



SHERIFF STEVEN S. SMITH
GREENE COUNTY SHERIFF'S OFFICE

"PUTTING CITIZEN'S FIRST"

Memorandum of Understanding
SCHOOL RESOURCE OFFICER PROGRAM
Greene County Sheriff's Office and the
Greene County School Board 2023-2025

This MEMORANDUM OF UNDERSTANDING (MOU) is made this 10th day of August by and between the Sheriff of Greene County (Sheriff) and the Greene County School Board ("School Board" or "Division") to clarify the parties' agreement regarding the goals and respective rights, responsibilities and duties of the parties and the School Resource Officer (SRO) in implementing the SRO program.

A. MISSION STATEMENT

The **SCHOOL RESOURCE OFFICER PROGRAM** entails the assignment of selected and trained law enforcement officers from the Greene County Sheriff's Office, to work directly with the Greene County Public School System in full cooperation with school staff and faculty:

1. To establish a more complete liaison with school personnel in a cooperative effort to prevent juvenile delinquency and criminal mischief;
2. To help maintain a safe and secure environment on campus. This effort will be conducive to an educationally stimulating atmosphere and serve as a means of preventing criminal activities and disturbances;
3. To promote positive attitudes regarding the law enforcement role in society and to inform the students of their rights and responsibilities as lawful citizens; and
4. To provide an educational resource in the area of public safety and community partnership.

B. DUTIES OF THE SCHOOL RESOURCE OFFICER

1. To help prevent juvenile delinquency and criminal mischief through close contact with students, school personnel, and parents.
2. To establish and maintain positive rapport with and serve as a liaison to the school principals, faculty, students, and parents.
3. To inform the students of their rights and responsibilities as lawful citizens.

4. To provide a liaison role between students and needed services provided by special agencies and to serve as a liaison between the schools and the legal justice system.
5. To assist the principal by initiation and investigation of violations of criminal laws occurring within the school and or on school property. School Resource Officers will investigate reported crimes and complete the documentation required per Sheriff's Office Policy and Procedures. If probable cause exists to charge a suspect with a criminal offense, the appropriate steps will be taken by the SRO.
6. Providing transportation for students at the request of administration if and when parents or another means are not available, and **if transportation is required to ensure school safety only**. Transporting a student without the student's consent is authorized only when arrest is authorized and or warranted.
7. To assist administration and faculty in formulating criminal justice learning programs.
8. To formulate crime prevention programs to reduce the opportunity for the commission of crimes against person and property within the school system.
9. To be aware at all times of the responsibilities to improve the image of the uniformed law enforcement officers in the eyes of the student body, school visitors, and community.
10. School Resource Officers will attend home football games and other extra-curricular events such as dances, student performances, open houses, and other athletic events as requested by the building principals needed and with sufficient notice. At times, exigent circumstances may arise where an alternative approach may be requested by the school administration, and all efforts will be made to assist with the matter.
11. To become and remain familiar with the school board policy relating to school personnel, students and the teacher and student policy handbooks. The SRO will notify school administration of violations of school policy not otherwise defined as crimes whenever necessary according to procedures set forth by the school and SRO procedure. **Any investigation, enforcement, or discipline relating to violations of school policy shall be conducted by school personnel only.**
12. To serve as a safety expert and complete the School Safety Audit for each school.
13. To provide additional security in the school environment, including enforcement of safety in parking lots and high traffic areas on school grounds.
14. To provide educational programming (teaching curriculum units, leading presentations and assemblies) and counseling on law enforcement topics such as law education, legal systems, substance abuse, safe driving, sexual misconduct, child abuse, crime awareness and prevention, safety, and lawful non-violent resolution of disputes.

