



# The New Jersey Center For School Safety

The Resource For School Safety Providers

## Setting The Record Straight On New Jersey Special Law Enforcement Officers - Class III

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Since the Columbine High School massacre over twenty years ago, there have been many mass shootings in schools throughout the country. Following the student slaughter in Newtown, Connecticut in 2012, multiple organizations and individuals in education and law enforcement studied school safety and developed policies, procedures and best practices. In New Jersey, there was a collaborative effort that involved the Attorney General, NJ School Boards Association, Chiefs of Police Association, State Legislators, New Jersey Association of School Resource Officers ("NJASRO"), County Prosecutors, State and Local Law Enforcement, mental health professionals and others, to make recommendations to local school districts throughout the state.

While everyone involved in the process wanted to make schools safer for students and employees, there was also a concern that "over policing" in schools would have an impact on the learning environment of schools and negatively affect school culture. Some school districts hired armed security guards or retired police officers who were authorized to carry a weapon. Ultimately, the Superintendent of Schools decides if an employee is permitted to be armed on school property. While this provided armed security in schools, these individuals weren't necessarily trained to interact with students and may not have had experience working in a school environment. Other concerns were raised that these armed individuals did not have police powers, police immunity and were not in the chain of command of the local police chief. These individuals, even though armed, could not effectuate a lawful arrest, and were not required to have the training of a school resource officer. All these factors raised concerns of liability for local school boards and municipalities.

School Resource Officers ("SRO") are "police officers" who have extensive training, experience with the juvenile justice system and community policing in schools.<sup>1</sup> They are role models, mentors and act as a liaison between the police department, school administrators and the local community. In many cases, SROs also teach classes such as the DARE curriculum to elementary students and play a vital role, on all levels, in

<sup>1</sup>School Resource Officers are fulltime, on-duty Police Officers.



identifying at risk students, cases of abuse, intervene in drug and alcohol use and provide support for students who feel they have no one to turn to. SROs also provide law related education to high school students in driver's education and business-related classes, among other courses. While most would agree that a fulltime police officer who is also a School Resource Officer is the ideal solution, this option is out of reach to many New Jersey districts because of budgetary restrictions. A full-time officer who is an SRO can cost in excess of \$100,000, per year, per officer, including salary and benefits. Also, a full-time officer can be ordered to respond to police matters outside of schools causing them to leave school grounds during the school day.

As a compromise to the desire to have fulltime SROs in schools, balanced against the significant cost and the 2% budget cap for New Jersey public schools, the legislature and Governor Christie offered a solution in 2016. NJASRO played a substantial role in providing pertinent information and proposing legislative language to find a solution to provide high quality and cost-effective safety measures for schools. With the signing of Senate Bill 86, Governor Christie promulgated into law, the creation of Special Law Enforcement Officer – Class III (“SLEO Class III”).<sup>2</sup> To qualify as a SLEO Class III officer under the law, the following requirements must be met:<sup>3</sup>

- *Must be a retired police officer who has previously served as a duly qualified, fully trained, full-time officer in any municipality, or county of this state, or as a member of the New Jersey State Police, and must be living in New Jersey.*
- *Must be retired from that agency in good standing.*
- *Must be less than 65 years of age for appointment.*
- *Must pass a psychological exam.*
- *Must pass a medical exam and have a doctor complete Medical Certification Form.*
- *Must pass a Drug Test pursuant to Attorney General's Law Enforcement Drug Testing Policy.*
- *Must have an updated background investigation.*
- *Limited Break in Service. During the first year of the program (July 1, 2017 to June 30, 2018), a new SLEO III's break in service may not exceed five (5) years. Starting July 1, 2018, a new SLEO III's break in service may not exceed three (3) years.*

Once a SLEO Class III is appointed to a school district, the officer must do the following:

- *Once a SLEO Class III is appointed to a school district, the officer must do the following:*
- *Provide the Police Training Commission documentation confirming date of appointment*
- *File notice of NONA form.*
- *Complete SRO training within 12 months of being appointed.*
- *Conform to Attorney General's Mandatory in-service training requirements.*
- *Must be a uniformed officer, displaying the Special Law Enforcement Officer Class III patch provided by the Police Training Commission.*
- *Complete Agency Training.*
- *Must be appointed yearly and must be less than 65 years of age (can only be reappointed up to age 65).*

<sup>2</sup>Susan K Livio, "Christie Signs Bill Letting Armed, Retired Cops Provide Security in N.J. Schools," NJ Advance Media for NJ.com, November 30, 2016.

