MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Hines

To: Youth and Family Affairs; Appropriations

HOUSE BILL NO. 37

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

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

SECTION 1. (1) Each school shall annually report the unlawful activity, as required to be reported under Section 37-11-29, to the local school district. Further, each school district shall submit quarterly reports to the State Department of Education for a minimum of two (2) years beginning from and after July 1, 2021, of the reported unlawful activity. The State Department of Education shall release an annual report concerning the collected data from the unlawful activity reports submitted by each school district, and the annual report shall be made available online via the department's Mississippi Achievement and Accountability Reporting System (MAARS) database.

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

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

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

SECTION 2. (1) The State Department of Education shall no later than July 1, 2022, develop and provide evidenced-based training curriculum to support school districts in creating safe, positive learning environments that improve district safety and benefit all youth, law enforcement, district staff and parents. The training curriculum developed under this section shall include on-going staff training in the following areas:

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

(b) Alternatives to arrest;

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

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

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

(f) Evidenced-based positive behavior intervention;

(g) Restorative justice principals;

(h) Implementation of successful, evidenced-based programs, services, and systems that already exist to target improving school discipline.

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

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

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

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

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

(d) Evidenced-based practices for:

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

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

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

(iv) Improving the opportunities for positive interaction with the students;

(v) Reducing the opportunities for negative school resource officer interaction with students;

(vi) Eliminating the use of zero tolerance policies; and

(vii) Maximizing resources in order to increase staff assigned to improving and evaluating student behavior across the district.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.