

By: Representative McKnight

To: Education

HOUSE BILL NO. 766

1 AN ACT TO AMEND SECTION 37-3-82, MISSISSIPPI CODE OF 1972, TO
 2 AUTHORIZE ANY CERTIFIED AND ACCREDITED LAW ENFORCEMENT OFFICERS'
 3 TRAINING ACADEMY, LOCATED WITHIN THE STATE OF MISSISSIPPI AND
 4 APPROVED BY THE BOARD ON LAW ENFORCEMENT OFFICER STANDARDS AND
 5 TRAINING, TO PROVIDE TRAINING THROUGH THE ADVANCED LAW ENFORCEMENT
 6 RAPID RESPONSE TRAINING (ALERT) PROGRAM; TO BRING FORWARD SECTION
 7 37-7-321, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE
 8 AMENDMENT; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** Section 37-3-82, Mississippi Code of 1972, is
 11 amended as follows:

12 37-3-82. (1) There is hereby established the Mississippi
 13 Community Oriented Policing Services in Schools (MCOPS) grant
 14 program in the State Department of Education to provide funding,
 15 pursuant to specific appropriation by the Legislature therefor, to
 16 assist law enforcement agencies in providing additional School
 17 Resource Officers to engage in community policing in and around
 18 primary and secondary schools. The MCOPS program shall authorize
 19 the State Department of Education to make grants to increase
 20 deployment of law enforcement officers in order (a) to increase or
 21 enhance community policing in this state, (b) that trained, sworn



22 enforcement officers assigned to schools play an integral part in
23 the development and/or enhancement of a comprehensive school
24 safety plan, and (c) that the presence of these officers shall
25 provide schools with a direct link to local law enforcement
26 agencies.

27 (2) The MCOPS program shall meet the following requirements
28 and standards:

29 (a) This program shall provide an incentive for law
30 enforcement agencies to build collaborative partnerships with the
31 school community and to use community policing efforts to combat
32 school violence and implement educational programs to improve
33 student and school safety.

34 (b) The additional School Resource Officers must devote
35 at least seventy-five percent (75%) of their time to work in and
36 around primary and secondary schools, in addition to the time that
37 School Resource Officers are devoting in the absence of the MCOPS
38 in Schools grant.

39 (c) Beginning with the 2019-2020 school year, the MCOPS
40 in Schools program shall provide a minimum state contribution of
41 up to Ten Thousand Dollars (\$10,000.00) per officer position over
42 the one-year grant period, to be matched from local funds on a
43 50/50 matching basis. Officers paid with MCOPS funds may be
44 employed by the local law enforcement agency or by the local
45 school district. MCOPS funds may be used to pay for entry-level
46 salaries and benefits of newly trained additional School Resource



47 Officers and may be used to pay the salaries and benefits of
48 School Resource Officers employed prior to July 1, 2013. All
49 jurisdictions that apply must demonstrate that they have primary
50 law enforcement authority over the school(s) identified in their
51 application and demonstrate their inability to implement this
52 project without state assistance. Schools or law enforcement
53 agencies may not reduce its overall federal, state, locally funded
54 level of sworn officers (including other School Resource Officers
55 or other sworn officers assigned to the schools) as a result of
56 applying for or receiving MCOPS in Schools grant funding. MCOPS
57 in Schools funding may be used to rehire sworn officers previously
58 employed who have been laid off for financial reasons unrelated to
59 the availability of the MCOPS in Schools grant, but must obtain
60 prior written approval from the State Department of Education.
61 MCOPS in Schools funding may be used to train school resource
62 officers. In order to be eligible for such program, each local
63 school board desiring to participate shall apply to the State
64 Department of Education by May 31 before the beginning of the
65 applicable fiscal year on forms provided by the department. The
66 State Department of Education shall determine by July 1 of each
67 succeeding year which local school districts have submitted
68 approved applications for School Resource Officer funding.

