



Ohio Peace Officer Training Commission
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Ohio Peace Officer Training Commission
Thursday, July 12, 2018
held at the
Ohio Peace Officer Training Academy
1650 State Route 56 SW
London, Ohio 43140

Minutes

I. Opening

Call to Order

Chair Vernon Stanforth called the meeting to order at 10:02 a.m.
Sheriff Michael Heldman led the Pledge of Allegiance.
Ms. Donna Long called the Roll Call.

Commission members present

Sheriff Vernon Stanforth
Sheriff Michael Heldman
Chief Clayton Harris
Chief Kimberley Jacobs
Colonel Paul Pride
Mr. Stephen Schumaker
Dr. Reginald Wilkinson
Dr. Emily Passias

Commission members absent

SAC Stephen Anthony
Lt. James Fitsko

Guests and Staff

Attorney General's Office

Ms. Mary Davis, Executive Director
Mr. James Burke, Director Advanced Training
Mr. David Henry, Deputy Director
Mr. Justin Hykes, Deputy Director
Ms. Donna Long, OPOTC Secretary
Ms. Brittany Brashears
Ms. Julia Brinksneider
Ms. Bridget Coontz
Ms. Kim Buehler
Ms. Jill Cury
Mr. Aaron Johnson
Mr. Tony Ortiz
Ms. Kelly Ranttila
Ms. Lori Rinehart

OPOTC Staff
OPOTA Staff
OPOTC Staff
OPOTC Staff
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Ohio Attorney General's Office
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Guests

Mr. Geoffrey Barnard	Cleveland Heights Police Department
Mr. David Justice	Columbus Division of Police
Mr. Bob Meader	Columbus Division of Police
Ms. Sharon Montgomery	Ohio State University
Mr. Jeremy Novelli	Stark County Sheriff's Office
Mr. Edward "Ted" Reardon	Columbus Division of Police
Mr. Kevin Reardon	Central Ohio Technical College
Ms. Amber Rose	Columbus Division of Police
Mr. Tim Sansbury	Columbus Division of Police
Mr. Shawn Smith	Cleveland Division of Police
Mr. Jerry Snay	Stark State College Academy
Mr. Ronald Springer	Stark County Sheriff's Office
Mr. Ellis Pete Willis	Sinclair College, Dayton
Mr. David Wiseman	Delaware County Sheriff Office
Mr. Michael Woods	Columbus Division of Police

II. Chair Report

**Sheriff Vernon Stanforth
Chair**

Chair Stanforth welcomed the guests and asked those in attendance to introduce themselves and then moved for approval of the minutes.

MOTION

Dr. Wilkinson moved to approve the minutes of the May 10, 2018, meeting. The motion was seconded by Sheriff Heldman. No discussion was forthcoming; a vote was taken and passed unanimously. Yes-8 / No-0.

Chair Stanforth advised there was nothing to report at this time. That concluding the Chair report.

III. Curriculum Committee

**Chief Kimberley Jacobs
Committee Chair**


Committee Chair Jacobs advised there was nothing to report at this time. That concluded the Curriculum report.

IV. Legislative Committee

**Chief Clayton Harris
Committee Chair**

Chief Harris advised the Legislative Committee meet this morning prior to the Commission meeting. Several items were discussed; some were follow-up issues relative to what was discussed at the May 10, 2018 meeting. Chief Harris introduced Deputy Director Justin Hykes to review those items discussed.

HB79 – Tactical Medical Professional Training certification: Mr. Hykes explained this was a continuation of the discussed rules from the May 10th Commission meeting. HB79 was passed by the Legislature, which basically allows tactical medics who've had additional training above the standard EMT training, who are assigned or attached to a law enforcement agency to carry firearms while they are attached to that agency.

 This would allow them to go armed into hot or warm zones to assist with any type of law enforcement activities at that time. A copy of the 132nd General Assembly Amended Substitute House Bill 79 (**Handout 1**) and the draft rules (**Handout 2**) were emailed to the Commissioners on June 28th and were included in their packets.

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If a medic wants to carry a firearm, they would be required to take a 40 hour firearms course. Anyone interested in attending the firearms course must have a form stating they have approval from the law enforcement agency which they are attached to prior to attending the training. In addition to the 40 hour firearms training they would be required to take a day of scenario training at OPOTA; passing those two requirements will allow them to carry on duty with their agency.

MOTION:

Chief Jacobs moved to accept the rules and the motion was seconded by Mr. Schumaker. The Chair asked for discussion; hearing none a vote was taken and passed unanimously. Yes-8 / No-0

The next item was School Resource Officers, HB318. Legislative Chair Harris stated this was informational for the bill forth coming. Mr. Hykes was called upon to explain.