C. PRIMARY RESPONSIBILITIES

1. The primary tasks of the SRO shall be the handling of calls for service from the school; providing law enforcement expertise, order, and discipline; conducting building checks and patrols; prevention of crime; and promoting a safe and secure environment for the learning through determent, detection and apprehension of criminal activity within all county schools.
 - The SRO will report to the principal and inform him/her when leaving the campus, as well as notifying the GCSO dispatch.
 - The SRO will not perform administrator duties, even on a temporary basis, relating to school functions (e.g., Lunch Duty, Hall Duty, Bus Duty, etc.)
 - The SRO will be permitted to move about school property freely; however, the SRO should not interrupt instruction unless directed to do so by a building administrator or if the SRO has probable cause to enter because of suspected criminal activity.
 - The SRO shall not assist school staff in responding to student discipline concerns or student misconduct, unless the conduct implicates violations of criminal law.
2. Each SRO must be knowledgeable and fulfill his or her duties consistent with each of the following:
 - a. Confidentiality of student records, as defined by the Family Educational Rights and Privacy Act (FERPA), state law, and School Board policy/regulations;
 - b. The standards that apply to searches and seizures of students and personnel on school property;
 - c. State and federal laws that apply to special education students, including but not limited to those that govern Individual Education Plans (IEPs), manifestation determinations and discipline, restraint, and seclusion;
 - d. Child abuse reporting laws and procedures;
 - e. School discipline procedures;
 - f. School safety plans;
 - g. School Board policies and regulations; and
 - h. Truancy and other school-related state laws.

The SRO shall attend school in-service trainings, staff/faculty meetings and other mandatory meetings or presentations required for School Board employees.

3. Additional responsibilities of the SRO include:
 - a. Assisting in developing and keeping schools safe for all;
 - b. Assisting in the prevention of criminal law violations;
 - c. Assisting in the apprehension of criminal law violators;
 - d. Assisting in the identification of the pre-delinquent and counseling/educating students on law related matters;
 - e. Seeking out and eliminating delinquency-producing factors; and
 - f. Assisting in providing referrals for suitable treatment.
4. In-School Interviews
 - a. Consistent with federal and state law, the SRO has the authority to stop, question, interview and take enforcement action if criminal activity is suspected. However, unless emergency conditions exist, the interview of students by the SRO shall be conducted in conformity with School Board Policy KNAJ. In

addition, if the SRO conducts or participates in an interview of a student, the SRO is responsible for determining whether Miranda warnings apply and, if required, for delivering such warnings.

- b. If an arrest is made on school grounds, every effort will be made to promptly notify the principal or his designee and (if the arrestee is a student) the student's parents.
 - c. The investigation and questioning of students or faculty/staff during school hours or at school events shall be limited to suspected criminal activity related to activities or incidents occurring or suspected at the school or during school-sponsored activities (including transportation to and from school and school activities).
 - d. Investigation and questioning of students or faculty/staff regarding suspected criminal activity unrelated to the operation of or occurring at the school or at school-sponsored activities (including transportation to and from school and school activities) should be limited to circumstances where delay might result in danger to any person, flight from the jurisdiction by a suspect, destruction of evidence, or when all other means (outside the school environment) have been exhausted by the investigating law enforcement personnel. If the latter is the case, the SRO will be notified, who will then notify the appropriate school administrators and assist with the meeting/investigation, except that notice will not be provided to the school administrator if the incident/case being investigated is of a nature where no information should or can be released.
 - e. The SRO should always operate within the guidelines set forth in the Rules of Procedure applicable to children in juvenile court.
5. Emergency Situations
- a. In an emergency situation, the principal should notify the SRO. If the SRO is not available, school administration will call 9-1-1.
 - b. In emergency situations, the SRO may be justified in taking direct law enforcement action, both in and out of school.
 - c. If the use of force or an arrest becomes necessary, the law enforcement officer must be guided by state and federal laws, the juvenile code, and the Sheriff's Office guidelines. Whenever possible, the school authorities and parents of any children involved shall be notified as quickly as possible.
6. Search and Seizure Protocol:
- a. School officials will conduct searches of students' persons and their property under existing law and school policies.
 - b. The SRO shall not be considered a school official for the purposes of searches involving reasonable suspicion of a violation of school policy or of criminal law; the SRO may only conduct a student or staff search if probable cause justifies the search as part of a criminal investigation.
 - c. The SRO shall not become involved in school searches conducted by school officials unless specifically requested by the school official to provide security or protection or for the handling of contraband when recovered. If the SRO becomes involved in this type of search, it will be done at the direction and control of the school official. The SRO may be asked to secure, protect and store

contraband obtained through a search conducted by a school administrator, and the SRO shall hold and release such items only as directed by school officials.

