



ACPS and APD School Law Enforcement Partnership MOU Updates

Joint Work Session - City
Council and ACPS Board
May 15, 2023





RESULTS DRIVEN

Essential Questions

What was the process for revisions?

Where was SLEP Advisory Group feedback incorporated?

What are next steps?



RESULTSDRIVEN

Revision Process

Chief of Facilities and Operations along with the Deputy City Manager of Public Safety worked with respective team members to revise and add updates

Collaboration included multiple meetings in March and April 2023

Updates were deemed necessary to add clarity, better define roles and responsibilities, and/or to incorporate SLEP Advisory Group feedback



RESULTSDRIVEN

Summary of Updates

All additions to the MOU are indicated by **red** font

All deletions to the MOU are indicated by a ~~striketrough~~

Minor updates since May 4 ACPS meeting

"Use of Shared Technology Resources" section added due to existing and forthcoming systems and programs ★

"Glossary of Terms" added to provide standard definition of terms as it relates to MOU ★

Update to **Appendix 1** to include SLEP Advisory Group feedback ★

"ACPS Law Enforcement Occurrence Form" updated to reflect who completes form and to add missing demographic data for improved data collection ★

"SRO Assessment Form" added to increase data collection regarding partnership performance metrics ★



Star icon indicates significant new addition/update to the MOU
• *This list is not comprehensive of all proposed updates made to MOU*



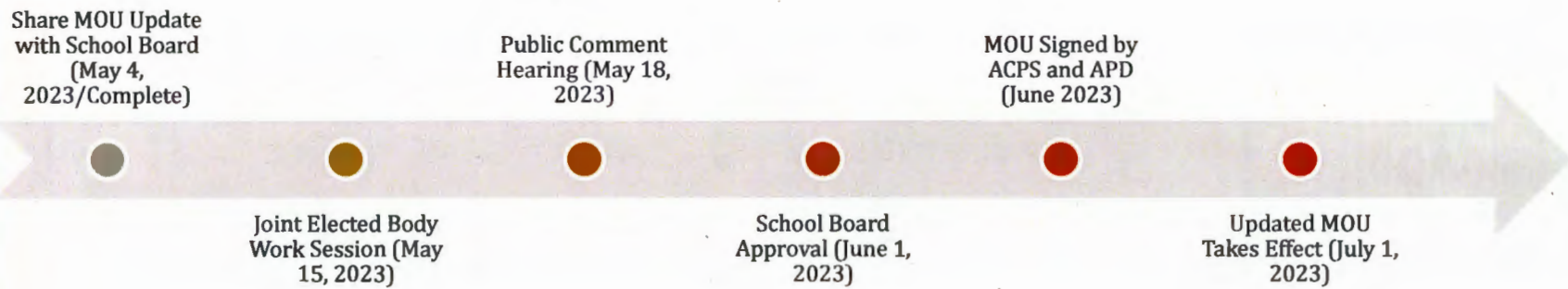
Inclusion of SLEP Advisory Group Feedback

Recommendation #	Recommendation	Notes
2	Responsibilities and Governance of SSO's	In Section 4.e.i, added note regarding intervention in fights
3	Order Maintenance and Emergency Preparedness	Added language to Appendix 1
4	SRO Assessment	Added a "SRO Assessment Form" (Appendix 3)



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Next Steps



Timeline is subject to change



Alexandria City Public Schools



Questions?

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MEMORANDUM OF UNDERSTANDING

Between

The Alexandria City School Board

And

The Alexandria Police Department

School Law Enforcement Partnership

July 1, 2023-June 30, 2025

PREAMBLE

1. The Partnership. This MOU is entered into by and between the ~~Alexandria City School Board ACPS~~ and ~~the Alexandria Police Department-APD~~:
 - a. Recognizing that school safety and security is best achieved with the collaboration of law enforcement and school administrators,
 - b. Having regard, the Alexandria Police Department staff as professional law enforcement partners,
 - c. Whereas the ~~Virginia ACPS~~ Board of Education, under VA code 22.1-280.2:3 requires school boards who employ SROs to establish a memorandum of understanding with the local law enforcement agency,
 - d. Recognizing, that the 2020 General Assembly passed House Joint Resolution No.91 affirming the state's commitment to diversity and safeguarding the civil rights and dignity of all Virginians,
 - e. Recognizing, that ACPS makes an enduring commitment to ensure that students and staff are respected for their diversity, dignity and self-worth,
 - f. Having regard, ACPS commits to ACPS Strategic Plan 2025 which identifies racial equity as a strategic imperative,
 - g. Having regard, ACPS and APD share a common goal to maintain professional law enforcement services and support of the schools for the benefit of Alexandria generally, including both the schools and the City.

RESOLVE and affirm this MOU to safeguard the safety and security of our students and staff.

Overview: The Alexandria City School Board, known hereafter as the Alexandria City Public Schools (ACPS) and Alexandria Police Department (APD) hereby enter into this Memorandum of Understanding (MOU) of School Law Enforcement Partnership (SLEP) to foster relations of mutual respect, **collaboration**, and understanding in order to build a positive and safe school environment. The parties agree that the vast majority of student misconduct can be best addressed through classroom and in-school strategies. The parties acknowledge that students are generally less mature and responsible than adults; they often lack the maturity, experience, perspective and judgment to recognize and avoid choices that could be detrimental to them; and they are more susceptible to outside pressures than adults.