HB 318: (Handout 3), (Addendum L1) Regarding School Resource Officers: Mr. Hykes stated this bill was recently passed by House and the Senate; waiting on signature of the Governor. The Senate changes were approved by the House on June 27, 2018. It hasn't become effective yet, but it will be soon. The bill overall has a lot to deal with school resource officers. As far as this Commission is concerned the main things involved is it will require us to develop rules on approving school resource officer training either conducted by the National Association of Resource Officers or the Ohio School Resource Officers Association. They would basically have to get their training, lesson plans and curriculum approved by the Commission before putting on any courses once this all becomes effective. It also requires us to develop and run our own school resource officer training. That will require a great about of work on our part. Mr. Hykes didn't have rules completed, but hoped to have draft rules by the September or November OPOTC meetings for the Commission to review.



Question: Chief Jacobs asked if they had to take the course from both OPOTA and the course from one of them?

Answer: Mr. Hykes responded no, it would be either, or. To become an SRO once this bill is finalized, anyone who is currently a SRO or attached to a school will be grandfathered in.



Comment: But, to become a new SRO they must first be a peace officer, and then will have to go through one of the approved training schools, the National Association of Resource Officers or the Ohio School Resource Officers Association or go through the one OPOTA develops and runs.



Question: Chief Jacobs asked if they submit one, the curriculum has to be approved by OPOTA?

Answer: Mr. Hykes responded that is correct.

Question: Dr. Wilkinson asked if the agencies who supply the schools with the school resource officers would have to train more people than needed on any one day; because of having replacements for any officer on vacation, etc. who can't be at that the school that day. Has that been consider and worked out?

Answer: The SRO if they are assigned to a school, within one year of being assigned to the school is required to have the training.



Comment: Dr. Wilkinson clarified; they don't have to be certified from day one at the school.

Response: Mr. Hykes stated this is not Commission related, but schools and law enforcement agencies are required to have a memorandum of understanding listing out the school resource officer duties, and what they can do on school grounds, which should cover any substitutes.



Question: Chief Jacobs verified the grandfathering will result in no required training?

Answer: Mr. Hykes responded as long as they are already attached to a school and already a SRO they will not be required to take the training, if they are assigned to a school after the effective date they may be required to take the training.



Question: Dr. Wilkinson asked what the turnover rate is for school resource officers?

Response: Chief Jacobs stated Columbus Division of Police has about 20 SRO and there is movement every school year. Whether due do to retirements; a lot of senior officers like to take those positions. But, maybe 1 or 2 people may come or go during the school year and summer. Once they get into being a SRO, they're

often going to stay there for quite a while; sometimes switching from one school to another. For Columbus Division of Police it is based on seniority; it could be different for other agencies.

Question: Mr. Schumaker questioned, this bill requires us to develop and conduct our own training also. What will that entail?

Answer: Mr. Hykes responded the training basically needs to deal with school campus safety, school building security needs and characteristics, the nuances of law enforcement functions conducted inside a school, the mechanics of being a positive role model for youth, providing assistance on topics such as classroom management tools, laws on compulsory attendance, identifying the trends in drug use and encouraging a drug-free environment in schools. There's a small amount of training that can be pulled from current basic lesson plans; but a lot of this is going to require SMEs and need to be developed. It will also require developing instructor level courses as well. This will not be a quick process; depending on how we implement it, it could be 2 years before we are actually running it here at OPOTA.

Question: Mr. Schumaker asked as far as the third prong, we were consulted on this?

Answer: Mr. Hykes responded it was introduced at the last minute when the Senate had it; they approved the amendment and voted on it that day. We didn't have any knowledge that part was going to be added.

Question: Mr. Schumaker asked at this time we have no idea what that will mean for staffing if we have to conduct one of these programs?

Answer: Mr. Hykes responded that was correct.

Question: Chief Jacobs asked if it was envisioned school security needs or characteristics any type of active shooter or active threats?

Answer: Mr. Hykes responded he would presume in would be covered in some way.

Question: Chair Stanforth asked to clarify the SRO curriculum. We create or approve the curriculum regardless of who is providing the training?

Answer: Mr. Hykes responded, the way the statute reads is we can approve the National program or the Ohio program, which they have to submit their curriculum for approval. Then we create our own. Agencies can't create and run their own SRO program. It would have to be one of the 2 programs named in the statute or ours.

Comment: Chair Stanforth stated the National School Resource Officers Association would have to come to us to get their curriculum approved.

Response: Mr. Hykes stated they would submit their lesson plans, we would approve them with our blessing and they'd be on their way.

Curriculum Chair Harris asked Mr. Hykes to speak about HB272 Requirements related to the licensing and registration of private investigators and security guards.

HB 272 Private Investigators and Security Guards Licensing and Registration

Mr. Hykes explained that HB272 is a new version of the bill the Commission supported during the last legislative cycle. In terms to what it would mean to the Commission, it changes the fee structure for private security schools. Currently, to run a private security academic or private security firearms or private security requalification program, a fee is charged. The fees were put in the statute in 1985 and have never changed. This bill would modernize the fee and would also base the fees of the number of students in the class. It would also increase the hours of the current firearms course from 20 hours to 40 hours. It hasn't been changed for a while. The bill raising the firearms course to 40 hours would standardize all firearms handgun requalification and training across the board. The private security industry would be able to requalify like police officers every year. Currently, the first certificate issued covers 18 months, after that they are required to requalify within a certain number of days of the date they requalified every 12 months. If they don't requalify by that date they have to take the basic training all over. For peace officer requalification it is done once a calendar year.

