

**P.A. 15-168 An Act Concerning Collaboration Between Boards of  
Education and School Resource Officers and The Collection and  
Reporting of Data on School-Based Arrests**

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***(Background Information for Policy Review Committee)***

This Act requires a school board that assigns a sworn police officer to a school (i.e., school resource officer) to enter into a memorandum of understanding (MOU) with the local police department that defines the officer's role and responsibilities. The MOU must address daily interactions among students, school personnel, and police officers, and must include a graduated response model for student discipline.

By previous law, each school board must submit to the Commissioner of Education an annual strategic school profile (SSP) with certain required data (e.g., student performance, school resources) for each of its schools and the district as a whole. This legislation adds to this requirement data on (1) in-school and out-of-school suspensions and expulsions and (2) school-based arrests.

As a separate reporting requirement, the State Department of Education (SDE) must disaggregate the new data the legislation requires by school, race, ethnicity, gender, age, disability status, English language learner (ELL) status, free and reduced price eligibility, offense type, and the number of arrests at each school. SDE must report annually to the State Board of Education on the disaggregation of the data and make the report available to the public on the Department website.

### **School-Based Arrests**

The Act defines a "school-based arrest" as an arrest of a student for conduct on school property or at a school-sponsored event, which is a school activity conducted on or off school property regardless of when it takes place. The arrest must also be of a student enrolled in a school under the board of education responsible for submitting that student's information for the SSP.

### **Graduated Response Model**

The Juvenile Justice Advisory Committee, which advises the Governor and the Office of Policy and Management on juvenile justice and delinquency prevention, developed a model MOU for use between districts and police departments. The graduated response model in its MOU contains guidelines on classroom intervention; school administrative intervention; assessment; service provision; and law enforcement intervention.

The effective date of this legislation is July 1, 2015.

### **Policy Implications**

Many school districts have utilized school resource officers in their school to enhance school security and student safety. Many other districts are considering the placement of such personnel in their schools.

The Act defines a "school resource officer" as a sworn police officer of a local law enforcement agency who has been assigned to a school pursuant to an agreement between the local or regional board of education and the chief of police of a local law enforcement agency.

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School boards that assign a sworn police officer to a school (i.e., school resource officer) through a memorandum of understanding (MOU) with the local police department define the officer's role and responsibilities. The MOU needs to address daily interactions among students, school personnel, and police officers, and may include a graduated response model for student discipline. A memorandum of understanding between the board of education and the police department allows for clear communications of each party's expectations and responsibilities.

The memorandum of understanding clearly specifies the role of the SRO. That role includes, but is not limited to, the following:

- Act as a safety expert, help in the development of safety plans for schools;
- Investigate potential criminal acts;
- Secure buildings by operating metal detectors and/or other safety equipment;
- Provide assistance to school personnel in addressing student violence, drug and alcohol use and abuse, sexual assault, truancy and bullying issues;
- Educate students and faculty on safety measures and crime prevention, safe driving, and other issues; and
- Act as a liaison between the police department and administration.

The MOU can include the knowledge needed for the SROs. Such knowledge includes the confidentiality of student records, search and seizure standards on school campus, state and federal laws relating to special education students, child abuse reporting, school discipline procedures, board of education policies and regulations, and truancy and other school-related state laws.

The specific duties of the SROs should be included in the MOU. It is helpful to have these duties explicitly laid out in the agreement. Examples of such duties include SRO responsibilities with investigating criminal activity, interviewing students, conducting searches, counseling and educating students on law related matters such as the use of drugs and alcohol, and issues pertaining to school security and student safety.

The MOU can contain information pertaining to the number of SROs working in the district and the schools to which they are assigned. The manner of how the SRO's time will be structured can also be included in the MOU. Will the SRO be full or part time? Will there be shifts at designated schools? Will the police department be able to call in the SRO for general police duties in light of staffing issues or an off-campus emergency? How will the district be notified?

In writing the MOU it is important to make sure that the SRO remains an employee of the police department. Police department insurance covers specific liabilities and police officers have certain immunities under the law. The SRO has bargaining unit protections as part of the police department. However, the MOU must specify the structure of supervision while the police officer is in the school setting.

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Other items to be considered for inclusion in the MOU include the following:

1. Salary/fee structure.
2. Selection process for a school SRO.
3. Desired qualifications of the potential SRO.
4. Training to be provided by the police department to the SRO.
5. Specify that the SRO should be on a safety or school climate committee.
6. Clarification of issues pertaining to search and seizure.
7. Access to student records under the “school official” exception.
8. Chain of command issues:
  - a. Specify the SRO’s direct supervisor.
  - b. The chain of command at the school.
  - c. Who may provide direction to or oversight of the SRO while at school.
  - d. Meetings, including frequency, between the SRO and school administrators.
9. Personnel issues:
  - a. Will school administration contribute to the SRO’s police department evaluation?
  - b. Steps to be taken in the event of a personnel issue or performance problem with the assigned SRO.

Policy #5142.4, “School Resource Officer,” appendices pertains to this topic. In addition, a sample “Memorandum of Understanding” also follows. Note that the budget implementer bill, passed in the Special Session of the General Assembly amended P.A. 15-168. It eliminated entering into a MOU with the State Police and it requires, rather than allows a MOU to include a graduated response model for student discipline. In addition, it defines a school resource officer as a sworn police officer of a local law enforcement agency. The original language of PA 15-168 included State Police and did not require a graduated response model.

## **A Memorandum of Understanding...**

- \* Outlines the details of an agreement.
- \* Between two or more parties.
- \* Intend to work together toward a common goal.
- \* Abbreviated and referred to as an MOU.
- \* Less complex and detailed than a contract, while providing a framework.
- \* Great to confirm and solidify the terms of a verbal agreement.

*A sample policy to consider.*

## **Students**

### **Safety**

#### **School Resource Officer**

In order to make schools more orderly, safer and secure, the district [will] [may] employ police officers to deliver security services as school resources officers (SROs).

