

Memorandum of Understanding (MOU)

This Memorandum of Understanding (MOU) is being executed on _July 18 _____, 2024 by the below listed entities:

Greeneview Local School District and the Jamestown Police Department

This document (the “MOU”) will serve as the written agreement between the Board of Education of the Greeneview Local School District (the “District”) and the Village of Jamestown Police Department (the “Village”). This MOU establishes the needed commitment and support from both political subdivisions. This document also provides a series of guidelines and policies relevant to the performance of the School Resource Officers (SROs), and will be the guiding document officers, school administrations, Police Department administration, and students and their caregivers look to for structure and accountability. This document shall be reviewed, updated, and endorsed annually. 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, responsibilities and expectations and formalizes relationships between the participating entities to foster an efficient and cohesive program that will build a positive relationship between the Police Department, officers, school staff, and the students, promote a safe and positive learning environment and decrease the number of youths 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, 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, the Police Department, 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 District Property and/or attend District events/activities.
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. To create partnerships with behavioral health and other care providers in the community for student and family referral.

This SRO program is unique to the community. The program is designed to fulfill three overall roles:

- 1) Law Enforcement
- 2) Fostering Positive School Climate /Crime Prevention
- 3) Education

Law Enforcement Role – SROs are responsible for law enforcement activities occurring at the school during school hours but not student discipline. A determination of whether an activity rises to the level of a law enforcement activity shall be made by SROs based on probable cause as defined under the laws of Ohio. **Parents, students, teachers and other school personnel should bring complaints about student misbehavior to the school principal and/or designee, rather than the SROs.**

While law enforcement is the role of SROs, alternatives to arrest may be considered, and arrest of students should be a measure of last resort. The SROs discretion to act remains the same as that of any other peace officer.

Fostering Positive School Climate /Crime Prevention – One of the primary roles SROs fulfill is fostering a positive school climate through relationship-building and crime prevention. Officers will engage in various activities, in consultation with school administration, teachers, and students, and should strive to build a school culture of open communication and trust between and among students and adults by focusing on officers getting to know students at the school, serving as a role model, and working with teachers and administrators to identify students who may be facing challenges and need additional resources or attention to be successful in school. Crime prevention activities include, but are not limited to foot patrols, monitoring previous crime locations, speaking to teachers about reducing the opportunity for crimes to occur, analyzing possible crime patterns, investigating crimes, and patrolling the parking lots. Officers may also complete security surveys analyzing the physical safety of school property and facilities.

Education – SROs should participate in the school community by becoming a member of the educational team, where appropriate, and by representing the law enforcement community to build positive relationships with youth, their families, and school staff.

Whether talking to students in the hallway or delivering a presentation in the classroom, SROs are embedded in the education fabric within the school. SROs are expected to be proactive in creating and taking advantage of educational situations, and school administrators are, accordingly, encouraged to include SROs in such endeavors.

IV. Organizational Structure

A. Composition

The SRO Program will consist of law enforcement personnel that are certified peace officers for the State of Ohio and meet all requirements as set forth by Police Department Rules and Regulations. The Police Department will assign the SROs based on need, as determined by the Superintendent.

B. Officer Recruitment & Selection

SRO's will be selected at the sole discretion of the Chief of Police.

C. SRO Training

SROs shall complete training as required by law, including but limited to R.C. 3313.951(B). Prior to or as soon as possible after entering service as an SRO, officers shall complete a basic training program approved by the Ohio Peace Officer Training Commission. All SROs who are initially appointed on or after November 2, 2018, must complete an additional forty (40) hours of school resource officer training within one (1) year of appointment through an entity approved by the Ohio Peace Officer Training Commission. The police department will be responsible for providing the SRO basic training to officers specifically assigned to SRO duties. The village will pay the cost of the SRO basic training and the District will be responsible for paying the officer's hourly compensation for the time spent in the training. In addition, it is recommended that SROs receive additional training each year on topics such as trending school-based law enforcement topics, child development, adolescent psychology, trauma, conflict resolution, mental health and addiction, children with disabilities, juvenile and education law and policy, PBIS, and cultural competence.

