Students' Rights and School Resource Officers: How School Teams Can Protect Students

Caroline Morales[1], Mia Morales[1]

[1]Fayette County Public Schools, Lexington, Kentucky, USA

Correspondence: Mia Morales, Fayette County Public Schools, Lexington, Kentucky, USA.

Abstract

As more schools integrate heightened security measures and staff, including SRO's, into secondary schools, issues arise relating to violations of students' rights as well as criminalization of students. This paper provides a critical lens to infringement on student rights as well as suggestions for school-based teams (including administrators and SROs) designed to transition safety training away from punitive criminalization of students (perpetuating the school to prison pipeline) and instead focus on proactive relationship building and understanding of students' rights and needs.

Keywords: students' rights, administration, school resource officer, belief systems

1. Introduction

Public educational institutions bear dual responsibility: to foster intellectual development and to ensure the safety and security of their student populations. Consequently, there has been a notable escalation in the implementation of security measures within schools, including the widespread deployment of surveillance cameras and an increased presence of security personnel (National Center for Education Statistics, 2024). This heightened emphasis on institutional security, particularly the integration of law enforcement surveillance, necessitates a critical examination of students' Fourth Amendment rights while on school premises. This paper will delineate the scope of students' protections against unreasonable searches and seizures within the school environment and propose pragmatic strategies for administrators seeking to reconcile enhanced school security protocols with the imperative of safeguarding individual student liberties.

While this paper does not argue the whether the harms of police officers in schools outweigh the protection offered by their presences, research has indicates the educational impact of students who are arrested are less likely to enroll in a 4-year college even 10 years after graduation and more likely to have high educational aspirations without high expectations (Turney et al., 2023; Widdowson et al., 2016). Police contact - with or without arrests - negatively associated with both high educational expectations and high education aspirations, and youth police contact is associated with lower academic performance, less school connectedness, more depressive symptoms, and more delinquency (Turney et al., 2023).

Administrators are thus placed in a precarious position of protecting students from harm while also working with police that have been assigned to their school either through district action or state legislation. Training for school-based teams (Law enforcement/SROs and administrators, and other professionals with a role in discipline and school safety) should be developed with 3 goals in mind:

1. Reduce arrests of students for non-violent or non-serious events, thwarting a main factor in the school-to-prison pipeline.
2. Protect student rights in loco parentis.
3. Ensure the school is a safe learning environment for all students.

2. Students' Fourth Amendment Rights

Students maintain constitutional rights while in school. Administrators and other personnel in schools must be mindful of the rights maintained by students. Students have, including but not limited to, First Amendment rights, Due Process Rights, and, as discussed below, Fourth Amendment Rights (*Goss v. Lopez,* 1975; *New Jersey v. T.L.O.*, 1985; *Tinker v.*

Des Moines Independent Community School District, 1969). The Fourth Amendment protects individuals from unreasonable searches and seizures by the government (U.S. Const. amend. IV). Historically, the Fourth Amendment applied to law enforcement searching individuals; however, in 1985, the United States Supreme Court held that the Fourth Amendment does protect students from unreasonable searches and seizures by not only law enforcement, but also school officials (*New Jersey v. T.L.O.*, 1985). Since then, the lower courts have been navigating which level of suspicion applies based on the actor performing the search.

2.1 How School Administration differs from Law Enforcement - Searches

In fulfilling all goals of the training, first members of the team must understand their roles and limitations, both as school employees and concerning students' rights in school. Students have different levels of protection depending on the type of individual who is conducting the search. A brief summary of the type of individual nad the level suspicion required before searching an individual is located in Table 1. School administrators have to meet a lower level of suspicion to search a student compared to a law enforcement officer before searching a student. Administrators do not require a warrant to search a student, and the search need only be reasonable that searching a student will provide evidence the student violated or is violating a law or school rule (*New Jersey v. T.L.O.*, 1985).

Law enforcement officers require probable cause before searching a person (U.S. Const. amend. IV). The probable cause standard requires "there is a fair probability that contraband or evidence of a crime will be found" based on the totality of the circumstances (*Illinois v. Gates*, 1983, pp. 238-239). The standard is lower if the officer is performing a "stop and frisk" as the officer requires the officer "has reason to believe that he is dealing with an armed and dangerous individual." (*Terry v. Ohio*, 1967, pp. 26). This level of search is only applicable when the officer believes the person is armed and dangerous, and it limits the search to the outer clothing of the individual (*Terry v. Ohio*, 1967). Police officers searching an individual either require a higher level of suspicion or can perform a perfunctory search of the outer clothes if the officer believes the individual is armed and dangerous.