The utilization of school resource officers in district schools is to accomplish the following goals:

- To provide a safe learning environment and help reduce school violence.
- To improve school/law enforcement collaboration.
- To improve perceptions and relations among students, staff and law enforcement officials.
- To collaborate with designated members of the school and District staff and with local law enforcement, fire service, public safety and emergency management agencies, and parents/guardians in the development of school safety/crisis plans.

#### **Alternative language:**

It is understood and agreed that the Board of Education and the Police Department officials share the following goals and objectives with regard to the School Resource Officer (SRO) Program in the schools:

1. To foster educational programs and activities that will increase student's knowledge of and respect for the law and the function of law enforcement agencies;
2. To encourage SROs to attend extra-curricular activities held at schools, when possible;
3. To act swiftly and cooperatively when responding to major disruptions and flagrant criminal offenses at school, such as: disorderly conduct by trespassers, the possession and/or use of weapons on campus, the sale and/or distribution of controlled substances, and riots;
4. To report serious crimes that occur on campus and to cooperate with the law enforcement officials in their investigation of crimes that occur at school; and
5. To cooperate with law enforcement officials in their investigations of criminal offenses which occur off campus.
6. To be involved in the development of District and school safety/crisis plans.

## **Students**

### **Safety**

#### **School Resource Officer** (continued)

Duties include, but are not limited to:

1. The observation and reporting of any unlawful act;
2. The prevention of theft or misappropriation of any item of value;
3. The control of access to premises being protected;
4. The maintenance of order and safety at public activities;
5. Protection of district property, students, staff and persons and property on or about district property or while attending district-sponsored activities.

#### **Optional Language:**

6. [Investigating and documenting specific incidents;]
7. [Assistance in identifying, intervening and communicating with at-risk students;]
8. [Provision of crime prevention education;]
9. [Promotion of a positive student attitude towards law enforcement;]
10. [Operating as a liaison between the community and the District.]

The Superintendent of Schools will develop administrative regulations as necessary to implement this policy.

#### **Alternative language:**

The Board will work in cooperation with the law enforcement agency/police department in the placement of school resource officers in its high/middle/elementary schools. The objectives and qualifications of resource officers will be determined by the police department and shall be subject to approval by the Board.

The Board shall enter into a Memorandum of Understanding (MOU) with the local police department that defines the officer's role and responsibilities. The MOU must address daily interactions among students, school personnel, and police officers, and must include a graduated response model for student discipline.

- (cf. 5114 – Suspension/Expulsion; Student Due Process)
- (cf. 5131 – Student Conduct)
- (cf. 5131.2 – Assault)
- (cf. 5131.21 – Terrorist Acts/Threats)
- (cf. 5131.4 – School Grounds Disturbances)
- (cf. 5131.41 – In-School Disturbances)
- (cf. 5131.5 – Vandalism)

## **Students**

### **Safety**

#### **School Resource Officer** (continued)

(cf. 5131.6 – Drugs, Tobacco, Alcohol)  
(cf. 5131.61 – Inhalant Abuse)  
(cf. 5131.612 – Surrender of Physical Evidenced Obtained from Students)  
(cf. 5131.7 – Weapons and Dangerous Instruments)  
(cf. 5131.8 – Off School Grounds Misconduct)  
(cf. 5131.9 – Gang Activity or Association)  
(cf. 5141.6 – Crisis Management)  
(cf. 5142 – Safety)  
(cf. 5144 – Use of Physical Force)  
(cf. 5145.11 – Questioning and Apprehension)  
(cf. 5145.12 – Search and Seizure)  
(cf. 5145.121 – Vehicle Searches on School Grounds)

Legal Reference:      Connecticut General Statutes  
                                 4-176e through 4-180a. Contested Cases. Notice. Record.  
                                 10-220 Duties of boards of education.  
                                 10-233a through 10-233f. Suspension, removal and expulsion of students, as  
                                 amended by PA 95-304, PA 96-244, and PA 98-139.  
                                 53a-3 Definitions.  
                                 53a-217b Possession of Firearms and Deadly Weapons on School Grounds.  
                                 PA 15-168 An Act Concerning Collaboration Between Boards of Education  
                                 and School Resource Officers and the Collection and Reporting of Data on  
                                 School-Based Arrests  
                                 PA 94-221 An Act Concerning School Discipline and Safety.  
                                 GOALS 2000: Educate America Act, Pub. L. 103-227.  
                                 18 U.S.C. 921 Definitions.  
                                 Title III - Amendments to the Individuals with Disabilities Education Act.  
                                 Sec. 314 (Local Control Over Violence)  
                                 Elementary and Secondary Act of 1965 as amended by the Gun Free Schools  
                                 Act of 1994.  
                                 P.L. 105-17 The Individuals with Disabilities Act, Amendment of 1997.  
                                 *Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.*

#### **Policy adopted:**

cps 2/02  
rev 2/13  
rev 1/15  
rev 7/15

*A succinct version to consider from Westport.*

## Students

### Safety

#### School Resource Officer

The Board will work in cooperation with the law enforcement agency/police department in the placement of school resource officers in its high/middle/elementary schools. The objectives and qualifications of resource officers will be determined by the police department and shall be subject to approval by the Board.

The Board shall enter into a Memorandum of Understanding (MOU) with the local police department that defines the officer's role and responsibilities. The MOU must address daily interactions among students, school personnel, and police officers, and must include a graduated response model for student discipline.

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 GOALS 2000: Educate America Act, Pub. L. 103-227.  
 18 U.S.C. 921 Definitions.  
 Title III - Amendments to the Individuals with Disabilities Education Act.  
 Sec. 314 (Local Control Over Violence)  
 Elementary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994.  
 P.L. 105-17 The Individuals with Disabilities Act, Amendment of 1997.  
*Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.*

Policy adopted:

cps 1/19

WESTPORT PUBLIC SCHOOLS  
 Westport, Connecticut

# Memorandum of Agreement

By and Between

\_\_\_\_\_ **Public Schools**

and

\_\_\_\_\_ **Police Department**

## **I. Introduction**

Schools and law enforcement share responsibility for school safety and must work together with complimentary policies and procedures to ensure a safe learning environment for students. This document expresses the agreement of the parties for responding to non-emergency school disruptions. It strives to ensure a consistent response to incidents of student misbehavior, clarify the role of law enforcement in school disciplinary matters, and reduce involvement of police and court agencies for misconduct at school and school-related events.

