



BOARD POLICY

805.1-DRAFT-2 Relations With Law Enforcement Agencies Draft

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Purpose

The Board recognizes that cooperation with law enforcement agencies is considered essential for protecting students and staff, maintaining a safe environment in schools and safeguarding district property.

Authority

It shall be the policy of the Board to establish and maintain a cooperative relationship between the school district and law enforcement agencies with jurisdiction over school property of the school district in maintaining school safety and security; responding to school safety and security reports; and reporting and resolution of incidents that occur on school property, at any school-sponsored activity or on any conveyance providing transportation to or from a school or school-sponsored activity.[\[1\]](#)[\[2\]](#)[\[3\]](#) [\[4\]](#) [\[5\]](#)

The Board directs the Superintendent to execute and update, on a biennial basis, a memorandum of understanding with each law enforcement agency that has jurisdiction over school property in accordance with state law and regulations.[\[1\]](#)[\[2\]](#)[\[6\]](#)

Definition

Incident - an instance involving an act of violence; the possession of a weapon by any person; the possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use or sale of alcohol or tobacco products by any person on school property; or conduct that constitutes an offense listed in the school safety and security provisions of School Code.[\[2\]](#)[\[7\]](#)[\[8\]](#) [\[9\]](#) [\[10\]](#) [\[11\]](#) [\[12\]](#) [\[13\]](#) [\[14\]](#) [\[15\]](#) [\[16\]](#)

Guidelines

Memorandum of Understanding

In accordance with state law and regulations, the Superintendent shall form an advisory committee composed of relevant school staff to assist in the development of a memorandum of understanding with law enforcement. The Superintendent shall execute and update, every

two (2) years, a memorandum of understanding with each law enforcement agency that has jurisdiction over school property. The memorandum of understanding shall be signed by the Superintendent, chief of police of the law enforcement agency with jurisdiction over the relevant school property and each building principal, and be filed with the PA Department of Education.[1][2][6]

In developing and updating the memorandum of understanding, the district shall consult and consider the model memorandum of understanding, in accordance with applicable law and regulations.[1][2][6]

The memorandum of understanding shall comply with state law and regulations and set forth:[1][2][6]

1. A procedure for law enforcement agency review of the district's annual incident report required by law, prior to the Superintendent filing the report with the PA Department of Education.
2. A procedure for the resolution of incident data discrepancies in the report prior to filing the report.
3. **A procedure for the timely coordination between the district's threat assessment team and the law enforcement agency, as necessary.**[17]
4. Additional matters pertaining to crime prevention agreed to between the Superintendent and the law enforcement agency.

Students With Disabilities

The district shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each law enforcement agency that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the district.[18][19][20][21]

The district shall invite representatives of each law enforcement agency that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program.[18][19][20][21][22]

The district shall invite representatives of each law enforcement agency that has jurisdiction over school property to participate in district training related to subjects that enhance understanding of and build positive relationships with students, which may include but not be limited to training on trauma-informed approaches, restorative practices, suicide awareness and prevention, child abuse recognition and reporting, maintaining confidentiality of students' personally identifiable information and maintaining professional adult/student boundaries. [4][23][24][25][26][27][28]

Referral to Law Enforcement

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity, to the law enforcement agency that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.[\[1\]](#)[\[2\]](#)[\[7\]](#) [\[9\]](#) [\[10\]](#) [\[11\]](#) [\[12\]](#) [\[13\]](#) [\[14\]](#) [\[15\]](#) [\[16\]](#) [\[21\]](#) [\[29\]](#)[\[30\]](#) [\[31\]](#) [\[32\]](#)

School Safety and Security Incidents Report

Annually, by July 31, the Superintendent shall report on the designated form, to the PA Department of Education, all new incidents as required by state law.[\[2\]](#)

Prior to submitting the incidents report, the Superintendent and each law enforcement agency having jurisdiction over school property shall do all of the following:[\[2\]](#)

