



Legislation Text

File #: 2022-0707, Version: 1

SCHOOL RESOURCE OFFICER:

A RESOLUTION TO APPROVE THE ADDITION OF A NEW FULL TIME EQUIVALENT POLICE OFFICER POSITION TO BE ASSIGNED TO THE FAYETTEVILLE PUBLIC SCHOOL DISTRICT AS A SCHOOL RESOURCE OFFICER BEGINNING IN THE 2022-2023 SCHOOL YEAR, TO EXPRESS THE INTENT OF THE CITY COUNCIL TO ADD TWO NEW SCHOOL RESOURCE OFFICER POSITIONS EACH YEAR THEREAFTER UNTIL EVERY SCHOOL IN THE DISTRICT IS ABLE TO HAVE AN OFFICER ON SITE EACH SCHOOL DAY, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, pursuant to Ark. Code Ann. § 6-10-128, the City of Fayetteville and the Fayetteville Public School District must enter into a memorandum of understanding regarding the assignment of school resource officers (SROs) to the Fayetteville Public School District including the financial responsibilities of each party, chain of command, the roles and responsibilities of the school resource officers, training requirements, hours of assignment, the provision of benefits, and other matters; and

WHEREAS, the City currently has six school resource officers assigned to the Fayetteville Public School District which has fifteen schools in operation and a sixteenth under construction; and

WHEREAS, the District has requested that the City assign another school resource officer to the District beginning in the 2022-2023 school year; and

WHEREAS, the District has also requested that the City assign additional officers in the future to ensure that each school is able to have a school resource officer on site; and

WHEREAS, the additional school resource officer positions will be new full time equivalent officers and will not reduce the Police Department's current staffing levels; and

WHEREAS, on August 2, 2022, the Arkansas School Safety Commission released its Interim Report with findings and recommendations including the following from the Law Enforcement and Security Subcommittee which is chaired by Washington County Sheriff Tim Helder:

- Recommendation 1: No campus should ever be without an armed presence "AT ALL TIMES" when staff and children are attending class or a major extracurricular activity.
- Recommendation 2: If financially practicable, school should ideally have at least one SRO for each campus.
- Recommendation 3: School districts should execute a Memorandum of Understanding (MOU) with their partnering law-enforcement agencies that identify the roles and responsibilities of SROs and other critical elements.

- Recommendation 4: SROs whose primary assignment is within the school should receive specialized training.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves the addition of a new full time equivalent officer position for the Police Department to be assigned to the Fayetteville Public School District in accordance with the memorandum of understanding required by Ark. Code Ann. § 6-10-128.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution, to fund the new position.

Section 3: That the City Council of the City of Fayetteville, Arkansas hereby expresses its intent to approve the addition of two new full time equivalent officer positions every year beginning in 2023 and authorize those positions to be assigned to the Fayetteville Public School District as school resource officers until each school is able to have an officer on site.

AGENDA REQUEST FORM

FOR: Council Meeting of August 16, 2022

FROM: Council Member Holly Hertzberg

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

A RESOLUTION TO APPROVE THE ADDITION OF A NEW FULL TIME EQUIVALENT POLICE OFFICER POSITION TO BE ASSIGNED TO THE FAYETTEVILLE PUBLIC SCHOOL DISTRICT AS A SCHOOL RESOURCE OFFICER BEGINNING IN THE 2022-2023 SCHOOL YEAR, AND TO EXPRESS THE INTENT OF THE CITY COUNCIL TO ADD TWO NEW SCHOOL RESOURCE OFFICER POSITIONS EACH YEAR THEREAFTER UNTIL EVERY SCHOOL IN THE DISTRICT IS ABLE TO HAVE AN OFFICER ON SITE EACH SCHOOL DAY


APPROVED FOR AGENDA:



City Council Member
Holly Hertzberg

8/2/22

Date



Asst. City Attorney Blake Pennington
Approved as to form

8/2/22

Date

Pennington, Blake

From: Hertzberg, Holly
Sent: Tuesday, August 2, 2022 1:12 PM
To: Pennington, Blake
Subject: Re: Agenda Request - SROs

Thank you Blake! I am attaching my memo below. Let me know if you would prefer this as a word pdf on letterhead.

I am bringing forward this ordinance in order to ensure the safety and security of students, faculty, and staff within the Fayetteville Public Schools. As we were tragically reminded on May 24th, school violence is a prominent threat that needs to be taken seriously; the City of Fayetteville has a responsibility to ensure all possible measures are in place to prevent and defend against this type of evil. According to the Arkansas School Safety Commission, "No campus should ever be without an armed presence "AT ALL TIMES" when staff and children are attending class or a major extracurricular activity." Fayetteville Public School District has six school resource officers covering fifteen schools which means we are severely behind in meeting the recommendations of the Arkansas School Safety Commission; this ordinance will bring us one step closer to meeting these important safety goals.

