

As Reported by the House Education Committee

136th General Assembly

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S. B. No. 318

Senator Cutrona

**Cosponsors: Senators Brenner, Gavarone, Ingram, Johnson, Landis, Lang,
Manning, O'Brien, Patton, Reineke, Reynolds, Roegner, Romanchuk, Schaffer,
Smith, Timken, Wilkin**

Representatives Fowler Arthur, Odioso, Brennan

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. 18

(B) The police department of any township or township 19
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 appointed through a memorandum of understanding between a law enforcement agency and a school district or a chartered nonpublic school to provide services to a school district or school as described in this section.

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

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

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

- (i) The national association of school resource officers;
- (ii) The Ohio school resource officer association;
- (iii) The Ohio peace officer training academy.

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

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

- (a) School campuses;

(b) School building security needs and characteristics;	75
(c) The nuances of law enforcement functions conducted inside a school environment, including:	76
(i) Understanding the psychological and physiological characteristics consistent with the ages of the students in the assigned building or buildings;	77
(ii) Understanding the appropriate role of school resource officers regarding discipline and reducing the number of referrals to juvenile court; and	78
(iii) Understanding the use of developmentally appropriate interview, interrogation, de-escalation, and behavior management strategies.	79
(d) The mechanics of being a positive role model for youth, including appropriate communication techniques which enhance interactions between the school resource officer and students;	80
(e) Providing assistance on topics such as classroom management tools to provide law-related education to students and methods for managing the behaviors sometimes associated with educating children with special needs;	81
(f) The mechanics of the laws regarding compulsory attendance, as set forth in Chapter 3321. of the Revised Code;	82
(g) Identifying the trends in drug use, eliminating the instance of drug use, and encouraging a drug-free environment in schools.	83
(4) The Ohio peace officer training commission shall adopt rules, in accordance with Chapter 119. of the Revised Code, for the approval of school resource officer training provided by an	84
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entity described in division (B) (1) (b) of this section.	103
(C) (1) If a school district <u>or chartered nonpublic school</u>	104
decides to utilize school resource officer services, the school	105
district <u>or chartered nonpublic school</u> 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 updating of school crisis plans;	132 133
(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.	134 135 136 137 138 139
(3) A school district <u>or school</u> , 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.	140 141 142 143 144
(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:	145 146 147
(a) Assistance with adoption, implementation, and amendment of the comprehensive emergency management plan required under section 5502.262 of the Revised Code;	148 149 150
(b) Carrying out any additional responsibilities assigned to the school resource officer under the employment engagement, contract, or memorandum of understanding, including but not limited to:	151 152 153 154
(i) Providing a safe learning environment;	155
(ii) Providing valuable resources to school staff members;	156
(iii) Fostering positive relationships with students and staff;	157 158
(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