All responses to school misconduct should be reasonable, consistent, and fair, with appropriate consideration of mitigating factors and of the nature and severity of the incident. Students should receive appropriate redirection and support from in-school community resources prior to the consideration of suspension, expulsion, involvement of law enforcement, or referral to court. This document is in compliance with the Virginia Department of Criminal Justice Services (DCJS) School/Law Enforcement Partnership (SLEP) Guide format.

This MOU clarifies the following three items:

1. Departmental-level scope of responsibilities of the School Board, as implemented through the Superintendent of Schools and the APD.
2. Roles **and responsibilities** of key members in the MOU program:
 - a. ACPS:
 - i. ACPS School Administrators
 - ii. School Security Officer (SSO)
 - b. APD:
 - i. APD Official/School Resource Officer Commander (SROC)
 - ii. APD School Resource Officers (SRO)
 - iii. APD Law Enforcement Officer (Non-SRO)
3. Procedures to exchange information among key members and between parties.

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1. PURPOSE

- a. The partnership is intended to facilitate effective, timely communication and coordination of efforts for both parties- ACPS and APD. The purpose of this Memorandum of Understanding is to establish a mutually beneficial framework that both schools and law enforcement can work within to achieve shared goals.

2. GOALS

- a. The primary goals of the MOU are:
 - i. Ensure clear and defined understanding of the roles and responsibilities of the two parties.
 - ii. Create and maintain **welcoming**, safe and secure school environments.
 - iii. Foster a positive and supportive school safety climate
 - iv. **Establish metrics to clearly measure the effectiveness of the partnership, to include the addition of a SRO assessment form for Principals**
- b. To ensure understanding of the roles of the two parties, this MOU clarifies the respective responsibilities while ensuring that **ACPS APD** retains administrative control over its officers, although **APD ACPS** manages the operational employment of the officers.
- c. To create and maintain **welcoming**, safe and secure school environments, the partnership will collaborate to reduce and prevent crime, violence, victimization, and fear in and around schools, and minimize student involvement with the juvenile and criminal justice systems.
- d. To foster a positive and supportive school climate, the partnership will collaborate to increase law-related education, expand school safety and crime prevention efforts, reduce conflict, and support effective police interventions as a last resort for staff and student safety.

3. EVALUATION OF THE SCHOOL LAW ENFORCEMENT PARTNERSHIP

- a. The performance of the law enforcement officers on assignment in ACPS will be monitored. Any incident in which a law enforcement officer(s) makes official contact with a student(s) will be tracked **df** and reviewed by **school administration** and by the ACPS **Office of Safety and Security Services** (see Appendix 2)
- b. For the purposes of this MOU, "contact" is defined as:
 - i. Questioning **a student(s)** for law enforcement purposes
 - ii. Detainment of a student(s), and
 - iii. Apprehension or arrest of a student(s)
 - iv. All contacts shall be considered reportable offenses, in addition to the reporting required by School Board Policy or by statutory requirement (page **14** of this MOU).
- c. At the MOU program level, APD and ACPS will use measurable objectives, which include an assessment of data covering at a minimum:
 - i. **VDOE Annual Report for Discipline, Crime and Violence.** The *Code of Virginia* requires school divisions to submit data to VDOE on incidents of discipline, crime and violence (DCV). Current reports contain selected comparisons to prior years. DCV data are used also to complete federal reports required by the Gun-Free Schools Act of 1994 (GFSA) and the

Individuals with Disabilities Education Act (IDEA). GFSA requires annual reporting of the number of students suspended or expelled statewide for possessing or bringing firearms on school property. IDEA contains requirements for reporting disciplinary action involving students with disabilities. This reporting requirement corresponds with school board policy CLA "Reporting Acts of Violence and Substance Abuse". The reporting required by the Department of Education is the responsibility of the Principal or their designee. The report shall include whether or not ACPS disciplinary action was taken against such student. Proper reporting will include whether action required a police enforcement action. Measurable objective: How many incidents are reported each school year and how many resulted in law enforcement action? Analysis will differentiate between incidents of administrative discipline and law enforcement actions

- ii. **Police statistical reports of student crime and violence (subject to privacy protections).** The APD will provide statistical reporting updates quarterly to the Office of Safety and Security Services, unless otherwise requested by ACPS. Information sharing between ACPS and APD will be essential for providing the measurable data required for overall program evaluation. ~~SROs, detailed officers, patrol officers and any other responding police officers~~ School administrators will be required to complete ~~utilize~~ the "ACPS Law Enforcement Occurrence Report" report form located in Appendix 2 of this MOU. The ACPS Law Enforcement Occurrence Report form will be completed any time there is law enforcement action at a school ("official contact" with a student or other as defined in 3 above). Law enforcement actions may include, assisting administrators as requested, investigations, referrals, arrests, and other actions. This form will be ~~completed~~ ~~filled out by~~ school administration with the support of the responding law enforcement officer. All reports must be sent to ACPS Office of Safety and Security Services within 24-hours of the law enforcement action. Measurable objective: Forms collected will be reviewed for accuracy and completeness. Event type, administrative result, criminal result, parent notification, and case number information will be ~~collected~~ ~~analyzed by~~ the Office of Safety and Security Services and ~~shared with the Department of Student Services and Equity~~ to be compared to measurable discipline data. The Office of Safety and Security Services will include age, race, sex, disability, and other pertinent data in its analysis.