The newest personnel in school systems are school resource officers (SROs). Although the exact definition and role may vary by state, generally, SROs are law enforcement officers who have been trained to work in schools (National Association of School Resource Officers. n.d.). The Supreme Court of the United States has not decided the level of suspicion required for SROs, so each jurisdiction is creating its own precedent. Additionally, "additional training to work in schools" differs by state and school district, and has no uniform measure of effectiveness of said training.

A brief overview of case law indicates the nation is split on the level of suspicion required for SROs. Some states, such as Pennsyvilana, California, and Illinois, view SROs as a school official that only require reasonableness before searching a student (*Commonwealth v J.B.*, 2008, *In re William*, 2003, *People v. Dilworth*, 1996); whereas other states, such as Georgia and Washington State, have found SROs acting as police officers during their search and thus subject to a higher level of suspicion (*State v. Meneese*, 2012, *State v. Scott*, 2006). The implication, however, is that students, depending on their jurisdiction, may have a lower expectation of privacy from police officers while on school grounds and are subject to the same legal consequences of police officers.

Table 1. Type of individual and level of suspicion required for search

Individual	Level of suspicion
Administrators	Reasonable suspicions
Police officers	Probable cause
SROs	Reasonable suspicion (Pennsylvania, California, Illinois)
	Probable cause (Georgia, Washington State)

3. The School Team

A functioning school has several collaborating individuals. In addition to the school board, administrators, and teachers, most states require law enforcement to be included within schools (*K-12 School Safety 2022 - Education Commission of the States*, n.d.). These school leaders that are required to incorporate law enforcement must be mindful of the role law enforcement plays if they want to protect their students' constitutional rights.

3.1 Law Enforcement as a Member of a School Team

Incorporating law enforcement officers into school teams, especially with unspecified training, can be problematic due to a higher prevalence of "brotherhood" or collective identities (Hall, Hall & Perry, 2016). While much less specific data exists for SROs, many were law enforcement officers before they entered a school and are likely to also hold "us vs. them" mentalities. A lack of diversity in police forces (where 88% are males, and around 80% are white) means that "us" often means white males, and "them" means anyone else - and considering the diversity of scholars in public schools,

most students will be "them". In a study of police officers and undergraduates, black males were perceived as older and less innocent than white males (Goff, Jackson, Di Leone, Culotta, & DiTomasso, 2014). This perceived adultness made young black males appear to be more appropriate candidates for greater use of police force (Goff et al., 2014). It is therefore possible - even probable - that an SRO assigned to an inner-city school perceives young black males (14 or 15 years of age) as "them", and necessitating expectations and force appropriate for an adult. Considering it is well established that the brains of high schoolers are not yet mature, especially regarding impulsivity, decision making, and emotions (Toga, Thompson & Sowell, 2006), SRO's common misperception of young black males as adults can lead to unfair expectations and unfair punishments.

An officer that is an established figure in law enforcement is likely to hold stronger "us vs. them" mentalities than new officers, regardless of race (Kemme, Hanslmaier, & Abdul-Rahman, 2021). Unsurprisingly, therefore, new recruits are more likely to see the need for and be receptive to diversity trainings (Gould, 1997). Though teams may not always have the opportunity to hire new recruits and foster a team-based attitude "from scratch", school team trainings that include SROs in cultural sensitivity and conflict de-escalation are imperative. The addition of SROs to schools correlates with an increase in criminalizing traditional school discipline issues, unintentionally promoting the school to prison pipeline (Bracy, 2010; Mukherjee, 2007). The increasing adherence to zero-tolerance policies multiplies school arrests without affecting school safety - in some aspects school safety may actually decrease (Mallett, 2019). Students with disabilities or those who are members of minority groups are more likely to be unduly penalized by these policies, which become more punitive or exclusionary with a SRO (Taylor, 2024).

3.2 School Team Beliefs

School team training, therefore, must specifically team the administrators and the SROs to frame the "us" in the collective identities to be the school itself. This can be done by having the school team explicitly define team goals framed around serving the entire school - including all students and staff. An individual encountering new experiences will build on any related beliefs to make sense of the situation and determine an appropriate response (Ertmer, 2005; Nespor, 1987). This means individuals are likely to interpret experiences in a manner that reinforces their established belief system - especially because an individual does not use external validation when evaluating their beliefs the way they acknowledge external validation with knowledge "facts" (Nespor, 1987). Belief systems are also hard to navigate, since people can rationalize holding conflicting beliefs (Ertmer, 2005). An individual can believe that inherent societal bias encourages racism and disadvantages children of color, but they can also believe that an individual child of color is inherently less innocent and more deserving of punishment (as mentioned above). Thus, team trainings must acknowledge these issues of the human psyche and suggest methods of collaborative effort to combat bias, potentially grounded in Transformative Learning Theory.