1. No later than thirty (30) days prior to the deadline for submitting the report to the PA Department of Education, the Superintendent shall submit the report to the law enforcement agency that has jurisdiction over the relevant school property. The law enforcement agency shall review the report and compare the data regarding criminal offenses and notification of law enforcement to determine whether the report accurately reflects law enforcement incident data.
2. No later than fifteen (15) days prior to the deadline for the Superintendent to submit the report to the PA Department of Education, the law enforcement agency shall notify the Superintendent, in writing, whether the report accurately reflects law enforcement incident data. Where the law enforcement agency determines that the report accurately reflects law enforcement incident data, the chief of police shall sign the report. Where the law enforcement agency determines that the report does not accurately reflect law enforcement incident data, the law enforcement agency shall indicate any discrepancies between the report and law enforcement incident data.
3. Prior to submitting the report to the PA Department of Education, the Superintendent and the law enforcement agency shall attempt to resolve any discrepancy between the report and law enforcement incident data. If a discrepancy remains unresolved, the law enforcement agency shall notify the Superintendent and the PA Department of Education in writing.
4. Where a law enforcement agency fails to take action as required above, the Superintendent shall submit the report to the PA Department of Education and indicate that the law enforcement agency failed to take the required action.

Legal Footnotes

[1] 24 P.S. 1306.2-B
LEGAL REFERENCE

[2] 24 P.S. 1319-B
LEGAL REFERENCE

[3] 22 PA Code 10.1
LEGAL REFERENCE

[4] Pol. 805 — Emergency Preparedness and Response
POLICY REFERENCE

[5] Pol. 805.2 — School Security Personnel
POLICY REFERENCE

[6] 22 PA Code 10.11
LEGAL REFERENCE

[7] 22 PA Code 10.2
LEGAL REFERENCE

[8] 35 P.S. 780-102
LEGAL REFERENCE

[9] Pol. 218 — Student Discipline
POLICY REFERENCE

[10] Pol. 218.1 — Weapons
POLICY REFERENCE

[11] Pol. 218.2 — Terroristic Threats
POLICY REFERENCE

[12] Pol. 222 — Tobacco Use
POLICY REFERENCE

[13] Pol. 227 — Controlled Substances
POLICY REFERENCE

[14] Pol. 323 — Tobacco and Vaping Products
POLICY REFERENCE

[15] Pol. 351 — Drug and Substance Abuse
POLICY REFERENCE

[16] Pol. 904 — Public Attendance at School Events
POLICY REFERENCE

[17] 24 P.S. 1302-E
LEGAL REFERENCE

[18] 22 PA Code 10.23
LEGAL REFERENCE

[19] 22 PA Code 14.104
LEGAL REFERENCE

[20] Pol. 113 — Special Education
POLICY REFERENCE

[21] Pol. 113.2 — Screening and Evaluations for Students With Disabilities
POLICY REFERENCE

[22] 22 PA Code 14.133
LEGAL REFERENCE

[23] Pol. 113.4 — Confidentiality of Special Education Student Information
POLICY REFERENCE

[24] Pol. 216 — Student Records
POLICY REFERENCE

[25] Pol. 333 — Professional Development
POLICY REFERENCE

[26] Pol. 806 — Child Abuse
POLICY REFERENCE

[27] Pol. 819 — Suicide Awareness, Prevention and Response
POLICY REFERENCE

[28] Pol. 824 — Maintaining Professional Adult/Student Boundaries
POLICY REFERENCE

[29] **22 PA Code 10.21**
LEGAL REFERENCE

[30] **22 PA Code 10.22**
LEGAL REFERENCE

[31] **Pol. 103.1 — Nondiscrimination - Qualified
Students With Disabilities**
POLICY REFERENCE

[32] **Pol. 113.1 — Discipline of Students With
Disabilities**
POLICY REFERENCE

Legal References

No additional references listed.