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School Resource Officers and Security Officers

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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School Resource Officers and Security Officers

Reference Number: CTAS-92

The board of education is authorized to enter into an agreement of understanding with a local law enforcement agency to have a school resource officer (SRO) assigned to a school. The SRO must be a law enforcement officer as defined under T.C.A. § 39-11-106, and must be in compliance with all rules and regulations of the POST commission. The SRO is required to complete 40 hours of basic training in school policing within twelve months of assignment and at least 16 hours annually thereafter. T.C.A. § 49-6-4217. LEAs and law enforcement agencies are not required to assign or provide funding for SROs to city school systems within the county; the provision of security or SROs is considered a law enforcement function and not a school operation or maintenance purpose. T.C.A. § 49-6-815.

An LEA is also authorized to create the position of "school security officer," defined as a person employed exclusively by a local school board to (1) maintain order and discipline, (2) prevent crime, (3) investigate violations of school board policies, (4) return students who may be in violation of the law or policies to school property or to a school-sponsored event until the officer can place the student into the custody of the school administrator, the school resource officer, or a law enforcement officer, and (5) ensure the safety, security, and welfare of all students, faculty, staff and visitors in the officer's assigned school. The LEA is authorized to adopt, in consultation with the appropriate local law enforcement agency, a policy authorizing a school security officer to patrol within a one-mile radius of the assigned school but not outside the boundaries of the LEA. A copy of any policy adopted must be filed with the appropriate local chief law enforcement officer. In patrolling the one-mile radius, the school security officer can only patrol for violations of laws involving minors, including truancy, and must immediately notify the appropriate local law enforcement agency of any violation of the law if the officer reasonably believes the perpetrator is a minor. T.C.A. § 49-6-4206.

Under T.C.A. § 49-6-809, local boards of education are authorized to adopt a policy authorizing off-duty law enforcement officers to serve as armed school security officers during regular school hours when children are present on school premises and during school-sponsored events. An LEA adopting such a policy is required to enter into a memorandum of understanding (MOU) with each law enforcement agency that employs the law enforcement officers selected by the chief law enforcement officer of the law enforcement agency to serve as armed school security officers. The requirements for the MOU are set out in the statute. The chief law enforcement officer is required to consider the Fair Labor Standards Act (minimum wage and overtime) in considering officers to serve. Funding for armed security officers may come from a law enforcement agency or from the LEA, including but not limited to local, state, or federal funds received by the LEA. Nothing in this statute requires an LEA or a law enforcement agency to assign or provide funding for an armed security officer.

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