The parties agree to the following principles upon which this agreement is founded.

- A. The vast majority of student misconduct can be best addressed through classroom and in-school strategies and maintaining a positive climate within schools rather than by involvement of the justice community.
- B. The response to school disruptions should be reasonable, consistent and fair with appropriate consideration of relevant factors such as the age of the student and the nature and severity of the incident.
- C. Students should be held accountable for their actions through a graduated response to misconduct that provides a continuum of services and increasingly more severe sanctions for continued misbehavior.
- D. Disruptive students should receive appropriate redirection and support from in-school and community resources prior to the consideration of suspension, expulsion, involvement of the police, or referral to court.
- E. Clarifying the responsibilities of school and police personnel with regard to non-emergency disruptive behavior at school and school-related events promotes the best interests of the student, the school system, law enforcement and the community at large.

## **II. Purpose of Agreement**

The purpose of this agreement is to encourage a more consistent response to school incidents and to reduce the number of referrals of students to court by establishing guidelines for the handling of non-emergency disruptive behavior at school and school-related events by school and police personnel.



### **III. Terms of the Agreement**

#### **A. Summary of Key Points**

The parties agree to:

1. Convene a School/Police Collaboration Team;
2. Share this agreement with a copy to all school and police personnel;
3. Provide necessary and regular staff training on implementation of the agreement;
4. Put into practice a graduated response to student misbehavior;
5. Monitor implementation of the agreement;
6. Collect data and assess the effectiveness of the agreement; and
7. Modify the agreement as appropriate.

#### **B. Key Factors in Making Disciplinary Decisions**

The parties agree that when determining consequences for students' disruptive behavior the following factors shall be considered, if information on the factors is available.

1. Age, health, and disability or special education status of the student.
2. Prior conduct and record of behavior of the student.
3. Previous interventions with the student.
4. Students' willingness to repair the harm.
5. Parents' willingness to address any identified issues.
6. Seriousness of the incident and degree of harm caused.

The parties agree that when determining consequences for student's disruptive behavior the following factors shall not be considered:

1. Race/ethnicity, gender, gender identity, sexual orientation, religion and national origin of the student and family.
2. Economic status of the student and family.

#### **C. Graduated Response Model**

**Classroom Intervention** - The classroom teacher plays a prominent role in guiding, developing and reinforcing appropriate student conduct and is acknowledged as the first line in implementing the school discipline code. As such, this model begins with a range of classroom management techniques that must be implemented prior to any other sanctions or interventions. Classroom intervention is managed by the teacher for behaviors that are passive and non-threatening such as dress code violations, and violations of classroom rules. School Resource Officers (SROs) should not be involved at this level. More than three incidents of the same behavior, if not in the same day, could lead to School Administrator Intervention. Classroom intervention options might include redirection, reteaching, school climate initiatives, moving seats, and the teacher should initiate parental contact.

**C. Graduated Response Model** (continued)

**School Administration Intervention** - Classroom interventions must be supported by school administrators who address more serious or repetitive behaviors and behaviors in school but outside of the classroom. Examples of behaviors at this level include repetitive patterns, defacing school property, truancy, threatening and behaviors in hallways, bathrooms, courtyards and school buses. Administration intervention options might include time in the office, after school detention, loss of privilege, reparation, and/or parent conference.

**Assessment and Service Provision** - When the behavior and needs of the student warrant, an assessment process and intervention with the use of school and community services is appropriate. This intervention is managed by the school administrator or a Student Assistance Team (SAT). Repetitive truancy or defiance of school rules, and behaviors that interfere with others such as vandalism or harassment belong at this level as well as misbehaving students who would benefit from service provision. Assessment and service intervention options should include any classroom or school administration interventions and might include referral to a juvenile review board (JRB) or community service or program, suspension, expulsion or referral to court. Truant behavior should not lead to an out-of-school option. Police can be involved in their role on SATs and JRBs.

**Law Enforcement Intervention** - Only when classroom, school and community options have been found ineffective (or in an emergency) should the school involve the police, including the SRO. Involvement of the police does not necessarily mean arrest and referral to court. This intervention is managed by the police. Behaviors at this level must be violations of criminal law, but only after classroom, school administration and assessment and service interventions have been tried. Law enforcement options may include verbal warning; conference with the student, parents, teachers and/or others; referral to a JRB and/or community agencies; and referral to court.

**D. Police Activity at Schools**

The parties agree that police need to follow certain protocols when on school grounds in non-emergency circumstances as follows:

1. Police will act through school administrators whenever they plan any activity on school grounds.
2. Officers entering school grounds will be aware of the potential disruption of the educational process that police presence may cause.
3. Prior to entering a school to conduct an investigation, arrest or search, officers will consider the necessity of such action based on:
  - a. The potential danger to persons;
  - b. The likelihood of destruction of evidence or other property;
  - c. The ability to conduct the investigation, arrest or search elsewhere.

**D. Police Activity at Schools** (continued)

4. When taking a student into custody:
  - a. Officers should make reasonable efforts to avoid making arrests or taking students into custody on the school premises.
  - b. Whenever possible, students should be taken into custody out of sight and sound of other students.
5. For communities with School Resource Officers, the SRO will not be responsible for student discipline or enforcement of school rules, although the SRO may provide assistance to school personnel. The SRO will work collaboratively with the school administrator to determine the goals and priorities for the SRO program and the parameters for SRO involvement in school disciplinary matters.

**IV. Data Collection and Monitoring**

The parties agree that they will provide baseline data for comparison purposes and regularly collect, share, monitor and report data resulting from the implementation of this agreement.

**Data Collection** – on a quarterly basis, the following information will be collected.

**School** – number and types of disciplinary actions, numbers and demographics of students involved, referrals to police.

**Police** – number and types of school incidents for which police incident reports are written, police actions on incidents.

