education Programs (IEPs), Behavioral Intervention Plans (BIPs), Virginia Tiered System of Support, etc.);
- Relevant state and federal laws, including those related to students' rights with respect to special education, searches and seizures, interrogations, excessive force, seclusion and restraint, harassment, bullying, discrimination, and privacy;
- Safe and age-appropriate responses to misbehavior, including restraint and de-escalation techniques;
- Implicit bias and cultural competency;
- Positive Behavioral Interventions and Supports (PBIS) and other practices proven to prevent misbehavior and improve school climate;
- Conflict resolution techniques, including mediation and restorative justice;
- Short- and long-term consequences of justice system involvement for students; and
- Utilizing local school division and community resources, including alternatives to arrests and court referrals (*e.g.*, mediation, substance abuse counseling, mental health services, and community service).

“SROs must not only be well-chosen but also well-trained. Studies suggest that traditional police training often does not provide adequate instruction on topics relevant to school-based law enforcement ... This lack of specialized training results in SROs who may be ill-equipped to fulfill key roles, jeopardizing the success of the SRO program and hindering school safety.” – Nat. Ctr. for Mental Health Promotion and Youth Violence Prevention, Brief, Sept. 2013

Virginia Code § 9.1-102(44) requires training for SSOs. The General Assembly should add to the following underlined language to the statute:

Establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security

officers and school resource officers, which training and certification shall be administered by the Virginia Center for School and Campus Safety pursuant to § 9.1-184. Such training standards shall include, but shall not be limited to: the role and responsibility of school security officers; relevant state and federal laws; school and personal liability issues; security awareness in the school environment; mediation, restorative justice, and conflict resolution; disaster and emergency response; ~~and~~ student behavioral dynamics; contents of the local agreement between the school division and law enforcement agency providing SROs; child and adolescent development and psychology; working with students who have disabilities, mental health issues, and experience with trauma; recognizing manifestations of disabilities; methods schools use to provide extra support to individual students; relevant state and federal laws, including those related to special education, searches and seizures, interrogations, excessive force, seclusion and restraint, harassment, bullying, discrimination, and privacy; safe and age-appropriate responses to misbehavior, including restraint and de-escalation techniques; implicit bias and cultural competency; positive Behavioral Interventions and Supports (PBIS) and other practices proven to prevent misbehavior and improve school climate; short- and long-term consequences of justice system involvement for students; and utilizing local school division and community resources, including alternatives to arrests and court referrals. The Department shall establish an advisory committee consisting of local school board representatives, principals, superintendents, teachers, students, parents, school resource officers, and school security officers ~~personnel~~ to assist in the development of these standards and certification requirements;

The DCJS should then revise its regulations accordingly. Lawmakers should also allocate adequate funding for state agencies to plan and coordinate trainings, and for local division and law enforcement agency personnel to attend trainings.

Virginia Parent Teacher Association (VPTA) 2015 Legislative Priorities

“7. School Resource Officer (SRO) Training

- VAPTA supports legislation to establish uniform guidelines for the hiring and training of all School Resource Officers (SROs).
- VAPTA seeks to ensure that all SRO’s receive initial training on school-based situations prior to assignment in a school and participate in additional training over the course of their assignment.
- VAPTA seeks dedicated funding to enable localities to offer Department of Criminal Justice Services (DCJS) or similar SRO training such that school and public safety budgets are not compromised.”

PROMISING PRACTICES PROFILE: SRO TRAINING

Strategies for Youth

Strategies for Youth (SfY) is a national nonprofit training and policy organization dedicated to improving police-youth interactions and to reducing disproportionate minority contact.

The first day of SfY's Policing the Teen Brain training focuses on the seismic changes of the teen brain in a series of components that focuses on the nature of adolescent development. Presented by a psychologist or psychiatrist, this part of the curriculum describes the brain structure, psyche, and behavioral characteristics of adolescents. This day culminates with a component on how to assert authority effectively with youth. The second day of the training demonstrates the impacts of nurture and environmental factors, including culture, socio-economic conditions of youth, and how the juvenile legal system treats youth behaviors. This day also involves presentations of youth-serving community-based organizations who describe the services they offer for youth which can be used in lieu of arrests and court referrals.

