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Are You Ready to Roll Out a SPO in Your School? The How to Guide.

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In most cases school districts choose to ban weapons on school grounds unless they are carried by law enforcement. However, new law in 2014 opened up another option – namely school protection officers (“SPOs”). A SPO is a teacher or administrator who carries a concealed firearm and/or self-defense spray for school protection. There has been an uptake in school districts implementing this option, especially in rural schools where a first responder may be 15 minutes or more away and pure devastation could ensue by then. If this is an option your district is considering, be aware there are a litany of procedural requirements that must be followed to designate a SPO. This article will set forth that process for you.

Implementing a SPO in your district is essentially a five phase process:

Phase One – Public Board Meeting to Determine Whether the District Will Allow Designation of Any Teacher or Administrator as a SPO. The School Board must first determine whether they will allow a SPO at all. Missouri law requires: 1) notice of the school board hearing be published at least 15 days in advance of the hearing; 2) in a newspaper of general circulation within the city or county in which your school is located. After giving the public a chance to be heard at the public board meeting, and while in open session, the School Board will then move to vote on whether to allow a SPO at all. If the Board votes in the affirmative, then you should move to Phase Two.

Phase Two – Candidate Requirements. Before a school can designate an actual individual teacher or administrator as a SPO, the individual who wishes to be designated must do three things: 1) submit a request for such designation in writing to the superintendent; 2) submit proof that he or she has a valid concealed carry endorsement or permit if they are seeking to carry a concealed firearm on school property; and 3) submit a certificate of completion of a school protection officer training program by a POST approved training center. Of note, POST approved training centers can be located on the Missouri Department of Public Safety’s Website. If the Board votes to allow a SPO, and a teacher or administrator has come forward meeting all three of the above noted requirements, then you should move to Phase Three.

Phase Three – Closed Board Meeting to Designate an Individual Teacher or Administrator as a SPO. The School Board should decide at a closed meeting whether to authorize designation of the individual teacher or administrator (who met the three requirements from Phase Two) as a SPO. A designated SPO’s identifying information is not subject to a

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Sunshine Law request, which forms the basis of this vote being taken in closed session. Depending on what the designated individual has requested to carry, the Board should also vote on whether the designated individual is approved to carry a concealed firearm, self-defense spray, or both. If the School Board votes to designate the individual as a SPO, you should move to Phase Four.

Phase Four – Report to the Missouri Department of Public Safety. Within 30 days of designation of a particular individual as a SPO, the district must notify the Missouri Department of Public Safety in writing of: 1) the designated individual's full name, address, and date of birth; 2) the school's name; and 3) the date the individual was designated as a SPO. Once this is complete, keep in mind Phase Five.

Phase Five – Ongoing Training and Reporting Requirements. A SPO has ongoing training requirements. To maintain designation as a SPO, the individual must: 1) successfully complete a minimum of 12 hours of *annual* training, 8 hours of which must be active shooter training by a qualified law enforcement officer who has a valid peace officer license; 2) successfully *quarterly* completion of a firearm qualification course using the same firearm the SPO carries at school; and 3) maintain secondary/third party First Aid/CPR certification. The district must keep record of the completion of these training requirements for three years from the date the training is completed.

As you can see, designating a SPO is a complex process. It is advisable to have your legal counsel guide you to ensure the process is properly followed. There are also a number of other legal considerations with SPOs that are beyond the scope of this article – funds restrictions, what level of force the SPO can use, terminating a SPO designation, and the like – for which legal consultation is also advised.