

MEMORANDUM OF UNDERSTANDING
School Resource Officer Program-Winchester City Public Schools

PURPOSE

The purpose of this memorandum of understanding is to formalize a mutually beneficial understanding between the Winchester Police Department ("Police Department") and Winchester City Public Schools (the "School Division") as a collaboration to help advance and maintain a safe environment for students and school staff; promote a positive relationship among the Police Department, the School Division, students, and community; and establish the protocol for investigations by the Police Department that may involve students and others during school hours.

The success of the School Resource Officer (SRO) Program will rely on effective communication among the Police Department, the School Division, and the school principals. A representative from the Police Department and the School Division will review this memorandum regularly and communications will be ongoing.

SUPERVISION

The SRO will be under the immediate supervision of the Chief of the Winchester Police Department ("Chief of Police") or designee. When necessary, the Chief of Police or designee may direct the SRO to perform other necessary tasks as needed away from the school.

The Police Department will work in unison with the principals of the School Division to achieve the SRO Program goals. The SRO will consult directly with the school principal (the "Principal") for daily assignments during school hours. While working closely together, the SRO and the Principal are independent of one another and will not undertake any act on behalf of each other as an agent for one another. This relationship is collaborative and cooperative.

An SRO-related work schedule will be established annually, in accordance with the school calendar, between the Chief of Police or designee and the Division Superintendent or designee. The School Division liaison will be the Director of Student Services, who, at the time of the MOU, is Jennifer Buckley.

SCHOOL RESOURCE OFFICER'S ROLE

The SRO will be a sworn officer of the Police Department. The SRO will serve as an added visible deterrent to crime and yet project a positive image and influence to students and staff. The following represents general expectations of SROs, although this list may not be all-inclusive of duties that may be required:

1. Serve as a law enforcement representative on various committees involving students and community;
2. Establish an even stronger rapport with students and school staff to allow for ongoing open and effective lines of communications;

3. Ensure ongoing communication with the Principal to exchange information and discuss areas of concern for the schools;
4. Work with student clubs and organizations to further effective communication and a better understanding and respect of law enforcement functions;
5. Participate in classroom activities as requested by teachers, with prior approval by the Principal;
6. Attend and participate in after-school activities, including staff meetings, etc. as the SRO's schedule permits;
7. Provide information of any crime or leads that come to the SRO's attention to the appropriate investigative section of the Police Department;
8. Handle all calls for service from the high school and middle schools as primary officer and also assist as requested by any of the elementary school principals during normal work hours on an as-needed basis;
9. Maintain a presence and provide coverage during the school day, including bus arrival and departure times;
10. Provide classroom instruction on crime prevention, crisis intervention and response, safety, good citizenship, and the understanding of the law enforcement mission, with prior approval by the Principal;
11. Monitor and report to the Chief of Police or designee about cultural and social influences, activities, and trends to ensure prevention, or at least early intervention, with developing community issues or conditions that relate to criminal law enforcement, the community well-being or the health, morality, and safety of the students;
12. Attend and provide testimony for school student disciplinary hearings upon request of the Principal or Division Superintendent or designee;
13. At the request of the Principal or designee, be a participant in the school's threat assessment team;
14. The SRO will not provide any official police document or juvenile record to the Principal. School officials may request police reports and information through the Police Department records division;
15. Make available any school-related evidence for student disciplinary hearings and other relevant school needs;
16. Be familiar with the School Division's code of conduct and its policies, rules, and regulations;
17. Conduct traffic control as needed;
18. Upon request, assist school officials with the investigation of periodic truant offenses; however, the parties understand that truancy is not a responsibility of the SRO; and
19. Wear a Winchester Police Department-issued uniform during the assignment.
(This expectation may be waived by the Chief of Police or designee upon request of the Principal for special events.)
20. Winchester Public Schools will provide the Winchester Police Department with Policy JM-Restraint and Seclusion. The Winchester Public Schools will follow Policy JM-Restraint and Seclusion when necessary. The SRO will follow the Winchester Police Department Use of Force Policy when necessary.

The SRO will be familiar with school rules and regulations; in general, however, rule infractions will not be handled as violations of law but referred to the Principal for appropriate school administrative action.

PRINCIPAL'S ROLE

1. The Principal or designee will help ensure ongoing communication with the SRO to exchange information and discuss areas of concern.
2. Provide access to a work area that has a computer, telephone, and printer. The SRO will not have access to student information, except as set forth in this MOU.
3. The Principal or designee will conduct all school-related investigations until such time that the evidence necessitates consideration by the SRO to pursue criminal charges. If there is evidence to merit pursuit of criminal charges, the SRO will assume responsibility for the criminal investigation, with the Principal still to attempt contact with the parent unless exigent circumstances make contact at that time with the parent impractical, as determined by the Principal. The Principal or designee may observe the criminal investigation in order to help protect the school environment and the relationship with the student(s) and parent(s) and to inform the Division Superintendent.
4. The SRO will be included in-service programs when appropriate in order to increase the effectiveness of the SRO's ability to accomplish assigned duties.
5. The Principal or designee will evaluate the SRO annually and share an assessment with the Chief of Police or designee at the end of each school year.

