

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: HB2358

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Durant

3. Committee: House Committee on Education

4. Title: Employment of school protection officers in public schools.

5. Summary: The proposed bill defines "School protection officer" as a retired law-enforcement officer hired by the local law-enforcement agency on a part-time basis to provide limited law-enforcement and security services to public elementary and secondary schools in the Commonwealth (§ 9.1-101).

The bill amends § 9.1-102 (Powers and duties of the Board and the Department) to require the Department of Criminal Justice Services ("DCJS") to establish compulsory training standards for basic training and the recertification of school protection officers.

The bill also establishes that every law-enforcement officer employed as a school protection officer must comply with the compulsory minimum training standards for school protection officers established by the DCJS within a period of time fixed by the DCJS. DCJS must ensure that such required training is available throughout the Commonwealth. Such training may be provided by the employing local law-enforcement agency and must be graduated and based on the type of duties to be performed.

The bill amends § 9.1-184 (Virginia Center for School and Campus Safety created; duties) to require the development of a model memorandum of understanding setting forth the respective roles and responsibilities of local school boards and local law-enforcement agencies regarding the use of school protection officers. Such model memorandum of understanding may be used by local school boards and local law-enforcement agencies to satisfy the requirements of subsection C of § 22.1-280.2:3.

The bill amends § 22.1-280.2:3 (School boards; safety and security personnel) to establish that any local law-enforcement agency may, pursuant to an agreement with the local school board, employ a school protection officer, as defined in § 9.1-101, in any public elementary or secondary school in the local school division. Each such school board and local law-enforcement agency must enter into a memorandum of understanding that sets forth the powers and duties of such school protection officers. The provisions of such memorandum of understanding must be based on the model memorandum of understanding developed by the Virginia Center for School and Campus Safety pursuant to subdivision A 13 of § 9.1-184,

which may be modified by the parties in accordance with their particular needs. Each such school board and local law-enforcement agency must review and amend or affirm such memorandum at least once every two years or at any time upon the request of either party. Each such school board must ensure that the current division memorandum of understanding is conspicuously published on the local school division's website and provide notice and opportunity for public input during each memorandum of understanding review period.

- 6. Budget Amendment Necessary:** Indeterminate
- 7. Fiscal Impact Estimates:** Preliminary (see Item 8 below)
- 8. Fiscal Implications:** Under the provisions of the bill, DCJS is to establish compulsory training standards for basic training and the recertification of school protection officers. The agency is able to use current resources to develop these standards. According to DCJS, there may be a need for additional resources to deliver such training, however, the cost to DCJS and to the local training academies cannot be determined at this time as it will depend on the number of localities that embrace hiring school protection officers.

The fiscal impact on local school divisions is indeterminate.
- 9. Specific Agency or Political Subdivisions Affected:** Department of Criminal Justice Services, local school boards, local law enforcement agencies.
- 10. Technical Amendment Necessary:** No
- 11. Other Comments:** None