

As Passed by the House

132nd General Assembly

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Am. Sub. H. B. No. 318

Representatives Patterson, LaTourette

Cosponsors: Representatives Boggs, Lepore-Hagan, Carfagna, Slaby, Rogers, Scherer, Smith, K., Miller, Sheehy, Brenner, Fedor, Hambley, Henne, Smith, R., Cera, Green, Sykes, Anielski, Antonio, Arndt, Ashford, Barnes, Boyd, Brown, Craig, Cupp, Duffey, Edwards, Faber, Galonski, Gavarone, Ginter, Greenspan, Hagan, Holmes, Hoops, Hughes, Ingram, Johnson, Kelly, Koehler, Landis, Leland, Lipps, Manning, McClain, O'Brien, Patton, Pelanda, Perales, Ramos, Reineke, Rezabek, Riedel, Romanchuk, Ryan, Seitz, Stein, Strahorn, Thompson, West, Wiggam, Young

A BILL

To enact section 3313.951 of the Revised Code with
regard to school resource officers, to require
the Facilities Construction Commission to study
and report on school building security upgrades
and school resource officers, and to make an
appropriation. 1
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3313.951 of the Revised Code be
enacted to read as follows: 7
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Sec. 3313.951. (A) As used in this section: 9

(1) "Law enforcement agency" has the same meaning as in
section 149.435 of the Revised Code. 10
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(2) "Peace officer" has the same meaning as in division 12

(A) (1) of section 109.71 of the Revised Code. 13

(3) "School resource officer" means a peace officer who is 14
appointed through a memorandum of understanding between a law 15
enforcement agency and a school district to provide services to 16
a school district or school as described in this section. 17

(B) (1) A school resource officer who provides services to 18
a school district or school on or after the effective date of 19
this section shall, except as described in division (B) (2) of 20
this section, satisfy both of the following conditions: 21

(a) Complete a basic training program approved by the Ohio 22
peace officer training commission, as described in division (B) 23
(1) of section 109.77 of the Revised Code; 24

(b) Complete at least forty hours of school resource 25
officer training within one year after appointment to provide 26
those services through one of the following entities, as 27
approved by the Ohio peace officer training commission: 28

(i) The national association of school resource officers; 29

(ii) The Ohio school resource officer association. 30

(2) A school resource officer who is appointed to provide 31
services to a school district or school prior to the effective 32
date of this section shall be exempt from compliance with the 33
training requirements prescribed in division (B) (1) (b) of this 34
section. 35

(3) A certified training program provided by an entity 36
described in division (B) (1) (b) (i) or (ii) of this section shall 37
include instruction regarding skills, tactics, and strategies 38
necessary to address the specific nature of all of the 39
following: 40

<u>(a) School campuses;</u>	41
<u>(b) School building security needs and characteristics;</u>	42
<u>(c) The nuances of law enforcement functions conducted</u>	43
<u>inside a school environment, including:</u>	44
<u>(i) Understanding the psychological and physiological</u>	45
<u>characteristics consistent with the ages of the students in the</u>	46
<u>assigned building or buildings;</u>	47
<u>(ii) Understanding the appropriate role of school resource</u>	48
<u>officers regarding discipline and reducing the number of</u>	49
<u>referrals to juvenile court; and</u>	50
<u>(iii) Understanding the use of developmentally appropriate</u>	51
<u>interview, interrogation, de-escalation, and behavior management</u>	52
<u>strategies.</u>	53
<u>(d) The mechanics of being a positive role model for</u>	54
<u>youth, including appropriate communication techniques which</u>	55
<u>enhance interactions between the school resource officer and</u>	56
<u>students;</u>	57
<u>(e) Providing assistance on topics such as classroom</u>	58
<u>management tools to provide law-related education to students</u>	59
<u>and methods for managing the behaviors sometimes associated with</u>	60
<u>educating children with special needs;</u>	61
<u>(f) The mechanics of the laws regarding compulsory</u>	62
<u>attendance, as set forth in Chapter 3321. of the Revised Code;</u>	63
<u>(g) Identifying the trends in drug use, eliminating the</u>	64
<u>instance of drug use, and encouraging a drug-free environment in</u>	65
<u>schools.</u>	66
<u>(4) The Ohio peace officer training commission shall adopt</u>	67

rules, in accordance with Chapter 119. of the Revised Code, for 68
the approval of an entity described in division (B) (1) (b) (i) or 69
(ii) of this section that provides certified school resource 70
officer training. 71

(C) (1) If a school district decides to utilize school 72
resource officer services, the school district and the 73
appropriate law enforcement agency shall first enter into a 74
memorandum of understanding that clarifies the purpose of the 75
school resource officer program and roles and expectations 76
between the participating entities. If a school district is 77
already utilizing school resource officer services on the 78
effective date of this section, the school district and the law 79
enforcement agency shall enter into a memorandum of 80
understanding within one year after the effective date of this 81
section. 82

(2) Each memorandum of understanding shall address the 83
following items: 84

(a) Clearly defined set of goals for the school resource 85
officer program; 86

(b) Background requirements or suggested expertise for 87
employing law enforcement in the school setting, including an 88
understanding of child and adolescent development; 89

(c) Professional development, including training 90
requirements that focus on age-appropriate practices for 91
conflict resolution and developmentally informed de-escalation 92
and crisis intervention methods; 93