This bill was introduced in March and hasn't gone anywhere. It's anyone guess if it will go anywhere. But it's something for the Commission to be aware of.

Committee Chair Harris stated that concluded the Legislative report.

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V. House Committee

**Colonel Paul Pride
Committee Chair**

Committee Chair Pride advised there was nothing to report at this time. That concluded the House Committee report.

VI. Continuing Professional Training Committee

**Sheriff Michael Heldman
Committee Chair**

Committee Chair Heldman advised there was nothing to report at this time.

Ms. Davis stated we don't have a funding source, so we're at the same place as last year at this point. Chair Stanforth stated keep in mind if we don't know now, we aren't going to know until October which is the deadline. Ms. Davis responded the Commission would have to vote on CPT at the September 13th Commission meeting so the announcement could be made by October 15th. Chair Stanforth said there would have to be a massive movement for that to be accomplished before October.

That concluded the Continuing Professional Training Committee report.

Staff Reports

VII. Commission And Academy Updates

**Mary Davis
Executive Director**

Virtual Academy: Ms. Davis and Mr. Burke went to Tennessee in June to explore some video production possibilities with the Savant Learning Systems Company. The Savant Learning Systems has been in academic and education, specializing with on-line learning, for years. They now have a law enforcement branch called Virtual Academy. They provide a lot of on-line trainings and their production capabilities are very professional with our newly purchased Inquisiq LMS. It will allow us to switch our older eOPOTA platform into an in-house newer current platform.

We're looking for other options for video productions for both our on-line courses and to supplement our in-person courses. It would be similar to the 2016 CPT 8 hour training course "Policing in the 21st Century". We incorporated the de-escalation piece of videos with live role players, reenacted court cases, and discussions with the officers/students on appropriateness. This allowed them to know how the court ruled. We want to utilize those tools more in the classroom; even for lecture based classes encouraging more interaction and thinking on the part of the student.

The trip went really well, unbeknownst to us they had also arranged for two representatives from the Chief Association to be there at the same time. To our benefit it turned out some very creative conversations with OACP's President, Chief Scott, and CLEE, Chief Pomesky, of District 3 about ideas of how we can make training more effective, efficient, and higher quality in Ohio.

Ms. Davis spoke with Bob Cornwell with the Buckeye State Sheriff's Association about bringing the BSSA aboard and seeing what we can do in making Ohio even more of a leader in the profession in terms of training.

Law Enforcement Recruiting Fair: The first Recruitment Fair was held in June, which was hosted by Tri-C. There were 80 agencies that attended and even had some out of state agencies attend. There were 75 participants that signed in and registered and 25 pre-registered that didn't show up. For the first time, our numbers weren't bad. We are looking at holding something in Southern Ohio later in the fall. Looking at some lessons learned on the format of this one and trying to continue to offer them for agencies to utilize as a recruitment tool.

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Mr. Ortiz is working on creating a recruitment database. The plan is to send out a survey monkey to all the agencies asking them to submit names and contact information for your recruitment staff. We are hoping it will be a valuable resource for the agencies; a group of individuals who can be contacted about special initiatives in their area.

School Safety: Ms. Davis stated in 2013-2014, OPOTA had developed training for educators; which at the time Mr. Burke as a LETO traveled throughout the state providing training to school personnel on active threat situations. Instead of pulling the training DVD's off the shelves or doing an update training, they decided to put together what would be about a 26 course series. The series of 3 to 7 minute videos are for the schools to utilize in their in-service training. It will be accompanied with a companion guide to help the facilitator with talking points after the videos. Last month, 10 of the videos were released. The initiative also made the Bureau of Justice Assistance 5 and 5 Publication. This is something else the academy is doing to help the schools remain safe.

Ms. Davis introduced new testing coordinator, Ms. Kim Buehler. Ms. Buehler is a long time Attorney General Employee, coming to us with 26 years of service from B.C.I. If there are any questions about the state certification exam, Ms. Buehler is who you would contact.

eOPOTA Courses: We have started a project to implement navigation controls within our eOPOTA courses. On-line courses are very self-paced; if you were to let a course run from beginning to end, it may only last 20-25 minutes. But, there are a lot of learning exercises and activities within the course; which the adult learner will utilize at their own pace. The majority of our eOPOTA courses are given a 1 hour training credit for the course, even though times will vary with individuals who take them. We've looked at quality control measures within all our programs, including our eOPOTA courses and decided to implement controls within the eOPOTA courses so an officer couldn't move past a slide until it had been fully watched one time. As of this past weekend, 90 of our 112 courses were completed with the implemented controls. As we work through these changes there are bugs we are working through as well. If a course is not working correctly it is pulled off line, fixed and then put back on-line. Sheriff Heldman had brought this up at the beginning of the year and at the time we were looking into it. We can now state it is completed.

That concluded the Executive Director's report.

VIII. Old Business

**Sheriff Vernon Stanforth
Chair**

Chair Stanforth asked if there was any other old business; with none forthcoming, that concluded the old business report.