Three aspects of SFY's approach make it unique. First, SfY customizes its training to each law enforcement agency through a pre-training assessment and policy review. This ensures that the training meets the expressed needs of law enforcement officers in any given department and properly reflects the specific needs of youth in each jurisdiction.

Second, every training involves youth in role plays. Youth are paid to participate in improvisational acting in skits where they respond to officers' assertion of authority and explain why they are more or less likely to comply with law enforcement. Officers routinely describe the skits as "jelling" the training by demonstrating through interactions how youth respond to them.

Third, SfY is committed to making its training a core piece of all law enforcement training and part of departments' "training DNA." As a result, SfY promotes use of a train-the-trainer approach in which departments develop the expertise, in collaboration with local psychologists/psychiatrists to present the trainings in a sustainable manner at in-service and new recruit trainings. SfY provides a train-the-trainer training and coached trainings, as well as ongoing technical assistance to ensure fidelity to the model and strong outcomes.

The outcomes of SfY's trainings, where data has been provided by law enforcement agencies prior to and after the trainings, indicates immediate reduction in use of arrest for low-level offenses, reductions in status offense referrals, and increased referrals to and connections with youth-serving community-based organizations, and an array of officer initiatives that address development of relationships between police and youth.¹⁷⁹

RECOMMENDATION 4: REDUCE REFERRALS TO LAW ENFORCEMENT

The General Assembly should revise the Virginia Code to remove misdemeanors and non-crimes from the list of school-based offenses that must be reported to law enforcement.

As described above, Virginia Code § 22.1-279.3:1(B) requires that over 40 acts be reported by school officials to law enforcement.¹⁸⁰ The General Assembly should revise the statute to remove misdemeanors and non-crimes. Doing so would still allow school officials to discretionarily report serious offenses, but would not force them or SROs to divert their time and attention away from other more important duties to process unnecessary referrals.

RECOMMENDATION 5: REDUCE COURT-INVOLVEMENT

The General Assembly should revise the Virginia Code to eliminate school-based “disorderly conduct” charges against students and mandatory participation of Commonwealth’s Attorneys in truancy cases.

Virginia Code § 18.2-415 makes “disorderly conduct in public places” a crime. Part C of the statute specifically prohibits:

disrupt[ing] the operation of any school or any activity conducted or sponsored by any school, if the disruption (i) prevents or interferes with the orderly conduct of the operation or activity or (ii) has a direct tendency to cause acts of violence by the person or persons at whom, individually, the disruption is directed.

“The problem here is not a kid walking in (to schools) with a gun. The numbers are being driven up by disorderly conduct.” – Arne Duncan, U.S. Sec’y of Educ., Press Release, 10/30/15

This vague, subjective standard creates a wide net that captures large numbers of students who exhibit expected adolescent behavior. The General Assembly should add the following language to the end of the statute.

This section shall not apply to the acts of elementary and secondary students that occur in school buildings, on school grounds, or during school-sponsored activities.

This addition will reduce unnecessary court-involvement without tying the hands of school administrators or law enforcement officers who will still be able to file complaints for more serious disorderly behavior (*e.g.*, assault on a school official, gang activity, terrorist threats, etc.). Other states have made similar changes. For example, in 2013, Texas passed laws that limit the ability of school police to issue tickets and that eliminate most charges for “disruption of class.”¹⁸¹

The legislature should also revise Virginia Code § 22.1-268, which currently *requires* Commonwealth Attorneys to participate in *all* truancy cases. The statute should be revised to remove the marked through text and add the underlined text:

~~It shall be the duty of the a~~Attorneys for the Commonwealth of the several counties and cities ~~to~~may prosecute ~~all~~ cases arising under this article. Juvenile and domestic relations district courts shall have exclusive original jurisdiction for the trial of such cases.

RECOMMENDATION 6: IMPROVE DATA COLLECTION & PUBLICATION

The VDOE and DCJS should collect and make publicly available annual data on school-based referrals to law enforcement, arrests, and delinquency and criminal complaints.

