

**Memorandum of Understanding Between the
Westport Police Department and the
Westport Board of Education for
the School Resource Officer Program**

This Memorandum of Understanding (“Agreement”) is made and entered into this 28th day of November, 2023 by and between the Westport Police Department (“Police Department”) and the Westport Board of Education (the “Board”).

It is the intention of the Police Department and the Board to work together to promote a safe and healthy school environment for students, staff, faculty, and visitors. As such, the parties have established the School Resource Officer (“SRO”) Program, which involves the placement of law enforcement officers within the education environment in the Westport Public Schools (the “District”). In implementing the SRO Program, the parties shall adhere to the requirements and principles set forth in Connecticut General Statutes § 10-233m.

I. Goals and Objectives

The goals and objectives of the SRO Program are to:

- Establish a positive working relationship between the Police Department, the Board, and the District in a cooperative effort to maintain a safe, drug-free and secure school environment that is conducive to learning and to student development.
- Promote positive attitudes regarding the role of police in our community.
- Sustain an integrated community partnership to ensure a collaborative and supportive system is created to promote positive youth development that results in fewer student infractions referred to the legal system.
- Serve as a resource to students and families of students to provide proactive support and connections to community resources, as appropriate.

II. Assignment and Supervision of SRO(s)

The Police Department agrees to provide one or more SROs to the District. The Police Department agrees to fund and provide all required, as well as advanced, ongoing training to ensure SROs are current in best law enforcement practices. Whenever possible, such training will take place when school is not in session.

The Chief of Police (the "Chief") shall assign and/or hire one or more sworn police officers to assume the roles and responsibilities of the SRO(s), subject to the approval of the Westport Public Schools Superintendent (the "Superintendent"), which approval shall not unreasonably be withheld. The SRO(s) will be primarily based at Staples High School but may be assigned to assist at other schools in the District.

The SRO(s) shall remain employees of the Police Department and shall not be employees of the Board. The Board acknowledges that the SRO(s) will remain responsive to the command of the Police Department. However, while acting in the capacity of an SRO, the SRO(s) shall take direction from the

Superintendent or designee with the exception that, while in the performance of law enforcement duties, the SRO will follow protocols established by the Police Department and its Chief.

The SRO's schedule shall be determined by and between the Chief and the Superintendent or designee, with the intent that the work schedule of the SRO is aligned with the school calendar.

III. Uniform and Equipment

All uniforms and equipment necessary to serve as an active police officer within the Police Department shall be provided by the Police Department. The SROs will wear Class B uniforms when on-duty during school hours, the standard polo-type black uniform top with embroidered insignia.

Each SRO will carry a Police Department-approved duty firearm and other Police Department-issued equipment. The SRO(s) are responsible for carrying such equipment or otherwise storing and securing such equipment, including firearms and ammunition, in accordance with Police Department protocols. In no event shall such firearm or ammunition be stored in a school building. Such duty firearm and other equipment shall only be used when law enforcement intervention is necessary and then shall only be used in accordance with the policies and standards of the Police Department and applicable law.

Body-worn recording equipment shall not be turned on by the SRO while acting in the capacity of an SRO with respect to educational responsibilities or typical interactions with students, staff, or other members of the public in the school setting. The SRO will use body-worn recording equipment only when acting in a law enforcement capacity and as required by Police Department policy and in accordance with applicable law and guidelines. The Police Department and the Superintendent shall jointly set expectations and resolve any disputes in this area.

If body-worn recording equipment is turned on for any reason during the school day in the school setting, the SRO shall promptly notify the building principal(s) at the building(s) to which the SRO is assigned or the principal's designee. Unless designated otherwise, all video recordings captured by the body camera shall be the property of the Police Department, and the Board shall not be responsible for their storage, maintenance, release, or disposal.

Upon request of the building principal(s) at the building(s) to which the SRO is assigned or the Superintendent or designee, the Police Department may permit such individuals to view and review any video recording captured by the SRO while performing official SRO duties as outlined in this Agreement, subject to the requirements of the Freedom of Information Act, other applicable law, and the approval of the Chief. Such recording shall be considered a law enforcement record.

IV. Duties of SRO(s)

- The SRO shall abide by all applicable Board policies and District administrative regulations.
- The SRO shall assist the Superintendent, principals, other administrators, faculty, and staff in developing plans and strategies to prevent and/or minimize dangerous situations that may occur on school grounds.
- The SRO shall collaborate with school administrators, as well as local law enforcement, fire service, public safety and emergency management agents, as may be appropriate, in emergency crisis planning and building security matters.