- iii. **VDOE School Climate Survey (high-school level only).** The Code of Virginia requires school divisions to complete an annual School Safety Survey in order to assess school safety conditions. As a means for collecting individual school safety audit information, the Virginia Center for School and Campus Safety (VCSCS) annually administers the Virginia School Safety Survey. This web-based survey provides all public schools

- (K-12) with a standardized report format for conducting and submitting their audit information. Measurable objective: School climate surveys will be reviewed by the Office of Safety and Security Services and analyzed for positive and negative trends versus previous years (annual reviews).
- iv. **Quarterly performance review meetings.** ~~(e.g. daily SRO attendance percentage, calls for assistance and incident reporting).~~ ACPS will meet with APD in August, November, February, and May of each school year to review SRO performance and discuss reporting data. The Office of Safety and Security Services will provide the Superintendent/School Board with a summary of findings after each meeting. The quarterly performance review reports will include the following data: (a) daily SRO attendance; (b) calls for assistance; (c) incident reporting and (d) educational activities with students and (e) SRO Assessment Form. Measurable objective: Data collected for measures "i" and "ii" "a" and "b" above will be included in ~~used to produce~~ quarterly reports.
- v. **SRO Assessment Form.** In correlation with the Quarterly Performance Review meetings, each Principal (at a school where an SRO is assigned) will complete the "SRO Assessment Form", located in Appendix 3. This form provides school administration the opportunity to assess categories of SRO support to include dependability, availability, professionalism, communication, judgment, knowledge, performance and presentation skills. The "SRO Assessment Form" is a tool to support improved collaboration as necessary; this form is not an official personnel evaluation for the SRO, as SRO's are not employees of ACPS. Completed forms will be included as attachments to the Quarterly Performance Review meeting reports.
- vi. **Educational activities with students.** ~~(e.g. classroom briefings, student council briefings, etc).~~ ACPS will participate in all law enforcement sponsored/related activities, if they are requested. Principals will permit Each the SROs to will complete an educational activity at their assigned school with a goal of one activity at least once per quarter. An educational activity could include classroom briefings, student council briefings, relevant and age appropriate presentations, etc. Briefing materials and topics must be approved by school administrators. In addition, school administrators may request law enforcement participation in school-related, educational law enforcement briefings or seminars at any time. ~~Briefing materials and topics must be approved by school administrators.~~ Most seminars will relate to public safety topics. ACPS will participate in all law enforcement sponsored/related activities, if they are requested. Measurable objective: ~~After action reports will be completed by Safety and Security Services when applicable.~~ All educational activities completed by SROs will be reported on within the quarterly performance reports.

- d. Other data deemed relevant may also be used. Progress towards achieving or improving the respective objectives shall be jointly reviewed at least annually by ACPS Safety & Security Services and APD designees. Furthermore, this information will be prepared in a report to be shared with the School Board and the public on the APD and ACPS respective websites. For VDOE and Code of Virginia information, please check here.

4. ROLES AND RESPONSIBILITIES OF PARTNER ORGANIZATIONS

a. Police Department Responsibilities

- i. The APD will designate a direct point of contact between APD and ~~the~~ ACPS. The point of contact will address any operational and administrative issues and will serve as a consultant for school safety and security issues including assessments and critical incident response planning. The designee will maintain a working knowledge of school rules, regulations and laws regarding student safety and conduct. The designee will establish and maintain effective **working** relationships with school personnel at the division and all school levels. **The designee will ensure that SROs are meeting APD requirements as noted within the MOU.**
- ii. Selection, assignment, scheduling, training, supervision, and evaluation of school resource officers (SROs) will be the responsibility of ~~the~~ APD. However, each of these actions will take into account the input of school personnel, and identified needs and conditions of schools. The SRO shall remain at all times under the control, through chain of command, of the law enforcement agency. As of July 1, 2020, DCJS SRO certification training is required. ACPS requires that this training be completed by SROs, before any work in a school is allowed.
- iii. In developing and implementing law enforcement policies and practices that may affect schools, ~~the~~ APD will consult with and take into consideration the views of ~~the~~ ACPS and the school community.
- iv. The APD will ensure the SRO receives relevant training prior to any assignment in a school and ongoing joint training with school administrators. The training should be aligned with the MOU and DCJS curriculum and in consultation with ~~the~~ ACPS.
- v. APD will provide payment for SROs that attend certain school staff meetings and for after-hours police investigations.

b. School Division Responsibilities

- i. ~~The~~ ACPS will designate a primary division-level point of contact to implement the partnership and to maintain ongoing communications with APD officials. The Director of Safety & Security Services or their designee will be the primary contact with APD.
- ii. It is the responsibility of school administrators (Principal or designee) to facilitate effective communication between the SRO **and students** and school staff and to support the goals of the partnership.

