

CHAPTER 104**(HB 540)**

AN ACT relating to school safety.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 158.4414 is amended to read as follows:

- (1) Local boards of education, school district superintendents, administrators of state-controlled facilities, and local and state law enforcement agencies shall cooperate to assign, by August 1, 2022, one (1) or more certified school resource officers to serve each campus where one (1) or more school buildings are used to deliver instruction to students on a continuous basis.
- (2) Local boards of education shall ensure, for each campus in the district, that at least one (1) certified school resource officer is assigned to and working on-site full-time in the school building or buildings on the campus. If sufficient funds and qualified personnel are not available for this purpose for every campus, the local board of education shall fulfill the requirements of this subsection on a per campus basis, as approved in writing by the state school security marshal, until a certified school resource officer is assigned to and working on-site full-time on each campus in the district.
- (3) Local boards of education utilizing a school resource officer employed by a law enforcement agency or the Department of Kentucky State Police shall enter into a memorandum of understanding with the law enforcement agency or the Department of Kentucky State Police that specifically states the purpose of the school resource officer program and clearly defines the roles and expectations of each party involved in the program. The memorandum shall provide that the school resource officer shall not be responsible for school discipline matters that are the responsibility of school administrators or school employees.
- (4) Local boards of education utilizing a school resource officer employed directly by the local board of education shall adopt policies and procedures that specifically state the purpose of the school resource officer program and clearly define the roles and expectations of school resource officers and other school employees.
- (5) In accordance with KRS 61.926, 527.020, and 527.070, as applicable, each school resource officer shall be armed with a firearm, notwithstanding any provision of local board policy, local school council policy, or memorandum of agreement.
- (6) On or before January 1, 2020, the Kentucky Law Enforcement Council, in collaboration with the Center for School Safety, shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish three (3) levels of training for certification of school resource officers first employed as a school resource officer on or after March 11, 2019: School Resource Officer Training I (SRO I), School Resource Officer Training II (SRO II), and School Resource Officer Training III (SRO III). Each level shall consist of forty (40) hours of training, with SRO I to be completed within one (1) year of the date of the officer's employment and SRO II and SRO III within the subsequent two (2) years.
- (7) Course curriculum for school resource officers employed on or after March 11, 2019, shall include but not be limited to:
 - (a) Foundations of school-based law enforcement;
 - (b) Threat assessment and response;
 - (c) Youth drug use and abuse;
 - (d) Social media and cyber security;
 - (e) School resource officers as teachers and mentors;
 - (f) Youth mental health awareness;
 - (g) Diversity and bias awareness training;
 - (h) Trauma-informed action;
 - (i) Understanding students with special needs; and
 - (j) De-escalation strategies.

- (8) Effective January 1, 2020, all school resource officers with active school resource officer certification status shall successfully complete forty (40) hours of annual in-service training that has been certified or recognized by the Kentucky Law Enforcement Council for school resource officers.
- (9) In the event of extenuating circumstances beyond the control of an officer that prevent the officer from completing the in-service training within one (1) year, the commissioner of the Department of Criminal Justice Training or a designee may grant the officer an extension of time, not to exceed one hundred eighty (180) days, in which to complete the training.
- (10) Any school resource officer who fails to successfully complete training requirements within the specified time periods, including any approved time extensions, shall lose his or her school resource officer certification and shall no longer serve in the capacity of a school resource officer in a school.
- (11) When a school resource officer is deficient in required training, the commissioner of the Department of Criminal Justice Training or his or her designee shall notify the council, which shall notify the officer and the officer's employing agency.
- (12) A school resource officer who has lost school resource officer certification due solely to the officer's failure to meet the training requirements of this section may regain certification status as a school resource officer and may resume service in the capacity of a school resource officer in a school setting upon successful completion of the training deficiency.
- (13) No later than November 1 of each year, the local school district superintendent shall report to the Center for School Safety the number and placement of school resource officers in the district. The report shall include the source of funding and method of employment for each position.
- (14) Nothing in this section shall be interpreted or construed to require a local government or any of its agencies or offices to fund the school resource officer positions required of local boards of education under this section. For purposes of this subsection, "local government" has the same meaning as in KRS 65.8840.
- (15) *Nothing in this section shall prevent a private or parochial school from entering into a memorandum of understanding with a local law enforcement agency or the Department of Kentucky State Police to provide school resource officers employed by the local law enforcement agency or the Department of Kentucky State Police.*

Signed by Governor March 24, 2023.