For comparison purposes, the parties agree to retrieve the above data for a year prior to the signing of the agreement and quarterly after the signing of the agreement.

**Monitoring and Oversight** – on a regular basis and at least quarterly, parties acknowledge and agree that the School/Police Collaboration Team composed of at least two members from each party will meet to provide oversight of the agreement and review relevant data and analysis. At least annually, the Team will prepare a report of activities and make recommendations for improvements to the agreement and/or its implementation.

**V. Duration and Modification of Agreement**

This agreement shall become effective **Month, Day, Year** and shall remain in full force and effect until such time as the agreement is modified by the consent of the parties. The agreement may be modified at any time by amendment to the agreement.

In witness whereof, the parties hereto, intending to cooperate with one another, have set their signatures to this document on this day.

\_\_\_\_\_  
Superintendent of Schools

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

Sworn and subscribed before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Commissioner of the Superior Court/  
Notary Public

\_\_\_\_\_  
Commission Expiration Date

\_\_\_\_\_  
Chief of Police/Resident State Trooper

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

Sworn and subscribed before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Commissioner of the Superior Court/  
Notary Public

\_\_\_\_\_  
Commission Expiration Date

(Source: Juvenile Justice Advisory Committee, Office of Policy and Management, 450 Capitol Avenue, Hartford, CT)

**NOTE: It is also recommended that the Memorandum of Understanding include a section which indicates how the cost of the SRO Program will be paid.**

## **Students**

### **Safety**

#### **School Resource Officer**

##### **Duties - Example One:**

1. To prevent juvenile delinquency through close contact with students and school personnel.
2. To establish liaison with school principals, faculty and students.
3. To establish and maintain liaison with school security personnel and other SROs assigned to school campuses.
4. To inform the students of their rights and responsibilities as lawful citizens.
5. To provide liaison between students and social agencies which provide needed services.
6. To act as a liaison resource to the Principal in investigating criminal law violations occurring in the school or on school property.
7. To assist administration and faculty in formulating criminal justice programs.
8. To formulate educational crime prevention programs to reduce the opportunity for crimes against persons and property in the schools.
9. To participate in meetings of the parent-teacher associations as requested.
10. To participate in campus activities, student organizations, and athletic events when invited and feasible.
11. To be aware at all times of the responsibility to improve the image of the uniformed law enforcement officer in the eyes of the students and the community.

##### **Duties - Example Two:**

1. Abide by school Board policies and shall consult with and coordinate activities through the school Principal but shall remain fully responsive to the chain of command of the law enforcement agency in all matters relating to employment and supervision.
2. Develop expertise in presenting various subjects; particularly in meeting federal and state mandates in drug abuse prevention education and shall provide these presentations at the request of school personnel in accordance with the established curriculum.

## **Students**

### **Safety**

#### **School Resource Officer**

##### **Duties - Example Two:** (continued)

3. Encourage individual and small group discussions about law enforcement related matters with students, faculty and parents.
4. Refrain completely from functioning as a school disciplinarian. The School Resource Officer is not to be involved in the enforcement of disciplinary infractions that do not constitute violations of the law.
5. Attend meetings of parent and faculty groups to solicit their support and understanding of the School Resource Officer Program and to promote awareness of law enforcement functions.
6. Serve as a member of the School Student Services Committee and will be familiar with all community agencies that offer assistance to youths and their families such as mental health clinics, drug treatment centers, etc.
7. Confer with the Principal to develop plans and strategies to prevent and/or minimize dangerous situations on or near the campus or involving students at school related activities.
8. Perform duties as determined by the Principal other than those regularly assigned to school personnel such as lunchroom or hall duty. (Nothing herein is intended to preclude the SRO from being available in areas where interaction with students is expected.)
9. Abide by school Board policy and applicable law concerning interviews should it be necessary to conduct formal law enforcement interviews with students or staff on school property or at school functions under the jurisdiction of the Board.
10. Take law enforcement action as necessary and notify the Principal of the school as soon as possible; whenever applicable advise the Principal before requesting additional enforcement assistance on campus and undertake all additional law enforcement responsibilities at the Principal's direction.
11. Give assistance to officers in matters regarding the duties of SROs whenever necessary.
12. In order to assure the peaceful operation of school-related programs, SROs will whenever possible, participate in or attend school functions.

## **Students**

### **Safety**

#### **School Resource Officer**

##### **Duties - Example Two:** (continued)

13. Reaffirm their roles as law enforcement officers by wearing their uniforms, unless doing so would be inappropriate for scheduled school activities. The uniform will also be worn at events where it will enhance the image of officers and their ability to perform their duties.
14. Coordinate with the Principal and be responsible for law enforcement and security activity at extra-curricular events as determined by the Principal.
15. Serve as a member of the School/District Safety Advisory Committee, be familiar with all community agencies that offer assistance to youths and their families such as mental health clinics, drug treatment centers, etc., and assist in the development and implementation of safety/crisis plans for the District and individual schools.

##### **Duties - Example Three:**

1. To protect lives and property for the citizens and public school students.
2. To enforce Federal, State and local criminal laws and ordinances, and to assist school officials with the enforcement of Board of Education policies and administrative regulations regarding student conduct.
3. To counsel public school students in special situations, such as students suspected of engaging in criminal misconduct, when requested by the Principal or the Principal's designee or by the parents/guardians of the student.
4. To investigate criminal activity committed on or adjacent to school property.
5. To answer questions that students may have about Connecticut criminal or juvenile law.
6. To assist other law enforcement officers with outside investigations concerning students attending the school(s) to which the SRO is assigned.
7. To provide security during the regular school day and for special school events or functions at the request of the Principal or his/her designee.