- iii. Each school with an assigned SRO will provide work area(s) for the SRO that allow access to technologies (computer systems), private interview of several persons, and locking storage space for securing physical evidence. Access to technology allows officers to access databases required for the performance of basic law enforcement duties. The private interview space also serves as the SROs private office space. SROs may use this space for securing evidence only when necessary and when initial investigations do not occur at a police station.
 - iv. ~~The~~ ACPS will handle discipline within the school disciplinary process without involving SROs other than in exceptional circumstances outlined below. This corresponds with policy JFC-R "Standards of Student Conduct". ACPS policies, administrative guidance, training and ongoing oversight will clearly communicate that school administrators and teachers are responsible for school discipline and that law enforcement is not to be involved with disciplinary action. ~~The~~ ACPS is responsible for communicating the goals and role of the SRO to all school administration, staff and students. The following sequence shall be considered an ideal disciplinary process:
 - 1. School administrators, student support teams, and staff engage the student
 - 2. School administrators, student support teams, and staff resolve the event with the assistance of the appropriate Central Office department (Student Services and/or Safety & Security Services)
 - 3. Student responds positively to agreed restorative program.
 - v. ~~The~~ ACPS will ensure that school administrators with an assigned SRO receive relevant training on the role and responsibilities of SROs. For the purpose of this MOU, a school administrator is a principal, assistant principal, or their designee. The training should be aligned with the MOU and DCJS curriculum and in consultation with the APD and will include behavioral interventions (ex: Restorative Practices).
 - vi. ACPS shall provide payment to compensate officers for working school events/activities such as sporting events, social events, plays, and school sponsored programs.
 - vii. ACPS will continue to utilize a positive behavior intervention strategy (PBIS) system in grades K-8. Additionally, ACPS will utilize restorative practices with grades 8-12. Restorative practices include the use of restorative circles to mediate conflict and disciplinary issues. If during the use of a restorative circle, or discipline investigation, there is information shared that relates to a required reportable offense to the APD, ACPS staff will notify the APD/SRO immediately in compliance with mandated reporting procedures. Restorative practices are also used when a student returns from a suspension.
- c. **School Resource Officer (SRO).** The SRO is a duly-appointed, armed, Police Officer who works in the schools and is to provide immediate law enforcement

assistance in the event of serious physical violence and crime. The SRO acts as both a deterrent and response to protect the safety of students and staff.

- i. The SRO supplements support of the school security staff (unarmed security staff) to ensure campus safety, where applicable. Because the SRO is assigned on a daily basis as the representative of a school, the SRO should be considered as active security staff members of their assigned schools. The SRO assists with matters related to safety, security, and the exchange of information.
- ii. As a general practice, unless there is a clear and imminent threat to safety, the SRO should act only upon request of school administrators and as a last resort to the actions of school administrators. Requests for SRO law enforcement assistance are to be channeled through a school administrator. See Appendix 1 for details of the SRO role and responsibilities.

d. School Principal and Administrator Roles and Responsibilities

- i. In collaboration with the ACPS Office of Safety and Security Services, the School Principal exercises operational control over the SRO's work assignment location in or around the school building and grounds. This authority is consistent with Virginia Standards of Accreditation (2000), Section 8 VAC 20-131-210, which states: "The school administrator is recognized as the instructional leader of the school is responsible for effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources". (Section A)
- ii. "The school administrator also ensures that the school division's student code of conduct is enforced and seeks to maintain a safe and secure school environment." (Section B.2).
- iii. Additionally, consistent with Section 8 VAC 20-131-260.C.3., the school administration ensures "a written procedure, in accordance with guidelines established by the local board, for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity."
- iv. In collaboration with the ACPS Office of Safety and Security Services, the school principal and administrators will review the MOU with SROs and establish school-specific operational and communications procedures to support the employment of law enforcement in the schools, only if needed. Such operational and communications procedures shall not supersede or substitute this MOU. School-specific operational and communication procedures must be formally written and approved by the Office of Safety and Security Services. This document must be available upon request. Reports of concerns or complaints about SRO actions shall be directed to school administrators and the Office of Safety and Security Services, who shall work directly with the SRO Supervisor and APD leadership, if necessary.

e. School Security Officers (SSO)

- i. A School Security Officer (SSO) is an unarmed security officer employed by ACPS, via full-time employment or security contract. The SSO is an extension of their respective school administration. The singular purpose of an SSO is to maintain order ~~and discipline~~, and to assist school administrators with ensuring the safety, security, and welfare of all students, faculty, staff, and visitors to ACPS schools. **SSO's may physically intervene in fights, when warranted and as a last resort, to assist administration in restoring order and safety.**
- ii. SSOs assist administrators with enforcement of Student Code of Conduct, in addition to performing assigned security monitoring duties in an assigned area. Security duties may include: screening of visitors, exterior and interior patrols and door checks, CCTV monitoring, activating emergency protocols, and other duties as assigned.
- iii. All SSOs are the responsibility of Safety & Security Services and report directly to the Security Services Supervisor. SSOs are required to obtain state DCJS certification within 60 days of hire. SSOs are not law enforcement personnel, as their responsibility and authority are in **affect** effect while on duty at an assigned ACPS property. SSOs have no authority off school property, unless they are assigned to an off-site function.