V. Operational Procedures

Chain of Command for SROs: SROs shall not be, or considered to be, employees of the District. The Police Department shall retain the statutory authority to hire, discharge and discipline SROs in its sole discretion. The SROs will report to the police department daily to clock in and out, as well as to receive and pass on information. The SROs will be subject to the current procedures in effect for Police Department officers, including attendance at all mandated training and testing sessions to maintain state law enforcement officer certification. The SROs will be ultimately accountable to the Police Department chain of command. However, the SROs are expected to cooperate with school officials, including administrators and faculty. The SROs will, to the extent not contrary to the Police Department Policies and Procedures or the laws of the State of Ohio, abide by school policy and respond to the requests of, and cooperate with, school officials.

The SROs' activity in the school is guided by the following procedures and an evaluation shall be provided by the District to effectively support SROs efforts and monitor their progress:

A. Duties

The primary functions of the SROs are to help provide a safe and secure learning environment, foster a positive school climate, reduce/prevent crime, serve as an educational resource, and serve as a liaison between the District and the Police Department. Specific daily assignments to accomplish this function will vary by school. The SROs and school principal or designee will meet on a regular basis to discuss plans and strategies to address specific issues or needs that may arise. As required by law, SROs should never be assigned to duties within schools in place of or in lieu of a certified teacher. Specifically, the SROs are not to be used or regularly assigned lunchroom duty, as a regular hall monitor, bus duty or other monitoring duties. If there is an unusual/temporary problem in one of these areas, the SROs may assist District employees until the problem is solved; provided further that nothing required herein is intended to nor will it constitute a relationship or duty for the SROs or the Police Department beyond the general duties that exist for law enforcement officers in the State of Ohio. The SROs will not provide transportation of students to and from school.

Basic responsibilities of the SROs will include but will not be limited to:

- 1) 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) Serve as a source of information to the school community, including parents, on such topics as tobacco, alcohol and other drug issues, and addressing violence diffusion, violence prevention and other safety issues in the school community.
- 5) Provide classroom instruction on a variety of topics including, but not limited to, safety, public relations, occupational training, leadership, and life skills with the approval of the Chief of Police.
- 6) Provide informational in-services and be a general resource for the staff on issues related to alcohol and other drugs, violence prevention, gangs, bullying, cyberbullying, wireless devices, safety and security.
- 7) Provide educational programs to students and staff on topics agreed to by both Parties. In addition, the Police Department may substitute other officers to provide the same or similar programs described in Paragraphs V(A)(5)-(7) of this MOU.
- 8) Refer students and/or their families to appropriate agencies for assistance when need is determined.
- 9) Coordinate investigative procedures between police and school administrators.
- 10) Handle initial police reports of crimes committed on campus.
- 11) Take enforcement action on criminal matters.
- 12) Prepare lesson plans as necessary for the instruction provided.

B. Uniform

The SROs shall wear the department uniform as per Police Department Policy and Procedures.

C. Daily Schedule

Generally, forty (40) hours is the maximum number of SRO hours that a SRO will be on duty during a workweek. Specific SROs duty hours at a particular school will be determined by mutual agreement between the Chief of Police and the principal of the school to which the SRO is assigned. The Parties acknowledge that the time spent by the SROs attending juvenile court and/or criminal cases arising from and/or out of their employment as SROs shall be considered hours worked under this MOU.

In event of an emergency, any or all of the SROs under this MOU may be ordered by the Police Department to leave their school duty station and assist with the emergency.

D. Absence/ Substitution

The Police Department will endeavor to have each SRO available for duty at his/her assigned school each day that school is in session during the regular school year. In the event that the SRO will be absent, the SRO shall notify both his/her immediate supervisor and they will notify the school principal. In the event of an absence of three or more days, the Police Department will make reasonable, good faith efforts to assign a substitute SRO to assume the duties of the regular SRO. In those cases where no substitute SRO is available, the Police Department will use its best efforts to assign an officer to the building during drop off and pick up, as well as add extra routine patrols to the campus.

E. Special Events

To be determined by the commanding officer and the school administrators. This will be formalized in a separate written contract.