## **Students**

### **Safety**

#### **School Resource Officer**

#### **Duties - Example Four: (An expanded version of Example Two)**

1. Abide by Board policies and shall consult with and coordinate activities through the Principal but shall remain fully responsive to the chain of command of the law enforcement agency in all matters relating to employment and supervision.
2. Refrain completely from functioning as a school disciplinarian. If the Principal or his/her designee believes an incident is a violation of the law, he/she shall contact the School Resource Officer who shall then determine whether law enforcement action is appropriate.
3. Develop expertise in presenting various subjects such as understanding the laws, the police officers and the police mission.
4. Encourage individual and small group discussions about law enforcement related matters with students, faculty and parents/guardians.
5. Attend meetings of parent and faculty groups to solicit their support and understanding of the Police School Resource Program and to promote awareness of law enforcement functions.
6. Make themselves available for conferences with students, parents, and faculty members to assist them with problems of a law enforcement or crime prevention nature. (Nothing herein requires that confidential information obtained be disclosed.)
7. Serve as a member of the School Student Services Committee and will be familiar with all community agencies which offer assistance to youths and their families such as mental health clinics, drug treatment centers, etc., and may make referrals when appropriate.
8. Confer with the Principal to develop plans and strategies to prevent and/or minimize dangerous situations on or near the campus or involving students at school-related activities.
9. Perform duties as determined by the Principal other than those regularly assigned to school personnel such as lunchroom or hall duty. (Nothing, herein, is intended to preclude the SROs from being available in areas where interactions with students is expected.)



## **Students**

### **Safety**

#### **School Resource Officer**

##### **Duties - Example Four: (continued)**

10. Abide by Board policy concerning interviews should it become necessary to conduct formal police interviews with students or staff on property or at school functions under jurisdiction of the public schools.
11. Take law enforcement action as necessary and notify the Principal of the school as soon as possible; whenever practicable advise the Principal before requesting additional enforcement assistance on campus and undertake all additional law enforcement responsibilities at the Principal's direction.
12. Give assistance to police officers in matters regarding the duties of Resource Officers whenever necessary.
13. Promote citizen awareness of law enforcement efforts, to assure the peaceful operation of school-related programs, and to build support with students. Police School Resource Officers, will whenever possible participate in or attend school functions.
14. Reaffirm their roles as law enforcement officers by wearing their uniforms, unless doing so would be inappropriate for scheduled school activities. (The uniform will also be worn at events where it will enhance the image of the officers and their ability to perform their duties.)
15. Coordinate with the Principal for extra duty security and be responsible for security and law enforcement activity at extra-curricular events as determined by the Principal.
16. File reports as required by the Juvenile Task Force.
17. Obtain approved purchase order from the Juvenile Task Force before charging materials or supplies.

*A sample regulation to consider/modify.*

## **Students**

### **Safety**

#### **School Resource Officer**

The School Resource Officer (SRO) provides a visible presence in the District's schools allowing students to develop a trust with law enforcement while linking district and community safety concerns and making District property inhospitable to criminals.

The SRO's responsibilities are equally divided into the three areas of law enforcement officer, law-related counselor and law-related educator. The SRO helps to create a safe and non-threatening learning environment, leading by example and promoting a positive image of law enforcement.

**The duties of the SROs shall include, but not be limited to:** *(also see appendix to the policy for a listing of possible duties.)*

1. The observation and reporting of any unlawful act;
2. The prevention of theft or misappropriation of any item of value;
3. The control of access to premises being protected;
4. The maintenance of order and safety at public activities;
5. Protection of District property, students, staff and persons and property on or about district property or while attending district-sponsored activities.
6. [Investigating and documenting specific incidents;]
7. [Assistance in identifying, intervening and communicating with at-risk students;]
8. [Provision of crime prevention education;]
9. [Promotion of a positive student attitude towards law enforcement;]
10. [Operating as a liaison between the community and the District.]

#### **Training of School Resource Officers will include the following areas:**

1. The law regarding arrest;
2. Search and seizure;
3. Appropriate use of force;
4. Fire detection and reporting of safety issues;
5. Notification of public authorities;
6. Reporting of incidents and preparation of necessary reports;
7. Deportment and ethics;
8. Knowledge of criminal and school law;
9. District policies and regulations;

## **Students**

### **Safety**

#### **School Resource Officer** (continued)

10. Knowledge of the National Incident Management System (NIMS) and the National Incident Command System;
11. First aid and CPR; and
12. Self-defense tactics.

The basic qualifications of School Resource Officers shall include the following:

1. Shall be a commissioned officer with a minimum of two years of law enforcement experience;
2. Shall possess a sufficient knowledge of all applicable Federal and State laws and Board of Education policies and regulations;
3. Shall be capable of conducting in depth criminal investigations;
4. Shall possess an even temperament and be able to set a good example for students; and
5. Shall possess communication skills that would enable the officer to function effectively within the school environment.

### **Graduated Response Model**

The SRO Program will use the “Graduated Response Model” for student misconduct, as described below:

**Classroom Intervention** - The classroom teacher plays a prominent role in guiding, developing and reinforcing appropriate student conduct and is acknowledged as the first line in implementing the school discipline code. As such, this model begins with a range of classroom management techniques that must be implemented prior to any other sanctions or interventions. Classroom intervention is managed by the teacher for behaviors that are passive and non-threatening such as dress code violations, and violations of classroom rules. School Resource Officers (SROs) should not be involved at this level. More than three incidents of the same behavior, if not in the same day, could lead to School Administrator Intervention. Classroom intervention options might include redirection, reteaching, school climate initiatives, moving seats, and the teacher should initiate parental contact.

**School Administration Intervention** - Classroom interventions must be supported by school administrators who address more serious or repetitive behaviors and behaviors in school but outside of the classroom. Examples of behaviors at this level include repetitive patterns, defacing school property, truancy, threatening and behaviors in hallways, bathrooms, courtyards and school buses. Administration intervention options might include time in the office, after school detention, loss of privilege, reparation, and/or parent conference.

## **Students**

### **Safety**

#### **School Resource Officer**

#### **Graduated Response Model (continued)**

**Assessment and Service Provision** - When the behavior and needs of the student warrant, an assessment process and intervention with the use of school and community services is appropriate. This intervention is managed by the school administrator or a student assistance team (SAT). Repetitive truancy or defiance of school rules, and behaviors that interfere with others such as vandalism or harassment belong at this level as well as misbehaving students who would benefit from service provision. Assessment and service intervention options should include any Classroom or School Administration interventions and might include referral to a Juvenile Review Board (JRB) or community service or program, suspension, expulsion or referral to court. Truant behavior should not lead to an out-of-school option. Police can be involved in their role on SATs and JRBs.