5. OPERATIONAL PROCEDURES

a. Differentiating Disciplinary Misconduct from Criminal Offenses

- i. School administrators and teachers are responsible for school discipline. Although SROs are expected to be familiar with the school division code of student conduct, the rules of individual schools, and their application in day-to-day practice, SROs should not be involved with the enforcement of school rules or disciplinary infractions that are not violations of law.
- ii. Consequences of student misconduct should be effective, developmentally appropriate, and fair. Interventions and school sanctions should help students learn from their mistakes and address root causes of misconduct. School administrators will consider alternatives to suspensions and law enforcement officials will consider alternatives to referrals to juvenile court services and arrests for student violations of law.
- iii. In accordance with School Board Policy JB, any action taken in response to disciplinary misconduct and/or criminal offense will be administered fairly and without regard to race, national origin, disability, religion, gender identity, gender expression, sexual orientation or marital or parental status.
- iv. The MOU shall operate in a manner to ensure children with disabilities receive appropriate behavioral interventions and support.

b. Information Sharing

- i. The release of student records is governed by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g. "School officials" may access and disclose student records only as authorized by FERPA.
- ii. When appropriate, and to the extent the law allows, ~~the~~ ACPS should notify SROs of any special needs of a student involved in a school-based infraction that is not routine discipline, in order to assist the SRO in recognizing and accommodating behaviors that may be manifestations of the student's disability.
- iii. Consent access. A law enforcement officer or SRO, may have access to a student's education records only with written consent of the student's parent/guardian and in accordance with FERPA. Please see Section "c" for additional guidance (below).
- iv. Health and Safety Emergency Exception. In the event of a significant and articulable threat to health or safety, school officials may disclose any information from student records to appropriate parties, including law enforcement officials, whose knowledge of the information is needed to protect the health and safety of a student or another individual.
- v. Disclosure of law enforcement records. **In accordance with the law,** SROs or other APD officers or officials may disclose law enforcement records created and maintained by the SRO for the purpose of ensuring the physical safety and security of people and property in schools and/or enforcement of laws. In exceptional circumstances where **other** sufficient ~~other~~ information may not be available to ACPS, SROs (or other APD officers or officials), with the approval of APD, may provide information gathered in the course of a police investigation to ACPS for the purposes of a serious student disciplinary matter including, if necessary, testifying at such disciplinary proceeding. In the event APD determines that sharing such information may jeopardize an actual or reasonably probable criminal prosecution, APD may seek review of the proposed release from the Office of the Alexandria City Commonwealth Attorney. Because law enforcement records are not student records, they are not subject to the disclosure restrictions of FERPA. If the SRO is aware of an event in the community that could compromise the safety and security of ACPS students and staff, he/she will notify the school administration.

c. Investigation and Questioning

- i. SROs have the authority to question students who may have information about criminal activity (on or off school property). As sworn law enforcement officers, SROs have authority to stop, question, interview, and take law enforcement action without prior authorization of the school administrator or contacting parents, especially when timely information will help prevent injury, death or evidence destruction. For all other non-exigent circumstances, when it becomes necessary for the SRO or law

- enforcement officer to interview a student on school premises, the school principal or their designee shall be contacted immediately.
- ii. Prior to any questioning of a student, the student's parents, guardian, or legal custodian shall be notified of the pending interview. The SRO/Police Officer will be responsible to verify that the student has had contact with their parent, guardian, or legal custodian. If the parent requests to be present or requests that the questioning not occur on school premises, the SRO/Police Officer should accommodate, with few exceptions.
 - iii. If the parent or guardian cannot be present for the interview or allows it to proceed, then the SRO may proceed with the principal or his/her designee present throughout the interview, per ACPS School Board Policy KNAJ "Relations with Law Enforcement Authorities". The investigation and questioning of students during school hours or at school events should be limited to situations where the investigation is related to suspected criminal activity. Investigations and questioning of students for offenses not related to the operation of or occurring at the school should take place at school only when delay might result in danger to any person, destruction of evidence, or flight from the jurisdiction by the person suspected of a crime.
 - iv. The interviewing of students - whether suspects, victims, or witnesses - should be conducted privately in an office setting. SROs will take steps to ensure minimal intrusion into the educational experience of students being questioned in the school setting. No questioning of a student will take place without the presence of a school administrator(s)
 - v. Recognizing that a reasonable child subjected to police questioning will sometimes feel pressured to submit ~~when-whereas~~ a reasonable adult would feel free to go, as a general rule, the student should not be arrested or placed in custody during the initial interview or interrogation. While in the presence of a school administrator, the student will be informed generally of the purpose of the investigation, warned against self-incrimination in a developmentally appropriate manner, and also informed and advised that the student has the right to remain silent, that the student is free to leave an interrogation, and that the student has the right to stop the questioning and request that his or her parent(s) or guardian(s) or an attorney be present at any time during interrogation.
 - vi. SROs are responsible ~~for leading to lead~~ the investigation and questioning of students related to suspected violations of criminal law. SROs shall not be included in questioning students about student code of conduct violations that do not involve any criminal activity or risk of harm to self or others. School administrators are responsible for the questioning of students about violations of the code of conduct.

d. Searches

- i. All searches shall be conducted in accordance with federal and state laws, and applicable ACPS and APD policies and guidelines, including the principles embodied in this memorandum of understanding. The below sections correspond with school board policy JFG "Search and Seizure".
- ii. School administrator searches. School officials may conduct searches of student's 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 search by a school official is reasonable suspicion.
- iii. SRO searches. Any search initiated by SROs or other law enforcement officers shall be based upon probable cause and, when required; a search warrant should be obtained. SROs and law enforcement officers should obtain a search warrant in all cases where initial consent was not obtained and probable cause exists that a crime has been committed. All searches should be reasonable in scope. All searches should occur outside the presence of students and school staff, with the exception of school administrators, unless there is a clear and immediate threat to physical safety.
- iv. SROs shall not become involved in administrative (school related) searches unless specifically requested by school administrators and at no time shall SROs request that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent. The role of police in administrative searches will be limited to providing security or protection, or to handle contraband or weapons found by school staff.