Transformative learning theory (TLT) is a way of understanding the adult learning process (Taylor, 2009). Transformative learning can assist adults with coping skills when presented with a dilemma that does not align with their established assumptions and beliefs. Across all of TLT's various applications in adult learning situations, transformative learning starts with a triggering event and results in a deep perspective shift, able to change both a knowledge base and belief system (Taylor, 2009). A key component of TLT is the ability to critically reflect through discourse on their experiences (Watkins, Marsick, & Faller, 2012). Reflection in TLT is a process of finding significance and purpose in the learning process for the learner (Taylor, 2009). Transformative learning must be a cohesive process, with total investment from the learner, lest engagement be lacking and learning evaded (Taylor, 2009). Thus, the key components in transitioning belief systems are a provoking event, learner engagement, and critical reflection. Incorporating these factors into a school team's training and practice, along with a psychologically safe environment to discuss, will assist all members - SROs and administrators both - in combating biases and serving all students.

3.3 Team Roles

Administrators and behavior coaches likely have significant training in conflict de-escalation, students with emotional and behavior disabilities, and restorative solutions to behavior issues. Thus, they are a resource to their SRO's as they develop the same skills. They can also model the use of specific strategies in practice with the understanding that the administration/behavior coach is the "first responder" to non-violent or non-serious disciplinary issues. A wide variety of incidents of these types of offences fall under the umbrella of "disorderly conduct" and behavior previously addressed by school officials that can become criminalized under SRO's (Snap et. al., 2015). This type of defined hierarchy of responses (behavior coach, administrator, SRO) is a safeguard against criminalizing low-level school behavior. An encounter with law enforcement as a juvenile negatively affects a youth's mental health, reinforces violent attitudes and behavior, and increases the odds of future involvement in the justice system (Nance, 2015). This effect is magnified in students of minority racial, ethnic, or gender/sexuality status (Snap et. al., 2015). Thus, this allows team members to invest in addressing student behavior while thwarting school-to-prison-pipeline tendencies.

Administrators (as well as teachers) often also take on the role of mentor to students in need. Teams should train and encourage their SROs to take on similar roles with students in need, as interactions with SROs can increase student's feeling of safety as well as likelihood that a student would tell an SRO if something unsafe was happening in the building or at home (Garstka, 2020). Additionally, higher visibility as a member of the school community increases the opportunities for all members of school teams to have positive interactions with students.

The researcher once encountered an SRO that covered front office duties during staff lunch hour, interacting positively with students, staff, and parents. This likely increased the officer's feeling of belongingness within the school, while forming positive associations with the large number of people passing through the main office. In this instance, this undertaking was effective because the officer believed he served the school (we are all "us") and in doing so, created trust with his community. Similarly, administrators positioning themselves to have positive interactions with students, staff and families garners the same goodwill and serves the same school service belief system. Thus, training for the school team should create specific brainstorm opportunities for members to positively associate with members of the school community. Attention should be paid to students who may have had prior negative interactions with law enforcement; they may not be comfortable with SRO's and so positive interaction opportunities should be plentiful, but not mandatory.

Law enforcement officers are unlikely to have previous training on students with disabilities, but these students make up a disproportionate amount of students with negative law enforcement interactions and a disproportionate amount of the population in juvenile correctional facilities (Taylor, 2024). Administrators, who usually were teachers before they were school leaders, likely have more of a background with students with disabilities but usually do not have the same in-depth understanding that a special education teacher would have. Thus, school teams should train together on the needs of students with disabilities, how to identify their individual needs and plans using the school resources, and specific strategies used to mitigate a situation in which they may be involved.

School resource officers mandatory training, if any, will be dictated by the state or by the individual school district depending on the state. For example, KRS 158.4414 outlines the training required by a police officer to be certified as an SRO (Kentucky Revised Statutes 158.4414, 2025). Training for SROs that focus on trauma-informed care (TIC) and adverse childhood experiences (ACEs) may shift perspectives from policing students to viewing the students as children who need empathy and understanding (Forber-Pratt et al, 2021).

4. Limitations

This article comes with several limitations. Different states have different training requirements for their SROs, and there are few universally accepted measures for SRO or behavior team effectiveness (Forber-Pratt et al, 2021). Thus, methodological difficulties would arise in pilot testing the proposed school team training program. Furthermore, while SROs are becoming more common in schools across the country, the researchers have been unable to find primary funding to pilot the team training initiatives. Many states have unfunded SRO mandates; this aligns with the lack of fiscal investment in determining best practices for integrating resource officers into school behavior teams.