F. 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 police officers, SROs have the authority to issue warnings, make arrests and use alternatives to arrest at their discretion. SROs, however, perform their duties mindful of the parties' common goal of supporting student success. The following procedures will help SROs be as effective as possible in this role:

- 1) School staff will contact SROs to inform them of all violent or other criminal activity or any other activity that creates a safety risk on or to the school campus. SROs and school officials shall discuss any violent activity and decide if it is to be handled by school officials or by the police department as a criminal matter. In turn, SROs will inform school administration of all criminal activity they observe on the school campus.

- 2) For any offense on school property, the SROs, working cooperatively with the school administration, will exercise reasonable discretion in making arrests for minor misdemeanor activity. The filing of criminal charges, and/or arrest, is the preferred policy for certain offenses (felonies and/or serious misdemeanor offenses), such as sex offenses, weapons offenses, illegal substance possession or trafficking and any offenses of violence if supported by probable cause. The SROs powers to arrest shall be governed by Ohio law.
- 3) The SROs and school officials shall put into place plans, such as de-escalation techniques, conflict resolution and restorative justice practices, to serve as an alternative to arrest, which will be distributed to school staff.

G. Role in School Policy Violations

SROs are not school disciplinarians and violations of the student code of conduct or school rules that are not criminal matters should always be handled by school faculty and staff, not SROs. SROs should not directly intervene unless the situation directly affects an imminent threat to the health, safety, and security of the student or another person in the school. School discipline is the responsibility of the appropriate school administrator. The SROs will report school policy violations through the proper channels to be handled by school administration. It is the responsibility of the SROs to become familiar with the Student Handbook and the Student Code of Conduct, but it is not the responsibility of the SROs to enforce the rules in these documents. The District or its administrators shall have final decision-making authority regarding all matters of school discipline.

H. Data Collection

The SRO should submit a monthly activity report to the Chief of Police. The report should include descriptions of all activities engaged in by the SRO, including incidents or calls for service, names of students and/or staff involved, student searches, arrests, citations and/or summons issued, and other referrals to the juvenile justice system (contact the Ohio School Resource Officers Association for sample reports). See J. 1. below.

I. Sharing of Information

Communication and information sharing are essential to the success of the SRO program.

1. The sharing of information shall be governed by the Ohio Revised Code, the Ohio Administrative Code, Ohio's Public Records Law, Federal Education Rights and Privacy Act (FERPA), R.C. 3319.321 and relevant Police Department and District policies.

2. The sharing of arrest related information by the SROs with school administration upon request or at the direction of the SROs will involve the dissemination of arrest reports and calls for service filed with the Police Department or from other Police agencies coming into contact with students from District, if not prohibited by Ohio law or Police Department Policy.

3. Juvenile fingerprints and photos as part of the arrest record will not be shared by the SROs.
4. If an SRO is aware of information on a student that is officially obtained by the Police Department, which reflects that the student is in violation of school policies (Student Handbook or Athletic Code), the SRO may forward that information to school administration.
5. If a Juvenile is an uncharged suspect in a crime, his/her information will not be released unless authorized by the Chief or his/her designee.
6. Records, files, documents, and other materials that are created by a SRO for a law enforcement purpose, or by personal observation, may be maintained by the Police Department and are not subject to FERPA protection. Specifically, the parties agree a SRO's investigation reports, notes and other documents maintained by the SRO's relate to the SRO's role as a Police Department employee. These records will not be maintained by the School District and are not education records.
7. Hearsay information or rumors alone will not be the basis for any formal action by the Police Department. It can be used in an intelligence capacity or to validate the need for further investigation.
8. Any information that is obtained by SROs that pertains to criminal activity occurring outside the jurisdiction limits shall be relayed to the appropriate law enforcement agency of the jurisdiction involved.
9. When any felony occurs or any crime that prompts a Public Information Officer response from the District or the Police Department or if a school building is evacuated the SRO shall contact his/her immediate supervisor at the Police Department as soon as possible.
10. The SROs shall have access to any public records maintained by the school to the extent allowed by law, including but not limited to FERPA and R.C. 3319.321.
 - All student records are considered confidential. Certain information is designated as directory information in the School District's annual FERPA notice and can be released to the SRO without consent unless the parent/guardian has affirmatively withdrawn consent to release of directory information in writing. The School District will supply the Police Department with a copy of its annual FERPA notice each school year.
 - The SROs will be granted access to the district camera system and student information databases only when acting as a school official with a legitimate educational interest in the information. A SRO is acting as a school official with a legitimate educational interest in the information when 1) the information is necessary to perform services pursuant to this MOU that would otherwise be performed by School District employees; 2) the SRO is under the School District's direct control in the use and maintenance of the records; and 3) the SRO will only use personally identifiable information concerning a student (PII) for the use for which it was provided and may not redisclose the PII without consent. The Police Department acknowledges that, under the terms of this paragraph, the SROs may be receiving PII. The Police Department agrees that it shall not, and shall

