

ARIZONA STATE LEGISLATURE

SCHOOL SAFETY PROGRAM OVERSIGHT COMMITTEE

Minutes of the Meeting
Monday, July 16, 2007
10:00 a.m., Senate Hearing Room 1

Members Present:

Senator Thayer Verschoor, CoChair
Senator Victor Soltero
Alice Bustillo
Rani Collins
Dr. Fred DePrez

Representative Mark Anderson, CoChair
Representative Cloves Campbell
Andy Swann

Members Absent:

Richard Fimbres
William Udall

Staff:

Dawn Nazary, Senate Education Committee Analyst
Ingrid Garvey, House Education Committee Assistant Analyst

Chairman Verschoor called the meeting to order at 10:03 a.m. and attendance was noted.

Senator Verschoor introduced two new members of the committee, Representative Cloves Campbell and Andy Swann.

APPROVAL OF MINUTES

Senator Verschoor moved the minutes of July 26, 2006 be approved.
Without objection, the minutes were approved as distributed.

Overview of School Safety Funding/Legislative Changes

Dawn Nazary, Senate Education Committee Analyst, distributed the packet, "School Safety Program Oversight Committee" (Attachment A) and it was referred to throughout the meeting. She referred to the Joint Legislative Budget Committee's Appropriation report showing the final adopted budget for the School Safety Program for 2008 that is \$6,728,300 in General Fund monies. She explained that includes 3 full time employees (FTEs) and stated that the program used 1% of its total budget for administrative costs. In 2000 the voters approved Proposition 301 which increased the Transaction Privilege Tax (TPT) by six tenths of a percent and that funding is completely dedicated to

education programs. Of the six tenths of a percent that is collected yearly \$7.8 million is allocated to the School Safety Program. The total amount of the funds available for the School Safety Program on an annual basis is approximately \$15 million.

Ms. Nazary explained that the School Safety Program was created ten years ago and this year went through a sunset. The program was continued for ten years with the passage of House Bill 2045 in 2007. The program and the oversight committee are scheduled to terminate July 1, 2017. She explained that the program will change from a continuation program to a competitive grant program. This change will not go into effect until the 2009 award cycle. Ms. Nazary said that because of this the material being reviewed today is based on the current process of schools that have been participating in the program will continue to participate.

Ms. Nazary noted that she included in the member's packets the statutes pertaining to the School Safety Program and the charge of the committee. She stated that an evaluation is done on the program every year and the members get a copy of this report.

Representative Anderson asked if there is any actual data showing the number of incidents that have been reduced due to the program.

Ms. Nazary deferred the question to the Arizona Department of Education (ADE) because they are the administrators of the program. She stated that Ms. Collins is the Department of Education's designee and there are others from the Department here to give information about the program.

Rani Collins, Department of Education Designee, responded to Representative Anderson by stating that it has been requested that we develop an evaluation methodology to look at actual incidents on campus. ADE is currently looking at data over the last several years and should have that hard data to the committee by November of this year.

Dr. Fred DePrez asked for verification that the program is no longer a continuation grant but now a competitive grant program.

Ms. Nazary explained that evaluations and awarding of grants will now be on a competitive basis rather than because a school was in the program in the past. She stated that due to the changes in the program ADE will likely have to convene a working group to look at how to set up a competitive process for this program.

Dr. DePrez stated that he is a school principal and one of the benefits of the program is knowing you have an officer as part of your staff. In Chandler, it has been about a three-year commitment on the officer's part. One of my concerns is the schools not knowing in a reasonable amount of time whether or not they will have an officer for that school year, in order to plan better. I think this is really going to make it difficult for law enforcement agencies and for schools both in terms of providing officers and in terms of

bringing that officer into the school and making him part of the community and planning over any length of time.

Ms. Nazary explained how the legislative change came to be. She explained that Senator Linda Gray felt that by making it a competitive grant process the monies could be maximized in the most efficient matter. Ms. Nazary explained that it was felt that a reevaluation of need would be better, making it a matter of need rather than entitlement. Over the last few years the dollars have not been there to bring new schools into the program and today there is a large disparity between need and availability of resources. Ms. Nazary offered to provide any member with information from the meeting.