IX. New Business

**Sheriff Vernon Stanforth
Chair**

Chair Stanforth asked if there was any other new business?

Dr. Wilkinson stated he received a call from Sheriff Jones regarding using correctional officers to work for the Department of Corrections should be able to transfer without going through retraining to work as a correctional officer in a jail. This is something that appears Sheriff Jones is not going to let go of. Dr. Wilkinson advised they could receive a phone call if there wasn't any type of discussion or response to his concerns.

Chair Stanforth stated the Ohio Jail Advisory Board meets tomorrow and that is one of the issues to be brought up for discussion with the Bureau of Adult Detention. We are going to see where they would like for this to go on their end. Chair Stanforth didn't want to speak for the OPOTA/OPOTC staff if more than that had be done. Ms. Davis stated she and Sheriff Heldman met at the Buckeye State Sheriff's Association (BSSA); Sheriff Jones was in attendance for that meeting. Things are still in the discussion stages. Chair Stanforth's mindset was that no action would be taken until after we had a discussion with the Bureau of Adult Detention.

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Whatever we do, we try to do consistently. Chair Stanforth stated he would touch base with Sheriff Jones. Sheriff Heldman stated Sheriff Jones was aware of this, and was just reiterate it with Dr. Wilkinson.

Chair Stanforth stated Sheriff Jones has a population of candidates because he has a corrections facility, a state facility in his county and his area is attracting a lot of potential employees. He can do that, he pays well and it's something that can attract them from a state position. Chair Stanforth who has 2 people on his staff for the small jail he runs, would also fall under this training, if possible. They have the previous Department of Corrections (DOC) Academy completed, but then came to his agency. He understands where he is coming from, with a much larger volume of people coming through. But, even the small jails, it's a legitimate concern.

Mr. Hykes introduced our summer intern Aaron Johnson. When the Commission first introduced the pre-fitness standard, it was discussed having a 12-18 month period where data was collected. Mr. Johnson has been doing a great job at putting all the numbers together for us, and we should have a report to present in September. Preliminarily the things that we've seen have really helped to cut down on the number of people who are failing out due to the P.T. Standards. Mr. Hykes thanked Mr. Johnson for all his hard work.


Chair Stanforth asked if there was any further for the new business, with nothing forthcoming that concluded the New Business report.

X. Guest Forum

**Sheriff Vernon Stanforth
Chair**

The Chair asked if any guest had any concerns they'd like to bring before the Commission?

Mr. Meador made a request to change the 15 percent testing from 120 days to 150 days. They had previously asked to go from 90 days to 120 days, which was approved by the Commission. The issues they're having are they have to hire more people and it is crushing their background and their time to get the applicant to that stage. They have to do that for the medicals or drug testing required by the Commission. Because of the volume, it's pushing them. If there's an agency or academies that disagree, who think that is too long; you could certainly still do it 20 days out, or however long would work for you. We do things internally that is not sanctioned by the Commission; they run with recruiting, which is voluntary, but they have them do. He is a big fan of the 15 percent testing, which has been a positive thing. But from their processing standpoint they would like another 30 days added to that. That is their request; they are asking the Commission to concern moving it from 120 days to 150 days.



Chair Stanforth asked for discussion. Ms. Davis was interested in the other academy representative present. Mr. Willis, Sinclair College said it would not affect them; they do theirs within 45 days or so of the start. They don't have the volume or the background checks that Columbus has. Mr. Barnard, Cleveland Heights Police Academy agreed with Mr. Willis on the volume and the background checks. However, his concern is they actually see a back slide the further the timeline is moved back. They like to have it at 30 to 45 days. Chief Jacobs stated Mr. Meador stated they had to hire, but they get to hire. They have received permission to increase the size of their organization. They have maintained or been below this number since 2007. The city has grown by at least 150,000 people since then. Their issue is try to seat 50 or more into their academy and we can't begin that testing until after they have been given that conditional offer. That includes medical testing, 2nd polygraph based on drug usage, due to A.D.A. issues they can ask if they have used drugs, but they can't ask how much they have used. So they have to offer them a conditional offer before they can ask the extent they've used drugs, and then the psychological testing as well. The entire testing has to be done in the pre-months of start of class; with those numbers it's difficult to run that many people through. An extension would allow use to do that; they're still maintaining contact with these recruits throughout lead up with opportunities to run and stay in shape prior to the academy.

Ms. Davis wants to consult with their physical fitness specialist on if there is a detriment to extending it out any further similar to Sgt. Barnard's request, then bringing the information back to the Commission in

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September. Chair Stanforth asked if this was just a problem for Columbus? Mr. Meador responded in part we don't give the conditional offer until they have pasted the 15 percent. His understanding is other academies don't do that; or they don't hire the volume and they have that ability to do that. That comes from the direction of city attorney's office, we don't offer the conditional offer until they are at the 15 percent; they have that short window of time.

Ms. Davis stated this could possibility affect other closed academies; agencies that run their own academies. But, the majority of our students are certified in open enrollment. But she could see other agencies that run their own academies having the same concerns. We have not heard from Cleveland, who is on a hiring surge right now.