ensure that the SROs do not, access, use or disseminate or otherwise redisclose any PII, as defined in FERPA and R.C. §3319.321, in violation of the terms of those laws or other law applicable to the School District with respect to such information. The parties shall ensure that the SROs will be trained in FERPA requirements and their duties to handle such information in compliance with those requirements. Information obtained from these databases and other education record information are protected, not subject to public record requests or release and therefore should not become a public record by means of police reporting.

- The obtaining of PII for law enforcement purposes will require parental consent or a lawfully issued subpoena prior to release, unless obtained as detailed in below.
 - The School District may disclose PII to the SROs without consent during a health and safety emergency if knowledge of the information is necessary to protect the health or safety of students or other individuals. This exception is limited to the period of the emergency.
 - When the School District and/or any of its employees learn of any abused child, as defined in ORC 2151.031, all supporting documentation, video and/or statements will be released to the Police Department without prior consent, per mandated reporting requirements.

The foregoing procedures should be followed to facilitate a free flow of information between school officials and the SROs.

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

The SROs will not be involved in searches conducted by school personnel unless a criminal act is involved or unless school personnel require the assistance of the SROs because of exigent circumstances, such as the need for safety or to prevent flight. 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.

The SROs may perform searches independent of the school administration only when criminal activity is suspected. All searches performed by an SRO shall be in accordance with Ohio Revised Code and Federal Law.

K. Limits on Interrogations and Arrests

1. **Interviews and Interrogations** – SROs may initiate or participate in the questioning of a student about conduct that could result in criminal charges in accordance with Ohio law. If the student is in custody, the student will be advised of their Miranda Rights. Parents/guardians should be allowed sufficient time to arrive at school to be present for interrogation, unless extenuating circumstances dictate that this not be done. If a parent/guardian is not available, a school official will be present for any questioning done on school grounds with the understanding that they are not to interfere with the interview in any way.

2. **Arrests** – Unless the conduct involved rises to the level of 1) a disorderly conduct offense; or 2) any crime involving physical harm or a weapon, incidents involving public order offenses, including profanity, and arguing should be considered school discipline issues to be handled by school officials rather than criminal law issues warranting formal law enforcement intervention.

- i. Building principals and the Superintendent or his/her designee shall be notified prior to an arrest of a student when practical.
- ii. The student's parent(s) or guardian(s) shall be notified of his or her arrest. The school will follow their policy on notification of the parent or guardian.
- iii. Unless there is a serious and immediate threat to student, teacher, or public safety, SROs shall only use physical force or restraints on students pursuant to Police Department Policy.

L. Role in Critical Incidents

The SRO will be familiar with the emergency operations manual of the District. During critical incidents occurring when the SRO is present, the SRO shall act as a liaison between school administration, police personnel, and other emergency resources.

M. Role in Truancy Issues

Truancy will be handled by school personnel. The SRO's will not take an active role in the tracking of truants. The SROs will act as a liaison between the school and police personnel should police involvement become necessary due to safety concerns.

N. Body Worn Cameras

The Police Department issues body worn cameras (BWC) to all officers for documentation of their official duties, pursuant to Police Department policy.

- 1) BWC video footage is the property of the Police Department.
- 2) The video footage is created and maintained pursuant to Police Department policy.
- 3) The Police Department will provide a copy of the BWC policy to the District upon execution of this MOU, as well as provide copies of any amendments to the BWC made during the term of this MOU.
- 4) SROs should not activate BWC for non-law enforcement matters.
- 5) The Police Department will provide a copy of any video recorded by the SROs upon public records request.
- 6) The release of BWC video is governed by R.C. 149.43.
- 7) If a video is released to the public, pursuant to a public records request, a copy will be provided to District as well.