States across the country – *e.g.*, Arkansas,¹⁸² Colorado,¹⁸³ Connecticut,¹⁸⁴ Florida,¹⁸⁵ Kentucky,¹⁸⁶ and Maryland¹⁸⁷ – require data about school policing to be collected. Virginia schools are already required by state and federal laws to collect data about school-based referrals to law enforcement and arrests.¹⁸⁸ The Virginia legislature should pass a new statute requiring the VDOE and DCJS to collect and make publicly available (consistent with applicable privacy laws) data about school-based arrests and court referrals, disaggregated by:

- Division;
- School;
- Title of person who made the arrest or referral;
- Employer of person who made the arrest or complaint;
- Alleged offense(s);
- Student age;
- Student grade;
- Student sex;
- Student race;
- Student disability status;
- Student English language learner status;
- Outcome of referral (*e.g.*, dismissal, diversion, adjudication, etc.)

The VDOE should make the data available in a public, searchable database, like the VDOE does for demographics,¹⁸⁹ Standards of Learning (SOL) test results,¹⁹⁰ graduation rates,¹⁹¹ suspension and expulsion,¹⁹² and other important areas.

“Schools should closely monitor any school-based law enforcement officer program to ensure that the program ... does not create any negative unintended consequences, and to assess the impact of other law enforcement involvement on campus. Such monitoring requires comprehensive data collection on officer activity, including, if appropriate, data on any school-based arrests, citations, searches, and referrals. Disaggregated data on these activities should also be publicly reported consistent with applicable federal, state, and local privacy laws ... schools should review, analyze, and act on this data as necessary to eliminate any negative unintended consequences stemming from the use of a school-based law enforcement officer program” – U.S. Dept. of Educ., *Guiding Principles*, Jan. 2014, p. 11

Finally, the General Assembly should allocate adequate funding for the Departments and localities to collect and report the data.

PROMISING PRACTICES PROFILE: BROAD STATE STATUTES AND REGULATIONS

Colorado

Colorado law requires:

- SROs to be familiar with the provisions of the discipline code of the school to which the officer is assigned; and
- Law enforcement agencies employing SROs to prepare a report containing disaggregated data about investigations, arrests, summonses, and tickets.¹⁹³

Colorado law also:

- Declares that the involvement of students in the criminal or juvenile justice systems should be avoided when addressing minor misbehavior that is typical for a student based on his or her developmental stage;
- Requires every school district to implement proportionate discipline that reduces the number of out-of-school suspensions, expulsions, and referrals to law enforcement;
- Requires districts to implement prevention strategies, restorative justice, peer mediation, counseling, and other approaches designed to minimize student exposure to the juvenile and criminal justice systems;
- Improves the collection of disaggregated data around school-based arrests, tickets, and court referrals; and
- Enhances the training of SROs.¹⁹⁴

PROMISING PRACTICES PROFILE: BROAD STATE STATUTES AND REGULATIONS

Maryland

Maryland regulations require that school districts report to the State Department of Education data on school arrests and referrals to law enforcement. The regulations further state that:

- When possible and appropriate, arrest by police should be made during non-school hours and away from the school premises;
- When an arrest on school premises during school hours is necessary, the responsible school official must ascertain the facts from the arresting officer so the official can fully advise the parent and other school officials of the nature of the charge, the identity of the arresting officer, and the location of the student;
- When an arrest takes place on school premises or during school hours, every effort must be made by school officials to inform the parent immediately, and thereafter, to promptly advise the local superintendent of schools; and
- Arrest on school premises during school hours must be effectuated in such a manner as to avoid both embarrassment to the student being arrested and jeopardizing the safety and welfare of other students.¹⁹⁵

Maryland regulations further require that, upon receipt of information from a law enforcement agency of an arrest of a student for a reportable offense, the local superintendent promptly provide the school principal of the school in which the student is enrolled with the arrest information, including the charges. Then, the school principal, with appropriate staff members, must immediately develop a plan that addresses appropriate educational programming and related services for the student and that maintains a safe and secure school environment for all students and school personnel. The school principal must also request that the student's parent participate in the development of the plan and submit information that is relevant to developing the plan.¹⁹⁶

Moreover, Maryland regulations prohibit police investigations involving the questioning of students on school premises, unless in connection with a crime committed on the premises or in connection with an investigation which, if not immediately permitted, would compromise the success of that investigation or endanger the lives or safety of the students or other persons. A school official should be present throughout that questioning.¹⁹⁷

Finally, Maryland regulations require that every effort be made to conduct searches in a manner that minimizes disruption of the normal school routine and minimizes embarrassment to students affected.¹⁹⁸

RECOMMENDATION 7: IMPROVE ACCOUNTABILITY

The VDOE should revise its regulations to include school policing data in accreditation standards and performance report cards.

