

State of Ohio Sample Memorandum of Understanding (MOU)

(This MOU is a sample/draft. It is recommended that your agency's counsel review and approve the MOU before use. Compare to your Commission on Accreditation for Law Enforcement Agencies (CALEA) requirements where/if applicable. Revise/customize where/if needed.)

This Memorandum of Understanding (MOU) is being executed on (DATE) by the below listed entities:

_____ School District
_____ Police Department/Sheriff's Office

This document will serve as the written agreement between the _____ School System and the _____ Division of Police/Sheriff's Office. This agreement establishes the needed commitment and support from both institutions. This document also provides a series of guidelines and policies relevant to the performance of the School Resource Officer, and will be the guiding document officers, school administrations, city administration, and students and their caregivers look to for structure and accountability. This document shall be reviewed, updated, and endorsed annually and takes into account input from all community stakeholders, including caregivers, students, and teachers. Nothing in this MOU should be construed as limiting or impeding the basic spirit of cooperation, which exists between the participating entities listed above and all community stakeholders.

I. Purpose

This MOU establishes and delineates the mission of the School Resource Officer Program, herein referred to as the SRO Program, as a joint cooperative effort. Additionally, the MOU clarifies roles and expectations and formalizes relationships between the participating entities to foster an efficient and cohesive program that will build a positive relationship between police officers, school staff, and the students, promote a safe and positive learning environment and decrease the number of youth formally referred to the juvenile justice system.

II. Mission

The mission of the SRO Program is to promote school safety by building a positive school climate in which everyone feels safe and students are supported to succeed. The SRO Program also seeks to reduce violent crime committed by and against youth in our community. The SRO Program accomplishes this mission by supporting safe, secure, and orderly learning environments for students, teachers and staff. SROs will establish a trusting channel of communication with students, parents, and teachers and establish regular feedback opportunities. The role of the SRO is not to enforce school discipline or punish students. SROs will serve as positive role models to instill in students good moral standards, good judgment and discretion, respect for other students, and a sincere concern for the school community. SROs will provide information on community resources available to students and parents. Goals and objectives are designed to develop and enhance rapport between youth, families, police officers, school administrators, and the community in order to promote overall student achievement and success.

III. Goals of the SRO Program

SRO program goals include:

1. To ensure a safe learning environment for all children and adults who enter the building.
2. To prevent and reduce potential harm related to incidents of school violence.
3. To foster a positive school climate based on respect for all children and adults in the school.

4.

School officials and the police department/sheriff's office

- 1) To enforce criminal law and protect the students, staff, and public at large against criminal activity.
- 2) Foster mutually respectful relationships with students and staff to support a positive school climate.
- 3) Provide information concerning questions about law enforcement topics to students and staff.
- 4) Provide classroom instruction on a variety of topics including, but not limited to, safety, public relations, occupational training, leadership, and life skills.
- 5) Coordinate investigative procedures between police and school administrators.
- 6) Handle initial police reports of violent crimes committed on campus.
- 7) Take enforcement action on criminal matters when appropriate and after consultation with school administrators.
- 8) Attend school special events as needed.
- 9) Prepare lesson plans as necessary for the instruction provided.
- 10) Collect data on SRO activities (arrests, citations, etc.)

B. Uniform

Normally, the SRO is in uniform.

C. Daily Schedule

To be determined by the commanding officer and the school administrators consistent with the MOU.

D. Absence/ Substitution

The school district and police department/sheriff's office should develop and agree on a protocol for assigning and using substitute SROs when regular SROs are unavailable. Substitute SROs should, at a minimum, have the same requisite experience as regular SROs and, ideally, should have had some training in child development, trauma, and conflict resolution in the school environment.

E. Special Events

To be determined by the commanding officer and the school administrators consistent with this Agreement.

F. Summer Activity

SROs should accomplish as much of the required training as possible during the summer months when school is not in session. SROs may still be involved in some summer projects with the school district, however, they will spend the majority of this time on _____ Police Department/Sheriff's Office assignments.

G. Role in Responding to Criminal Activity

One of the roles of SROs, as law enforcement officers, is to engage in traditional criminal investigation and report taking. As a police officer, SROs have the authority to issue warnings, make arrests and use alternatives to arrest at their disc

5. If a Juvenile is an uncharged suspect in a crime, his/her information will not be released unless authorized by a _____(command person at the PD/SO).
6. Information which the S.R.O. obtains from school personnel which deals with criminal or possible criminal intelligence will be maintained by the S.R.O. as a criminal justice file. This file may be shared with other Division personnel and Criminal Justice Agencies, but will not be part of the student's school record.
7. Hearsay information or rumors will alone, not be the basis for any formal action by the _____PD/SO. It can be used in an intelligence capacity or to validate the need for further investigation.
8. Any information that is obtained by the S.R.O. that pertains to criminal activity occurring outside the _____ limits shall be relayed to the police department of jurisdiction.
9. When any felony occurs or any crime that prompts a Public Information Officer response from the schools or the City or if a school building is evacuated the S.R.O. shall contact his immediate supervisor as soon as possible.
10. The S.R.O. shall have access to any public records maintained by the school to the extent allowed by law. Law enforcement officials may need confidential information in emergency situations based on the seriousness of the threat to someone's health or safety, time sensitivity, and the direct relationship of the information to the emergency.

The following procedures should be followed to facilitate a free flow of information between school officials and the SRO:

K. Role in Locker, Vehicle, Personal, and Other Searches

SROs may participate in a search of a student's person, possessions, locker, or vehicle only where there is probable cause to believe that the search will turn up evidence that the student has committed or is committing a criminal offense. SROs will not ask a school employee to conduct a search for law enforcement purposes.

Unless there is a serious and immediate threat to student, teacher, or school safety, the Superintendent of Schools in concert with the building principals shall have final authority in the building.

The SRO may perform searches independent of the school administration only during emergency situations and where criminal activity is suspected.

- i. Strip searches of students by SROs are prohibited.
- ii. Unless there is a serious and immediate threat to a student, a teacher, or public safety, SROs shall not initiate or participate in other physically invasive searches of a student.

K. Limits on Interrogations and Arrests

1. **Interrogations** –SROs may participate in the questioning of a student about conduct that could result in criminal charges only after informing the student of his or her Miranda rights

Lock down drills shall be included as part of the District's preparedness plan. _____ Police Department/Sheriff's Office shall be included in the creation of lock down procedures so that first responders are familiar with procedures. Lock down procedures should be trauma-informed and consistent throughout the district.

VIII. Reviewing the MOU and SRO Program

The assigned parties shall review the MOU/SRO Program annually and make adjustments as needed. Any revisions will be reflected in an updated MOU.

Complaints against the SRO shall follow the normal complaint process of the _____ Police Department/Sheriff's Office and include notice to the appropriate school administrators. This process will be made known to parents and students through _____.

IX. PROBLEM RESOLUTION

Unforeseen difficulties or questions will be resolved by negotiation between the Superintendent of _____ School District and the _____ Police Department/Sheriffs Office or their designees.

SIGNATURE OF PARTIES & SIGNATURE DATE

Name, Agency, Title

Date

Name, Agency, Title

Date

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Acknowledgment to the following groups for content contributions and review:

- x Dublin Division of Police
- x Attorney General DeWine's Criminal Justice and Mental Health Task Force- Juvenile Justice Subcommittee
- x Schubert Center for Child Studies- Case Western Reserve University
- x Ohio School Resource Officers Association