Chief Stanforth asked if there was a time restraint that the Commission needed to be conscious of here? Mr. Meador responded no, but the sooner the better. Chair Stanforth confirmed with Ms. Davis that they would follow through with this concern and Ms. Davis assured she would and would report back in September.

Mr. Meador announced on Wednesday, October 24th they would be hosting the 3rd Annual Domestic Violence Conference. Please contact Columbus Division of Police for more information.

Chair Stanforth asked if the issue brought up with Sheriff Simpson needed to be discussed? Sheriff Heldman stated it was Butler Tech and had to do with instructor course for the firearms. Ms. Davis stated that was handled, there were seats available. Chair Stanforth stated Mr. Cornwell was concerned that nobody else can conduct training except for London. Was that one of the points he was trying to make? Ms. Davis responded, when they purged the TOT program which had an ending date attached to it. We received information one of the Southern Sheriff's had a couple of deputy's in a TOT course at Butler Tech for semi-automatic pistol and shotgun for this fall. Butler Tech advised them they would no longer be able to run those courses, and the Sheriff gave us the information, which we had open seats available in both of the courses we had set in London. They just wanted instructors so they could do firearm requalifications, and teach in basic academies. If we had not been able to meet that need, which is when we would have looked at the new master training program and getting someone in that area approved to fill the need for the sheriff.

Chair Stanforth felt the impression was left that Butler could not do the TOT training anymore. But, nobody is going to be able to do that; Ms. Davis responded, correct. Chair Stanforth responded we are replacing that with Master Trainer Program. Who is going to be able to do the Master Trainer Program? Ms. Davis responded the same type of people who would have done the TOTs, but it will be on an as needed basis. They can teach our instructor level courses on our behalf. If we can't meet an agency's need, then we will develop instructors for them to teach on our behalf. Mr. Schumaker asked if we were doing the instruction for Master Trainer? Ms. Davis responded for the development. Chair Stanforth asked if any academy could instruct our course? Ms. Davis stated no, it's an agency. So, before TOT's were given to many people who may have been with an agency's at the time they were approved as a TOT, but then they retired and then had a private company and did it privately. But, the Master Trainer requirements, because the reason for needing master trainers is for agencies to have these people developed. It must be an agency requesting it. Sheriff Heldman clarified not an open academy. Ms. Davis stated correct, because their staff aren't the ones who would have that need. Mr. Schumaker asked if the agencies came to OPOTA to train? Ms. Davis stated yes, if they need it for master trainer.

Ms. Davis has had a few conversations since the May meeting clarifying that although part of the program is a 3 master trainer limit per topic; the reality of how the program plays out is once an agency as a person who meets the requirements of a specific master trainer, we may say you only have this need through 2018 and after that you can't do them anymore. If then in 2020 they need something and we can't fill the need, unless something major has changed in the program, they have already met all the check boxes to be a master trainer. They just can't go out and do them whenever they want. They need to come back to us and say we have another need and if we can't prefill it; they can send that same person back to us with an application saying is this person qualified to run these courses for us?

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Chief Jacobs asked if they hadn't taught it for a year or two would they have to get trained up if there were any updates. Ms. Davis stated yes, if there were updates. But, she doesn't see it as a common occurrence. Chair Stanforth stated Sheriff Simpson's questions were covered, but he believes another question is going to be academies can't train trainers. He thinks that is what is taken from that part of the question. Mr. Schumaker stated that is true, correct? Ms. Davis stated yes. Mr. Schumaker stated his understanding was that the master trainer was being taught at OPOTA; that was his understanding we they passed it. Chair Stanforth interrupted the same thing from the minutes. How are we communicating this information to the academies? Butler is apparently giving the impression this was totally out of the blue for them. He feels we had this discussion, it's what we do. Chair Stanforth asked the commanders present if the Commission wasn't communicating well enough to them?

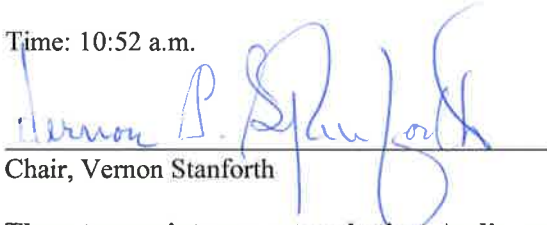
Ms. Davis stated for the TOT notices. They went out the end of May, first part of June. Those went to the organizations of the 300 plus people we had listed in our records at TOTs. We wouldn't have sent it to people who it wasn't relevant to. Chair Stanforth stated his agency received one for an instructor who was long retired, but still on the roster. Chair Stanforth just wanted to be sure that the messages were getting out; they apparently don't understand these messages were being sent out. The Chair was under the impression that Mr. Cornwell and Sheriff Simpson were approached by Butler because this was something new that they were unaware of. Sheriff Heldman stated it was new to Sheriff Simpson, which was what he was questioning. He felt that Butler understood what was going on and that was the reason they notified him now whether than waiting. After speaking with Sheriff Simpson, that was the way he understood it.