(d) Clearly defined roles, responsibilities, and 94
expectations of the parties involved, including school resource 95
officers, law enforcement, school administrators, staff, and 96

<u>teachers;</u>	97
<u>(e) A protocol for how suspected criminal activity versus school discipline is to be handled;</u>	98 99
<u>(f) The requirement for coordinated crisis planning and updating of school crisis plans;</u>	100 101
<u>(g) Any other discretionary items determined by the parties to foster a school resource officer program that builds positive relationships between law enforcement, school staff, and the students, promotes a safe and positive learning environment, and decreases the number of youth formally referred to the juvenile justice system.</u>	102 103 104 105 106 107
<u>(3) The school district shall post in a conspicuous place on the district's web site, or other location where the district is customarily required to make documents available to the public, any memorandum of understanding entered into pursuant to division (C) of this section.</u>	108 109 110 111 112
<u>(4) A school district, through its school administration, may give students an opportunity to provide input during the drafting process of any memorandum of understanding being entered into pursuant to division (C) of this section.</u>	113 114 115 116
<u>(D) (1) In accordance with the requirements prescribed in this section, a school resource officer may work in one or more school districts or schools providing the following services:</u>	117 118 119
<u>(a) Assistance with adoption, implementation, and amendment of the comprehensive emergency management plan required under section 3313.536 of the Revised Code;</u>	120 121 122
<u>(b) Carrying out any additional responsibilities assigned to the school resource officer under the employment engagement,</u>	123 124

<u>contract, or memorandum of understanding, including but not</u>	125
<u>limited to:</u>	126
<u>(i) Providing a safe learning environment;</u>	127
<u>(ii) Providing valuable resources to school staff members;</u>	128
<u>(iii) Fostering positive relationships with students and</u> <u>staff;</u>	129 130
<u>(iv) Developing strategies to resolve problems affecting</u> <u>youth and protecting all students.</u>	131 132
<u>(2) A school resource officer shall consult with local law</u> <u>enforcement officials and first responders when assisting a</u> <u>school district's administrator in the development of a</u> <u>comprehensive emergency management plan.</u>	133 134 135 136
<u>(E) The school district or school administrator shall have</u> <u>final decision-making authority regarding all matters of school</u> <u>discipline.</u>	137 138 139
Section 2. All items in this section are hereby	140
appropriated as designated out of any moneys in the state	141
treasury to the credit of the designated fund. For all	142
appropriations made in this act, those in the first column are	143
for fiscal year 2018 and those in the second column are for	144
fiscal year 2019. The appropriations made in this act are in	145
addition to any other appropriations made for the FY 2018-FY	146
2019 biennium.	147
AGO ATTORNEY GENERAL	148
General Revenue Fund	149
GRF 055502 School Safety \$ 0 \$ 10,000,000	150
Training Grants	151

TOTAL GRF General Revenue Fund	\$	0	\$	10,000,000	152
TOTAL ALL BUDGET FUND GROUPS	\$	0	\$	10,000,000	153
SCHOOL SAFETY TRAINING GRANTS					154
(A) The foregoing appropriation item 055502, School Safety Training Grants, shall be used by the Attorney General solely to make grants to both public and chartered nonpublic schools for school safety programs and training.					155 156 157 158
(B) The use of the grants includes, but is not limited to, all of the following:					159 160
(1) The support of school resource officer certification training;					161 162
(2) Any type of active shooter and school safety training;					163
(3) All grade level type educational resources;					164
(4) Training to identify and assist students with mental health issues;					165 166
(5) Any other training related to school safety.					167
(C) The schools shall work or contract with the county sheriff's office or a local police department in whose jurisdiction they are located to develop the programs and training described in divisions (B) (1), (2), (3), and (5) of this section.					168 169 170 171 172
Section 3. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for					173 174 175 176 177 178

as though made in Am. Sub. H.B. 49 of the 132nd General 179
Assembly. 180

The appropriations made in this act are subject to all 181
provisions of Am. Sub. H.B. 49 of the 132nd General Assembly 182
that are generally applicable to such appropriations. 183

Section 4. (A) The Ohio Facilities Construction Commission 184
shall conduct a study of school security upgrades in existing 185
school buildings operated by a school district. The study shall 186
include the following: 187

(1) The types of security updates school districts have 188
already retrofitted into or onto school buildings; 189

(2) Options for possible security upgrades for school 190
buildings; 191

(3) An analysis of the most cost-effective ways to add 192
physical security changes to existing school buildings; 193

(4) With regard to school resource officers: 194

(a) The number of school buildings with a school resource 195
officer that serves only that building; 196

(b) The number of school buildings with no school resource 197
officer; 198

(c) The number of school buildings that share the services 199
of a school resource officer; 200

(d) The estimated cost statewide for each school building 201
in the state to have a school resource officer that serves only 202
that building. 203

For purposes of division (A) (4) of this section, "school 204
building" includes all public school buildings, including school 205

buildings operated by school districts, community schools	206
established under Chapter 3314. of the Revised Code, STEM	207
schools established under Chapter 3326. of the Revised Code, and	208
college-preparatory boarding schools established under Chapter	209
3328. of the Revised Code.	210
As used in this section, "school resource officer" has the	211
same meaning as in section 3313.951 of the Revised Code.	212
(B) The Commission shall submit a copy of the study to the	213
Governor and each member of the General Assembly not later than	214
February 1, 2019.	215