

As Reported by the House Finance Committee

132nd General Assembly

Regular Session

2017-2018

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**

A BILL

To enact section 3313.951 of the Revised Code with 1
regard to school resource officers, to require 2
the Facilities Construction Commission to study 3
and report on school building security upgrades, 4
and to make an appropriation. 5

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

Section 1. That section 3313.951 of the Revised Code be 6
enacted to read as follows: 7

Sec. 3313.951. (A) As used in this section: 8

(1) "Law enforcement agency" has the same meaning as in 9
section 149.435 of the Revised Code. 10

(2) "Peace officer" has the same meaning as in division 11
(A)(1) of section 109.71 of the Revised Code. 12

(3) "School resource officer" means a peace officer who is 13
appointed through a memorandum of understanding between a law 14
enforcement agency and a school district to provide services to 15
a school district or school as described in this section. 16

(B) (1) A school resource officer who provides services to 17
a school district or school on or after the effective date of 18
this section shall, except as described in division (B) (2) of 19
this section, satisfy both of the following conditions: 20

(a) Complete a basic training program approved by the Ohio 21
peace officer training commission, as described in division (B) 22
(1) of section 109.77 of the Revised Code; 23

(b) Complete at least forty hours of school resource 24
officer training within one year after appointment to provide 25
those services through one of the following entities, as 26
approved by the Ohio peace officer training commission: 27

(i) The national association of school resource officers; 28

(ii) The Ohio school resource officer association. 29

(2) A school resource officer who is appointed to provide 30
services to a school district or school prior to the effective 31
date of this section shall be exempt from compliance with the 32
training requirements prescribed in division (B) (1) (b) of this 33
section. 34

(3) A certified training program provided by an entity 35
described in division (B) (1) (b) (i) or (ii) of this section shall 36
include instruction regarding skills, tactics, and strategies 37
necessary to address the specific nature of all of the 38
following: 39

(a) School campuses; 40

(b) School building security needs and characteristics; 41

(c) The nuances of law enforcement functions conducted 42
inside a school environment, including: 43

(i) Understanding the psychological and physiological characteristics consistent with the ages of the students in the assigned building or buildings; 44
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(ii) Understanding the appropriate role of school resource officers regarding discipline and reducing the number of referrals to juvenile court; and 47
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(iii) Understanding the use of developmentally appropriate interview, interrogation, de-escalation, and behavior management strategies. 50
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(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; 53
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(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; 57
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(f) The mechanics of the laws regarding compulsory attendance, as set forth in Chapter 3321. of the Revised Code; 61
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(g) Identifying the trends in drug use, eliminating the instance of drug use, and encouraging a drug-free environment in schools. 63
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(4) The Ohio peace officer training commission shall adopt rules, in accordance with Chapter 119. of the Revised Code, for the approval of an entity described in division (B) (1) (b) (i) or (ii) of this section that provides certified school resource officer training. 66
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(C) (1) If a school district decides to utilize school 71

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

(2) Each memorandum of understanding shall address the 82
following items: 83

(a) Clearly defined set of goals for the school resource 84
officer program; 85

(b) Background requirements or suggested expertise for 86
employing law enforcement in the school setting, including an 87
understanding of child and adolescent development; 88

(c) Professional development, including training 89
requirements that focus on age-appropriate practices for 90
conflict resolution and developmentally informed de-escalation 91
and crisis intervention methods; 92

(d) Clearly defined roles, responsibilities, and 93
expectations of the parties involved, including school resource 94
officers, law enforcement, school administrators, staff, and 95
teachers; 96

(e) A protocol for how suspected criminal activity versus 97
school discipline is to be handled; 98

(f) The requirement for coordinated crisis planning and 99
updating of school crisis plans; 100

(g) Any other discretionary items determined by the 101
parties to foster a school resource officer program that builds 102
positive relationships between law enforcement, school staff, 103
and the students, promotes a safe and positive learning 104
environment, and decreases the number of youth formally referred 105
to the juvenile justice system. 106

