

JICD-R – SAFE SCHOOL ZONE – MEMORANDUM OF UNDERSTANDING

School Resource Officer Program
Memorandum of Understanding
between
THE EPPING SCHOOL DISTRICT
and
THE TOWN OF EPPING POLICE DEPARTMENT
October 2016-October 2017

PURPOSE

Effective schooling requires a safe and orderly environment in which learning can occur. Consequently, the Epping School District, in collaboration with the Epping Police Department, conducts the School Resource Officer (SRO) Program in order to provide school administrators and staff members with law enforcement resources and expertise they need to maintain safety, order, and discipline in the school environment. The SRO Program is intended to ensure that no student's right to receive an education is abridged by violence or disruption.

The Epping Police Department has implemented the School Resource Officer Program in cooperation with the Epping School District. The program involves the assignment of a police officer to the district as a School Resource Officer (SRO). In accordance with staffing availability and the demonstrated needs of the district, the police department has assigned a full-time SRO to the district. The SRO's primary duty assignment is the schools.

With daily interaction between the district's administration and the SRO, it is important to establish, maintain, and update specific guidelines and procedures to be followed by the SRO and individual school administrators. This Memorandum of Understanding clarifies the roles of the School Resource Officer and School Administrators, the scope of their authority, and the responsibilities of the Epping School District and Epping Police Department in this collaboration. The success of the program relies on effective communication between the SRO, the principals, and other key staff members of each organization.

1. DUTIES AND RESPONSIBILITIES

School Resource Officer:

- A. The School Resource Officer (SRO) is a sworn Epping Police Officer assigned to provide the law enforcement expertise and resources to assist school staff in maintaining a high level of safety, order and discipline within their assigned school(s). The SRO will be considered an active member of the district's administrative team in his/her assigned role.
- B. The SRO's assigned school buildings, grounds, and surroundings will be the equivalent of the SRO's patrol area, and he or she assumes primary responsibility for handling all calls for service and coordinating the response of other police resources to the school.

All criminal activity that comes to the attention of the principal or school staff shall be reported immediately. In an emergency situation, the school shall call 911 and also notify the SRO. In a

non-emergency situation, the school should notify the SRO or call the non-emergency Police Department number (679-5122) if the SRO is not available. Information that is not of an emergency nature may be held for action by the SRO upon his or her return to duty.

- C. The SRO's duty schedule will be determined by the Epping Police Department, but will generally be arranged to provide coverage throughout the school day including peak arrival and departure times before and after school. The SRO will be visible patrolling the exterior and interior grounds, particularly during the opening or closing of school and during the lunch periods.
- D. The SRO shall be on duty at the schools from 7:00 AM-3:00 PM unless modified by the mutual agreement between the Epping Police Department and the Epping School District.
- E. In the event an SRO is absent from work, the SRO shall notify both his supervisor in the police department and the Superintendent of Schools. The Police Department may fill the absent position with an available police officer. In this event, the substitute SRO will have all the powers and duties of the regular SRO.
- F. The SRO shall wear a regulation police uniform including official equipment and operate a marked police cruiser while on duty unless otherwise authorized by his supervisor for a specific purpose. The SRO provides a visible deterrent to crime and a positive representative of the Police Department to students and staff.
- H. The SRO may provide instruction that will enhance the students' understanding of the police mission and the responsibilities of citizenship, using DARE or a similar program in grades 5 and 7. However, responding to incidents or conducting investigations will always take precedence over instructing in the classroom. Lesson plans for all formal, organized presentations shall be reviewed and approved prior to presentation by the SRO's Supervisor and the School Principal.
- I. When it is in the best interest of the Police Department and the School District, the SRO may make formal presentations to, or participate in, school-based community organization meetings such as Parent Teacher Association and School Advisory Council meetings. Participation in other activities such as panel discussions, mentoring programs, and community coalitions/task forces must be approved in advance by the SRO's Supervisor and the Superintendent of Schools. The SRO shall keep the Police Department informed of the status of such additional activities.
- J. A critical element of the SRO program is an open relationship and strong communication between the school administration and the SRO. The SRO shall meet periodically with school administration for the purpose of exchanging information about areas of concern which have potential for disruption in the school or within the community.
- K. Other duties and responsibilities of the SRO include:
 - 1. Maintaining familiarity with the Epping School District's policy and school rules and regulations.
 - 2. Attending and providing testimony at school disciplinary hearings, upon request.
 - 3. Serving "no trespassing" notices related to school property.
 - 4. Taking part in emergency response training.
 - 5. Providing support to the district, students and families with regards to truancy issues.

Meetings:

The SRO shall meet with the school administration in September and June or as needed. Each year, the first SRO and school administration meeting should be held prior to the start of the school year and be devoted to reviewing school/police department expectations and clarifying any operational procedures. Subsequent meetings should involve ongoing evaluation of the SRO's impact on the school environment, as well as the identification and resolution of any developing issues.

School Principal:

It is the responsibility of each building administrator to facilitate effective communication between the SRO and their school staff. The principal of each school shall meet on a weekly basis with the SRO. This meeting shall not be delegated to other administrative staff on a regular basis.

When necessary, the principal and/or school employee will appear in court and provide unbiased testimony essential to any case involving the criminal prosecution of a student initiated by the SRO.

2. SELECTION AND ASSIGNMENT OF THE SCHOOL RESOURCE OFFICER

The assignment of the SRO shall be at the discretion of the Chief of Police. The Epping Police Department shall select an officer who has demonstrated the ability, interest, and skill necessary to work with youth, school staff and the general public. It is recommended that the SRO be assigned to the school district for a minimum of two years.