69 (d) School Resource Officers (SROs) may serve in a
70 variety of roles, including, but not limited to, that of a law
71 enforcement officer/safety specialist, law-related educator, and



72 problem-solver/community liaison. These officers may teach
73 programs such as crime prevention, substance abuse prevention, and
74 gang resistance as well as monitor and assist troubled students
75 through mentoring programs. The School Resource Officer(s) may
76 also identify physical changes in the environment that may reduce
77 crime in and around the schools, as well as assist in developing
78 school policies which address criminal activity and school safety.
79 The application must also include a Memorandum of Understanding
80 (MOU), signed by the law enforcement executive and the appropriate
81 school official(s), to document the roles and responsibilities to
82 be undertaken by the law enforcement agency and the educational
83 school partner(s) through this collaborative effort. The
84 application must also include a Narrative Addendum to document
85 that the School Resource Officer(s) will be assigned to work in
86 and around primary or secondary schools and provide supporting
87 documentation in the following areas: problem identification and
88 justification, community policing strategies to be used by the
89 officers, quality and level of commitment to the effort, and the
90 link to community policing.

91 (e) All agencies receiving awards through the MCOPS in
92 Schools program are required to send the School Resource Officer
93 position(s) funded by this grant, to * * * participate in training
94 through the Advanced Law Enforcement Rapid Response Training
95 (ALERRT) Program at * * * any certified and accredited law
96 enforcement officers' training academy located within the State of



97 Mississippi, approved by the Mississippi Board on Law Enforcement
98 Officer Standards and Training and which employs one or more
99 trainers certified to provide instruction to school resource
100 officers through active shooter response courses, with the cost of
101 such training to be defrayed from the MCOPS program. The MCOPS
102 Office of the State Department of Education will reimburse
103 grantees for training, per diem, travel, and lodging costs for
104 attendance of required participants up to a maximum of One
105 Thousand Two Hundred Dollars (\$1,200.00) per person attending.
106 Applicants receiving an MCOPS in Schools grant, will receive
107 additional training information following notification of the
108 grant award. The MCOPS in Schools training requirement must be
109 completed prior to the end of twelve-month grant funding for
110 officer positions.

111 (3) The State Department of Education shall promulgate rules
112 and regulations prescribing procedures for the application,
113 expenditure requirements and the administration of the Mississippi
114 Community Oriented Policing Services in Schools (MCOPS) program
115 established in this section, and shall make a report on the
116 implementation of the MCOPS program with any recommendations to
117 the 2020 Regular Session of the Legislature.

118 **SECTION 2.** Section 37-7-321, Mississippi Code of 1972, is
119 brought forward as follows:

120 37-7-321. (1) The school board of any school district
121 within the State of Mississippi, in its discretion, may employ one



122 or more persons as security personnel and may designate such
123 persons as peace officers in or on any property operated for
124 school purposes by such board upon their taking such oath and
125 making such bond as required of a constable of the county in which
126 the school district is situated.

127 (2) Any person employed by a school board as a security
128 guard or school resource officer or in any other position that has
129 the powers of a peace officer must receive a minimum level of
130 basic law enforcement training, as jointly determined and
131 prescribed by the Board on Law Enforcement Officer Standards and
132 Training and the State Board of Education, within two (2) years of
133 the person's initial employment in such position. Upon the
134 failure of any person employed in such position to receive the
135 required training within the designated time, the person may not
136 exercise the powers of a peace officer in or on the property of
137 the school district.

138 (3) The school board is authorized and empowered, in its
139 discretion, and subject to the approval of the Federal
140 Communications Commission, to install and operate a noncommercial
141 radio broadcasting and transmission station for educational and
142 vocational educational purposes.

143 (4) If a law enforcement officer is duly appointed to be a
144 peace officer by a school district under this section, the local
145 school board may enter into an interlocal agreement with other law
146 enforcement entities for the provision of equipment or traffic



147 control duties, however, the duty to enforce traffic regulations
148 and to enforce the laws of the state or municipality off of school
149 property lies with the local police or sheriff's department which
150 cannot withhold its services solely because of the lack of such an
151 agreement.

152 **SECTION 3.** This act shall take effect and be in force from
153 and after July 1, 2023.

