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U.S. Departments of Education and Justice Issue Joint Guidance to Schools Regarding Appropriate Use of Police

On September 8, 2016, the United States Department of Education and the Department of Justice, Office of Community Oriented Policing Services issued "Dear Colleague Letters" addressing the appropriate use of police in schools. The impetus for these Dear Colleague Letters was a concern about school-based law enforcement officers' involvement in the administration of school discipline. Specifically at issue were the potential for violations of students' civil rights, and the potential for unnecessary citations or arrests of students in schools. These concerns fall within a larger issue that is on the radar of the Department of Education and the Department of Justice – the "school to prison pipeline."

Both of the Dear Colleague Letters stressed that School Resource Officers (SROs) should be incorporated responsibly into the school environment. At no time, in their view, should SROs have a role in administering school discipline.

The Dear Colleague Letters also caution against an "over reliance" on SROs in schools. They warn that school staff and administrators should be well trained to address behavioral issues, through a variety of corrective non-punitive interventions. Finally, the Letters specifically reference employing multi-tiered behavioral support frameworks, such as Positive Behavioral Interventions and Supports.

In conjunction with these Dear Colleague Letters, the agencies jointly released a new resource: "The Safe, School-Based Enforcement through Collaboration, Understanding, and Respect (SECURE) Rubric." This rubric is designed to help education and law enforcement agencies utilize SROs in a manner that these two agencies deem appropriate.

The use of SROs in schools is a significant issue, and this new guidance may impact your operations. If you have any questions regarding the new Dear Colleague letters, or the use of SROs in schools after this guidance, please feel free to contact [Marsha Bugalla](#) or any other member of Frost Brown Todd's [Government Services Practice Group](#).

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