e. Arrests

- i. Whenever practical, arrests of a student or staff member should be accomplished outside of school hours in order to not disrupt the educational process or school setting. Arrests that must occur during school hours or on school grounds should be coordinated through the school administrator or their designee to minimize potential disruption. When circumstances do not allow for prior coordination through the school administrator, arrests will be reported to the school administrator as soon as possible. In addition to any required notification of parents and legal guardians by the SRO taking a student into custody, school administrators or their designees are also responsible for an additional notification of parents and legal guardians upon a school-based arrest of their child. If questioning or investigatory interviews must occur, the SRO must refer to the "Investigation and Questioning" section of this document (page 10-11).

f. Physical Intervention by School Resource Officers

- i. As sworn law enforcement officers, SROs may intervene to ~~deescalate~~ **deescalate** situations. However, an SRO should not be involved in the

physical restraint of a student unless there is imminent danger of serious physical harm to self or others. School staff or Student Support Teams (SST) will act to ~~de-escalate~~ ~~deescalate~~ situations that are, or have the potential to cause, disruptions to the school environment and are violations of the student code of conduct. If physical intervention is necessary, the action will be reported promptly to the school administrator and the rationale for the action must be fully documented. Use form found in Appendix 2 for proper reporting.

- ii. Physical intervention by SROs is undertaken in accordance with policies and operational procedures of their local law enforcement agency. If an SRO is involved in the use of restraint or physical intervention, the action must be reported to the school principal and the SRO's supervisor and the rationale for the action must be fully documented, as above.
 - iii. SROs should be aware of the Virginia Board of Education's policies and guidelines on seclusion and restraint and related local school board policies (e.g., policy JM "Management of Student Behaviors in Emergency Situations!"), and will attend training offered by ACPS on their use of seclusion and restraint by school employees. SROs working in an ACPS school must provide verification that they have reviewed the ACPS seclusion and restraint guidelines prior to the start of the school year. SROs, however, must continue to operate by their own department's policies and state law regarding physical intervention and use of force.
 - iv. Additionally, the ACPS and APD/SRO will coordinate to ensure that reasonable effort is made to inform the parents on the day of the incident, and before the end of the school day.
- g. **Use of Shared Technology Resources**
- i. In an effort to continuously improve security posture at school facilities, the school division utilizes various emergency notification platforms to send email and text alerts to families, school administration, staff, and first responders (to include APD) when emergencies occur.
 - ii. The SRO Supervisor/Sergeant will be the direct point of contact to receive, respond, and dispatch the appropriate police response to the threat level and/or anonymous report that poses a life/safety concern during and after school hours.
 - iii. Certain technology resources may be implemented by APD (i.e. body-worn cameras). ACPS will be included in discussions regarding technology resources implemented by APD (that impact school operations) in an effort to understand technology, assist with process development from a school lens and minimize any potential negative impacts to students and/or school operations.

6. Key Statutory Responsibilities

a. Crime Reporting

- i. Pursuant to §22.1-279.3:1-~~B~~, Code of Virginia law enforcement agencies are required to notify a division superintendent, a principal, or

a. designee when a student in their school commits certain offenses that would be a felony if committed by an adult and the release status of the student. School superintendents who receive such reports are required to report the information to the principal of the school in which the student is enrolled. As a general practice **and in compliance with the law**, SROs should notify the principal as soon as practical of any significant law enforcement events occurring at or in association with the school (e.g., at a school bus stop or off-campus activity, during or outside school hours) whether or not the offense would be a felony if committed by an adult.

- ii. Pursuant to §22.1-279.3:1, Code of Virginia, certain types of criminal activity that come to the attention of the principal or school staff shall be reported immediately to ~~the~~ APD/SRO as specified in ACPS policy. Enumerated acts that may constitute a misdemeanor are no longer required to be reported. No SRO or school administrator shall be required to file delinquency charges. Schools and SROs shall be encouraged to deal with school-based offenses through graduated sanctions or educational programming before a delinquency charge is filed with the juvenile court. The Principal or their designee is required to notify the parent, guardian, or legal custodian of an incident that was reported to law enforcement. This section corresponds to school board policy CLA "Reporting Acts of Violence and Substance Abuse".

b. Threat Assessments

- i. Threat assessments shall be conducted in accordance with local school board policies (e.g., policy EBB "Threat Assessment Teams"), adopted as required by §22.1-79.4., Code of Virginia and consistent with model procedures and guidelines published by the Virginia Department Of Criminal Justice Services. ~~The~~ APD will develop policy and procedures to streamline the sharing of criminal history when needed by ACPS in completing a threat assessment.
- ii. SROs may serve as members of the school's threat assessment team, known as safety team, and assist in monitoring of subject students as well as determining the need, if any, for law enforcement action.

c. School Safety Audits

- i. School safety audits will be conducted annually as required by law to assess school safety conditions in schools. The Virginia School Safety Audit Program is managed by the Department of Criminal Justice Services (DCJS) and is a written assessment of the safety conditions in each public school. The audits are designed to identify physical security concerns, and identify and evaluate any patterns of student safety concerns.