The Chair asked if there were any further concerns from the guest; with none forthcoming the Chair entertained the motion to adjourn.

MOTION

Chief Jacobs moved to adjourn the meeting. Sheriff Heldman seconded the motion. A vote was taken and passed unanimously. Y-8 / N-0.

Time: 10:52 a.m.



Chair, Vernon Stanforth

These transcripts are not verbatim. Audio recordings are available upon request.

Handout 1 - [click link](#)

Handout 2 – [attached](#)

Handout 3 – [click link](#)

Addendum 1L - [attached](#)

Chapter 109:2-2 Firearms Basic Training
109:2-2-01 Definitions.

When used in Chapter 109:2-2 of the Administrative Code:

- (A) "Commission" means Ohio peace officer training commission.
- (B) "Executive director" means the executive director of the commission.
- (C) The terms "tactical medical professional," "nurse," "physician," "EMT-basic," "EMT-I," "paramedic," "EMT," "AEMT," and "peace officer" have the same meanings as in section 109.71 of the Revised Code.
- (D) "Basic firearms course" means the handgun portion of the peace officer basic training firearms unit conducted in accordance with Chapter 109:2-1 of the Administrative Code or training conducted in accordance with Chapter 109:2-5 of the Administrative Code.

109:2-2-02 Training

- (A) Any tactical medical professional that carries a firearm while on duty is required to complete a basic firearms course. Such training is not required if:
- (1) The person is a currently certified peace officer, or
 - (2) Prior to or during employment as a tactical medical professional and prior to the effective date of this rule, the professional has successfully completed an equivalent firearms training program approved by the commission and can show documentation of being currently re-qualified with their authorized duty weapon. Equivalent training programs are as follows:
 - (a) Training completed prior to the effective date of this rule conducted in accordance with Chapter 109:2-1 of the Administrative Code
 - (b) Training completed prior to the effective date of this rule conducted in accordance with Chapter 109:2-5 of the Administrative Code
 - (c) Training completed prior to the effective date of this rule required by section 2301.27(C), or section 5149.05 of the Revised Code.
- (B) In addition to the training required in paragraph (A), any tactical medical professional that carries a firearm while on duty is required to complete a scenario training course approved by the executive director.
- (C) Tactical medical professionals seeking the ability to carry a rifle or carbine while on duty shall successfully complete additional training approved by the commission. The training shall include, at a minimum, instruction on the carrying and use of rifles and carbines.
- (D) To complete the training required in this chapter, the executive director shall permit tactical medical professionals to attend relevant training classes at the Ohio peace officer training academy.
- (E) Nothing in this chapter shall limit or be construed as limiting the authority of a commander or a tactical medical professional's agency to enact rules and regulations that establish a higher standard of training above the minimum required by the rules of this chapter.

109:2-2-03 Certification of students.

Upon successful completion of both an approved basic firearms course and a scenario training course approved by the executive director, a tactical medical professional shall be issued a certificate of completion by the executive director.

DRAFT

109:2-2-04 Forms.

All forms referenced in this chapter can be found at

<http://www.ohioattorneygeneral.gov/files/forms/forms-for-law-enforcement/law-enforcement-training-forms.aspx> or by contacting the Ohio peace officer training academy at askopota@ohioattorneygeneral.gov

DRAFT



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

Holly Cantrell Gilman

Sub. H.B. 318*

132nd General Assembly
(As Reported by S. Finance)

Reps. Patterson and LaTourette, Boggs, Lepore-Hagan, Carfagna, Slaby, Rogers, Scherer, K. Smith, Miller, Sheehy, Brenner, Fedor, Hambley, Henne, R. Smith, Cera, Green, Sykes, Anielski, Antonio, Arndt, Ashford, Barnes, Boyd, Brown, Craig, Cupp, Duffey, Edwards, Faber, Galonski, Gavarone, Ginter, Greenspan, Hagan, Holmes, Hoops, Hughes, Ingram, Johnson, Kelly, Koehler, Landis, Leland, Lipps, Manning, McClain, O'Brien, Patton, Pelanda, Perales, Ramos, Reineke, Rezabek, Riedel, Romanchuk, Ryan, Seitz, Stein, Strahorn, Thompson, West, Wiggam, Young

BILL SUMMARY

SCHOOL SAFETY AND SECURITY

School resource officers

- Establishes qualifications and training requirements for school resource officers and permits those officers to provide a specified range of services to school districts and schools.
- Requires a school resource officer to complete 40 hours of specialized training offered by either the National or Ohio Association for School Resource Officers or a peace officer with specialized certification and specifies the requirements for such training, including that it must be certified by the Ohio Peace Officer Training Commission.
- Requires any school district that obtains school resource officer services and the appropriate law enforcement agency to enter into a memorandum of understanding clarifying the purpose of the district's school resource officer program.