Pursuant to state law,¹⁹⁹ the VDOE assigns one of the following accreditation ratings to nearly all Virginia public schools: fully accredited; conditionally accredited; partially accredited; or accreditation denied.²⁰⁰ The ratings are currently based solely on standards of learning (SOL) test scores and graduation rates.²⁰¹ They are “designed to ensure that an effective educational program is established and maintained in Virginia's public schools.”²⁰² According to the VDOE:

[T]he accreditation standards:

- Provide an essential foundation of educational programs of high quality in all schools for all students.
- Encourage continuous appraisal and improvement of the school program for the purpose of raising student achievement.
- Foster public confidence.
- Assure recognition of Virginia's public schools by other institutions of learning.
- Establish a means of determining the effectiveness of schools.²⁰³

The VDOE must also produce “school performance report cards” for every division and school.²⁰⁴ The report cards include information about enrollment, advanced programs, career and technical education, teacher qualifications, school safety, SOL test results, graduation rates, and percentage of expenditures for instruction.²⁰⁵

The VDOE should incorporate school-based arrest and court referral data into standards of accreditation and report cards because:

- School policing directly impacts school performance, which accreditation ratings and report cards are supposed to reflect;
- Regularly making the data public and creating accreditation consequences will cause divisions and law enforcement agencies to be more sensitive to whether students and schools are being over-criminalized and whether school safety policies and practices are having a disparate impact on certain groups of students, and it will create an incentive to remedy problems; and
- Students, parents, and communities should know what it is happening in their schools.

“[P]ositive relationships don’t get built when we’re arresting them.”
– Douglas Middleton,
Henrico Police Chief,
Richmond Times-Dispatch, 5/30/15

RECOMMENDATION 8: CLEAR, CONSISTENT, EFFECTIVE MEMORANDUMS OF UNDERSTANDING

The General Assembly should require local MOUs, and the VDOE and DCJS should jointly issue a comprehensive model MOU.

The U.S. Department of Justice,²⁰⁶ U.S. Department of Education,²⁰⁷ NASRO,²⁰⁸ Council of State Governments,²⁰⁹ National Center for Mental Health Promotion and Youth Violence Prevention,²¹⁰ advocacy organizations,²¹¹ and others strongly recommend that law enforcement agencies and school divisions that have an SRO program enter into a written memorandum of understanding (MOU) (sometimes called a memorandum of agreement or an interagency agreement). In fact, the DCJS requires that SRO program grantees have an MOU in place; however, not all SRO programs receive grants.²¹²

An MOU is a legal document, contract, and policy instrument. A good MOU establishes mutual understanding and clear expectations, incorporates best practices, and complies with all applicable laws. In the context of school policing, MOUs “should be created through a collaborative process that includes stakeholders from education, law enforcement, and the wider community.” A collaborative MOU process with good stakeholder representation includes:

- Students and parents;
- School division staff (*e.g.*, teachers, student support staff, school administrators, SSOs, the superintendent, the security director, and the disciplinary review officer);
- School board members;
- Law enforcement personnel, including SROs;
- Juvenile justice system personnel (*e.g.*, juvenile and domestic relations (JDR) court judges, prosecutors, defense attorneys, and probation officers);
- Mental health and social services personnel; and
- County supervisors or city council members.²¹³

There are no state laws or regulations requiring localities to have an MOU. The VDOE has never issued a model MOU, or even guidelines. The last time that the DCJS issued a model MOU was in 2004.

“Every jurisdiction with a school and law enforcement partnership should have an MOU that clearly defines the roles and responsibilities of the individual partners involved, including school districts, boards or departments of education, school administration officials, law enforcement agencies (including SROs), and students and parents.” – U.S. Dept. of Justice Office of Cmty. Oriented Policing Services, *Fact Sheet*, Sept. 2013, p. 10

“Schools and districts should document the expectations for officers’ roles through clear, written policies or MOUs between school administrators and law enforcement personnel.” – U.S. Dept. of Educ., *Guiding Principles*, Jan. 2014, p. 10

“Every law enforcement agency that places an officer in a school should have in place a memorandum of understanding (MOU).” – NASRO, *Best Practices*, 8/14/15

The General Assembly should pass a law requiring local MOUs to be in place and reviewed regularly with community input. The following is suggested language for the statute:

