

Senate panel backs reports on law enforcement actions regarding students

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SALT LAKE CITY —The Utah State Board of Education would be required to produce an annual report of law enforcement actions related to student discipline under a bill that received unanimous support from the Senate Education Committee Wednesday.

Sen. Jake Anderegg, R-Lehi, sponsor of SB198, said policymakers need data to determine whether the sweeping juvenile justice reforms passed by lawmakers in 2017 are working as intended or if "tweaks are needed."

HB132, passed last year, clarified that school resource officers have the power to investigate alleged offenses on school grounds, conduct reasonable searches and take temporary custody of a minor who poses a danger. Officers may also transport a minor and use "reasonable and necessary physical restraint."

"The problem that we're seeing is, I don't think we're getting the data back that helps us, really at the core level, is juvenile justice is working? Is it doing what we want it to do?" Anderegg said.

Data would be collected at the state, school district and charter school levels "to help us understand where the rubber meets the road," he said.

Leah Farrell, staff attorney for the ACLU of Utah, spoke in support of the bill.

Farrell said there is growing understanding about the correlation between school discipline such as expulsion and suspension "and later on, contact with criminal justice system."

Yet, there is no readily accessible data with respect to which Utah schools have school resource officers nor how often "extreme discipline" is employed at a school.

The report would inform whether changes in policy or practice are needed and "hopefully keep more kids in school," she said.

A statewide database may also "reveal troubling trends that may have constitutional implications," Farrell said.

Andrew Riggle, public policy advocate for the Disability Law Center, said national data paints a picture of school disciplinary action, but a state report would provide valuable information to help guide practices and policies.

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According to limited data, mostly national in scope, "we know students with disabilities are subject to disciplinary action or contact with law enforcement at significantly higher rates than students without disabilities, but we don't have the granular level data to tell us how, when and why that is happening," Riggle said.

The bill also would require reporting on the race, gender, age, and disability status of a minor or student involved in certain law enforcement and disciplinary actions.

Anderegg said the reporting provides a level of transparency to the implementation of juvenile justice reforms but also will provide reliable data to guide decisions in the future.

The bill moves to the Senate for further consideration.