

ARIZONA STATE LEGISLATURE

SCHOOL SAFETY PROGRAM OVERSIGHT COMMITTEE

Minutes of the Meeting
Thursday, December 18, 2003
1:00 p.m., Senate Hearing Room 1

Members Present:

Senator Thayer Verschoor, Cochair
Rani Collins

Representative Linda Gray, Cochair

Members Absent:

Senator Harry Mitchell
Alice Bustillo
William Udall
Dr. Fred DePrez

Representative Debbie McCune Davis
Richard Fimbres
Detective Stan Morrow

Staff:

Kimberly Yee, Senate Education Committee Analyst
Dallas Gold, Senate Education Committee Assistant Analyst

Chairman Verschoor called the meeting to order at 1:00 p.m. and attendance was noted. He announced that since a quorum is not present, only public testimony will be taken.

Representative Gray commented that she has some concerns, particularly after an article on school incidents appeared recently in the *East Valley Tribune*. She said the concern is that there is vagueness in the law that needs to be clarified in new legislation. She indicated that the intent of this measure is to provide information to parents. She noted that a school resource officer (SRO) is part of the police department paid by tax dollars. She commented that if there are too few reports of drugs, threats, weapons or other violence on campuses, then the State should transfer that SRO to another campus that experiences more of these types of incidents.

Ms. Collins commented that when the grant became available, the incidents on campus were reviewed and the SROs were awarded to those campuses with the highest incidents. She said it is not known at this time whether incidents have decreased on the campuses with SROs. Discussion took place regarding the contents of the recent article in the *East Valley Tribune*.

Jean Ajamie, Manager for School Safety, Arizona Department of Education (ADE), commented that the reporter of the article discovered there is underreporting occurring on the school report cards. She said ADE had no knowledge that some schools were reporting zero on the report card with the rationale that those schools were utilizing an SRO on their campus. She remarked it appears that the instructions given by a division of ADE were not quite clear. She said since this issue has been raised, a letter is

currently being drafted from the Superintendent of ADE. In response to Representative Gray, Ms. Ajamie said the letter cites the mandatory reporting laws. She noted there are five different citations in Title 13, Criminal Code, and Title 15, Education, that require schools to contact law enforcement for specific incidents on campus.

Senator Verschoor pointed out the article indicates the schools that are conforming to the spirit and letter of the law are being punished for obeying the law, while those ignoring the law are being rewarded in a sense. Ms. Ajamie stated that because ADE has no enforcement authority in law, as a course of action many district and school issues are handled through a local board. Representative Gray pointed out that a law exists on this issue; however, there is nothing in the law that ensures enforcement.

Ms. Ajamie commented that there are many laws written without an enforcement component. She said ADE looked into the idea of checking data collected through another report to be able to report to the federal government through law enforcement data. She said the difficulty is that there are approximately 150 law enforcement agencies in the State with no uniform collection method. Representative Gray said she would like to know from ADE how many of the schools that reported very few incidents have an SRO, and suggested that perhaps the SRO should be pulled if the school is not complying according to the school safety program grant. Ms. Ajamie responded that some of the schools are not funded under the grant, but are funded by municipalities or other grants. She said she could research that information. She noted that not all SROs are funded by the State since some are federally or locally funded.

Public Testimony

Ron Hayhurst stated he recalled a few years ago after the Columbine incident that Arizona began to take action regarding school safety specifically geared to dealing with the problems being discussed today. He said he appreciates the fact that this Committee exists and is responding, and that the newspaper article appeared to create awareness on the part of the general public. He indicated that his primary concern is the integrity of a government program and how the laws are applied. Mr. Hayhurst commented that he has had many conversations with various parties recently and believes that perhaps one of the “glitches” in the process may be between the enforcement agency on the campus and ADE. He said it appears that the enforcement agency may not be reporting all of the data it receives from the specific school district that reports the incident, and perhaps that aspect should be investigated.

Mr. Hayhurst commented that he is a retired school teacher from numerous settings and he is aware that when conflict occurs on school campuses, there are a number of decisions made “on the spot.” He described that type of scenario and noted that it is important to have all the information.

Representative Gray thanked Mr. Hayhurst for his interest and observations, and urged the public to present any suggestions to improve this issue for Arizona’s children. She indicated that in 1994 the Legislature appropriated approximately \$6 million for SROs. When Proposition 301 passed, another \$7 million came in and the State doubled the programs prior to the Columbine incident. Mr. Hayhurst said if the enforcement

personnel on the site are funded from another source, it would seem that the State law may have to take that issue into account for continuity across the board. Representative Gray clarified the education policy under Title 15 on that issue. She said the law is clear that it is the responsibility of the school boards to provide information on this issue; however, it may have to be clarified further. Mr. Hayhurst also brought up the point that the seriousness of an incident could be lost, if the reporting process has to go through too many entities.

Senator Verschoor announced that the other items on the agenda would not be discussed today due to the lack of a quorum. He said he is hopeful that when the Committee meets again this issue will be addressed. He said he agrees with Representative Gray that the language in the law is clear. He commented that the next meeting agenda should include the issue of whether an SRO is a law enforcement officer and whether an incident is being reported properly.

There being no further business, the meeting was adjourned at 1:30 p.m.

Respectfully submitted,

Nancy DeMichele
Committee Secretary

(Tapes and attachments on file in the Secretary of the Senate's Office/Resource Center, Room 115.)