- A. All law enforcement agencies employing one or more school resource officers, as defined in § 9.1-101, shall have in place a written memorandum of understanding with the school division in which the school resource officer(s) is assigned.
- B. The memorandum shall address, at a minimum:
 - i. Searches of students by law enforcement;
 - ii. Questioning of students by law enforcement;
 - iii. The use of force on students by law enforcement;
 - iv. Referrals of students to law enforcement;
 - v. Calls for service from law enforcement;
 - vi. Arrests of students by law enforcement;
 - vii. School-based court referrals of students;
 - viii. Alternatives to arrests and court referrals;
 - ix. Data collection and reporting;
 - x. Qualifications for school resource officers;
 - xi. Selection of school resource officers;
 - xii. Training of school resource officers;
 - xiii. Responsibilities and duties of school resource officers;
 - xiv. Assignment and coverage of school resource officers;
 - xv. Communication between school resource officers and school administrators;
 - xvi. Student records and information;
 - xvii. A process for student, parent, and staff feedback;
 - xviii. A system for grievances or complaints against school resource officers;
 - xix. The names and signatures of representatives from the school division and law enforcement agency who are authorized to contract on behalf of the division or agency; and
 - xx. The date upon which the agreement was signed by each party.
- C. The memorandum shall be reviewed and revised, as necessary, at least once every two years.
- D. Students, parents, and school staff in the school division to which the school resource officer is assigned shall be offered opportunities to provide input on the memorandum.
- E. A copy of the current memorandum shall be:
 - i. Provided to the Virginia Center for School and Campus Safety;
 - ii. Provided to all staff and SROs; and
 - iii. Made publicly available by, at a minimum, posting it on the law enforcement agency's website and the school division's website.

PROMISING PRACTICES PROFILE: STATE LAWS & REGULATIONS REQUIRING MOUs

Delaware

Delaware regulations require all local school districts, charter schools, and alternative programs to: establish a written policy on effectively communicating and working with law enforcement agencies; and develop a memorandum of agreement (MOA) with each law enforcement agency that provides services to it. Each MOA must be approved and, from time to time, revised by the Delaware Department of Education.²¹⁴

New Jersey

New Jersey regulations require local boards of education to adopt and implement policies and procedures to ensure cooperation between school staff and law enforcement authorities. The policies and procedures must contain:

- Specific procedures for and responsibilities of staff in summoning law enforcement authorities onto school grounds for the purpose of conducting law enforcement;
- Specific procedures and responsibilities of staff for notifying parents in instances of law enforcement interviews involving their children;
- Provisions for in-service training of school staff concerning the policies and procedures;
- An MOU with appropriate law enforcement authorities;
- An annual process for the chief school administrator and appropriate law enforcement officials to discuss the implementation and need for revising the MOU, and to review the effectiveness of policies and procedures; and
- Provisions for directing inquiries or complaints received by school staff regarding interviews, investigations, arrests, or other operations conducted by sworn law enforcement officers to the appropriate law enforcement agency.

The policies and procedures must be made available annually to all school staff, students, and parents.²¹⁵

PROMISING PRACTICES PROFILE: STATE LAWS & REGULATIONS REQUIRING MOUs

Connecticut

Connecticut law requires every board of education with an SRO to enter into an MOU with the law enforcement agency. The MOU must include provisions addressing daily interactions between students and school personnel and SROs, and may include a graduated response model for student discipline.²¹⁶

Pennsylvania

Pennsylvania regulations require:

- Each chief school administrator to execute and update, on a biennial basis, an MOU with each local police department having jurisdiction over school district property;
- On a biennial basis, a school entity to file with the Department of Education's Office for Safe Schools an MOU with each local police department having jurisdiction over school district property; and
- The Board of Education, on a biennial basis, to review and, as necessary, revise its model MOU.²¹⁷

Regardless of whether the General Assembly passes a statute that requires localities to have an SRO program MOU, the VDOE and DCJS should jointly issue a new, comprehensive model MOU, and then review and revise it, as necessary, at least every two years. The model MOU should contain all of the elements listed in part B of the sample statute above, as well as the recommendations in Figure 15. The Appendix of this report contains a model MOU that incorporates the recommendations.

Figure 15: Examples of MOU elements that foster positive youth development and school climate, and that should be included in a model MOU from the VDOE and DCJS and in local MOUs.