- d. At no time shall the SRO request that any school officials or employees conduct a search for criminal investigation purposes or have a school official or employee act as his agent. This shall not preclude the SRO from providing school official with information he/she has received regarding students or staff of the school.
- e. Any search or seizure conducted by the SRO shall be based upon probable cause and, when required, a search warrant will be obtained. All searches shall be consistent with Virginia and Federal Law.

D. ASSIGNMENT AND SCHEDULE

- a. The Sheriff shall, with involvement and input from the Division Superintendent, appoint an SRO with sufficient qualifications and experience/training to effectively fulfill the duties and responsibilities outlined herein.
2. The SRO will be available for 185 (8) hour work days. The SRO shall generally work five days a week with Saturday and Sunday off; however, the SRO shall not report on those days when Division schools are closed or on those days when students are not physically in attendance at Division schools because of modifications to the regular school schedule as directed by the School Board or the Division Superintendent. The hours that the SRO works shall be flexible to meet the needs of the school. The SRO's regular duty shift will be from 7:30AM till 3:45PM on all regular operating school days. These hours may be adjusted due to any inclement weather or school related functions, and the hours can also be extended if deemed necessary by the school principal, SRO supervisor or SRO with notification and justification to supervisors.
 3. The SRO will report to the Greene County Sheriff's Office for duty assignment when school is not in session and students are not present for instruction (e.g., summer, spring, winter breaks; inclement weather closures; modifications to the school calendar; public health-related closures, etc.) unless other arrangements have been made. The Sheriff shall not bill the School Board for SRO services for days when SRO services are not provided because of school closure, as described in this section D.
 4. Communication Procedure for SRO:
 - a. Contact by law enforcement Radio/School Radio
 - b. Phone contact in school
 - c. Pager/cell phone

E. DESIRED OUTCOMES

1. To decrease criminal offenses committed against persons and property in the schools.
2. To familiarize students with the law enforcement personnel and their objectives.
3. To work with school personnel to develop a closer contact, communication and respect of the students.
4. To develop partnerships with the School and its Community.

F. INFORMATION SHARING

1. Use of School Records
 - a. Absent either voluntary written consent of the affected student (if age 18 or older) and parent or an imminent, articulable, and significant threat to the health and safety of the student or other individuals, as determined by school officials, the access to or use of confidential school records by the SRO is prohibited under FERPA; however, directory information, (i.e. Student's name, contact numbers, address) shall be made available to the SRO.
 - A. If School Officials determine that an imminent, articulable, and significant threat to the health and safety of the student or other individuals exists and warrants disclosure of educational records of a student, the factual basis for that determination must be documented contemporaneously or as soon as possible after the disclosure is made.
 - b. When the SRO/Deputy finds it necessary to utilize any school records, it shall occur only with the principal's approval and in accordance with FERPA. The social records of a child and his/her family which includes personal histories, clinical evaluations, agency reports, and other relevant private details fall into the same category of privacy as do juvenile court records and should be restricted for the use of authorized personnel only.
2. The SRO will provide information to school officials regarding criminal investigations involving the school, students or school employees.
 - a. The SRO will provide reporting data to their assigned supervisor on a monthly basis.
 - b. School Officials will provide reports required by Virginia Code § 22.1-279.3:1.
 - c. Records made by the SRO for non-law enforcement purposes may be educational records subject to FERPA.

G. COMMUNICATION

1. A critical element of the School Resource Officer (SRO) program is the relationship between the School Board office, school administration and staff, and the SRO and his related law enforcement supervisors.
2. The SRO and the school principal should meet once weekly, preferably at a pre-set time, for the purpose of exchanging information regarding any criminal activity/investigation, problem areas, persons or groups, or any other areas of concern that might affect (or be affecting) the school and/or the community. At these meetings, a review of work schedules and SRO coverage should be noted.
3. The Sheriff or his designee will meet biweekly with the SRO and his or her supervisor to ensure that open lines of communication are in place between the Sheriff and the school division and to keep abreast of ongoing SRO activities and programs.