- The SRO shall present topics to students on various law enforcement/safety issues and other relevant issues, including issues related to students' rights, responsibilities, and well-being, as requested by the Superintendent or designee.
- While the SRO has no role in ordinary school discipline or enforcement of school rules, the SRO shall provide assistance to school personnel at the request of a school administrator. The SRO will work collaboratively with the Superintendent to determine the goals and priorities for the SRO Program and the parameters for SRO involvement in school matters, consistent with the Graduated Response Model in Section V, below.
- The SRO shall take law enforcement action when necessary, including but not limited to neutralizing threats to a school and/or addressing an immediate danger to students or staff members. Except in emergency situations, the SRO will not take any official law enforcement action without notifying the school administration in accordance with the provisions regarding Law Enforcement Professionals/SRO Activity in Schools in Section VI, below.
- The SRO shall follow Board policy and District administrative regulations, Police Department general orders, and applicable law in regards to investigations, interviews and searches relating to juveniles and other students. At no time will the SRO direct or demand that school personnel interview or search a student.
- The SRO shall contact the principal of the school about any juvenile delinquency, incidents, charges, and arrests at that school within a timely manner and in accordance with applicable law.
- The SRO shall coordinate and communicate with District security personnel.
- The SRO shall provide safety and security training to staff, as requested by the Superintendent or designee.
- The SRO shall develop positive relationships with students and staff and serve as positive role model to youth in District schools through actions and words.
- The SRO shall participate in relevant professional development offered by the District related to adolescent and child behavior and development.
- The SRO shall complete, while in the performance of the SRO's duties as a school resource officer and during periods when such SRO is assigned to be at the school, any separate training specifically related to social-emotional learning and restorative practices, physical restraint and seclusion, and any other training that is provided to certified employees of the school(s) to which the SRO is assigned, as determined by the Superintendent or designee.
- No SRO shall use physical restraint or seclusion, as defined in Conn. Gen. Stat. § 10-236b, on a student except as an emergency intervention to prevent immediate or imminent injury to the student or to others. Any use of force by an SRO to restrain any student must be the least amount necessary to detain the student, reasonable in light of the totality of the circumstances, and in compliance with Board policy and applicable laws.
- The SRO shall maintain confidentiality of student records and information as mandated by law.
- The SRO shall participate in school activities, student organizations, parent meetings, and athletic events when invited and feasible.
- The SRO shall act as a liaison between students and/or parents in accessing social agencies which provide needed services.
- The SRO shall serve as member(s) of the respective School Climate Committee(s).

V. Graduated Response Model

The Board and the SRO Program will utilize the following graduated response model, which provides increasingly more serious consequences for continued student misconduct. As such, disruptive students

should receive appropriate redirection and support from in-school and community resources prior to the consideration of police involvement or court referral.

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. SROs should not be involved at this level. Classroom intervention options might include redirection, re-teaching, school climate initiatives, and moving seats. The teacher should initiate parental contact.

School Administration Intervention - Classroom interventions are supported by school administrators and other school staff who address more serious or repetitive behaviors and behaviors in school but outside of the classroom. Examples of behaviors at this level may include, but are not limited to: repetitive patterns, defacing school property; truancy; threatening; and other behaviors in hallways, bathrooms, courtyards and school buses. Administration intervention options might include time in the office, after school detention, loss of privileges, 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 services may be appropriate. This intervention is managed by the school administrator or a student assistance team. Repetitive truancy or defiance of school rules, and behaviors that interfere with others such as vandalism or harassment may be examples that 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 JRBs.

Law Enforcement Intervention – Only when classroom, school and community options have been found ineffective, or when deemed appropriate by the administration or in an emergency, should the school involve the police in a specific student intervention, including the SRO. Involvement of the police does not necessarily mean arrest and referral to court. This intervention is managed by the police. Law enforcement options may include, but not be limited to, verbal warning; conference with the student, parents, teachers and/or others; referral to a JRB and/or community agencies; and referral to court. In appropriate circumstances, law enforcement options may include arrest. Absent an emergency, any such arrest will be conducted in accordance with Section VI regarding Law Enforcement Professionals/SRO Activity at Schools, below.

VI. Law Enforcement Professionals/SRO Activity at Schools

The parties agree that employees of the Police Department and/or the assigned SRO (“Law Enforcement Professionals”) need to follow certain protocols when on school grounds in non-emergency circumstances as follows.

Except in an emergency, all Law Enforcement Professionals seeking to conduct formal police interviews, interrogations, and/or arrests of any student on District property or at school-sponsored activities shall be referred to the building principal. When making such request, Law Enforcement Professionals shall be aware of the potential disruption to the educational process that their action

may cause and consider the necessity of such action based on the (1) the potential danger to persons; (2) the likelihood of destruction of evidence or other property; and (3) the ability to conduct the investigation, arrest or search elsewhere. As such, Law Enforcement Professionals will work to minimize the potential for disruption through a coordinated effort with the schools.