**Law Enforcement Intervention** - Only when classroom, school and community options have been found ineffective (or in an emergency) should the school involve the police, including the SRO. Involvement of the police does not necessarily mean arrest and referral to court. This intervention is managed by the police. Behaviors at this level must be violations of criminal law, but only after Classroom, School Administration and Assessment and Service interventions have been tried. Law enforcement options may include verbal warning; conference with the student, parents, teachers and/or others; referral to a JRB and/or community agencies; and referral to court.

#### **Chain of Command:**

As employees of the Police Department, SROs shall follow the chain of command as set forth in the Police Department's policies and procedure manual.

In the performance of their duties, SROs shall coordinate and communicate with the Principal or his/her designee of the school to which they are assigned.

#### **Dress Code:**

SROs shall/shall not be required to wear a departmental issued uniform.

#### **Transporting Students:**

SROs shall not transport students in their vehicles except:

- When the students are victims of a crime, under arrest, or some other emergency circumstances exist; and

## **Students**

### **Safety**

#### **School Resource Officer**

##### **Transporting Students:** (continued)

- When students are suspended and sent home from school pursuant to school disciplinary actions if the student's parent or guardian has refused or is unable to pick up the child within a reasonable time period and the student is disruptive/disorderly and his/her continued presence on campus is a threat to the safety and welfare of other students and school personnel.

If circumstances require that an SRO transport a student, then school officials must provide a school official or employee of the same gender of the student to be transported to accompany the officer in the vehicle.

Students shall not be transported to any location unless it is determined that the student's parent, guardian or custodian is at the destination to which the student is being transported. SROs shall not transport students in their personal vehicles.

SROs shall notify the school Principal before removing a student from campus.

##### **Investigation, Interrogation, Search and Arrest Procedures:**

The standard operating procedures for the investigation of crimes and interrogation, search and arrest of students are as follows:

1. Interrogation Procedures: In the event a serious crime (as defined below) is committed at school or at a school activity, the Principal or Assistant Principal with the assistance of the SRO should:
  - Question any witnesses to determine that a crime was committed and who committed the crime. The SRO shall have the general authority to question or interrogate any student at school who may have information about criminal misconduct or the violation of the conduct policies of the Board of Education. As a general rule, the interrogation should be conducted in cooperation with and in the presence of a school official but when immediate action is necessary or in an emergency situation, the SRO may interrogate a student without the presence of a school official.
  - Question the person suspected of committing the crime. As a general rule, the suspect should not be arrested or placed "in custody" during the initial interview or interrogation. The suspect shall be informed generally of the purpose of the investigation and given an opportunity to present informally his/her knowledge of the facts. If the suspect wishes to remain silent, to contact his/her parents or an attorney, or to end the interview, the questioning should cease and the suspect's request should be granted unless there is a reasonable cause to detain the student for questioning.

## **Students**

### **Safety**

#### **School Resource Officer**

2. If a student is detained, placed in custody or arrested, the student must be advised prior to further questioning by a SRO:
  - That he/she has the right to remain silent;
  - That anything he/she says can be used against him/her in a court of law;
  - That he/she has a right to have a parent, guardian or custodian present during questioning;
  - That he/she has a right to talk with an attorney before you ask any questions and he/she has a right to have his/her attorney present with him/her during questioning;
  - That if he/she cannot afford to hire an attorney, one will be appointed for him/her by the court before any questioning if he/she wishes; and
  - That if he/she decides to answer now without an attorney present, he/she will still have the right to stop answering questions at any time. He/she also has the right to stop answering questions at any time until he/she talks to a lawyer.
  - That if the suspect is a minor, the child's parent, guardian, or custodian shall be contacted and invited to be present during the interview and the accused shall be advised of his/her rights.

#### **Search Procedures:**

If the Principal or his/her designee has reasonable grounds for suspecting that a search of a student or a student's possessions will uncover evidence that the student has violated or is violating either the law or the rules of the school, the Principal or his/her designee may search the student's pockets, pocketbook, bookbag, desk, locker, vehicle or any similar location within the student's control. When requested by school officials, the SRO shall assist with the search in order to protect the safety of all persons involved in the search. If the search uncovers evidence of criminal misconduct, the evidence may be held for or turned over to the SRO.

School officials shall not conduct a "strip search" without a search warrant. A strip search is defined as a search of a student's person, which requires the student to remove his/her clothing in order to determine if any evidence is concealed within the student's undergarments or on the body. The term does not include the removal of outer garments such as coats, hat, shoes etc. If there is probable cause to believe that a student has concealed or is concealing evidence of criminal misconduct within his/her undergarments, the SRO should assist the school official in obtaining a warrant to search the student.

## **Students**

### **Safety**

#### **School Resource Officer** (continued)

#### **Reporting of Serious Crimes:**

If the investigation uncovers evidence of a crime as defined in statute, the school official shall notify the SRO, the student's parent/guardian and the Superintendent's office.

#### **Bomb Threats:**

School officials, the SRO and fire safety officials shall cooperate in the implementation of procedures in the event of a bomb threat. In all cases, such incidents shall be reported by the Principal to the Superintendent's office and to the SRO.

#### **Controlled Substances:**

School officials shall notify the SRO in all cases involving the possession, sale or distribution of controlled substances at school or school activities.

Any controlled substances or suspected controlled substances confiscated by school officials shall be turned over to the SRO for proper identification and eventual disposition.

#### **Riots and Civil Disorders:**

In the event a riot or civil disorder occurs on a school campus, the Principal and the SRO shall discuss and agree upon a response to the situation.

If, in the opinion of the Principal and SRO, additional law enforcement personnel are needed to restore and/or maintain order, the SRO will contact the appropriate law enforcement agency and request that assistance. The Principal or his/her designee also shall notify the Superintendent.