4. The SRO supervisor and School Board's Director of Human Resources will meet at least quarterly to ensure open communication, address areas of concern, and discuss any issues.
5. The Sheriff or his designee will meet at least once at mid-year and at end of year with the School Superintendent and the school principal. The purpose of this meeting will be to evaluate the SRO program and the assigned officer and to address any issues or areas of concern. In the event the School Superintendent or school principal have immediate performance issues or concerns about the SRO between the regularly scheduled evaluation meetings, the Sheriff or his designee shall meet with the Superintendent and/or principal to develop a plan for addressing those issues/concerns. If the appointed SRO's service at the school becomes unworkable (which shall be determined by the Superintendent in her sole discretion), the Superintendent may request the SRO be removed and replaced with another SRO, and the Sheriff shall appoint a replacement in accordance with (D)(1)(a).

H. SCHOOL ADMINISTRATOR RESPONSIBILITIES

1. The administrators of each school shall ensure that they are routinely meeting with the SRO assigned to their school. If an SRO is not assigned to a school, efforts should be made by the other SROs to meet with the administrators of that building.
2. The Principal shall maintain the means to ensure effective communications exist between the SRO, the Sheriff or his designee and the school staff.
3. The school principal/administrators, with the assistance of the SRO, shall make sure that all staff are aware of reporting requirements as they relate to suspected criminal violations and as required by Virginia Code §22.1-279.3:1.

All criminal activity involving the schools, students, or School Board employees that comes to the attention of the SRO shall be reported immediately to the principal if the report will not compromise the criminal investigation.

5. If an immediate law enforcement response is necessary (i.e. recovered drugs, weapons or other evidence, or law enforcement assistance is needed) and the SRO is not available, the principal shall notify the Sheriff's office. All other reports of suspected criminal activity shall be made in compliance with Virginia Code §22.1-279.3:1.

I. SCHOOL DIVISION/BUILDING RESPONSIBILITIES

1. The school division shall allow in-service training, when available to the SRO, in areas that will increase the effectiveness of the deputy and his/her ability to accomplish the assigned respective duties and responsibilities.
2. The SRO should have keys to all related buildings and doors outside and within all schools.
3. The SRO shall be provided a secure office space not accessible to faculty, students, or non-administrators, for performance of his duties at the school to which he is assigned.

4. The schools shall provide a highly visible designated parking area with easy access for Sheriff's Office personnel.
5. The SRO should have a map layout of all schools readily available and updates as changes are made.
6. The SRO with assistance from the Sheriff's Office and school personnel shall have and or be part of implementing an emergency operations/crisis plan for all schools.

J. SUPERVISION AND CHAIN OF COMMAND FOR THE SRO.

1. Scope of Accountability of the SRO
 - a. Each SRO remains an employee of the Sheriff's Office and shall have a primary accountability to the appropriate chain of command within the Sheriff's Office.
 - b. The SRO is first a law enforcement officer whose primary job is the enforcement of the criminal laws of the Commonwealth.
 - c. The principal or his/her designee is recognized as the ultimate authority in his/her school.
 - d. The SRO shall function as a law enforcement and educational resource in cooperation with school personnel.
 - e. The SRO shall follow school policies and administrative directives regarding all school and building activities unrelated to law enforcement.
 - f. School Principals will continue to assume full responsibility for maintaining school discipline, which shall include investigation of violations of School Board policies (see (K)(3)) and imposition of discipline.
2. Supervision of the SRO
 - a. Provided by the guidelines as stated under the GCSO chain of command.
 - b. The SRO supervisor and or the uniform road supervisor will provide immediate on scene supervision as needed in emergencies.

K. DECISION-MAKING AUTHORITY REGARDING ENFORCEMENT OF APPLICABLE LAWS AND PROCEDURES BY THE SRO.

1. The SRO program has certain guidelines, which need to be understood by law enforcement officers and school staff. They have been developed informally and are now stated here for clarification.
2. Uniform and apparel is at the discretion of the Sheriff's Office supervisor, principal and SRO.
 - a. The uniformed officer who relates well to students helps to instill an air of respect and friendliness for other law enforcement officers of the Sheriff's office. The SRO who is trained, understanding, fair, and sincere can do much in building good law enforcement-parent-school relationships. Civilian clothes may be worn when such a need is identified upon approval of the Sheriff's Office.