In the extremely rare occasion that student or staff issues would prompt a citation or arrest by a Westport police officer, every reasonable effort would be made not to involve the SRO, but to have another officer on duty conduct this business.

When taking a student into custody, officers should make reasonable efforts to avoid making arrests or taking students into custody on school premises or at a school-sponsored activity. Whenever possible and except in the event of an emergency, students should be taken into custody out of sight and sound of other students.

VII. Reporting of Investigations and Behavioral Interventions

In accordance with state law requirements, each SRO shall submit a report to the Chief for each investigation or behavioral intervention of challenging behavior or conflict that (1) is conducted by the SRO and (2) escalates to violence or constitutes a crime, no later than five school days after conducting such investigation or behavioral intervention. An "investigation or behavioral intervention" is "a circumstance in which a school resource officer is conducting (i) a fact-finding inquiry concerning student behavior or school safety, including, but not limited to, emergency circumstances, or (ii) an intervention to resolve violent or nonviolent student behavior or conflicts."

The SRO's report shall include: (1) the date, time and location of such investigation or behavioral intervention, (2) the name and badge number of the SRO, (3) the race, ethnicity, gender, age and disability status for each student involved in such investigation or behavioral intervention, (4) the reason for and nature of such investigation or behavioral intervention, (5) the disposition of such investigation or behavioral intervention, and (6) whether any student involved in such investigation or behavioral intervention was (a) searched, (b) apprised of such student's constitutional rights, (c) issued a citation or a summons, (d) arrested, or (e) detained, including the amount of time such student was detained. The SRO shall not include student names on the report.

All SROs shall use and complete Form A, attached hereto and incorporated herein. SROs and/or the Police Department shall not substitute their own form(s) for Form A and shall not submit any supplemental or additional documents in connection with Form A, unless required by law or mutually agreed upon by the parties in writing.

For purposes of this section, the District will provide the SRO with only as much student demographic information as is necessary for the limited purpose of complying with state reporting requirements as reflected in Form A, in accordance with applicable law. The SRO shall not redisclose this information for any purpose other than sharing the information with the Chief, as required by statute.

On a monthly basis, the Chief of shall compile and provide to the Superintendent all Form A documents completed by the SROs during the prior month. In the event there were no Form A documents completed by the SROs during any given monthly period, the Chief shall notify the Superintendent in writing as follows: "During the month period consisting of ____ to ____, the SROs did not engage in any investigation or behavior intervention of challenging behavior or conflict that escalated to violence or constituted a crime."

VIII. Law Enforcement Access to Images from School Cameras

In the event of a criminal investigation, the Police Department or other law enforcement agencies may request access to District video images, live or recorded, by making a request for access to the Superintendent. Access may be granted by the Superintendent or other such certified administrator as designated by the Superintendent only when determined by the Superintendent to be appropriate under state and federal law. If access is granted, the Department shall abide by its policies and procedures with respect to evidence, juvenile records, and personally identifiable information.

In order to help maintain school security, the SRO and members of the Police Department who are assigned to the School Security Unit (“SSU Officers”) may access the District’s live-streamed video and/or recorded images during the days and hours in which the SRO or SSU Officers are performing such assignments.

In addition, the Superintendent or designee may disclose to the Police Department video images, live or recorded, which include personally identifiable student information and/or video images of Board employees and/or other persons on school property, when there is an articulable and significant threat to the health and safety of a student or other individuals, or when otherwise appropriate under state and federal law.

IX. District Support for the SROs

The District shall provide to the full-time SRO(s) the following materials and facilities, which are deemed necessary to the performance of the SRO:

- Access to an air-conditioned and properly lighted private office containing a telephone line to be used for general business purposes;
- A desk with drawers, a chair, and filing drawers;
- Access to a computer terminal or computer hookup;
- Training specifically related to social-emotional learning and restorative practices, physical restraint and seclusion, and other training as deemed appropriate by the Superintendent or designee that is provided to certified employees of the school.

The Police Department will supply the SRO with the usual and customary office supplies required for the performance of his or her duty.

X. Evaluation of the SROs and SRO Program

As an employee of the Police Department, the evaluation of the SRO will be conducted by the Police Department. However, feedback regarding the performance of the SRO will be provided to the Chief on a regular basis by the District through formal and informal means.

Upon receipt of written documentation from the Superintendent to the Chief of any concerns that the SRO is not effectively performing his or her duties and responsibilities, the Police Department may dismiss or reassign the SRO based upon the Police Department's rules, regulations, general orders, and the terms of the collective bargaining agreement with its officers, after consideration of the Superintendent's concerns and documentation.