3. POLICE INVESTIGATION AND QUESTIONING

The SRO has the authority to stop, question, interview, and take police action without the prior authorization of the principal or contacting parents. With certain exceptions, the investigation and questioning of students during school hours or at school events should be limited to situations where the investigation is related to the school.

Investigations and questioning of students for offenses not related to the operation of or occurring at the school should only occur in such situations where delay might result in danger to any person, flight from the jurisdiction by the person suspected of a crime or destruction of evidence.

The principal shall be notified as soon as practical of any significant enforcement events.

The SRO shall provide information to the Epping Police Department of any crime(s) or leads that come to the attention of the SRO. The SRO shall be kept advised of all investigations that involve district students. The SRO should coordinate activities so that action between the district and the police department is cooperative and in the best interests of the school and public safety.

4. ARREST PROCEDURES

School Resource Officers are expected to be familiar with school rules and their application with the school. Routinely, rule infractions will not be handled as violations of law, but instead referred to the principal for action. Any questions related to the enforcement of rules versus laws within the school

should be discussed with the principal. This specifically applies to general standards of conduct.

The following procedures will be adhered to where arrests of students or staff become necessary:

- a. The arrest of a student or employee of the school with a warrant or petition should be coordinated through the principal and accomplished after school hours, whenever practical.
- b. Persons whose presence on schools grounds has been restricted or forbidden or whose presence is in violation of law shall be arrested for trespassing. The SRO is, by this MOU, authorized to direct such persons to leave the school property
- c. Any arrest of students or staff during school hours or on school grounds shall be reported to the superintendent of schools and principal as soon as practical.

5. SEARCH AND SEIZURE

School officials may conduct searches of students' property and person under their jurisdiction when reasonable suspicion exists that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. The standard for the search is reasonable suspicion.

The SRO shall not become involved in administrative (school related) searches unless specifically requested by the school to provide security, protection, or for handling of contraband. These searches must be at the direction and control of the school official. At no time shall the SRO request that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent.

Any search by an officer shall be based upon probable cause and, when required, a search warrant shall be obtained. Stop and frisk will remain an option when there is reasonable suspicion that a criminal act has been committed or may be committed, or that the suspect may be armed.

6. ADMINISTRATIVE HEARINGS

The SRO shall attend suspension and/or expulsion hearings upon request of the school principal. The officer shall be prepared to provide testimony on any actions that were taken by the officer and any personally observed conduct witnessed by the officer. The SRO shall make available any physical evidence that is available. The SRO shall not provide any official police department document or juvenile record to the school or expulsion officer. As a general rule, release of such information is prohibited by law unless such documents are subpoenaed by the schools through the appropriate court.

7. RELEASE OF STUDENT INFORMATION

The school district and police department will abide by all state and federal laws for release of and access to any records concerning any pupil enrolled in a school to law enforcement officers seeking such information in the course of their official duties. Federal law requires a written request and a promise not to re-disclose the records or the information in them.

8. RELEASE OF POLICE INFORMATION

Consistent with the basic tenets of the relationship between the school principal and the SRO described in this Memorandum of Understanding, open communication is essential to effectiveness and maintaining a safe school environment. SROs should exchange information with the school principal regarding students' involvement in criminal activity in and around the school. This shall be limited to information which directly relates and contributes to the safety of the school environment.

SRO's shall not make any official documents, police reports, or records available to the school or its staff.

The Epping Chief of Police or his designee shall make the principal aware in a timely manner of any arrest of a district student where the charge either is or would be a felony, if the student were an adult.

9. PROGRAM CONTINUITY AND FUNDING

Understanding and agreeing that the School Resource Officer Program is a cooperative effort between the Epping School District and the Epping Police Department, the two entities shall share the funding, continuity and operational responsibilities for the program. Funding is contingent upon annual budget appropriations.

Town of Epping:

The Town of Epping shall provide payment for the salary and benefits of the SRO officer through a grant whereby the grant pays 75% and the Town pays 25% for three years.-Starting in 2016, the town will fund the SRO at 100%.

The Town of Epping Police Department shall provide for the initial SRO basic training.

The Town of Epping shall provide for the release of information on the SRO program and functions to the media in conjunction with the Superintendent's Office of the Epping School District.

The Town of Epping Police Department shall provide insurance coverage for all acts, omissions and services performed by the SRO as described in this MOU. This policy of insurance will cover claims, suits, damages, fees, or expenses arising out of such acts, omissions and services. This insurance shall name the Epping School District as an additional insured.

Epping School District:

Shall provide a work area for the SRO (if available) that is equipped with access to the District's computer network, a desk, a chair, and a securable filing cabinet. The District shall supply such office supplies for SRO use that are routinely used in the course of normal office business.

The Epping School District shall provide insurance coverage for all acts, omissions and services performed by school personnel as described in this MOU. This policy of insurance will cover claims, suits, damages, fees, or expenses arising out of such acts, omissions and services. This insurance shall name the Town of Epping as an additional insured.

10. CONCLUSION

This Memorandum of Understanding represents mutually agreed goals and objectives of the Epping School District and the Epping Police Department for the School Resource Officer Program.

This endeavor is collaboration between education and law enforcement to support a problem-solving approach to violence, bullying and criminal behavior in schools.

This Memorandum of Understanding remains in force until such time as either party withdraws from the agreement by delivering a written notification of such rescission to the other party. It shall be reviewed annually and amended as necessary to meet the needs of the signatory agencies.

This Memorandum of Understanding shall not be construed to create or substantiate any right or claim on the part of any person or entity that is not party hereto.

Signed:

Chief of Police

Superintendent of Schools

Date

Date

Statutory/Regulatory/Policy/Handbook Cross References

Policy JICD (Student Conduct, Discipline, and Due Process)
Handbook (Referenced in Handbooks)

APPROVED/REVISED: March 18, 2010, September 18, 2014, October 2016