Alice Bustillo explained that there is a manpower issue, but also an issue of schools that do not have the wherewithal to apply every year. She stated that she understands Senator Gray's points but feels that it is going to be a hardship on schools who really have the need, but not the resources to apply and therefore the grants would go away.

Representative Anderson stated that there are similarities with the Career Ladder Program where at some point due to funding they quit accepting new schools into the program. This leads to disputes about the inequity of some schools having the funding and others not. He asked how much time there would be between when the decision was made and the school year.

Ms. Nazary explained that this committee decides the awards and they meet generally in July to give ADE time to award the schools before the beginning of the school year. She said the application deadline is April 15, then the evaluations, criteria and awards have to be done and given to the committee to approve prior to the school year.

Dr. DePrez questioned if it is contingent on when the state budget is approved.

Ms. Nazary stated that this is true because the general fund money is a little less than half of the total program. She also stated that the general fund money is contingent on the legislature making it part of the state budget.

Senator Soltero questioned the window of opportunity to make these decisions. He suggested possibly ADE, the Committee and the schools make decisions and prepare the prior year.

Ms. Collins stated that if the Program does go to competitive applications the Committee would have to meet earlier in the year in order to get the awards out to the schools.

Senator Verschoor questioned the deadline for the applications and how long the ADE needs to process the applications.

Ms. Collins stated that the deadline is April 15 and the process will be much more involved so they would probably need a month to process the applications, possibly by May 15.

Senator Verschoor questioned ADE's ability to complete the process earlier and suggested moving the deadline earlier.

Ms. Collins stated that moving the deadline earlier would not take care of the problem of the schools being notified in time. She said that she believes that the best course would be for ADE to get the applications processed and to the committee by the end of May.

Ms. Nazary stated that if a state budget is not approved by that time, the approval would have to be an estimated award with contingencies built into the grant application process.

Dr. DePrez questioned if the awards could be for multiple years instead of year by year.

Ms. Nazary stated that the process needs to be vetted out. She explained that during discussions it was decided that it would be an annual evaluation since the appropriation is an annual appropriation. It is the committee's decision. She stated that the Department is very familiar with competitive grants and could find a suitable model for this program. She said that there are definitely nuances to this program that need review and consideration by this committee and others involved in the program.

Senator Soltero stated that the continuity of the officer at the school is an important part of the effectiveness of the program.

FY 2008 Funding Summary and Budget Reduction Options

Jean Ajamie, Arizona Department of Education, thanked the committee for their dedication and attempts to increase funding for the School Safety Program. She referred to attachment A. She noted the budget carry over from last year. She explained that the amounts are decreasing every year. She stated that with the appropriation and the money from Proposition 301 the program has approximately \$15.6 million in revenues for the program. She explained that applications basically fund salaries, employee-related expenses, officers and facilitate officers and administration attending training. She explained that the application requests came in at \$18.5 million, ADE is allowed 1% for administrative support, there are \$144,478 for the Clearinghouse functions and the survey which is due to the Legislature September 15, leaves the anticipated shortfall of approximately \$3.5 million. Ms. Ajamie explained that the School Safety Survey is an annual survey on the safety of all schools in Arizona not just the ones in the program. Ms. Ajamie said that the application numbers are within two of last year and those two are due to a school closing and a school unable to get an officer.

Ms. Ajamie referred to a matrix of the history of funding for the program. She stated that since most of the funding goes to salaries and benefits the number of sites that can be funded has decreased. She explained that many agencies and districts gave ADE input and assistance in compiling 17 options for reducing the budget for the program (included in Attachment A). The department would like to make some recommendations on which options should be seriously considered. The department's opinion is that the success of the program is due to the partnership between schools, juvenile probation and law enforcement. Ms. Ajamie explained that the options are not based on need or best practices according to research, but are based on trying to balance the budget of the program. ADE would like the committee to consider options one through seven as being the most feasible. She explained that option one is consistently brought up to consider schools who are consistently non compliant.

Senator Soltero questioned the definition of the term noncompliant.

