

By: Representative Hines

To: Education; Judiciary B

HOUSE BILL NO. 104

1 AN ACT TO CREATE THE YOUTH AND COMMUNITY SAFETY ACT; TO
 2 REQUIRE SCHOOLS TO ANNUALLY REPORT CERTAIN UNLAWFUL ACTIVITY TO
 3 THE DEPARTMENT OF EDUCATION; TO REQUIRE THE DEPARTMENT TO MAKE
 4 AVAILABLE TO THE PUBLIC DATA CONCERNING SUCH UNLAWFUL ACTIVITY; TO
 5 REQUIRE THE DEPARTMENT TO PROVIDE ON-GOING STAFF TRAINING,
 6 STRATEGIES AND EVIDENCED-BASED PRACTICES TO CREATE SAFE, POSITIVE
 7 LEARNING ENVIRONMENTS THAT IMPROVE SCHOOL DISTRICT SAFETY FOR
 8 YOUTH, LAW ENFORCEMENT, DISTRICT STAFF AND PARENTS; AND FOR
 9 RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** (1) Each school shall annually report the
 12 unlawful activity, as required to be reported under Section
 13 37-11-29, to the local school district. Further, each school
 14 district shall submit quarterly reports to the Department of
 15 Education for a minimum of two (2) years beginning from and after
 16 July 1, 2018, of the reported unlawful activity. The Department
 17 of Education shall release an annual report concerning the
 18 collected data from the unlawful activity reports submitted by
 19 each school district, and the annual report shall be made
 20 available online via the department's Mississippi Achievement and
 21 Accountability Reporting System (MAARS) database.



22 (2) The required public report of the Department of
23 Education shall be released by the Department of Education and
24 shall include, but not be limited to, the following:

25 (a) The number of students referred to the juvenile
26 justice system; and

27 (b) The classification of such students on the basis of
28 race and ethnicity.

29 **SECTION 2.** (1) The Department of Education shall no later
30 than July 1, 2019, develop and provide evidenced-based training
31 curriculum to support school districts in creating safe, positive
32 learning environments that improve district safety and benefit all
33 youth, law enforcement, district staff and parents. The training
34 curriculum developed under this section shall include on-going
35 staff training in the following areas:

36 (a) Reducing the number of youth referred to law
37 enforcement agencies for unlawful activity defined under Section
38 37-11-29;

39 (b) Alternatives to arrest;

40 (c) Training in cultural competency and the ability to
41 form a positive relationship with students;

42 (d) Methods for improving and coordinating all aspects
43 of law enforcement's role in youth disciplinary matters;

44 (e) Developing new methods for the prevention and
45 reduction of incidents referred to law enforcement agencies;

46 (f) Evidenced-based positive behavior intervention;



47 (g) Restorative justice principals;
48 (h) Implementation of successful, evidenced-based
49 programs, services, and systems that already exist to target
50 improving school discipline.

51 The training curriculum required in this subsection (1) shall
52 be made available on the Department of Education's website.

53 (2) In addition, the Department of Education shall develop
54 strategies for school districts, law enforcement agencies and
55 other community organizations to collaborate on reducing student
56 involvement in the juvenile justice system. Such strategies shall
57 include, but not be limited to, the following:

58 (a) Educating all parties on the unforeseen negative
59 consequences of arresting a youth;

60 (b) Timing of notification of when district staff
61 administrators should be informed before a student is arrested;

62 (c) The types of youth arrests that are
63 counter-productive to community safety and should not occur;

64 (d) Evidenced-based practices for:

65 (i) Alternatives to arresting students and
66 reducing the number of youth entering the criminal justice system;

67 (ii) Improving interactions with youth, parents,
68 law enforcement, administrators and educators;

69 (iii) De-escalation methods, alternatives to the
70 use of force against students and reducing the use of force;



71 (iv) Improving the opportunities for positive
72 interaction with the students;
73 (v) Reducing the opportunities for negative school
74 resource officer interaction with students;
75 (vi) Eliminating the use of zero tolerance
76 policies; and
77 (vii) Maximizing resources in order to increase
78 staff assigned to improving and evaluating student behavior across
79 the district.

80 **SECTION 3.** This act shall take effect and be in force from
81 and after July 1, 2018.