- ii. SROs, in collaboration with school administrators, may conduct school inspection walkthroughs and shall participate in other school safety audit mandates including school crisis and emergency management, and response planning and preparation. School walkthroughs will not occur while students are present. The walkthroughs, when utilized, will allow SROs the time to advise school administrators on matters that *may* require the attention of school personnel. These matters should be considered administrative in nature and when addressed by school administrators, may prevent a future police action.

7. Approval and Bi-Annual Review of MOU

- a. This MOU should be reviewed at least bi-annually and amended as necessary to meet the needs and enhance the partnership of the two signatory organizations. Quarterly performance- review meetings should be conducted throughout the year by the representatives between ACPS (designee) and APDO (designee) to support successful implementation of the partnership. This MOU remains in force until such time as either party, with 45-day notice, withdraws from the agreement by delivering an email or written notification of such rescission to the other party.

Glossary of Terms

Understanding that ACPs, APD and members of the public may ascribe different meanings to terms used within this Memorandum of Understanding, the following definitions shall apply within the context of this document:

Arrest: An arrest is an officer taking a student into custody based on probable cause that the person has committed a criminal offense.

Contraband: All substances and materials in which students are prohibited from possessing on school grounds by law and/or division policy.

De-escalate: Behavior and skills, both verbal and non-verbal, intended to prevent the escalation of conflicts and/or use of force to resolve conflicts.

Detention an officer's "brief and cursory" holding and questioning of someone based on reasonable suspicion the student has committed a crime. If the SRO is unable to establish probable cause within a brief period, a student would be free to leave unless the student is believed to have committed a very serious crime, to be a danger to self and others, to be a flight risk, or there is a threat of destruction of evidence. These conditions do not preclude an SRO from asking and a student from voluntarily agreeing to wait while an incident is investigated.

Investigation: The primary purpose of a police investigation is to determine if a crime occurred, to collect facts leading to the identification, possible arrest, and conviction of the offender, and to organize these facts in a report to present the evidence.

Probable Cause: A "practical, non-technical" standard that calls upon the "factual and practical considerations of everyday life on which reasonable men act." See *Illinois v. Gates*. A belief based on objective facts that lead an officer to reasonably suspect a crime has been committed or is about to be committed and the person(s) involved have committed it. Probable cause is also a belief based on objective facts that lead an officer to reasonably suspect evidence of the crime is present in a place to be searched.

Reasonable Suspicion: A belief based upon objective facts which lead an officer to reasonably suspect that a crime has been committed, is being committed, or is about to be committed. A reasonable suspicion must be based on the totality of the circumstances, including the officer's knowledge, training and experience. A reasonable suspicion does not exist unless the officer can articulate the objective factual basis for the officer's belief.

Referrals to court or court service units is the filing of a complaint to the court in the case of a student aged 18 or older or through juvenile court intake in the case of a student below 18.

Restorative Practices: A field within the social sciences that studies how to strengthen relationships between individuals as well as social connections within communities.

Student Code of Conduct: Policy that aims to:

1. Encourage all students to engage in behaviors that promote learning and keep ACPS school environments safe and orderly
2. Inform the ACPS community of the possible consequences that address behavior infractions
3. Promote opportunities for all ACPS students to acquire the social, emotional and academic skills to succeed as citizens in our global community

Appendix 1- Roles and Responsibilities of the School Resource Officer (SRO)

Work schedule, Uniform, Equipment and Assignments. SRO's duty schedules should be organized to provide coverage throughout the school day, which may vary by school. SROs provide a visible deterrent to crime and shall be visible patrolling the exterior and interior grounds.

- a. The SRO should wear the regulation uniform and operate a marked police vehicle while on duty unless otherwise authorized by the SRO's supervisor for a specific purpose.
- b. Vehicles. Police vehicles should be parked in the garage. Parking in front of the school should be avoided unless required for traffic control support or police emergency.
- c. Long arms. Long-arms (e.g. shotgun, rifles) should not be openly displayed in the school or around the campus unless there is an emergency.
- d. Body cameras. Body camera video should not be used in the school setting unless there is a law enforcement purpose. If used, such recordings(s) must be strictly controlled and protective of juvenile information per legal requirements.
- e. NARCAN. NARCAN is a nasal spray that may counteract the life-threatening effects of an opioid overdose. NARCAN may only be used by a trained SRO.
- f. School location and work assignment. The Office of Safety and Security in collaboration with the School Principal assigns the work locations. For matters of work performance (concerns or complaints), those matters may be reported to the APD Liaison Officer for follow up.

~~g. School location and work assignment. The Office of Safety and Security in collaboration with the School Principal assigns the work locations. For matters of work performance (concerns or complaints), those matters may be reported to the APD Liaison Officer for follow up.~~

General SRO Responsibilities. Additionally, SROs should assist school administrators in maintaining order (within SROs' authority as outlined in Section 4c) developing school crisis, emergency preparedness and management, and response plans. They will work with administrators in problem-solving to prevent crime and promote safety in the school environment. SROs are expected to collaborate with school administrators and other school personnel to support positive school climates that focus on resolving conflicts, reducing student engagement with the juvenile and criminal justice systems, and diverting youth from courts when possible.