* This analysis was prepared before the report of the Senate Finance Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

Other school safety and security provisions

- Makes an appropriation to provide grants to public schools, including certain schools operated by county boards of developmental disabilities, and chartered nonpublic schools for school safety and school climate programs and training.
- Requires the Department of Public Safety, in consultation with the Facilities Construction Commission, to conduct a study of school security in existing public school buildings and chartered nonpublic school buildings and to submit a copy of the study to the Governor and General Assembly by February 1, 2019.
- Transfers unused capital funds remaining from the School Security Grants Program, which were designated for use by March of 2017, to the General Revenue Fund.

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS

Positive Behavior Intervention and Supports

- Clarifies that each school district, community school, STEM or STEAM school, and college-preparatory boarding school must implement a Positive Behavior Intervention and Supports (PBIS) framework and provides a list of potential objectives.
- Requires all teacher preparation programs to include PBIS instruction for all their students pursuing a license to teach in any of grades pre-K through five.
- Requires each school district, within three years, to provide professional development in PBIS to certain prescribed teachers and administrators.
- Requires each district's professional development committee to establish model courses and monitor a district's provision of professional development in PBIS.
- Includes as a nongraded measure on a district's or building's report card a statement of whether the district or school has implemented a PBIS framework.

Suspension and expulsion

- Specifies that a student may be expelled for one year for bringing or possessing a knife only if that knife is capable of causing serious bodily injury.
- Requires a school district or school to permit suspended students to complete missed assignments and specifies that any in-school suspension must be served in a supervised learning environment.

Dual role of Ohio Peace Officer Training Commission

The bill requires the Ohio Peace Officer Training Commission to do both of the following:

(1) Develop and conduct a basic school resource officer training course that includes instruction regarding skills, tactics and strategies necessary to address the specific nature of the elements enumerated in "**Provision of specialized training program**" below and establish criteria for what constitutes successful completion of that course;⁶ and

(2) Adopt rules for the approval of the National or Ohio School Resource Officer Association or a peace officer certified to conduct specialized training and select from that list the entity that will actually conduct the specialized training.⁷

Provision of specialized training program

Under the bill, the National Association of School Resource officers, the Ohio School Resource Officers Association, or a peace officer certified to conduct a basic school resource officer training course developed by the Ohio Peace Officer Training Commission must be approved by the Ohio Peace Officer Training Commission to provide the specialized training.⁸ Regardless of which entity conducts the training, the program itself must be certified by the Commission and include instruction regarding skills, tactics, and strategies necessary to address the specific nature of all of the following:

(1) School campuses;

(2) School building security needs and characteristics;

(3) The nuances of law enforcement functions conducted inside a school environment (see below);

(4) The mechanics of being a positive role model for youth, including appropriate communication techniques which enhance interactions between the school resource officer and students;

⁶ R.C. 3313.951(B)(4)(a).

⁷ R.C. 3313.951(B)(4)(b).

⁸ R.C. 3313.951(B)(3).

(5) 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;

(6) The mechanics of Ohio's laws regarding compulsory attendance; and

(7) Identifying the trends in drug use, eliminating the instance of drug use, and encouraging a drug-free environment in schools.⁹

Nuances of law enforcement functions

With respect to the nuances of law enforcement functions component of a certified program, the bill requires instruction on understanding all of the following concepts:

(1) The psychological and physiological characteristics consistent with the ages of the students;

(2) The appropriate role of school resource officers regarding discipline and reducing the number of referrals to juvenile court; and

(3) The use of developmentally appropriate interview, interrogation, de-escalation, and behavior management strategies.¹⁰

Types of services provided by a school resource officer

A school resource officer who meets the requirements described above may carry out any responsibilities outlined in the officer's employment engagement, contract, or memorandum of understanding with a school or district, such as providing a safe learning environment, providing resources to school staff, fostering positive relationships, or developing problem resolution strategies.¹¹

The bill also specifically permits a school resource officer to provide assistance with adoption, implementation, and amendment of comprehensive school emergency management plans. When assisting with the development of an emergency management plan, the bill requires a school resource officer to consult with local law enforcement and first responders.¹²

⁹ R.C. 3313.951(B)(3).

¹⁰ R.C. 3313.951(B)(3)(c).

¹¹ R.C. 3313.951(D)(1)(b).

¹² R.C. 3313.951(D). See also R.C. 3313.536, not in the bill.

The bill vests the school district or school administrator with final decision-making authority regarding all matters of school discipline.¹³

Memorandum of understanding

Under the bill, a school district that wishes to obtain school resource officer services must first enter into a memorandum of understanding with the appropriate law enforcement agency clarifying the purpose of the school resource officer program, and roles and expectations between the participating entities. If a school resource officer is already providing services to a district as of the bill's effective date, the memorandum must be entered into within one year after that date.¹⁴

Contents

Each memorandum of understanding entered into in accordance with the bill's provisions must address the following items:

- (1) Goals for the school resource officer program;
- (2) Background requirements or suggested expertise for employing law enforcement in the school setting, including an understanding of child and adolescent development;
- (3) Professional development, including training requirements that focus on age-appropriate practices for conflict resolution and developmentally informed de-escalation and crisis intervention methods;
- (4) Roles, responsibilities, and expectations of the parties involved, including school resource officers, law enforcement, school administrators, staff, and teachers;
- (5) A protocol for how suspected criminal activity versus school discipline is to be handled;
- (6) The requirement for coordinated crisis planning and updating of school crisis plans; and
- (7) Any other discretionary items determined by the parties to foster a school resource officer program that builds positive relationships between law enforcement,

¹³ R.C. 3313.951(E).

