

As Reported by the Senate Education Committee

136th General Assembly

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S. B. No. 318

Senator Cutrona

Cosponsor: Senator Brenner

To amend sections 505.431 and 3313.951 of the
Revised Code to authorize a law enforcement
agency to provide school resource officer
services to a chartered nonpublic school.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 505.431 and 3313.951 of the
Revised Code be amended to read as follows:

Sec. 505.431. (A) The police department of any township or
township police district may provide police protection to any
county, municipal corporation, or township of this state, to a
park district created pursuant to section 511.18 or 1545.01 of
the Revised Code, or to a governmental entity of an adjoining
state without a contract to provide police protection, upon the
approval, by resolution, of the board of township trustees of
the township in which the department is located and upon
authorization by an officer or employee of the police department
providing the police protection who is designated by title of
office or position, pursuant to the resolution of the board of
township trustees, to give such authorization.

(B) The police department of any township or township

police district may, pursuant to a memorandum of understanding 20
under division (C) of section 3313.951 of the Revised Code, and 21
upon the approval, by resolution, of the board of township 22
trustees, provide school resource officer services to a 23
chartered nonpublic school located in the department's 24
territorial jurisdiction. 25

(C) Chapter 2744. of the Revised Code, insofar as it 26
applies to the operation of police departments, shall apply to 27
any township police department or township police district and 28
to its members when such members are rendering police services 29
pursuant to this section outside the township or township police 30
district by which they are employed. 31

Police department members acting, as provided in this 32
section, outside the township or township police district by 33
which they are employed shall be entitled to participate in any 34
pension or indemnity fund established by their employer to the 35
same extent as while acting within the township or township 36
police district by which they are employed. Those members shall 37
be entitled to all the rights and benefits of Chapter 4123. of 38
the Revised Code to the same extent as while performing services 39
within the township or township police district by which they 40
are employed. 41

Sec. 3313.951. (A) As used in this section: 42

(1) "Law enforcement agency" has the same meaning as in 43
section 149.435 of the Revised Code. 44

(2) "Peace officer" has the same meaning as in division 45
(A) (1) of section 109.71 of the Revised Code. 46

(3) "School resource officer" means a peace officer who is 47
appointed through a memorandum of understanding between a law 48

enforcement agency and a school district or a chartered 49
nonpublic school to provide services to a school district or 50
school as described in this section. 51

(B) (1) A school resource officer who provides services to 52
a school district or school on or after November 2, 2018, shall, 53
except as described in division (B) (2) of this section, satisfy 54
both of the following conditions: 55

(a) Complete a basic training program approved by the Ohio 56
peace officer training commission, as described in division (B) 57
(1) of section 109.77 of the Revised Code; 58

(b) Complete at least forty hours of school resource 59
officer training within one year after appointment to provide 60
those services through one of the following entities, as 61
approved by the Ohio peace officer training commission: 62

(i) The national association of school resource officers; 63

(ii) The Ohio school resource officer association; 64

(iii) The Ohio peace officer training academy. 65

(2) A school resource officer who is appointed to provide 66
services to a school district or school prior to November 2, 67
2018, shall be exempt from compliance with the training 68
requirements prescribed in division (B) (1) (b) of this section. 69

(3) A certified training program provided by an entity 70
described in division (B) (1) (b) of this section shall include 71
instruction regarding skills, tactics, and strategies necessary 72
to address the specific nature of all of the following: 73