Additionally, SROs are not uniformly used. Each state has different definitions of an SRO, and their roles and responsibilities can even be determined locally at the school level. The individualization makes it difficult to prescribe a best practice for all schools. Given these limitations, the major takeaway section is designed to be flexible to meet the situation at any given school.

5. Major Takeaways

All members of school teams need to be well-versed in student rights, and should train together to avoid differing interpretations and calibrate team thresholds for when a students' individual rights may infringe upon the rights or safety of others. This calibration should take place in an environment where all members can recognize and address their inherent beliefs in a safe environment. This teamwork can provide potentially transformative learning events, ensuring team beliefs are clearly stated, coherent among the team, and action steps are aligned with a belief system that creates a space for all students to be safe to learn. To revisit, law enforcement officers joining school teams (and occasionally administrators as well) may have   strong "us vs. them" belief systems in addition to the unconscious belief systems all persons possess. Transformative learning theory holds that the key components in transitioning belief systems are a provoking event, learner engagement, and critical reflection. Structuring time for the school team to address calibration questions, like those listed below, may provide the triggering event to change inherent "us vs. them" or otherwise biased belief systems and ensures the team operates transparently for all learners.

Potential questions a team can use to calibrate may be:

1. What constitutes "reasonable suspicion" and what constitutes "probable cause"? How are they different? How does the team react differently to each, and why?

2. When does a student's right to free speech violate a school rule? When does it become a threat or other legal matter? What is our team's threshold for investigating a threat with law enforcement?

3. What constitutes due process, and who can give it?

Teams should also train together to understand the role of each member in both proactive and reactive safety issues. Potential questions a team can use to calibrate may be:

Proactive:

1. What student(s) seem to need a mentor, and how do we know?

2. How can the team ensure students in need of guidance have access to form meaningful relationships with different adults, while also ensuring student autonomy?

3. How can we make this team and other staff most visible to students who may be struggling and provide assistance before a behavior incident occurs

4. If a student shares information about a potential safety concern, how do we protect that student from retaliation?

5. What additional strategies do we have to work with students with disabilities, and how can we access a student's individual plans?

Reactive:

1. What strategies are used for non-violent behavior issues, and by whom? Are there special strategies we have for students with disabilities? How are situations escalated, and by whom?

2. What strategies are used for emergent but non-series behavior issues? What issues have we seen in our school that may fall under this classification? How are situations escalated, and by whom?

3. How do we repair a student's relationship with the school after a violent or traumatizing behavior event, understanding that students are required to be a part of our school community and thus we need specific plans to meet our re-integration goal.

Group analysis of these questions, designed to highlight team members' participation as a member of the school community while also acknowledging their important role in providing a safe environment, may improve perceptions of the school as a positive place for all students (not just those who do not have behavior incidents). Furthermore, this transitions the focus from reactionary security methodologies (metal detectors, punitive consequences, and criminalization of students) to proactive methodologies focused on the safety of all students - even those with behavior difficulties.

Acknowledgments

Not applicable.

Authors contributions

Not applicable.

Funding

Not applicable.

Competing interests

Not applicable.

Informed consent

Obtained.

Ethics approval

The Publication Ethics Committee of the Redfame Publishing.

The journal's policies adhere to the Core Practices established by the Committee on Publication Ethics (COPE).

Provenance and peer review

Not commissioned; externally double-blind peer reviewed.

Data availability statement

The data that support the findings of this study are available on request from the corresponding author. The data are not

publicly available due to privacy or ethical restrictions.

Data sharing statement

No additional data are available.

Open access

Copyrights

References

Commonwealth v. J.B., 719 A.2d 1058 (1998).

Forber-Pratt, A. J., El Sheikh, A. J., Robinson, L. E., Espelage, D. L., Ingram, K. M., Valido, A., & Torgal, C. (2021). Trauma-Informed Care in Schools: Perspectives From School Resource Officers and School Security Professionals During Professional Development Training. *School Psychology Review*, *50*(2-3), 344-359. https://doi.org/10.1080/2372966X.2020.1832863

Garstka, S. A. (2020). *Student perceptions of school resource officers*. Youngstown State University.