The Principal or his/her designee shall be prepared to respond to questions from the news media, parents and other members of the public as soon as order is restored.

If deemed necessary by school and law enforcement officials, the media and the public may be restricted to an area off campus away from the disturbance until order is restored.

The SRO or officer in charge shall consult with the Principal about the need or decision to arrest and/or remove students and other persons from the campus. However, law enforcement officials shall have the authority to arrest and remove any person who commits a crime in their presence.

## **Students**

### **Safety**

#### **School Resource Officer** (continued)

The names of any students arrested and removed from campus should not be released to the news media until their parents have been notified and in no event shall the names of juvenile students who have been removed from campus be released to the news media.

#### **Education Records:**

School officials shall allow SROs to inspect and copy any public records maintained by the school including student directory information. However, law enforcement officials may not inspect and/or copy confidential student education records except in emergency situations.

If some information in a student's cumulative record is needed in an emergency to protect the health or safety of the student or other individuals, school officials may disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety; the need of the information to meet the emergency situation and the extent to which time is of the essence.

If confidential student records information is needed, but no emergency situation exists, the information may be released only upon the issuance of a search warrant or subpoena to produce the records.

**Regulation approved:**

cps 2/02

rev 2/13

rev 1/15



*A Memorandum of Understanding entered into between the Madison Board of Education and the Madison Police Department. This is provided as another example of an MOU.*

**Memorandum of Agreement  
by and between  
the Madison Board of Education  
and the Madison Board of Police Commissioners**

**School Resource Officer Program**

This Agreement is made and entered into this 2nd day of January, 2014 by and between the Madison Police Department and the Madison Public Schools.

**I. Introduction:**

The Madison Board of Education (BOE) and the Madison Board of Police Commissioners (BPC) support the National Association of School Resource Officers (NASRO) “triad” concept of school-based policing which is the true and tested strength of the School Resource Officer (SRO) Program. The triad concept divides SROs’ responsibilities equally into three areas: law enforcement officer, law-related counselor and law-related educator. SROs help create a safe and non-threatening learning environment, lead by example and promote a positive image of law enforcement. Further, the BOE and the BPC view the SRO Program as a proactive approach to help students cope with the pressures they find themselves having to confront.

The BOE and BPC agree to the following principles on which this Agreement is founded:

- The vast majority of student misconduct can and should be addressed through classroom and in-school strategies and by maintaining a positive school climate.
- The response to school disruptions should be reasonable, consistent and fair, with appropriate consideration of relevant factors, such as the age of the student and the nature and severity of the incident.
- Students should be held accountable for their actions through a graduated response to misconduct that provides a continuum of services and increasingly more serious consequences for continued misconduct.
- Disruptive students should receive appropriate redirection and support from in-school and community resources prior to the consideration of police involvement or court referral.
- Establishment of clear and consistent guidelines of school and police personnel with regard to non-emergency disruptive behavior at school and school-related events promotes the best interests of the student, the school system, law enforcement and the community at large.

**II. The SROs will:**

- Provide education programs to students, parents and faculty concerning topics such as substance abuse, violence prevention and diffusion, conflict resolution, crime prevention, internet safety and other relevant issues to the student population. Assist school administrators in emergency crisis planning and building security matters.
- Provide training for school personnel in handling crisis situations which may arise at the school.
- Work to proactively develop close contact and positive relationships with students and staff and be available to students, parents and staff who want to discuss concerns.
- Serve as a security resource for students, teachers, administrators and parents at athletic and extra-curricular events.
- Act as a liaison with law enforcement agencies.
- Not take any official police action without the consent of the school administration unless a SRO has personally observed a violation of the law or witnessed a crime.
- Only interview students accused of criminal/unlawful activity in school or on school grounds if said activity occurred on school property, at a school activity or when the activity in question has disrupted or has the potential to disrupt the school. If an interrogation is to take place during school time, SROs will consult with the administration to determine the appropriate time for it to take place. SROs will inform the school Principal of the results of any student interrogation.
- Make reasonable efforts to avoid making arrests or taking students into custody on the school premises. Whenever possible, students should be taken into custody out of sight and sound of other students.

**III. Terms and Conditions:**

**Graduated Response Model**

- The SRO Program will use the “Graduated Response Model” for student misconduct. See Exhibit B, Graduated Response Model, which is attached hereto and incorporated herein by reference.

**SRO Staffing and Scheduling**

- The BOE has the authority and responsibility to define the roles and scope of those working on its campuses and with its students.
- The Chief of Police will recommend SRO candidates to the Superintendent of Schools for approval.
- The BPC and the MPD shall have the power and authority to hire, discharge and discipline SROs.
- SROs shall be employees of the MPD and shall be subject to the administration, supervision and control of the MPD.

**III. Terms and Conditions:**

**SRO Staffing and Scheduling** (continued)

- SROs shall be subject to all personnel policies and practices of the MPD.
- SROs will wear an approved MPD uniform and carry a MPD firearm.
- SROs duty hours shall, whenever possible, conform to the school day.
- In the performance of their duties, SROs shall coordinate and communicate with school administration.
- It is understood and agreed that in the event of an emergency, a SRO may be ordered by the MPD to leave school during normal duty hours and to perform other services for the MPD.
- In the event a SRO must be absent from work, the SRO shall notify his or her supervisor in the MPD. The MPD will notify the School Principal. The MPD will assign another SRO qualified officer, if available, to substitute for the absent SRO.
- The MPD agrees to fund and provide all required, as well as advanced, ongoing training to ensure SROs are current in best practices. Whenever possible, training will take place when school is not in session. However, it is understood and agreed that sometimes the training will have to take place when school is in session and that SROs will be unable to be at the schools during those times.
- BOE and BPC will provide necessary and regular staff training on implementation of this Agreement.

