

1 AN ACT relating to school resource officers.

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

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

- 4 (1) Local boards of education, school district superintendents, administrators of state-
5 controlled facilities, and local and state law enforcement agencies shall cooperate to
6 assign one (1) or more certified school resource officers to serve each campus
7 where one (1) or more school buildings are used to deliver instruction to students on
8 a continuous basis.
- 9 (2) Local boards of education shall ensure, for each campus in the district, that at least
10 one (1) certified school resource officer is assigned to and working on-site full-time
11 in the school building or buildings on the campus. If sufficient funds and qualified
12 personnel are not available for this purpose for every campus, the local board of
13 education shall fulfill the requirements of this subsection on a per campus basis, as
14 approved in writing by the state school security marshal, until a certified school
15 resource officer is assigned to and working on-site full-time on each campus in the
16 district.
- 17 (3) ***Beginning with the 2025-2026 school year, a local board of education may***
18 ***request reimbursement from the department for up to twenty thousand dollars***
19 ***(\$20,000) for each school that employs at least one (1) on-site full-time certified***
20 ***school resource officer. The department may provide the requested***
21 ***reimbursement in accordance with this subsection, if funds specified for this***
22 ***purpose are available.***
- 23 **(4)** Beginning with the 2025-2026 school year, a local board of education that is unable
24 to meet the requirement of subsection (2) of this section may, after consultation
25 with and approval by the state school security marshal, employ one (1) or more
26 guardians pursuant to KRS 158.4431 to provide safety and security measures for
27 schools within the district. The use of guardians under this subsection shall not be

1 used to replace the certified school resource officer required under subsection (2) of
2 this section, but only to provide safety and security resources until a certified school
3 resource officer is available.

4 ~~(5)~~~~(4)~~ Beginning with the 2025-2026 school year, a local board of education that has
5 met the requirement of subsection (2) of this section may employ one (1) or more
6 guardians pursuant to KRS 158.4431 to provide additional school safety and
7 security measures within the district.

8 ~~(6)~~~~(5)~~ Local boards of education utilizing a school resource officer employed by a
9 law enforcement agency or the Department of Kentucky State Police shall enter into
10 a memorandum of understanding with the law enforcement agency or the
11 Department of Kentucky State Police that specifically states the purpose of the
12 school resource officer program and clearly defines the roles and expectations of
13 each party involved in the program. The memorandum shall provide that the school
14 resource officer shall not be responsible for school discipline matters that are the
15 responsibility of school administrators or school employees.

16 ~~(7)~~~~(6)~~ Local boards of education utilizing a school resource officer employed
17 directly by the local board of education shall adopt policies and procedures that
18 specifically state the purpose of the school resource officer program and clearly
19 define the roles and expectations of school resource officers and other school
20 employees.

21 ~~(8)~~~~(7)~~ In accordance with KRS 61.926, 527.020, and 527.070, as applicable, each
22 school resource officer shall be armed with a firearm, notwithstanding any
23 provision of local board policy, local school council policy, or memorandum of
24 agreement.

25 ~~(9)~~~~(8)~~ The Kentucky Law Enforcement Council, in collaboration with the Center for
26 School Safety, shall promulgate administrative regulations in accordance with KRS
27 Chapter 13A to establish, update, and maintain three (3) levels of training for

1 certification of school resource officers as follows: School Resource Officer
2 Training I (SRO I), School Resource Officer Training II (SRO II), and School
3 Resource Officer Training III (SRO III). Each level shall consist of forty (40) hours
4 of training, with SRO I to be completed within one (1) year of the date of the
5 officer's employment and SRO II and SRO III within the subsequent two (2) years.

6 ~~(10)~~⁽⁹⁾ Course curriculum for school resource officers shall include but not be limited
7 to:

- 8 (a) Foundations of school-based law enforcement;
- 9 (b) Threat assessment and response;
- 10 (c) Youth drug use and abuse;
- 11 (d) Social media and cyber security;
- 12 (e) School resource officers as teachers and mentors;
- 13 (f) Youth mental health awareness;
- 14 (g) Diversity and bias awareness training;
- 15 (h) Trauma-informed action;
- 16 (i) Understanding students with special needs; and
- 17 (j) De-escalation strategies.