The Police Department and the District shall provide their employees with training relative to this Agreement and its purpose. The parties also agree to maintain regular and open communication to evaluate the effect of this Agreement and suggest improvements and adjustments that may be necessary.

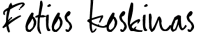

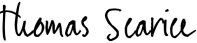
XI. Term of Agreement

This Agreement may be terminated by both parties at any time by mutual agreement, or by either party by providing written notice of termination to the other party by January 1 of any year, with such termination to be effective the following July 1.

This Agreement constitutes a final written expression of all terms of this Agreement and is a complete and exclusive statement of those terms. It may be modified in writing by consent of the parties.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly authorized officers.

Signed, sealed, and delivered in the presence of:

<p><small>DocuSigned by:</small>  <small>0D52A5GB150B42D...</small></p> <hr/> <p>Foti Koskinas Chief of Police Westport Police Department</p>	<p>11/29/2023</p> <hr/> <p>Date</p>
<p><small>DocuSigned by:</small>  <small>7415010BAA844CD...</small></p> <hr/> <p>Lee Goldstein Board of Education Chair Westport Board of Education</p>	<p>11/28/2023</p> <hr/> <p>Date</p>
<p><small>DocuSigned by:</small>  <small>890DD840DDA34AC...</small></p> <hr/> <p>Thomas Scarice Superintendent of Schools Westport Public Schools</p>	<p>11/28/2023</p> <hr/> <p>Date</p>

Form A
School Resource Officer
Report on Investigations and Behavioral Interventions

FORM A
Westport Public Schools
School Resource Officer (SRO) Report on Investigations and Behavioral Interventions

This form must be completed and provided to the Westport Chief of Police within five (5) school days of conducting an investigation and/or behavioral intervention of 1) challenging behavior that escalates to violence or constitutes a crime, or 2) conflict that escalates to violence or constitutes a crime.

*“Challenging behavior” means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.
“Investigation or behavioral intervention” means a circumstance in which a school resource officer is conducting (i) a fact-finding inquiry concerning student behavior or school safety, including, but not limited to, emergency circumstances, or (ii) an intervention to resolve violent or nonviolent student behavior or conflicts.*

The SRO may only report investigations and/or behavioral interventions of challenging behavior or conflict that escalate to violence or constitute a crime. If the conduct did not escalate to violence or constitute a crime, it may not be reported in this form.

Name of School Resource Officer: _____

Badge Number: _____ **School Affiliation:** _____

Investigation and/or Behavioral Intervention Information:

Date of Investigation/Intervention: _____

Time of Investigation/Intervention: _____

Location of Incident: _____

The reason for and nature of such investigation and/or behavioral intervention:

The disposition of such investigation or behavioral intervention (check all that apply):

- Referral to administration for possible discipline
- Restorative practices implemented
- Peer mediation
- Referral to student support services
- Other: _____
- Citation or summons issued
- Arrest of student(s)
- Search of student(s) by SRO
- Management of crisis or emergency

Form A
School Resource Officer
Report on Investigations and Behavioral Interventions

Please complete the following section for each student involved in the investigation and/or behavioral intervention. **Do not include student names.** Identify additional students, if applicable, as “Student B,” “Student C,” etc. Demographic information for each student will be collected by the District from the school’s information system and shared with the SRO for the limited purpose of complying with state reporting requirements.

	Age	Gender	Race/Ethnicity (check all that apply)	Does the student have a known disability?	During the investigation and/or behavioral intervention, was the student....
Student A	_____	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Non-binary	<input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> White <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> Asian <input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Searched by SRO <input type="checkbox"/> Apprised of constitutional rights <input type="checkbox"/> Issued a citation or a summons <input type="checkbox"/> Arrested <input type="checkbox"/> Detained ¹ (if detained, note how long the student was detained: _____)
<i>Insert additional rows for Students B, C, D, as applicable</i>					

¹ Detained, for the purposes of this form, means detained by the SRO as a law enforcement action or placed under the direct supervision of the SRO by a responsible administrator.

Form A
School Resource Officer
Report on Investigations and Behavioral Interventions

This report was completed on: _____.

By signing below, I certify that the information I have provided in this report is true and accurate to the best of my ability and recollection. I have not maintained a copy of this report and I understand that the information set forth herein is confidential and may not be redisclosed except in accordance with state and federal law.

School Resource Officer

Date

I, the Westport Police Department Chief of Police, received this report on: _____ . I understand that the information set forth herein is confidential and may not be redisclosed except in accordance with state and federal law.

Print

Signature

cc: Superintendent of Schools