**Review Process**

- In the event school administration feels that a SRO is not effectively performing his/her duties or responsibilities, the administrator shall contact the Superintendent of Schools. Within a reasonable amount of time, the Superintendent shall notify the Chief of Police. A meeting shall be conducted with the SRO to resolve any problems. If the issue cannot be resolved, the Superintendent shall request that the Chief of Police assign a different officer to the SRO position. In such an event, the Chief of Police will recommend a SRO candidate to the Superintendent of Schools for approval.
- The BOE and BPC will create a School Resource Officer Joint Committee (SROJC) comprised of at least two members appointed by the BOE and two members appointed by the BPC. The SROJC will meet on a semi-annual basis and will provide a comprehensive report of key qualitative and quantitative data to the BOE and the BPC twice per academic year. The BOE and BPC will utilize the data to review the effectiveness of the SRO Program, make any changes deemed necessary and make recommendations as to the continuance of the SRO Program.

### **III. Terms and Conditions:**

#### **Review Process (continued)**

- If a conflict develops between a SRO's legal responsibilities and the BOE policies/regulations, a SRO's legal responsibilities as a sworn police officer shall take precedence. In such an instance, the SRO shall inform the school administration and work with the administration to suggest a plan or policy revision to avoid future conflict.

#### **Term**

- This Agreement shall become effective January 2, 2014 and shall remain in effect through June 30, 2015. Following the initial term, this Agreement shall be renewed for one year periods unless either party requests termination in writing prior to March 31<sup>st</sup>.
- At the beginning of each renewal term, the BOE will notify, in writing, the BPC the number of SROs to be provided during the renewal term. Absent written notice, the number of SROs in the SRO Program will remain the same for the renewal term.
- A request for revision or modification to this Agreement may be made by either party in writing and with mutual consent by both parties.

#### **Funding**

- Upon funding approval by the Madison Board of Finance and Madison Board of Selectmen, the BPC agrees to provide fully uniformed and armed SROs to the Madison Public Schools.
- The cost of the SRO Program shall be paid by the parties as set forth in Exhibit A, Cost Sharing, which is attached hereto and incorporated herein by reference.
- The total cost of the SRO Program, including benefits, uniforms, etc., will be reviewed and adjusted before each renewal term. The proportional expense to the MPD and BOE will remain unchanged even though the dollar amount may change.

Nothing in this Agreement shall supersede state or federal law.

IN WITNESS THEREOF, the parties hereto have executed this Agreement on January 2, 2014.

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Jean Fitzgerald  
Board of Education Chair  
Madison Public Schools

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Date

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Thomas R. Scarice  
Superintendent of Schools  
Madison Public Schools

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Date

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Fillmore McPherson  
First Selectman  
Town of Madison

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Date

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John C. Drum  
Chief of Police  
Madison Police Department

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Date

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Eric Thornburg  
Madison Police Commission Chair

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Date

**Exhibit A**  
**Cost Sharing**

Cost sharing per SRO:

\$93,270.00 annually  
(per Town of Madison Personnel Department)

BOE cost sharing: 70%

MPD cost sharing: 30%

**January 2, 2014 - June 30, 2014**

**July 1, 2014-June 30, 2015**

BOE	MPD	BOE	MPD
\$32,645.00	\$13,991.00	\$65,289.00	\$27,981.00

*BOE will transfer the funds to MPD initially on January 1, 2014 and annually thereafter at the beginning of each fiscal year.*

*There will be a one-time hiring expense of \$6,220.00 to be split equally between BOE and MPD.*

*SRO overtime requested by BOE will be paid in full (100%) by BOE.*

THESE FIGURES WILL BE REVIEWED AND ADJUSTED UPON RENEWAL OF THE AGREEMENT; HOWEVER COST SHARING WILL REMAIN 70% BOE and 30% MPD.

**Exhibit B**

**Graduated Response Model**

**Classroom Intervention:** The classroom teacher plays a prominent role in guiding, developing and reinforcing appropriate student conduct and is acknowledged as the first line in implementing the Code of Conduct. As such, this model begins with a range of classroom management techniques that must be implemented prior to any other sanctions or interventions.

**School Administration Intervention:** Classroom interventions must be supported by school administrators who should address more serious or repetitive behaviors and behaviors in school but outside the classroom.

**Assessment and Service Provisions:** When the behavior and needs of the student warrant, an assessment process and intervention with the use of school and community resources is appropriate.

**Law Enforcement Intervention:** Only when classroom, school and community options have been found ineffective, or in an emergency, should the school involve the police including the SRO. Involvement of the police does not necessarily mean arrest and referral to court. Behaviors at this level must be violations of criminal law. Law enforcement involvement will only occur, excluding an emergency, after classroom, school administration and assessment and service interventions have been tried.

*Another version of this policy to consider.*

## **Students**

### **Safety**

#### **School Resource Officer**

The Board Supports the assignment of School Resource Officers to schools in \_\_\_\_\_, as appropriate, and with Board approval.

The Superintendent should ensure that guidelines are established regarding the role of the School Resource Officer(s). These guidelines should include at a minimum:

- A protocol for police access to and intervention with students;
- A plan to communicate the role of the School Resource Officer to staff, students and parents;
- A plan to annually assess the success of the School Resource Officer program which will be presented to the Board;
- A plan to ensure appropriate data is collected, analyzed and reported on at least an annual basis to the Board.
- A plan pertaining to the involvement of the School Resource Officer in enhancing school building security.

Legal Reference: Connecticut General Statutes  
4-176e through 4-180a. Contested Cases. Notice. Record.  
10-233a through 10-233f. Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, and PA 98-139.  
53a-3 Definitions.  
53a-217b Possession of Firearms and Deadly Weapons on School Grounds.  
PA 94-221 An Act Concerning School Discipline and Safety.  
PA 15-168 An Act Concerning Collaboration Between Boards of Education and School Resource Officers and the Collection and Reporting of Data on School Based Arrests  
GOALS 2000: Educate America Act, Pub. L. 103-227.  
18 U.S.C. 921 Definitions.  
Title III - Amendments to the Individuals with Disabilities Education Act.  
Sec. 314 (Local Control Over Violence)  
Elementary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994.  
P.L. 105-17 The Individuals with Disabilities Act, Amendment of 1997.  
*Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.*

Policy adopted:

rev 2/13

rev 7/15