18 ~~(11)~~⁽¹⁰⁾ All school resource officers with active school resource officer certification
19 status shall successfully complete forty (40) hours of annual in-service training that
20 has been certified or recognized by the Kentucky Law Enforcement Council for
21 school resource officers.

22 ~~(12)~~⁽¹¹⁾ In the event of extenuating circumstances beyond the control of an officer that
23 prevent the officer from completing the in-service training within one (1) year, the
24 commissioner of the Department of Criminal Justice Training or a designee may
25 grant the officer an extension of time, not to exceed one hundred eighty (180) days,
26 in which to complete the training.

27 ~~(13)~~⁽¹²⁾ Any school resource officer who fails to successfully complete training

1 requirements within the specified time periods, including any approved time
2 extensions, shall lose his or her school resource officer certification and shall no
3 longer serve in the capacity of a school resource officer in a school.

4 ~~(14)~~~~(13)~~ When a school resource officer is deficient in required training, the
5 commissioner of the Department of Criminal Justice Training or his or her designee
6 shall notify the council, which shall notify the officer and the officer's employing
7 agency.

8 ~~(15)~~~~(14)~~ A school resource officer who has lost school resource officer certification
9 due solely to the officer's failure to meet the training requirements of this section
10 may regain certification status as a school resource officer and may resume service
11 in the capacity of a school resource officer in a school setting upon successful
12 completion of the training deficiency.

13 ~~(16)~~~~(15)~~ No later than November 1 of each year, the local school district
14 superintendent shall report to the Center for School Safety the number and
15 placement of school resource officers in the district. The report shall include the
16 source of funding and method of employment for each position.

17 ~~(17)~~~~(16)~~ Nothing in this section shall be interpreted or construed to require a local
18 government or any of its agencies or offices to fund the school resource officer
19 positions required of local boards of education under this section. For purposes of
20 this subsection, "local government" has the same meaning as in KRS 65.8840.

21 ~~(18)~~~~(17)~~ Nothing in this section shall prevent a private or parochial school from
22 entering into a memorandum of understanding with a local law enforcement agency
23 or the Department of Kentucky State Police to provide school resource officers
24 employed by the local law enforcement agency or the Department of Kentucky
25 State Police.

26 ➔Section 2. KRS 158.4431 is amended to read as follows:

27 (1) As used in this section, a "Kentucky guardian" or "guardian" means an employee of

1 a local board of education who is employed for the purpose of providing school
2 safety and security to students and staff on a school site. A person providing
3 services as a guardian may only include honorably discharged veterans, retired
4 Kentucky state troopers, retired special and sworn law enforcement officers, and
5 former federal law enforcement officers. A guardian certified by the Center for
6 School Safety as having met all requirements of this section is deemed to be an
7 authorized individual under KRS 527.070(3)(f) and may be armed with a firearm on
8 school property.

9 (2) Local boards of education may employ as many guardians as the board considers
10 necessary for the safety and security of its schools.

11 (3) Prior to hiring a guardian, the local board of education shall require the applicant to
12 provide certification from the Center for School Safety that he or she meets all of
13 the following minimum requirements:

- 14 (a) Is a citizen of the United States and the Commonwealth of Kentucky;
- 15 (b) Has received a high school diploma or a High School Equivalency Diploma;
- 16 (c) Is currently licensed under KRS 237.110 to carry a concealed weapon;
- 17 (d) Has completed and passed background checks as required pursuant to KRS
18 160.380(6)(a), and has not been convicted of any felony, any misdemeanor
19 under KRS 510.120, 510.130, 510.140, or 510.148, or a criminal attempt,
20 conspiracy, facilitation, or solicitation to commit any degree of rape, sodomy,
21 sexual abuse, or sexual misconduct under KRS Chapter 510, or have had any
22 offense listed in this paragraph expunged;
- 23 (e) Has passed a medical examination completed by a licensed physician,
24 physician assistant, or advanced practice registered nurse to determine if he or
25 she can perform the duties of a guardian;
- 26 (f) Has passed a drug screening test administered or approved by the Kentucky
27 Law Enforcement Council. A person shall be deemed to have passed a drug