CRIMINAL INVESTIGATIONS/QUESTIONING

1. The Police Department's criminal investigation and questioning of students during school hours or school events should be limited to situations when the criminal investigation is directly related to the school or, if unrelated, when delays might result in a personal danger to any person (or property), flight from the jurisdiction, destruction of evidence, or other compelling circumstances. Disruption to the educational program and operations should be avoided whenever practical.
2. When a criminal law investigation necessitates the interviewing of students during school hours, the investigating officer will notify the Principal or designee and explain the situation in advance. The Principal or designee will try to notify the parent(s) of the child and inform them of the need for the officer to interview the child for the criminal investigation, so that the parent(s) may be present. If the exigency of the matter or if other circumstances do not allow time for the parent(s) to arrive timely, the SRO will conduct the interview with the student in accordance with legal guidelines; and the Principal, in the exercise of administrative discretion, may be present unless the Principal's presence is otherwise prohibited by extant law. If the SRO identifies a parent or guardian as the subject of the criminal investigation, especially if the investigation is regarding

a child protection services complaint, then an effort to inform the parent(s) will not be made as described above.

3. The SRO will notify the Principal of any criminal investigation involving students or staff as soon as practical.
4. The SRO will coordinate, when practical, any criminal law enforcement activities with the Principal or designee so that the action between the agencies is cooperative and in the best interest of the school and public safety.
5. "Terry Stops" will remain an option to the SRO and must be conducted by the SRO in compliance with applicable law.
6. Directory information, defined as student names, participation in officially recognized activities and sports, heights and weights of members of athletic teams, dates of attendance, awards and honors received, and student pictures, may be released to the SRO without parent consent. In addition, student addresses and telephone numbers may be released with the permission of the Division Superintendent or designee, and further information may be released consistent with applicable law.

ARREST PROCEDURES

1. When making an arrest, the SRO will follow standard criminal law enforcement practices used by the Police Department and authorized by applicable law. This arrest process will include the completion of all appropriate reports, fingerprint cards, photographs, and any other documentation that may be necessary.
2. The execution of an arrest warrant on a student or a school employee during school hours should be coordinated through the Principal or designee whenever practical. If not, the Principal will be notified by the SRO as soon as practical.
3. Should there be a need to serve a student or school employee with a legal process such as an arrest warrant, the Principal will encourage the process server to make all reasonable attempts to serve such documents off school premises as determined by the Principal; however, if the documents must be served on school premises, they must be served in the Principal's office of the school at which the student attends or the main office of the facility at which the employee is assigned.

SEARCH/SEIZURE PROCEDURES

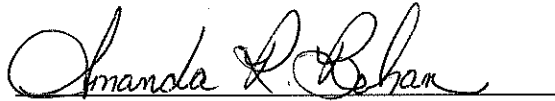
1. The Principal or designee may conduct searches of students' property and person under their jurisdiction when individualized reasonable suspicion exists that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. The standard on the search by the Principal or designee is individualized reasonable suspicion, not probable cause.
2. The SRO may observe school-related searches as may be requested by the Principal or designee. These searches must be at the direction and control of the Principal or designee. If the Principal or designee has or obtains evidence related to alleged student or employee criminal misconduct, the evidence shall be entrusted to the possession of the SRO, who will promptly safeguard it for future reference or use. A copy or image of the evidence may be retained by the Principal or designee, and the SRO will cooperate with the process for making a copy or image. Such evidence (e.g. electronic files) entrusted to

the SRO will cooperate with the process for making a copy or image. Such evidence (e.g. electronic files) entrusted to the SRO will be made promptly available to the Principal or Division Superintendent or designee(s) upon request of the Principal or Division Superintendent or designee(s) for school-related or school division-related purposes, with the SRO or other law enforcement custodian also being available as may be necessary or useful to authenticate the evidence and any chain of custody.

3. The SRO will not request an administrative search for criminal investigation purposes or have the Principal or designee act as an agent in any circumstances.

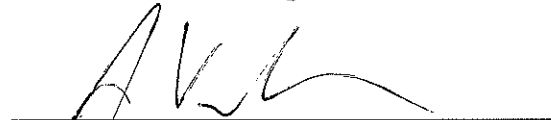
These understandings supersede any prior agreement or MOU made between the Winchester Police Department and Winchester City Public Schools and are ongoing unless modified by agreement of both parties.

By and between the Chief of the Winchester Police Department and the Division Superintendent of Winchester City Public Schools:



Amanda Behan, Chief of Police
Winchester Police Department

11/30/2022
Date



Dr. Jason VanHeukelum, Division Superintendent
Winchester City Public Schools

11/30/22
Date