Thank you for all your work on this!

Holly Hertzberg

From: Pennington, Blake <bpennington@fayetteville-ar.gov>
Sent: Tuesday, August 2, 2022 9:03 AM
To: Hertzberg, Holly <holly.hertzberg@fayetteville-ar.gov>
Subject: RE: Agenda Request - SROs

Holly, I meant to send the draft recommendations to you as well in case it will help with your email/memo.

Thanks,

Blake

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Blake E. Pennington
Assistant City Attorney
Tele: (479) 575-8313
bpennington@fayetteville-ar.gov

From: Pennington, Blake
Sent: Monday, August 1, 2022 1:41 PM
To: Hertzberg, Holly <holly.hertzberg@fayetteville-ar.gov>
Subject: Agenda Request - SROs

Holly,

Attached is a revised draft of the resolution for your review. I'll have an agenda request form for you once we finalize everything.

Please let me know if you need anything else in the meantime.

Thanks,

Blake

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Blake E. Pennington

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Law Enforcement and Security Subcommittee Interim Report:

Recommendation 1: No campus should ever be without an armed presence “AT ALL TIMES” when staff and children are attending class or a major extracurricular activity.

We anticipate recommending the addition, “AT ALL TIMES”, to the full Commission.

While 84% of school districts indicated they have armed presence on all campuses in the 2019 School Safety Assessment, discussion pertaining to the accuracy of this survey question generated the need to clarify what a “campus” is. In 2018, the intent of our subcommittee was to have armed security within each building, i.e. Elementary School, Middle School, Junior High School and High Schools. This subcommittee is of the opinion school districts did not fully understand our intent. Consequently, a more descriptive question was included in the 2022 School Safety Assessment and the results will provide more meaningful information. With initial reports and anecdotal evidence, we believe that most school districts do not have an armed presence in every school. Either districts could not afford the cost of School Resource Officers (SROs) or Commissioned School Security Officers (CSSOs) or the district was opposed to arming additional personnel (SROs or CSSOs). In the 2019 School Safety Assessment, while 79% of districts indicated having at least one SRO, only 20% of the districts indicated they had an SRO on all campuses. Only 20 districts indicated that they have established CSSO programs. Compounding this issue further, if there is an armed presence, it is periodically interrupted due to the SRO (if only one) having responsibilities elsewhere in the district, or other responsibilities within the community that remove them from the school. There will be questions on the 2022 School Safety Assessment that will provide additional data to better determine the scope of this issue and help direct any additional recommendations.

When reflecting upon the Uvalde, Texas school shooting, it is possible that had armed security been inside the school when the attack began, the shooter may have been thwarted, perhaps before ever entering the school. This subcommittee believes very strongly that an armed presence in every school within a district is a must. The committee gave several options for school districts to explore in their efforts to provide their students with armed security. These options will be reviewed in this report.

Recommendation 2: If financially practicable, schools should ideally have at least one SRO for each campus.

Progress Made. Based on data from the Arkansas Center for School Safety, there are now 460 SROs throughout the state, with 223 total districts using SROs. The number of SROs (315) has increased significantly since the initial survey conducted by the Commission. However, at the time of the initial school safety assessment, only 20% of districts indicated they had SROs on all campuses. The financial practicability of having an SRO on each

“campus” should be better answered in upcoming survey after the definition of “campus” was clarified.

This recommendation dovetails with the first requiring armed security on every school campus within a district. Because this recommendation states, if financially practicable, the committee is signaling that this is an important goal, but it is not as crucial as having some form of armed security in every school. Obviously having a school resource officer on a campus does provide armed security, but it also provides the campus with a valuable tool. When properly trained a SRO can build bridges between students and the police that can be incredibly beneficial in helping to provide and increase the level of security for the school. We recognize that a SRO can be a powerful mentor and role model for the students they serve. They can also play an important role when schools are training staff to recognize and react to security threats. If funding can be found, placing a SRO in every school is recommended.

Recommendation 3: School districts should execute a Memorandum of Understanding (MOU) with their partnering law-enforcement agencies that identify the roles and responsibilities of SROs and other critical elements.

This recommendation became law with the passing of Acts 551 and 622 of the 2021 regular session and requires a school district that accepts a SRO to enter into a memorandum of understanding with the law enforcement agency having jurisdiction. The University of Arkansas System’s Criminal Justice Institute and Arkansas Center for School Safety (the Center) in collaboration with other key stakeholders including DESE’s Safe Schools Committee developed a model MOU that must be used by school districts when obtaining the services of a SRO from a local or county law enforcement agency. School districts that form an institutional police department must use this model MOU to develop mirroring policies and procedures for any sworn police officers on campus during the instructional day (SROs). A copy of the model SRO MOU can be found at www.arsafeschools.com.

