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House Bill 349

FACT SHEET, 2011

PROVIDE SCHOOL DISTRICTS WITH ADEQUATE SCHOOL SAFETY DATA TO IMPROVE EFFICIENCY & REDUCE THE OVER-CRIMINALIZATION OF STUDENT MISBEHAVIOR

PROBLEM

Current law grants school district officials broad direction to determine if and how peace officers are deployed on their campuses. Currently, 178 Texas school districts employ their own police departments, and numerous additional districts have formalized agreements with their local law enforcement agencies to provide a regular police presence on the districts' campuses. However, school district officials often lack essential data to effectively evaluate the use of discipline practices and security spending in schools. In part, this has contributed to overzealous campus discipline and the unnecessary criminalization of minor student misbehavior.

KEY FINDINGS

- Many schools utilize untrained police officers and security personnel, and, as a result, they have seen a hike in school arrests for nonviolent violations of the school's code of conduct.¹ The vast majority of students arrested on campus commit nonviolent and vague offenses, such as "disruption of class" or "disorderly conduct."²
- Not only do increased arrests pose long-term problems for students with records, but they clog court dockets and detention facilities with nonviolent youth who would be better served through alternatives.
- Data collection and transparency are essential to address and prevent increasing pressure toward the over-criminalization of Texas students who commit low-level, nonviolent violations.

SOLUTION: SUPPORT H.B. 349 BY REPRESENTATIVE WALLE

H.B. 349 ensures necessary data collection for school districts to evaluate the use of citations, arrests, and restraints involving Texas students, and it furthers standardized best practices and transparency to ensure effective campus security for all school districts.

At a time when school districts are being forced to cut teachers due to budget constraints, they are also spending an increasing share of their budgets on school-based law enforcement (between \$2 million and \$20 million per year), without full measure of the effectiveness and efficiency of these departments. H.B. 349 would amend the Texas Education Code to include a process that ensures school districts receive annual data pertaining to the total number of citations issued, restraints administered, and arrests made by peace officers policing their campuses.

- ***H.B. 349 will increase the transparency and effectiveness of campus police.*** Currently, very little transparency exists around campus police policies. H.B. 349 would improve transparency in public school policing by requiring school-based law enforcement to compile data regarding the number of school-based citations, arrests, and use of force instances to be shared with school superintendents, the School Board of Trustees, and the Texas Education Agency.
- ***H.B. 349 will allow school districts to evaluate and make informed decisions about their security spending.*** In addition to being a best practice according to the Texas Police Chiefs Association, standardized tracking of data will allow school administrators and school board members to evaluate the effectiveness of their school-based law enforcement and assess the necessity of their presence on each campus within the district.

Continued on reverse.

- ***H.B. 349 is not an unfunded mandate.*** Some school districts already track this data; H.B. 349 would simply provide a uniform system of collecting the data and ensuring that school district administrators and school board trustees receive the data.

Note: H.B. 349 would not impact districts' existing discretion to control if and how they police their campuses. It merely supports schools' ability to handle youths' behavior challenges more constructively.

¹ Texas Appleseed, "Texas' School-to-Prison Pipeline: Ticketing, Arrest & Use of Force in Schools," December 2010, pgs. 4, 5.

² *Ibid.*, pg. 68