¹⁴ R.C. 3313.951(C)(1).

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CONTENT AND OPERATION

SCHOOL SAFETY AND SECURITY

School resource officers

The bill establishes the qualifications and training requirements for school resource officers. A "school resource officer" under the bill is any peace officer appointed through a memorandum of understanding between a law enforcement agency and a school district to provide prescribed services to a school district or its schools.¹

¹ R.C. 3313.951(A)(3).

For purposes of the bill's provisions, the term "peace officer" is limited to "a deputy sheriff, marshal, deputy marshal, member of the organized police department of a township or municipal corporation, member of a township police district or joint police district police force, member of a police force employed by a metropolitan housing authority . . . , or township constable, who is commissioned and employed as a peace officer by a political subdivision of this state or by a metropolitan housing authority, and whose primary duties are to preserve the peace, to protect life and property, and to enforce state laws, municipal ordinances, township resolutions, or regulations of a board of county commissioners or township trustees, or any of those laws, ordinances, resolutions, or regulations."²

Requirement: completion of peace officer basic training

Any school resource officer who provides services to a school district or its schools on or after the bill's effective date must complete a basic peace officer training program approved by the Ohio Peace Officer Training Commission.³

Requirement: completion of specialized training

With one exception described below, the bill also requires each school resource officer, within one year after appointment, to complete at least 40 hours of specialized training through one of the following, as approved by the Ohio Peace Officer Training Commission:⁴

(1) The National Association of School Resource Officers;

(2) The Ohio School Resource Officers Association; or

(3) A peace officer certified to conduct a course that satisfies the conditions enumerated in "**Provision of specialized training program**" below.

Exception to specialized training requirement

The bill provides an exception from the 40-hour specialized training requirement for any school resource officer appointed prior to the bill's effective date.⁵

² See R.C. 109.71(A)(1), not in the bill.

³ R.C. 3313.951(B)(1)(a). See also R.C. 109.77, not in the bill.

⁴ R.C. 3313.951(B)(1)(b).

⁵ R.C. 3313.951(B)(2).

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.¹⁵

Student input

The bill permits a school district, through its school administration, to give students an opportunity to provide input during the drafting process of a memorandum of understanding.¹⁶

Background on school resource officers

In current practice, school resource officers are peace officers whose duties are to preserve the peace, protect persons and property, and enforce the state criminal laws and municipal ordinances on school premises. They are typically employed as police officers of the municipal corporation, township, or other political subdivision within which jurisdiction they exercise their police authority. Generally, they work under a contract between the school district, community school, or chartered nonpublic school and the political subdivision as authorized under current law. One provision of law limits the officer's duties to assisting guidance counselors and teachers in working with students concerning the use of alcohol or drugs of abuse. Another provision, on the other hand, permits county sheriffs to contract with districts and schools for more comprehensive services.¹⁷

Appropriation for school safety and school climate programs and training

The bill appropriates \$12 million in FY 2019 for the Attorney General, in consultation with the Superintendent of Public Instruction and the Director of Mental Health and Addiction Services, to award grants to public and chartered nonpublic schools for school safety and school climate programs and training. The grants may be used for at least the following:

- (1) School resource officer certification training;
- (2) Any type of active shooter and school safety training;
- (3) All grade level type educational resources;
- (4) Training to identify and assist students with mental health issues; and

¹⁵ R.C. 3313.951(C)(2).

¹⁶ R.C. 3313.951(C)(4).

¹⁷ R.C. 311.29 and 3313.95, neither in the bill.

(5) Any other training related to school safety.¹⁸

The bill requires participating schools and county boards to work with or contract with the county sheriff's office or the appropriate local police department to develop these programs and training.¹⁹

Study of school security

The bill requires the Department of Public Safety, in consultation with the Ohio Facilities Construction Commission to conduct a study of school security in existing public school buildings and existing buildings of chartered nonpublic schools that elect to participate in the study. The study must include all of the following:

- (1) The types of physical security measures used in school buildings;
- (2) Options for possible security upgrades for school buildings;
- (3) An analysis of the most cost-effective ways to add physical security changes to existing school buildings;
- (4) The number of school buildings with a school resource officer;
- (5) The number of buildings with school security personnel not reported in (4) above, including school buildings that use retired law enforcement as school security; and
- (6) Recommendations for improving school security.

The Commission must submit a copy of the study to the Governor and to each member of the General Assembly by February 1, 2019.²⁰

Finally, the bill specifies that in the interest of maintaining student and staff safety, any information provided by any school to the Department of Public Safety regarding the study is a security record and is not a public record.²¹

¹⁸ Sections 4 and 6.

¹⁹ Section 4.

²⁰ Section 8.

²¹ Section 8. See also R.C. 149.433 of the Revised Code, not in the bill.