(3) The school district shall post in a conspicuous place 107
on the district's web site, or other location where the district 108
is customarily required to make documents available to the 109
public, any memorandum of understanding entered into pursuant to 110
division (C) of this section. 111

(4) A school district, through its school administration, 112
may give students an opportunity to provide input during the 113
drafting process of any memorandum of understanding being 114
entered into pursuant to division (C) of this section. 115

(D) (1) In accordance with the requirements prescribed in 116
this section, a school resource officer may work in one or more 117
school districts or schools providing the following services: 118

(a) Assistance with adoption, implementation, and 119
amendment of the comprehensive emergency management plan 120
required under section 3313.536 of the Revised Code; 121

(b) Carrying out any additional responsibilities assigned 122
to the school resource officer under the employment engagement, 123
contract, or memorandum of understanding, including but not 124
limited to: 125

(i) Providing a safe learning environment; 126

(ii) Providing valuable resources to school staff members; 127

(iii) Fostering positive relationships with students and 128

<u>staff;</u>	129
<u>(iv) Developing strategies to resolve problems affecting youth and protecting all students.</u>	130 131
<u>(2) A school resource officer shall consult with local law enforcement officials and first responders when assisting a school district's administrator in the development of a comprehensive emergency management plan.</u>	132 133 134 135
<u>(E) The school district or school administrator shall have final decision-making authority regarding all matters of school discipline.</u>	136 137 138
Section 2. All items in this section are hereby appropriated as designated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2018 and those in the second column are for fiscal year 2019. The appropriations made in this act are in addition to any other appropriations made for the FY 2018-FY 2019 biennium.	139 140 141 142 143 144 145 146
AGO ATTORNEY GENERAL	147
General Revenue Fund	148
GRF 055502 School Safety \$ 0 \$ 10,000,000	149
Training Grants	150
TOTAL GRF General Revenue Fund \$ 0 \$ 10,000,000	151
TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 10,000,000	152
SCHOOL SAFETY TRAINING GRANTS	153
(A) The foregoing appropriation item 055502, School Safety Training Grants, shall be used by the Attorney General solely to	154 155

make grants to both public and chartered nonpublic schools for	156
school safety programs and training.	157
(B) The use of the grants includes, but is not limited to,	158
all of the following:	159
(1) The support of school resource officer certification	160
training;	161
(2) Any type of active shooter and school safety training;	162
(3) All grade level type educational resources;	163
(4) Training to identify and assist students with mental	164
health issues;	165
(5) Any other training related to school safety.	166
(C) The schools shall work or contract with the county	167
sheriff's office or a local police department in whose	168
jurisdiction they are located to develop the programs and	169
training described in divisions (B)(1), (2), (3), and (5) of	170
this section.	171
Section 3. Within the limits set forth in this act, the	172
Director of Budget and Management shall establish accounts	173
indicating the source and amount of funds for each appropriation	174
made in this act, and shall determine the form and manner in	175
which appropriation accounts shall be maintained. Expenditures	176
from appropriations contained in this act shall be accounted for	177
as though made in Am. Sub. H.B. 49 of the 132nd General	178
Assembly.	179
The appropriations made in this act are subject to all	180
provisions of Am. Sub. H.B. 49 of the 132nd General Assembly	181
that are generally applicable to such appropriations.	182

Section 4. (A) The Ohio Facilities Construction Commission	183
shall conduct a study of school security upgrades in existing	184
school buildings operated by a school district. The study shall	185
include the following:	186
(1) The types of security updates school districts have	187
already retrofitted into or onto school buildings;	188
(2) Options for possible security upgrades for school	189
buildings;	190
(3) An analysis of the most cost-effective ways to add	191
physical security changes to existing school buildings.	192
(B) The Commission shall submit a copy of the study to the	193
Governor and each member of the General Assembly not later than	194
February 1, 2019.	195