Recommendation 4: SROs whose primary assignment is within the school should receive specialized training.

Acts 551 and 622 also include training requirement for all SROs. These include, a 40-hour basic SRO course, Youth Mental Health First Aid certification every four years, a SRO refresher course every five years after completing the basic SRO course and 12 hours of continuing education in school safety annually. In addition, superintendents and administrators with direct supervision responsibilities of a SRO must take a course on SRO roles and responsibilities. The Arkansas Center for School Safety (the Center) provides all needed courses (in-person and online) for SROs or administrators (www.arsafeschools.com) to meet these requirements. The Center is responsible for ensuring compliance in these laws and a district can lose the ability to use a SRO if these training requirements are not met.

We anticipate recommending a requirement that at least all SROs and CSSOs participate in regular Active Shooter training (i.e. ALERRT).

Advanced Law Enforcement Rapid Response Training (ALERRT)

The ALERRT Center at Texas State University is one of the most widely accepted active attack programs in the nation. ALERRT was created at Texas State University in 2002 as a partnership between Texas State University, the San Marcos, Texas Police Department and Hays County, Texas. BY 2013, ALLERT at Texas State was named as the National Standard in Active Shooter Response Training by the FBI.

Since 2002, ALERRT has been awarded more than \$72 million in state and federal grant funding. The program has trained more than 130,000 law enforcement and fire personnel nationwide in force-on-force scenario-based training. The ALERRT program is also responsible for training over 200,000 in the Civilian Response to Active Shooter Events (CRASE) Avoid-Deny-Defend awareness program. Please note many schools in Arkansas have received CRASE training from the Arkansas Center for School Safety and local and county law enforcement personnel across the state.

The ALERRT program is data driven and research based. The staff uses in-depth after-action lessons learned through partnerships with agencies who have been involved in some of the most highly published events related to active shooter situations. ALERRT established a criminal justice research department to evaluate and enhance the overall understanding of active attack events and assist in improving best practices.

Numerous state and federal agencies have accepted the ALERRT curriculum as their standard active shooter training. These states include, Texas, Mississippi, Alabama, Oklahoma, Iowa, Louisiana, Maryland, Georgia and Virginia. In addition, the New York Police Department, San Antonio Police Department, Miami Police Department, Memphis Police Department and the Atlanta Police Department are some of the major cities to adopt ALERRT as their standard. (Information obtained from [the ALERRT website.](#))

Based on the Uvalde event as described in the Robb School Report, the ALERRT training program addresses most of the leadership and tactical failures identified.

The Level 1 basic course is the backbone of the law enforcement instruction and designed to prepare the law enforcement officer to isolate, distract and neutralize an active shooter. The course covers shooting and moving, threshold evaluation, concepts and principles on team movement, setting up for and conducting room entries, approach and breaching areas, improvised explosive devices, and post engagement priorities of work. The course utilizes force-on-force scenarios as proof of instruction concepts. If these principles had been used in the Robb Elementary School shooting incident the outcome may have been much different.

In 2018, ALERRT merged the three primary first responder disciplines (Police, Fire, and EMS), and developed an integrated response that includes emergency medicine,

coordinated command centers, stronger local, regional, state and national response preparedness and processes. With the addition of the integrated response system the ALERRT program is now a three-prong approach in providing active shooter event survival skills. They teach law enforcement the approach of stop the threat prior to anything else, they provide a civilian response course that teaches our civilian populace the skills to survive from the time the active attack starts until law enforcement officers neutralize the threat and the integrated response system that allows for immediate on-site lifesaving procedures.

Additionally, ALERRT provides specific training in the following areas:

- 1. Active Shooter Incident Management:** The course provides an overview of the incident command systems and the specific way to use the processes to integrate various stakeholders in the first hour of response to an active attack.
- 2. CRASE:** This training platform focuses on civilians and is frequently requested by schools, businesses and hospitals. The civilian response to active shooter events provides resources in how to act if they are confronted with an active shooter event.
- 3. Civilian Response and Casualty Care:** This course combines the civilian response to an active shooter with the Stop the Bleed Campaign, which empowers civilians to provide life saving medical aid before first responders ever arrive.
- 4. Breaching:** The training provides hands on training to aid the first responder in approaching and breaching crisis site using traditional and non-traditional methods. The class discusses manual and ballistic breaching tools to gain immediate entry into a structure under extreme circumstances that demand immediate entry to save and protect lives.
- 5. Exterior Response to Active Shooters Events:** The course is designed to prepare law enforcement for an open-air active attack encounter. It addresses tactics and techniques to be used in an exterior environment with an armed aggressor.
- 6. First Responder Medical:** This is a train the trainer course that delivers a Tactical Medical for Patrol Officers course of study. This is a critical component in immediate life saving measures.
- 7. Solo Officer Rapid Deployment:** The course provides the solo officer with knowledge, skills and mind set on how to isolate, distract, or neutralize an armed threat like an active shooter.