SRO qualifications and selection:
<ul style="list-style-type: none"> • Desire to work with students, parents, and school division personnel • Experience working well with children and youth • Personality traits necessary for working successfully with children and youth (<i>e.g.</i>, approachable, friendly, empathetic, flexible, patient, mature, etc.) • Work history free of any substantiated complaints of excessive force, racial profiling, harassment, or discrimination • Students, parents, and staff involved in selection
Duties of SROs:
<ul style="list-style-type: none"> • Meet with the school principal (and other staff, as necessary) at least monthly

- Be visible and approachable on campus
- Act as a mentor and role model for students
- Attend school staff meetings, school events, and community events
- Hold community forums with students, parents, staff, and other community members at least twice a year
- Connect families with community resources

Deployment of SROs:

- Each only covers one school to facilitate relationship-building²¹⁸

Searches by SROs:

- No searches unless there is probable cause to believe the student has a weapon, illegal drugs or alcohol, stolen property, or evidence needed to prevent physical harm
- School administrator present
- No stop and frisks, strip searches, or metal detectors
- Outside of the presence of staff (except school administrators) and students
- Parent notified, as soon as practicable

Interrogations by SROs:

- No interrogations unless there is probable cause to believe the student has committed or will commit an offense that poses a clear threat to physical safety
- Heightened warnings against self-incrimination in the student's primary language
- School administrator and parent are notified of the impending questioning and provided a reasonable opportunity to be present

Use of force by SROs:

- No physical force unless there is a clear and immediate threat of serious bodily injury
- Only the minimum amount of force necessary to end the serious threat

Arrests and court referrals by SROs and court referrals by school staff:

- Prohibited for minor offenses, such as disorderly conduct, possession of tobacco, and abusive language
- Alternatives – *e.g.*, restorative justice, community service, counseling, and Saturday school – encouraged
- Arrests occur outside of the presence of staff (except school administrators) and students
- Parent and school administrator notified as soon as practicable

Grievance/complaint system:

- Well-publicized in a variety of languages to all students, parents, and staff
- Readily available forms at all schools and online, and in a variety of languages
- Confidential, thorough, unbiased, timely process
- Written findings
- Officer removed while serious allegations are investigated and permanently removed if serious allegations are substantiated

Other elements:

- No threats to contact probation officers or immigration officials
- No warrants executed on school property unless there is probable cause that a student poses a real and immediate threat to physical safety; a judicial warrant specifically directs the arrest of the student in a school; or there is probable cause to believe the student is a flight risk

PROMISING PRACTICES PROFILE: BROAD LOCAL MOUS AND SCHOOL BOARD POLICIES

Denver, Colorado

In 2004, the Denver Public Schools (DPS) and Denver Police Department (DPD) modified their MOU to limit when an officer may cite or arrest a student, and mandated yearly training to take a restorative justice approach on school discipline. After the MOU was modified, law enforcement referrals dropped from 1,399 in 2003-04 to 512 in 2011-12.

In February 2013, the agreement was further modified with significant community involvement. The new “Intergovernmental Agreement” mandates that:

- SROs understand that DPS has adopted a Discipline Policy that emphasizes the use of restorative approaches to address behaviors, and is designed to minimize the use of law enforcement intervention;
- SROs differentiate between disciplinary issues and crime problems and respond appropriately;
- Parents be notified as soon as possible when students are ticketed or arrested;
- Students be questioned, when necessary, in a manner and time when it has the least impact on a student’s schooling;
- SROs be notified if a student involved in a school-based infraction possesses disabilities and/or an IEP and who therefore may require special treatment or accommodations;
- SROs meet with community stakeholders at least once per semester and with school administration upon request; and
- DPD officers be trained on their role within DPS’ schools and on the rights afforded to students.²¹⁹

PROMISING PRACTICES PROFILE: BROAD LOCAL MOUs AND SCHOOL BOARD POLICIES

Broward County, Florida

In November 2013, the Broward County School District and several local law enforcement agencies worked with a group of juvenile justice and community partners to develop a collaborative agreement on school discipline. The agreement provides school officials with guidance on when to consult with police and promotes the use of graduated sanctions for student misbehavior.