Specific roles or functions of SROs. The roles are interrelated but all are carried out with the aim to contribute to school safety and security and to promote positive and supportive school climates. Key roles are:

- a. **Law Enforcement Officer**

As sworn law enforcement officers, SRO's primary role in schools is as a law enforcement officer. SROs assume primary responsibility for responding to requests for assistance from administrators and coordinating the response of other law enforcement resources to the school. SROs should work with school administrators in problem solving to prevent crime and promote safety in the school environment. SROs should also collaborate with school personnel to reduce student engagement with the juvenile justice systems and divert students from the courts when possible.

b. Law-related educator

As resources permit, SROs should strive to assist with presentations for school personnel on law-related topics such as law enforcement practices, changes in relevant laws, crime trends, crime prevention, school safety strategies, and crisis response procedures. SROs may also deliver law-related education with students using lessons/curricula approved in advance by the SRO Supervisor. In all cases, responding to incidents or conducting investigations will take precedence over delivery of presentations.

c. Informal mentor and role model

Students often seek approval, direction, and guidance from adults in the school setting about various problems. Through formal and informal interaction with students, SROs serve as informal mentors and role models. SROs are expected to communicate clearly to students about acceptable and unacceptable behavior, to set a positive example in handling stressful situations and resolving conflicts, to show respect and consideration of others, and to express high expectations for student behavior. Students who may need additional assistance shall be referred to the school's student support team, known as SST.

ACPS Law Enforcement Occurrence Form



Instructions: This form shall be filled out by the **school administrator** any time a law enforcement action/occurrence takes place at/during school. Complete the entire form **by asking the responding officer** all questions.

Submit to ACPS Safety & Security Services by COB day of occurrence.

School Name: Date: Time:

Incident/Occurrence Type/Initiated By(select all that may apply): ☐ Teacher/Administrator Request/Call for Police
☐ Anonymous Call ☐ Police Initiated ☐ Parent Initiated ☐ Student Initiated ☐ Emergency Response
☐ School Administrative Action Turned Criminal Referral ☐ Traffic or Accident ☐ Other

Answer All Questions Below:

Did the police issue/create a call for service number? ☐ Yes, # ☐ No

If "Yes" answered above, were charges filed? ☐ Yes ☐ No ☐ N/A

Did the initiation of an administrative action result in a criminal charge? ☐ Yes ☐ No

Did police investigate or question a student while on campus? ☐ Yes ☐ No

If "Yes" was the student's parent or guardian present? ☐ Yes ☐ No ☐ Contacted

Does the student involved have an Individualized Education Plan (IEP)? ☐ Yes ☐ No

Was there only an administrative disciplinary action taken? ☐ Yes ☐ No

You must identify all students involved by placing their ID number in the below section. Also, please mark student identifiers below. If an employee, identify by EID only.

Student Gender Identity:

Student Race:

Place Employee ID or Student ID Number(s) Here:

Was this police activity the result of surrounding activity and NOT school related? ☐ Yes ☐ No


Provide a brief summary of this occurrence here.

Safety & Security Services notified? ☐ Yes ☐ No Reporter's Name:

ACPS Law Enforcement Occurrence Form


Revised April 2023

Appendix 3- SRO Assessment Form



SRO Assessment Form SY 22-23

Please select only best answers that you observed and or assessed.



SRO Assessment Form SY 22-23

Please select only best answers that you observed and or assessed.

Date *

School Administrator Name *

ACPS Secondary School *

Select or enter value

SRO Name *

Select

Dependability *

- ☐ Is punctual for school and scheduled events/appointments?
- ☐ Can be counted on to perform duties with little or no direction?
- ☐ Not dependable

Availability *

- ☐ Officer is accessible to staff and students?
- ☐ Officer responds to requests in a timely manner?
- ☐ Mostly not available

Professionalism *

- ☐ Presents professional appearance?
- ☐ Demonstrates commitment to school and community?
- ☐ Unprofessional

Communication *

- ☐ Communicates effectively verbally?
- ☐ Communicates effectively in writing?
- ☐ Lack of proper communication with school administration

Judgment *

- ☐ Accurately assesses situations and acts appropriately?
- ☐ Officer takes a proactive approach when appropriate?
- ☐ Lacks proper judgement/discretion

Knowledge *

- ☐ Knowledgeable about school rules and procedures?
- ☐ Knowledgeable about criminal/juvenile justice system?
- ☐ Knowledgeable about school and community resources?
- ☐ Lacks typical law enforcement and school safety knowledge

Performance *

- ☐ Takes proper law enforcement action when appropriate?



SRO Assessment Form SY 22-23

Please select only best answers that you observed and or assessed.

- ☐ Provides effective level of visibility?
- ☐ Presence contributes to higher perception of safety?
- ☐ Effective in collaborating with school personnel to address school safety/security concerns?
- ☐ Effective in crisis/emergency response planning and preparation activities?
- ☐ Effective in collaborating with faculty to provide law-related and other topical presentations?
- ☐ Lacks typical day-to-day performance measure

Presentation Skills *

- ☐ Effective in making presentations to audiences (students, faculty, parents)
- ☐ Lacks presentation skills
- ☐ Not Observed

Comments or Concerns

- ☐ Send me a copy of my responses

Submit