



Memorandum of Understanding
PPS & Pittsburgh Department of Public Safety, Bureau of Police

November 6, 2019

Expect great things.



MOU Workshop Topics

- Purpose of MOU
- Key Provisions
- Updates to MOU in response to Stakeholder Feedback
- Proposed Timeline
- Questions

Purpose of MOU

Pennsylvania's Safe Schools Act, 24 P.S. 13-1301-A et seq.

- Requires each school administrator to enter into a memorandum of understanding (MOU) with police departments having jurisdiction over school property of the school entity.
- MOU must be updated and re-executed biennially
- MOU must be filed with the Office of Safe Schools
- Requires PDE to develop and issue a model MOU

Purpose of MOU – Section I.B., p.1

“The purpose of this Memorandum is to establish procedures to be followed when certain specific incidents - described in Section II below - occur on school property, at any school sponsored activity or on a conveyance as described in the Safe Schools Act, such as a school bus providing transportation to or from a school or school sponsored activity. This Memorandum does not cover incidents that are outside of those school settings and create no substantial disruption to the learning environment.”

“It is further the purpose of this Memorandum to foster a relationship of cooperation and mutual support between the parties hereto as they work together to maintain a safe school environment.”

Key Provisions

- Establishment and maintenance of a cooperative relationship between PPS and Pittsburgh Bureau of Police
- Acknowledges School District's employment of its own police officers
- Confidentiality of student records in compliance with federal law
- Lists the following priorities: prevention, supportive services, diversion programs, restorative practices and school-wide positive behavior supports

Key Provisions (Continued)

- Considerations which must be taken into account by City police when arresting or summoning a student on PPS school campus
- Requirement of a warrant prior to effecting arrest of a student
- Memorializes reporting requirements between entities and between PPS and the Office of Safe Schools
- MOU must be reviewed and re-executed within two years of the date of its original execution and every two years thereafter

Stakeholder Feedback Edits

Community stakeholder feedback from:

- OnePA
- Education Law Center
- Pennsylvania ACLU
- Local Task Force (LTF)

Stakeholder Feedback Edits

Feedback Addressed:

- Protection of student rights
- Effective implementation

Stakeholder Feedback Edits

Please refer to Redline/Track Changes MOU:

- Page 3 -- Section I.D.3.b.v.
- Page 3-4 -- Sections I.D.3.c. and I.D.3.d.
- Page 5 -- Section I.E.3. and I.E.4.
- Page 6 -- Section II.A.
- Page 9 -- Section II.D.4
- Page 13 -- Section IV.C.4.a.
- Page 14 -- Section IV.C.4.c.

Mandatory Reports from PPS to City under MOU will be made for the following crimes occurring on school grounds:

- Section 908 (prohibited offensive weapons);
- Section 912 (possession of weapon on school property);
- Chapter 25 (criminal homicide);
- Section 2702 (aggravated assault);
- Section 2706 (terroristic threats);
- Sections 2709 and 2709.1 (harassment and stalking, respectively);
- Section 2715 (threats to use weapons of mass destruction);
- Section 2718 (strangulation);
- Section 2901 (kidnapping);
- Section 2902 (unlawful restraint);
- Section 3121 (rape);
- Section 3122.1 (statutory sexual assault);
- Section 3123 (involuntary deviate sexual intercourse);
- Section 3124.1 (sexual assault);
- Section 3124.2 (institutional sexual assault);
- Section 3125 (aggravated indecent assault);
- Section 3126 (indecent assault);
- Section 3301 (arson and related offenses);
- Section 3307 (institutional vandalism), when the penalty is a felony of the third degree;
- Section 3502 (burglary);
- Section 3503(a) and (b)(1)(v) (criminal trespass);
- Section 5501 (riot);
- Section 6110.1 (possession of firearm by minor);
- Section 2701 (simple assault);
- Section 2705 (recklessly endangering another person)
- Section 3127 (indecent exposure);
- Section 3307 (institutional vandalism), when the penalty is a misdemeanor of the second degree;
- Section 3503(b)(1)(i), (ii), (iii) and (iv), (b.1) and (b.2) (criminal trespass);
- Chapter 39 (theft and related offenses);
- Section 5502 (failure of disorderly persons to disperse upon official order)
- Any attempt, solicitation or conspiracy to commit any offenses including but not limited to those listed above.

Expect great things. 

The following crimes occurring on school grounds are reported to the City at the discretion of PPS:

- Section 5503 (relating to disorderly conduct);
- Section 6305 (relating to sale of tobacco);
- Section 6306.1 (relating to use of tobacco in schools prohibited);
- Section 6308 (relating to purchase, consumption, possession, or transportation of liquor or malt or brewed beverages by a person under 21 years of age);
- The possession, use or sale of a controlled substance, designer drug or drug paraphernalia as defined in "The Controlled Substance, Drug, Device and Cosmetic Act," as amended, 35 P.S. §§ 780-101 et seq., popularly known as the "Drug Act." ;
- An offense for which registration is required under 42 Pa. C.S. §9795.1 (relating to registration)

Proposed Timeline

Meeting / Action	Date
Policy Workshop	November 6, 2019
Agenda Review	November 13, 2019
Final Opportunity for Public Comment	November 18, 2019
Legislative Meeting – Vote	November 20, 2019



Questions



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