(a) School campuses; 74

(b) School building security needs and characteristics; 75

(c) The nuances of law enforcement functions conducted	76
inside a school environment, including:	77
(i) Understanding the psychological and physiological	78
characteristics consistent with the ages of the students in the	79
assigned building or buildings;	80
(ii) Understanding the appropriate role of school resource	81
officers regarding discipline and reducing the number of	82
referrals to juvenile court; and	83
(iii) Understanding the use of developmentally appropriate	84
interview, interrogation, de-escalation, and behavior management	85
strategies.	86
(d) The mechanics of being a positive role model for	87
youth, including appropriate communication techniques which	88
enhance interactions between the school resource officer and	89
students;	90
(e) Providing assistance on topics such as classroom	91
management tools to provide law-related education to students	92
and methods for managing the behaviors sometimes associated with	93
educating children with special needs;	94
(f) The mechanics of the laws regarding compulsory	95
attendance, as set forth in Chapter 3321. of the Revised Code;	96
(g) Identifying the trends in drug use, eliminating the	97
instance of drug use, and encouraging a drug-free environment in	98
schools.	99
(4) The Ohio peace officer training commission shall adopt	100
rules, in accordance with Chapter 119. of the Revised Code, for	101
the approval of school resource officer training provided by an	102
entity described in division (B) (1) (b) of this section.	103

(C) (1) If a school district or chartered nonpublic school 104
decides to utilize school resource officer services, the school 105
district or chartered nonpublic school and the appropriate law 106
enforcement agency shall first enter into a memorandum of 107
understanding that clarifies the purpose of the school resource 108
officer program and roles and expectations between the 109
participating entities. If a school district is already 110
utilizing school resource officer services on November 2, 2018, 111
the school district and the law enforcement agency shall enter 112
into a memorandum of understanding within one year after 113
November 2, 2018. 114

(2) Each memorandum of understanding shall address the 115
following items: 116

(a) Clearly defined set of goals for the school resource 117
officer program; 118

(b) Background requirements or suggested expertise for 119
employing law enforcement in the school setting, including an 120
understanding of child and adolescent development; 121

(c) Professional development, including training 122
requirements that focus on age-appropriate practices for 123
conflict resolution and developmentally informed de-escalation 124
and crisis intervention methods; 125

(d) Clearly defined roles, responsibilities, and 126
expectations of the parties involved, including school resource 127
officers, law enforcement, school administrators, staff, and 128
teachers; 129

(e) A protocol for how suspected criminal activity versus 130
school discipline is to be handled; 131

(f) The requirement for coordinated crisis planning and 132

updating of school crisis plans;	133
(g) Any other discretionary items determined by the	134
parties to foster a school resource officer program that builds	135
positive relationships between law enforcement, school staff,	136
and the students, promotes a safe and positive learning	137
environment, and decreases the number of youth formally referred	138
to the juvenile justice system.	139
(3) A school district <u>or school</u> , through its school	140
administration, may give students an opportunity to provide	141
input during the drafting process of any memorandum of	142
understanding being entered into pursuant to division (C) of	143
this section.	144
(D) (1) In accordance with the requirements prescribed in	145
this section, a school resource officer may work in one or more	146
school districts or schools providing the following services:	147
(a) Assistance with adoption, implementation, and	148
amendment of the comprehensive emergency management plan	149
required under section 5502.262 of the Revised Code;	150
(b) Carrying out any additional responsibilities assigned	151
to the school resource officer under the employment engagement,	152
contract, or memorandum of understanding, including but not	153
limited to:	154
(i) Providing a safe learning environment;	155
(ii) Providing valuable resources to school staff members;	156
(iii) Fostering positive relationships with students and	157
staff;	158
(iv) Developing strategies to resolve problems affecting	159
youth and protecting all students.	160

(2) A school resource officer shall consult with local law 161
enforcement officials and first responders when assisting a 162
school district's or chartered nonpublic school's administrator 163
in the development of a comprehensive emergency management plan. 164

(E) The school district or school administrator shall have 165
final decision-making authority regarding all matters of school 166
discipline. 167

Section 2. That existing sections 505.431 and 3313.951 of 168
the Revised Code are hereby repealed. 169

Section 3. Notwithstanding anything to the contrary in 170
section 3313.951 of the Revised Code as amended by this act, 171
prior to the 2026-2027 school year, a chartered nonpublic school 172
may engage the services of a school resource officer who does 173
not meet the requirements in division (B) of that section or is 174
not appointed under a memorandum of understanding under division 175
(C) of that section. 176