VI. School District Responsibilities

The District shall provide the SROs the following materials and facilities, which are deemed necessary to the performance of the SROs' duties:

- 1) Unless otherwise agreed between the Parties for a particular building, access to a properly lighted private office, which shall contain a telephone, a secure computer and printer, which may be used for general business purposes.
- 2) A location for files and records which can be properly locked and secured.
- 3) A desk with drawers, chair, worktable, filing cabinet, and office supplies.
- 4) The opportunity for SROs to address teachers, school administrators and student families about the SRO program, goals, and objectives.
- 5) The opportunity to provide input regarding criminal justice problems relating to students.
- 6) The opportunity to address teachers and school administrators about criminal justice problems relating to students during in-service workdays.
- 7) The District Emergency Management Plan, Student Handbook/Code of Conduct and other related materials as deemed appropriate.
- 8) School staff designee for referrals for counseling and other school-based and/or community based supportive services for students and families.
- 9) Encourage attendance for secondary Assistant Principals at NASRO Basic SRO training.
- 10) Provide training to teachers, administrators, staff and SROs about when to directly involve SROs with student misconduct and about available alternatives to arrest.

VII. COMPENSATION

The School District will pay the Village the sum of \$30.00 per hour per SRO in the first year of the Agreement for services rendered under this Agreement for administrative fees, salary and benefits paid to the officers by the Village for services performed under this Agreement. In year two, the District will pay the Village \$32.50 per hour, and in year three of the Agreement \$35.00 per hour per SRO. The Village will bill the School District at the end of each month, with the district making payments in the amount of the monthly billing to the Treasurer of the Village. Needs will be determined by the Superintendent. All scheduling will be completed with agreement between the Chief of Police and Superintendent.

VIII. CRISIS PLANNING

The District, the Jamestown Police Department, the Village of Jamestown and appropriate Fire Departments will coordinate Crisis Planning and training. Each entity will be involved in updates and creation of new Crisis Plans. The SROs shall consult with local law enforcement officials and first responders when assisting the School District's administrators in the development of the comprehensive Emergency Management Plan.

Lock down drills shall be included as part of the District's preparedness plan. Police Department 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.

IX. Reviewing the MOU and SRO Program

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

Complaints against a SRO shall follow the normal complaint process of the Police Department and include notice to the appropriate school administrators if necessary. This process will be made known to parents and students through the student handbook and District website.

X. PROBLEM RESOLUTION

Unforeseen difficulties or questions will be resolved by negotiation between the District Superintendent and the Mayor, Chief of Police and/or their designees.


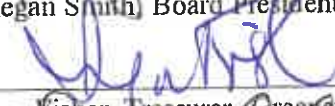
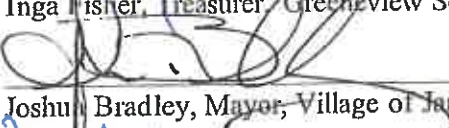

XI. TERM

- A. Initial and Successor Terms. The initial term of MOU will commence on August 1, 2024 and terminate on July, 2027. Thereafter, unless one party delivers to the other a written non-renewal notice at least ninety (90) days prior to the end of the current term, this MOU shall automatically renew for unlimited successive periods of one year.
- B. Termination. Either party may terminate this MOU with or without cause upon 30 days prior written notice to the other party.

XII. PARTIES RESPONSIBLE FOR THEIR OWN ACTIONS

The Parties, as governmental entities/political subdivisions, lack authority to indemnify. Accordingly, the District and the Police Department shall be responsible for their own actions and/or actions of their respective board/council members, officials, officers, employees, agents, representatives, volunteers and/or servants resulting from performing and/or providing services or programs under this MOU.

SIGNATURE OF PARTIES & SIGNATURE DATE

 _____ Megan Smith, Board President, Greeneview School District	<u>8/15/24</u> Date
 _____ Inga Fisher, Treasurer, Greeneview School District	<u>8-15-24</u> Date
 _____ Joshua Bradley, Mayor, Village of Jamestown	<u>8-5-24</u> Date
 _____ Marsha Hames, Treasurer, Village of Jamestown	<u>8/5/24</u> Date