- 1 screening test if the results of the test are negative for the use of an illegal
2 controlled substance or prescription drug abuse;
- 3 (g) Has passed the following examinations administered by the Kentucky Law
4 Enforcement Council:
- 5 1. A background investigation to determine the person's suitability for the
6 position of guardian;
 - 7 2. A psychological suitability screening to determine the person's
8 suitability to perform guardian duties; and
 - 9 3. A polygraph examination to determine the person's suitability to
10 perform guardian duties;
- 11 (h) Has passed the following courses provided by the Department of Criminal
12 Justice Training:
- 13 1. Active Shooter Response;
 - 14 2. Enhanced Handgun Performance; and
 - 15 3. Patrol Rifle;
- 16 (i) Has passed the marksmanship qualification requirement for a retired peace
17 officer as specified in KRS 237.140;
- 18 (j) Has been honorably discharged from the Armed Forces of the United States
19 within the five (5) years immediately preceding an initial contract to be a
20 guardian as evidenced by a Department of Defense form DD 214, or is a
21 retired Kentucky state trooper, retired special or sworn law enforcement
22 officer, or former federal law enforcement officer. Each agency that employed
23 a retired Kentucky state trooper, retired special law enforcement officer, or
24 sworn law enforcement officer shall provide to the retired individual proof of
25 prior employment in a prompt and efficient manner, without charge to the
26 individual; and
- 27 (k) Has met any other requirements imposed by the local board of education,

1 which may include but are not limited to a preemployment written
2 examination.

3 (4) Each guardian shall be required to complete annual firearm proficiency testing and
4 shall meet the standard in the same manner as set forth in KRS 237.140(4)(a) to (c).

5 (5) Each guardian shall be required to complete the course requirements for School
6 Resource Officer Training I (SRO I) as set forth in KRS 158.4414~~(8)~~(9).

7 (6) The employing local board of education may require the completion of any
8 additional courses and training as determined to be necessary by the board.

9 (7) Any cost associated with subsections (3) to (6) of this section shall be the
10 responsibility of the guardian unless otherwise agreed to by the employing local
11 board of education. The Kentucky Law Enforcement Council shall not charge more
12 to guardians for tests, assessments, or training completed than what is customarily
13 charged to any other type of applicant tested, assessed, or trained by the council.

14 (8) A local board of education employing a guardian shall collaborate with the local
15 police department, local sheriff, area post of the Department of Kentucky State
16 Police, and the state school security marshal in order to adopt school district policy
17 regarding:

18 (a) The job description of the guardian, including but not limited to the scope of
19 duties, responsibilities, and direct supervisor of the guardian;

20 (b) The uniform to be worn by guardians that would best suit the needs of the
21 schools while also allowing outside agencies to easily identify guardians;

22 (c) The procedures, processes, and chain of command to be used during an
23 emergency in which law enforcement agencies are called to the school; and

24 (d) The type of firearm and ammunition to be used by the guardian, if any.

25 (9) A local board of education shall be immune from civil or criminal liability in all
26 claims arising out of any action of a guardian.

27 (10) Guardians shall possess all the immunities and defenses now available or hereafter

1 made available under state law to sheriffs, constables granted peace officer powers,
2 and police officers in any suit brought against them in consequence of acts done in
3 the course of their employment.

4 (11) Nothing in this section requires a local board of education to hire or provide
5 guardians. Participation by a local board of education in the use of a guardian is
6 voluntary and subject to the availability of local school district funds. Any local
7 board of education that opts to participate shall do so at its own expense.