Ms. Ajamie explained that it is a term used often when working with programs and grants. Certain paperwork is required, training is required, and onsite reviews are performed. Actively attempting to show compliance must be shown.

Representative Anderson questioned a previous form having the category "problematic schools" but it not being on the current form. He asked if probation officers and law enforcement officers, whom normally have different jobs, perform the same tasks while at the schools.

Ms. Ajamie explained that problematic districts are ones that have problems with compliance but not to the point of being noncompliant. It was removed from the list because it is not a good idea to label districts as problematic. Ms. Ajamie explained that School Resource Officers (SRO) and Juvenile Probation Officers have different strengths and ways of approaching a situation, but both understand the juvenile justice system and laws relative to juveniles. Both are very good at being proactive and teaching students law related education.

Alice Bustillo said that probation officers are little bit more diverse in terms of subject matter experts. She explained that SROs are on campuses for specific purposes, but that many would like to be more involved, unfortunately, they are often called out of class for other duties and the probation officers step up.

Ms. Collins explained that the schools that were referred to as problematic were in the reduction recommendations under different criteria so that category was removed.

Senator Verschoor questioned if option 4 on the handout was already in effect.

Ms. Ajamie explained that it is already in effect but was put in so the committee could see it. She said that ADE's recommendations are actually Option One, Two, Five, Six and Seven. She stated that a list of schools that would be affected by these options and how they are affected is included in the packet in front of the committee. Ms.

Ajamie stated that the options recommended add up to a savings just under the shortfall.

Senator Verschoor questioned option seven, reducing officer compensation to eleven months and requested verification on officers being compensated for a full year.

Ms. Ajamie explained that some officers are compensated for ten months, some for eleven months and some for 12 months. It depends on the needs of the schools and needs of law enforcement. By reducing salary of 116 officers by one month, it may be more feasible for participating stakeholders to cover that month, than to lose the officer all together.

Ms. Ajamie explained that some of the options may require legislative action.

Dr. DePrez asked for more explanation of option 3.

Ms. Ajamie explained that some districts are given estimates on salaries and ADE questioned possible changes at the start of the new fiscal year.

Senator Soltero questioned the average amount of time that one SRO is at a school.

Ms. Ajamie explained that ADE has not accumulated that data, but it definitely varies by school.

Ms. Collins verified that some officers have been on for the duration of the program and some schools can not keep an officer for a full year.

Senator Soltero questioned why a school might not be able to keep an officer.

Ms. Collins explained that many law enforcement agencies have problems with manpower. Some law enforcement departments are so small they often have to pull their officers off the school campus for other community issues.

Representative Campbell questioned if schools close to one another may possibly be serviced together.

Ms. Ajamie explained that it was not evaluated on a case by case basis. She stated that research required for that type of evaluation would be done in the coming months.

Ms. Collins explained that in parts of the application there are current cases of schools sharing officers.

Andy Swann questioned how an officer's salary was calculated between a school and the agency he works for. Who pays for what?

Ms. Ajamie explained that it is different by agency and location. She said some officers are funded 100% by the grant, but in order for them to be funded like that they need to supply evidence that their services are needed in the summer months. The general rule is that a grant pays for an officer to be placed for 10 months.

Mr. Swann questioned a situation where an officer is called away to other law enforcement duties. Is the grant paying for an officer on the street?

Ms. Ajamie explained that the guidance manual estimates that an officer will be on campus 75% of the time, taking into consideration that there will be times that the officer will need to interact with their agency. When an officer is called off campus there is a process in place where the agency would reimburse the grant that amount of money.

Diane McGinnis, Director, Juvenile Court in Pinal County, President, Statewide Probation Chiefs Association, requested that the funding stream be adjusted in a way that the Probation Department be allowed to help manage the shortfall. She stated that individual grants do not allow the flexibility to manage salaries with only one employee per grant. She stated that the Probation Chiefs suggested that the committee or ADE look closely at what is causing the shortfall. It was also recommended that the committee revisit the competitive grant process. She explained that the probation department could control salary costs and manage their people better with a block grant process. Ms. McGinnis stated that doing the competitive process every year instead of in multiple year funding streams would be very difficult for all but especially for the largest counties in the state. There is too much potential for large fluctuations in funding from year to year.