<sup>3</sup>New Jersey Police Training Commission Checklist for Special Law Enforcement Officer – Class III, updated February 22, 2018.



The creation of the SLEO Class III now allows school districts to have a more affordable option to enhance school security and increase the number of highly trained SROs in New Jersey Schools. Additionally, many SROs in New Jersey, receive their training from NJASRO. SLEO Class III officers are typically paid hourly and do not receive health and retirement benefits for this position. The SLEO Class III officer is generally hired by the Chief of Police of the local police department and is in his/her chain of command. Payment for these positions can be paid by the board of education, the municipality or on a fee sharing basis. It is important for all sides involved from the superintendent of schools, mayor, council and police chief to have an open and productive line of communication on this topic.

NJASRO Executive Director, Deputy Police Chief Patrick Kissane, emphasizes that “SLEO Class IIIs are much more than an armed security guard. They are Community Police Officers in our schools and are as effective as any fulltime SRO assigned to a school. They are also specifically trained to work with students and that is invaluable to address the everyday issues students face.” Kissane adds, “to be crystal clear, an SRO must be a police officer. Under the law, a SLEO Class III is a police officer.” (Emphasis Added). However, these SLEO Class III officers may also be supported by unarmed security guards who can check student IDs, register visitors and secure all entrances and exits to the building. Security guards can also monitor security cameras and carry out other measures to provide additional layers to school safety.

This in turn allows the SLEO Class III to focus on community policing in the schools, intervening where appropriate in cases of

bullying, substance abuse and awareness, sexting, school violence or identifying domestic abuse. SRO training encourages the development and nurturing of building relationships between SROs and students. This not only addresses ongoing safety issues in the school but also enhances climate and culture in the schools and raises student awareness. NJASRO President, Det. Sergeant Timothy P. Gerity states, “culture trumps strategy every time. We can implement all kinds of strategies to deal with safety issues as they arise, however, if the culture and climate do not support a safe nurturing learning environment, our strategies will be rendered ineffective.”

Dr. Maurice Elias, a professor of psychology at Rutgers University, has written extensively on school culture and climate, states:

“If there is a greater police presence in the schools, ensure that this becomes a teachable moment and help students understand everything that police do, and invite other emergency service providers into the school to discuss what they do, walk around and be visible to students, and help all students understand that their safety in all respects is important. The community cares about them and they should appreciate this.”<sup>4</sup>

He continues:

“In such schools, students learn to be empathic to their classmates, including those who are different, and to be upstanders, not bystanders. They learn that violence is not a way to solve problems and they learn how to manage their strong emotions. These schools embrace students who are suffering from mental health difficulties, ensuring that they get needed services, and, should they drop out or otherwise leave, that they are followed.”<sup>5</sup>

<sup>4</sup>Maurice J. Elias, “Police Presence in Schools: A Social-Emotional Learning Perspective,” Edutopia, February 5, 2013.

<sup>5</sup>Maurice J. Elias, “Police Presence in Schools: A Social-Emotional Learning Perspective,” Edutopia, February 5, 2013.



While there is no magic wand that can be waived to make schools completely safe, the utilization of SROs and/or SLEO Class IIIs goes a long way to not only providing onsite armed security by an on-duty police officer in the unfortunate event of an active shooting, it also provides an invaluable presence and highly trained individual to deal with the issues students face on a day to day basis. This coupled with the recommendations of Dr. Elias, makes schools safer for security, emotional and mental health concerns. For more information on training and classes for SROs and SLEO Class IIIs, please contact the New Jersey Association of School Resource Officers at [www.njasro.org](http://www.njasro.org).

## Information About the Author:

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### **New Jersey Association of School Resource Officers**

The New Jersey Association of School Resource Officers (NJASRO) is a not-for-profit 501(c)(3) organization. NJASRO is for school-based law enforcement officers, school administrators, and school security/safety professionals working as partners to protect students, school faculty and staff and the schools they attend. The true and tested strength in the School Resource Officer program is that it is much more than a curriculum. The SRO Concept can easily be adapted to the needs of ANY community, desiring safe schools, and effective community partnerships.

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