ALERRT provides the most comprehensive instructional approach to the active attack event as any program in the nation. ALERRT is funded through the Department of Justice Bureau of Justice Assistance and is the most widely accepted active shooter program in our region and on a national platform. The State of Arkansas currently has over 400 certified ALERRT trainers who can provide immediate instruction in the majority of the eight ALERRT platforms. Furthermore, ALERRT is the active shooter standard curriculum for Arkansas

Commission on Law Enforcement Standards and Training academies in NW and Central Arkansas and ALETA in Camden.

Recommendation 5: If a school district authorizes the use of the CSSO program, that policies, protocols, training, and selection go above the minimum standards required, to include standard psychological exams, random drug screening, extensive firearms handling training, and regular training with local law-enforcement.

The CSSO program was authorized legislatively through Act 393 of 2015. We believe since the 2018 Commission's recommendation there has been a significant increase in the use of these programs. We are hopeful the latest survey will give us a much clearer picture. It will also let us know how many districts utilize enhanced requirements (such as psychological testing and random drug screening, etc.) that are above the Arkansas State Police (ASP) certification.

The ASP is the regulatory agency that manages the Commission School Security Officer (CSSO) program. The ASP require new CSSOs to complete 60 hours of training encompassing active shooter training, live fire training, medical, and weapon retention. The ASP requires CSSOs to receive 24 hours of annual training encompassing the same curriculum as required in the initial 60-hour training. A background check is required every other year because CSSOs are required to renew their credentials on a biannual basis. The survey will ask districts if they are psychologically testing their new CSSOs and if they are using random drug testing.

The subcommittee believes it is important for local law enforcement agencies to train with their public school and the school's CSSOs. We hope to gain a better understating through the survey, but based on anecdotal information it appears the CSSO program is being used by more districts every year. The subcommittee believes the Commission's CSSO model with enhanced requirements is an economical way of placing armed security within every school, in all of Arkansas's school districts and urges school leaders to consider a hybrid approach using CSSOs and SROs in order to provide every school with armed security redundancy.

Recommendation 6: Schools should consider strategies that layer and build redundancy for optimal security.

Much discussion has taken place as to the intent of this recommendation. Our subcommittee will likely recommend changing the word "consider" to "implement". We further believe, as it pertains to our mission, layering and redundancy are critical.

This recommendation is meant to stress the importance of designing into a district's plan for armed security, a method of insuring that, in the event the individual(s) providing armed security are absent, there is another person available to provide the armed security detail for the day. The original Commission's reason for Recommendation 6 was also to point out that, when possible, a school should have multiple people assigned to armed security on any given day. For our subcommittee, layering and redundancy speak to the critical need to

not only have armed, trained personnel (SROs and/or CSSOs) present in each building, but to have multiple in each building for “layering”. When utilizing SROs redundancy means having plans in place to have “substitutes” step in when they are absent, just like when a teacher calls in sick.

The subcommittee believes schools are best served with law enforcement providing security, but this may be a struggle to accomplish given the level of funding necessary to provide every school with a resource officer and the current retention and recruitment issues facing law enforcement agencies across the state.

We anticipate recommending additional training for CSSOs, primarily Active Shooter (similar to SROs). This serves two purposes. One, it provides for redundancy; two, it assists the responders in a psychological way. Knowing others on the scene are going to react consistently.

Recommendation 7: Arkansas’s Commission on Law Enforcement Standards and Training (CLEST) should study the feasibility of school districts being allowed to establish their own law enforcement agencies.

Act 629 of the 2019 regular session gave school districts the ability to appoint an institutional law enforcement officer, thereby creating a school police department. Since that time, at least **16 school districts have developed their own police departments**. When the commission was gathering information to develop the 2018 report, Commission members heard from several school leaders that believed this model would best serve their districts. The 2022 Commission will use the 2022 School Safety Assessment to determine the number of districts that have since adopted this method of providing SROs for their schools. There have been several successful agencies thus far that have been established in larger school districts throughout the state.

The survey will determine how many (SROs and CSSOs) are furnished “Go Bag” and if so, what equipment is furnished. We anticipate recommending the Commission add this vital equipment as a recommendation to our overall report.