Dr. DePrez questioned the participation of Ms. McGinnis's department in a yearly competitive grant process.

Ms. McGinnis said the department would not be able to afford to participate in all eleven of the current positions. The number that could be afforded would depend on the quality of the work received by the Superintendent's office in those grants. She said that maybe three or four would be able to participate depending on the departments resources to absorb the other officers. Ms. McGinnis stated that a memo went out from ADE requesting the schools not contract with the Probation Department due to the shortfall, but there are officers working summer programs and they have salaries that need to be paid. The Probation Department has told those officers to stay and not disrupt the schools, but requests that the committee ask ADE remove the request.

Dianne Uedenich, Mingus Union High School, Cottonwood, explained how helpful and necessary the Law Enforcement Officer and the Probation Officer are for the campus.

Scott Muir, Chino Valley Unified School District, described how it saves money if a Journey Officer is used at the schools instead of a Senior Officer.

Dan Tomlinson, Supervisor, Yavapai County Juvenile Probation, explained that the difference between a Journey Officer and a Senior Officer is years and service and promotional achievement by the officer. Senior Officers are more experienced and Journey Officers have less time in service.

Senator Soltero questioned if the officers are there voluntarily or by assignment.

Mr. Tomlinson stated that the officers there want to be there.

Senator Soltero questioned having someone at the schools that wants to be there versus putting someone there just to save money.

Mr. Tomlinson said that they were looking for ways to stay in the program and save funding at the same time.

Mr. Muir stated that the school works together with the Probation Department in the hiring process.

Jesus Diaz, Deputy Court Administrator, Pima County Juvenile Court Center, requested that the memo sent out by ADE telling the schools not to contract with probation be rescinded. For Pima County there are 27 probation officers that are awaiting a decision regarding their positions. He said that his agency has many problems with the 11 month funding which have been articulated previously. He said that the officers must get paid whether it is from the grant or through the County or State. He requested that the committee take a hard look at where the shortfall is coming from since that is a key part of this issue. Mr. Diaz explained that many areas have done a diligent job of reducing problems, but the important part now is to sustain the reduction.

Dr. DePrez asked if Mr. Diaz's department will continue to participate if it is a yearly competitive bid process.

Mr. Diaz said it is too premature to make that decision.

Ms. Nazary distributed a copy of the memo (Attachment B) discussed, that ADE distributed, regarding waiting for official notification before contracting for services. It was to let all the entities know that decisions should not be made until the committee addressed the shortfall.

Ms. Collins explained that because the program is a continuing application, often times the officer would begin working prior to a contract knowing the funding would be there. Since the program will be changing to a competitive grant application we felt we should notify the entities not to proceed until it was learned what the impact of the shortfall would be.

Marc Couper, Principal, Mingus Union High School, explained that education is a large part of what their officers do on campus. He said that by interacting with the student, faculty and parents they can help before a problem arises. He said it is a great program and to please continue it.

Jeff Geyer, Assistant Principal, Loma Linda School, explained that their officers teach and help with prevention as well as dealing with problems. He stated that his school has reduced suspensions in his school 33%. He said that the district's goal is to reduce recidivism by 25% in a three year period; so far they have reduced it by 22.5%. The officers help with before and after school programs. They work with the at risk teens at home and at school. The Safe and Drug Free School Report that every school in the state has to fill out yearly should give the committee the hard data that they need to see how essential the School Safety Program is. Mr. Geyer suggested criteria be set up for the grant process so that the schools are not competing with each other but to meet criteria. He said that would be more fair. He suggested that whoever meets the criteria be awarded a grant. He stated that improving the climate and atmosphere in the schools helps the communities and has shown increased test scores.

Arno Hall, Juvenile Director, Navajo County, explained some of the problems for rural schools with the competitive grant process and that they have as much need as the urban schools.

James Collins, representing self, explained that he is an ex-police officer that has worked at schools with the program. He explained how important the program is to the students, faculty, administration, and community. He explained how the interaction needs continuity, because with familiarity comes security and the ability to spot a problem before it becomes a problem. He said that children are the most important thing and keeping them safe and in a good learning environment has to be our priority.

