



## The Student Safety Act

### What does it do?

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The Student Safety Act creates accountability and transparency over police behavior in our schools. Specifically, the Student Safety Act...

1. Gives students the right to file complaints against school safety agents (SSAs) with the Civilian Complaint Review Board (CCRB).
2. Lets students file complaints against SSAs without parents or guardians being involved. In some special cases parents may need to provide permission to the CCRB to access their child's education records.
3. Encourages prosecution of SSAs guilty of official misconduct – such as retaliating against a student who files a complaint against them.
4. Makes the NYPD and the DOE report to the City Council about police involvement in incidents in schools and disciplinary actions including the race, ethnicity, age, gender and special education status of those involved.

### How can you use it?

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1. The Student Safety Act brings accountability to the way our schools are policed. Students can file a complaint against a School Safety Agent for excessive use of force, abuse of authority, discourtesy, or use of offensive language. Students can file the initial complaints without parental consent or involvement. SSAs who retaliate against students for filing complaints can be prosecuted by the state.
2. The Student Safety Act creates transparency over police activities in our schools. The public will have a much better understanding of what is actually happening in our schools. New Yorkers will then be able to make a determination about whether the police are doing a good job securing our schools while also protecting students' rights.

## How does it work?

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The Student Safety Act has four main parts:

1. Section One: Legislative Intent and Findings
2. Section Two: CCRB Jurisdiction Expansion
3. Section Three: NYPD Reporting Requirements
4. Section Four: DOE Reporting Requirements

### Section One: Legislative Findings and Intent

This section says that the City Council believes that abusive School Safety Agents are not being held accountable for their actions in New York City Schools and therefore that **students need to be able to file complaints against SSAs before the Civilian Complaint Review Board**. It also reminds the reader that officials such as SSAs that are guilty of official misconduct – such as retaliating against a student who files a complaint against them – should be prosecuted.

### Section Two: CCRB Jurisdiction

Section Two adds one sentence to the section of the New York City Charter that creates the Civilian Complaint Review Board. As it is now, the charter states that people can file complaints against “members of the police department,” but the CCRB claims that School Safety Agents are not members of the police department.

The new sentence **identifies School Safety Agents as under the jurisdiction of the CCRB**. This means that students will be able to file complaints against SSAs the same way people can file complaints against police officers.

This provision also **identifies School Safety Agents as a law enforcement unit**. This definition is important because the CCRB **can** access **law enforcement** records without parental consent for students under 18. If School Safety Agent records are considered **school** records, then the CCRB **may not** be able to access them without parental consent if the student is under 18. This is because of a 1974 federal law called the Family Education Rights and Privacy Act (FERPA) that protects the privacy of student records.

### Section Three: NYPD Reporting Requirements

Section Three adds to the section in the New York City Administrative Code that lists the information the NYPD has to report to the City Council. Right now, the NYPD does not have to report raw data on criminal incidents in the schools so they can say that the schools need a huge police presence without backing it up. They can also avoid saying whether SSAs mainly take action on safety issues like weapons possession or on minor disciplinary issues like wearing a hat in school.

#### **The NYPD will have to report four times a year on:**

1. The number of criminal incident reports submitted by SSAs in the city and by school.
2. Information on the race/ethnicity, age, sex and special education status of students involved in any incidents and against whom any police action is taken.
3. The number of incidents involving metal detector or magnetometer scans as well as the amount and type of weapons and drugs seized as a result of metal detector or magnetometer scans.
4. The type of police action taken in each incident (arrest or summons) and the class of each alleged crime (felony, misdemeanor or violation).

### Section Four: DOE Reporting Requirements

Section Four adds to the section in the New York City Administrative Code that lists the information the DOE has to report to the City Council. Suspensions and expulsions have increased dramatically in the last few years, but specific information on which students are being excluded from school and why has not been available.

#### **The DOE will have to report four times a year on:**

1. The number, length and cause of every suspension and expulsion in the city.
2. Information on the race/ethnicity, age, sex, special education status of all students who are suspended, expelled, or removed from classroom by a teacher,

**Youth, community and advocacy organizations will be able to use these data for campaigns related to school safety. The data will allow the public to determine whether the police are doing a good job securing our schools while also protecting students' rights.**