3. The SRO shall not become involved in investigation or punishment of school matters involving infractions of school rules or violations of school policies, which are not criminal in nature.
4. The SRO assigned to a school should be available to assist the designated school administrators in maintaining a safe and secure learning environment. However, the SRO shall not enforce violations of school rules and policies, which are not criminal violations. The purposes of the SRO program are enhanced by this policy as follows:
 - a. Designated school personnel supervise school affairs.
 - b. The SRO assigned to the school should be available for advice, to assist and counsel, but in the absence of emergencies or ongoing safety concerns, those matters which are the exclusive concern of the school administrator should be handled by the school officials rather than being referred to the SRO. The SRO may serve as a witness in school disciplinary proceedings.
 - c. Infractions of the school rules, as opposed to violations of the law or crimes, will be handled at the school level.
5. By following the procedure outlined in this section K, the following benefits will occur:
 - a. The program will not undermine the rights, duties, and privileges of the school authorities.
 - b. The law enforcement officer will not become associated with oppressive (intimidating) tactics by handling such incidents as school infractions. He should send the offender to the proper school authority with an explanation.
 - c. The school disciplinary process will be able to function without law enforcement intervention.
 - d. Good communication between the SRO, student body, faculty, and parents will develop to a higher degree.
 - e. Law Enforcement prevention work develops most easily in a friendly rather than hostile atmosphere.
 - f. The SRO can be called upon to give presentations on such topics as safety, driver's education, drug and alcohol abuse, law enforcement-community relations, violence prevention, and other law enforcement topics.
6. In addition to the processes and rules outlined above, the following procedures will be adhered to when criminal enforcement action in the school becomes necessary:
 - a. The warrant arrest of a student in school should be coordinated by the SRO with the principal or his/her designee unless an extreme emergency exists.
 - b. The principal shall be notified as soon as practical of any significant criminal enforcement action (to include investigations and/or arrest) in the school or related to the school.
 - c. Any criminal investigation or arrest that occurs in the school will take precedence over the accompanying school policy violation and the investigation or action to be taken by school officials. The school investigation/activity can continue as long as it does not interfere with the criminal investigation, but the SRO will prioritize his time and redirect his energies to law enforcement duties

and may not be available to consult, advise or assist in the school investigation/disciplinary procedures.

- d. All related evidence/contraband collected at the school will be maintained by the SRO, if necessary, in a locked safe or similar location at the school, until it can be entered if necessary into the Greene County Sheriff's Office evidence room for inventory, storage, and/or lab examination, until destruction or return to rightful owner. The appropriate action or steps shall be determined by Sheriff Office SOP, the SRO and school officials.

L. EVALUATION OF THE SRO PROGRAM

1. The SRO will conduct periodic surveys sharing results with school officials and provide data to the appropriate individual.
2. The number of incidents and discipline reports shall serve as an indicator of the effectiveness of the program. Increases or decreases are not indicative of the success of the program but will provide tools to address these problems in a timely manner.
3. School and community presentations as requested by officials will serve as a guide in communication and aid in crime prevention.
4. The MOU will be reviewed prior to the first school day of each school year. Either party may terminate this MOU at any time without cause. Any amendment to this MOU shall not be effective unless reduced to writing and signed by both parties.

M. LEAVE & ABSENCES

The schedule of those the 185 days can be flexible based on the needs of the school as stated in section D of this MOU

Planned absences

- a. SRO should inform both the Sheriff's Office and the School Building Administrator of planned absences.
 - A substitute SRO works all planned hours of the absence.
 - In agreement with the School Building Administrator, missed time is made up at a later date.

Unplanned absences

- a. SRO should notify both the Sheriff's office and the School Building Administrator in the event of an unplanned absence.
 - i. A substitute SRO works all planned hours of the absence.

Inclement weather closings

- a. SROs should report on inclement weather days as defined in Section D of this MOU.
 - i. A substitute may report in place of SRO.
 - ii. SRO will be present on make up days.


CONCLUSION:

The SRO has a special role to play at each school. The SRO's first responsibility is to enforce the law. His/her visibility in - in schools and in the interaction with students in non-enforcement situations creates a fabric of understanding upon which the stability of a whole community rests. The partnership effort integrated with the total school program builds a reservoir of understanding for good citizenship.

IN WITNESS HEREOF, the parties hereto have executed this agreement.


Attest:

Greene County School Board

By: 
Andrea Whitmarsh, School Superintendent

Date: 8/9/23

Greene County Sheriff's Office

By: 
Steven S. Smith, Sheriff

Date: 6-7-2023