Goff, P. A., Jackson, M. C., Di Leone, B. A. L., Culotta, C. M., & DiTomasso, N. A. (2014). The essence of innocence: Consequences of dehumanizing Black children. *Journal of Personality and Social Psychology, 106*(4), 526-545. https://doi.org/10.1037/a0035663

Goss v. Lopez, 419 U.S. 565 (1975). https://doi.org/10.1086/scr.1975.3108816

Gould, L. A. (1997). "Can an old dog be taught new tricks?: Teaching cultural diversity to police officers", *Policing: An International Journal of Police Strategies & Management, 20*(2), 339-356, https://doi.org/10.1108/13639519710169171

Hall, A. V., Hall, E. V., & Perry, J. L. (2016). Black and blue: Exploring racial bias and law enforcement in the killings of unarmed black male civilians. *American Psychologist, 71*(3), 175. https://doi.org/10.1037/a0040109

Illinois v. Gates, 462 U.S. 213 (1983). https://supreme.justia.com/cases/federal/us/462/213/

In re William V., 4 Cal.Rptr.3d 695 (2003). https://case-law.vlex.com/vid/in-re-william-v-885617192

K-12 School Safety 2022 - Education Commission of the States. (n.d.). Retrieved May 27, 2025 from https://reports.ecs.org/comparisons/k-12-school-safety-2022-05

Kemme, S., Hanslmaier, M., & Abdul-Rahman, L. (2021). Effects of selection and socialization within the police force on officers' attitudes toward punishment and authoritarianism: a comparison between police students and the general population. *Police Practice and Research*, *22*(7), 1718-1738. https://doi.org/10.1080/15614263.2021.1921582

Kentucky Revised Statutes 158.4144 (2025).

Mallett, C. A. (2022). School discipline, zero tolerance policies, and American K-12 education. *Research Anthology on Interventions in Student Behavior and Misconduct*, 15-34. https://doi.org/10.4018/978-1-6684-6315-4.ch002

Nance, J. P. (2015). Students, police, and the school-to-prison pipeline. Wash. UL Rev., 93, 919.

National Association of School Resource Officers. (n.d.). Frequently Asked Questions. https://www.nasro.org/faq/

National Center for Education Statistics. (2024). Safety and Security Practices at Public Schools. Condition of Education. U.S. Department of Education, Institute of Education Sciences. Retrieved May 27, 2025, from https://nces.ed.gov/programs/coe/indicator/a19

New Jersey v. T.L.O., 469 U.S. 325 (1985). https://doi.org/10.1016/S0140-6736(85)91199-7

People v. Dilworth, 661 N.E.2d 310 (1996). https://case-law.vlex.com/vid/people-v-dilworth-no-891732114&ved=2ahUKEwiD_ffBysaNAxVG_skDHUQ3GKwQFnoECBYQAQ&usg=AOvVaw1JWij8vEQesL4vEna6KhHM

State v. Meneese, 282 P.3d. 83 (2012). https://case-law.vlex.com/vid/state-v-meneese-no-894886784

State v. Scott, 630 S.E.2d 563 (2006). https://case-law.vlex.com/vid/state-v-scott-no-889326533

Taylor, E. (2009). Fostering transformative learning. In E. Taylor, & J. Mezirow, Transformative learning in practice:

Insight from community, workplace, and higher education. San Francisco: Jossey-Bass.

Taylor, S. S. (2024). School Disturbance Laws: What They Are, How They Are Used, and How They Impact Students. *SAGE Open*, *14*(2). https://doi.org/10.1177/21582440241262856

Terry v. Ohio, 392 U.S. 1 (1968). https://supreme.justia.com/cases/federal/us/392/1/

Tinker v. Des Moines Independent Community School District, 393 U.S. 503 (1969). https://supreme.justia.com/cases/federal/us/393/503/

Toga, A. W., Thompson, P. M., & Sowell, E. R. (2006). Mapping brain maturation. *Focus, 29*(3), 148-390. https://doi.org/10.1016/j.tins.2006.01.007

Turney, K., Testa, A., & Jackson, D. B. (2023). Anticipated unmet educational expectations following youth police contact. *Children and Youth Services Review*, *155*. https://doi.org/10.1016/j.childyouth.2023.107197

U.S. Const. amend. IV.

Watkins, K. E., Marsick, V. J., & Faller, P. G. (2012). Transformative learning in the workplace: Leading learning for self and organizational change. In E. Taylor, & P. Cranton, *The handbook of transformative learning: Theory, research and practice.* San Francisco: Jossey-Bass.

Widdowson, A. O., Siennick, S. E., & Hay, C. (2016). The implications of arrest for college enrollment: An analysis of long-term effects and mediating mechanisms. *Criminology*, *54*(4), 621-652. https://doi.org/10.1111/1745-9125.12114