The Role of Officers section further states that “law enforcement officers shall follow the steps and guiding questions” in a decision flow chart that indicates when officers arrest or do not arrest for both first and repeat misdemeanor offenses outlined in the code of conduct matrix. For non-violent misdemeanors like trespassing, harassment, incidents related to alcohol, possession of a misdemeanor amount of marijuana and drug paraphernalia, administrators are instructed to try and resolve the situation without an arrest. The agreement outlines the path officers will take for specified misdemeanor offenses that warrant alternatives to arrest, including using civil citations and the Preventing Recidivism through Opportunities, Mentoring, Interventions, Supports & Education (PROMISE) diversion program.

Broward County led the state in the rate of school-based arrests in 2011-12, with 1,054 arrests. By 2013-14, school-based arrests had dropped 42% to 449. Additionally, the recidivism rate for students who go through the diversion program is low.²²⁰

San Francisco, California

In January 2014, the San Francisco Unified School District (SFUSD) and the San Francisco Police Department reached an agreement that:

- Dictates that “police involvement should not be requested in a situation that can be safely and appropriately handled by the district’s internal disciplinary procedures;”
- Spells out requirements for graduated steps before a student can be arrested;
- Limits how arrests are to be carried out on campuses;
- Requires that officers refrain from questioning detained students for at least an hour or until parents have sufficient time to travel to a campus from their job or home;
- Requires monthly written reports with detailed data from the Police Department;
- Requires principals to be consulted and to take into consideration concerns expressed by students and parents, prior to the assignment of a new SRO;
- Requires SROs to participate in positive student activities;
- Provides for a complaint process; and
- Requires opportunities for a student advisory council to provide feedback.²²¹

PROMISING PRACTICES PROFILE: BROAD LOCAL MOUs AND SCHOOL BOARD POLICIES

Oakland, California

In 2012, the Oakland School Police Department enacted a policy allowing for citizen complaints. Under the policy, citizens have multiple mechanisms for filing complaints, including online, via mail, and in person. Anonymous complaints are permitted. Investigations must be conducted and written reports to complaints generally must be made within 45 days. Complainants can appeal the report to the superintendent, who must investigate the appeal and issue written findings. Complainants may then appeal to the school board, which must also issue written findings. Forms have been created in six languages for the community to report officers who behave inappropriately, to report officers who handled situations exceptionally well, and to make general recommendations. Forms and flyers explaining the process are required to be available in every school in the district. Finally, the Office of the Chief of Police is required to prepare a detailed, semi-annual statistical summary on complaints that is publicly available.²²²

In May 2014, the Oakland Unified School District (OUSD) passed board policies that provide:

- OUSD must develop district-wide interventions to help schools showing the greatest disparities in contacts and arrest rates for African American students, and share information about the interventions with the Board two times per year;
- No school police officer or school safety officers shall act as a school disciplinarian and law enforcement shall only be used as a last resort;
- Alternatives to police involvement, such as the use of restorative justice practices, must be tracked and documented, and a plan of support created for students who have multiple law enforcement contacts;
- A private location out of sight and hearing of other students should be arranged whenever the arrest of a student is necessary, to avoid invasion of the student's privacy and disruption on the school campus;
- Data on referrals to law enforcement, citations, and arrests must be tracked and shared with the Board of Education, and OUSD must develop an action plan to address any disproportionate minority contact;
- School police officers shall tell any student that he or she may have a parent or guardian present before and during an interrogation, and that the student may decide to wait for the parent or guardian before questioning begins; and
- School police shall make every effort to handle out of school law enforcement-related issues that are not school-related.²²³

In August 2014, the OUSD and Oakland Police Department (OPD) finalized an MOU for their School Safety Officers ("COPS Grant") Program. The MOU provides:

- Officers will not solicit truancy information from school sites – only in the event that a school principal refers students who are truant to a COPS Grant officer should law enforcement become involved in a student's truancy status;
- OPD will provide OUSD with a written report twice a year regarding designated school site crime incidents and the number of arrests of students made by COPS Grant and OPD officers disaggregated by race, gender, and ethnicity;
- OUSD will not notify or request COPS Grant officers or OPD officers for disciplinary issues like trespassing, loitering, profanity, defiance, verbal abuse, and truancy;
- OUSD must notify the parent or guardian of a student immediately after a police arrest is made; and
- If any officer wants to question a student, OUSD must receive oral consent from the student's parent or guardian before releasing the student to any law enforcement officer.²²⁴