Dr. DePrez asked Mr. Collins his opinion on how the competitive grant process will affect the Phoenix Police Departments participation in the program.

Mr. Collins explained that it is very difficult to comply with the program not knowing whether a grant will be awarded or not. The police department needs time to be able to establish and train staff for the streets and the schools.

Senator Verschoor read the names of people who signed up for this meeting (Attachment C).

Consideration of FY 2008 Renewal Awards

Ms. Nazary explained the process the committee needed to go through.

Dr. DePrez moved that the School Safety Oversight Committee approve the renewal awards for fiscal year 2008 compliant applications. The motion PASSED by voice vote.

Dr. DePrez moved that the School Safety Oversight Committee approve the renewal awards for fiscal year 2008 pending applications. The motion PASSED by voice vote.

Senator Verschoor explained that the committee could move the reduction option in any combination they chose.

Dr. DePrez stated that he is uncomfortable with option 7 right now. Due to not having the proper information and therefore with very little time they would have to come up with the 12th month salary it might effect the rural districts more than the urban districts. He said he is concerned about the rural districts not being able to come up with the salary.

Ms. Ajamie explained that it will vary location by location depending on the resources of the agency and the resources of the school district.

Mr. Swann questioned any delay increasing the hardship due to less time and further uncertainty. He stated that his opinion is that the decision needs to be made today.

Senator Verschoor stated that cuts are going to have to be made and option 7 was probably put forward instead of choosing several positions not be funded at all.

Senator Soltero said that input has been provided by many districts, urban and rural, hopefully priorities were set and contingencies placed.

Ms. Ajamie stated that all recommendations have been reviewed by ADE but were not done in concurrence with all of the stakeholders.

Andy Swann moved that the School Safety Oversight Committee approve the Arizona Department of Education recommendations for FY 2008 award reductions.

Mr. Swann stated many were hoping that no cuts would be made, unfortunately I do not think it is in the best interest of this committee to increase the amount of funding. If it were, we probably would increase the funding but since it is not in our power in order to make the program work as a whole some cuts are going to have to be made.

Dr. DePrez said that he would like to second that. The committee has to divide up what has been appropriated. He said that if the public wants to keep the program going and increase funding they need to talk to their local legislator and convince them of the importance.

Senator Soltero said that two things are very vital to the program. One is, it needs more funding and two, the new application process will be causing some problems and needs to be looked at.

Dr. DePrez seconded the motion and a voice vote was taken.

Senator Verschoor was in doubt and asked staff if he had to ask for a roll call vote. Senator Verschoor added a tie will defeat the motion.

Senator Verschoor asked for the voice vote again then stated “I am going to make a ruling, but any member may challenge that ruling and ask for a roll call vote. I am going to say that the ‘Ayes’ have it...., do have it....., so ordered.”

The motion PASSED by voice vote.

Consideration of Arizona Foundation for Legal Services and Education contract

Ms. Nazary explained that this is an award of School Safety Program money for an outside vendor.

Jeff Schrade, Senior Director, Arizona Foundation for Legal Services and Education, the contract under consideration by the committee is for training of all the officers in the School Safety Program. He explained that the Foundation exists as a non-profit entity to fulfill the mission, which is promoting access to justice for all Arizonans. He explained that it has been found that offering law related education to children and teaching them about the law and citizenship expands their access to justice by empowering them to be involved civically and engage in the system. It also reduces crime and juvenile delinquency. He said that the Foundation works very closely with the Department of Education. Mr. Schrade said that they have reduced their budget from last year by 15%. He said the contract is for \$304,305.

Alice Bustillo moved that the School Safety Oversight Committee approve the renewal of the Arizona Foundation for Legal Services and Education contract. Dr. DePrez seconded the motion. The motion CARRIED by voice vote.

Senator Verschoor asked for any further public testimony.

There being no further business, the meeting was adjourned at 12:15 p.m.

Respectfully submitted,

Shelley Ponce
Committee Secretary

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