

1 S.181

2 Introduced by Senator Sears

3 Referred to Committee on Education

4 Date: January 3, 2012

5 Subject: Education; attendance and discipline; school resource officer

6 Statement of purpose: This bill proposes to exempt school resource officers
7 from the department of education's rule regulating the use of restraint and
8 seclusion in schools.

9 An act relating to school resource officers

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 ~~Sec. 1. 16 V.S.A. § 1167 is added to read:~~

12 ~~§ 1167. SCHOOL RESOURCE OFFICER~~

13 ~~The department shall not regulate the use of restraint and seclusion in a~~
14 ~~school by a fully sworn school resource officer.~~

15 Sec. 2. TRANSITION

16 ~~16 V.S.A. § 1167 shall supersede Vermont department of education rule~~
17 ~~4500 insofar as it purports to regulate the use of restraint and seclusion in~~
18 ~~schools by fully sworn school resource officers.~~

19 Sec. 3. EFFECTIVE DATE

20 ~~This act shall take effect on passage.~~

~~Sec. 1. 16 V.S.A. § 1167 is added to read:~~

~~§ 1167. SCHOOL RESOURCE OFFICER; MEMORANDUM OF UNDERSTANDING~~

~~(a) Neither the state board nor the department shall regulate the use of restraint and seclusion in a school by a fully sworn school resource officer certified pursuant to 20 V.S.A. § 2358. This subsection supersedes any state board rule that purports to regulate that use.~~

~~(b) A school board or its designee may enter into a memorandum of understanding with a municipal police department or other law enforcement entity to restrict the use or possession of any weapon or device by a school resource officer on school property.~~

~~Sec. 2. EFFECTIVE DATE~~

~~This act shall take effect on passage.~~

~~Sec. 1. 16 V.S.A. § 1167 is added to read:~~

~~§ 1167. SCHOOL RESOURCE OFFICER; MEMORANDUM OF UNDERSTANDING~~

~~(a) Neither the state board nor the department shall regulate the use of restraint and seclusion on school property by a school resource officer certified pursuant to 20 V.S.A. § 2358.~~

~~(b) A school board or its designee may enter into a memorandum of understanding with a law enforcement agency or individual to restrict the use or possession of any weapon or device by a school resource officer on school property.~~

~~(b) School boards and law enforcement agencies are encouraged to enter into memoranda of understanding relating to:~~

~~(1) the possession and use of weapons and devices by a school resource officer on school property; and~~

~~(2) the nature and scope of assistance that a school resource officer will provide to the school system.~~

~~Sec. 2. STATE BOARD OF EDUCATION; RULES~~

~~Any part of a provision of state board of education rule that purports to regulate the use of restraint and seclusion on school property by a school resource officer certified pursuant to 20 V.S.A. § 2358 is repealed.~~

~~Sec. 3. EFFECTIVE DATE~~

~~This act shall take effect on passage.~~