

MEMORANDUM OF UNDERSTANDING
Between
PAWTUCKET SCHOOL DEPARTMENT
And
PAWTUCKET POLICE DEPARTMENT

PURPOSE

A prosperous future for citizens of Pawtucket depends, in large measure, upon the City's ability to properly educate its children. Effective schooling requires a safe and orderly environment in which learning can occur. Consequently, the Pawtucket Police Department, in collaboration with the Pawtucket School Department, conducts the School Resource Officer (S.R.O.) Program in order to provide school administrators and staff with law enforcement resources and expertise they need to maintain safety, order, and discipline in the school environment. The S.R.O. Program is intended to ensure that no student's right to receive an education is abridged by violence or disruption.*

The Pawtucket Police Department has implemented the School Resource officer Program in cooperation with the Pawtucket School Department. The program involves the assignment of a police officer to a public school as a School Resource Officer (S.R.O.). In accordance with staffing availability and the demonstrated needs of the school, the Police Department will assign a full-time S.R.O. to the agreed upon school.*The full-time S.R.O.'s primary duty assignment is the school.*In the event of staffing limitations and taking into consideration demonstrated needs of the school, it may become necessary to assign an S.R.O. on a part-time basis. The part-time S.R.O. provides supplemental patrol coverage for the daytime shift maintaining a liaison with the assigned school and fulfilling S.R.O. duties on an as-needed basis.

With daily interaction between the school's administration and the S.R.O., it is important to establish, maintain, and update specific guidelines and procedures to be followed by the S.R.O. and individual school administrators. This Memorandum of Understanding clarifies the roles of the School Resource Officers and School Administrators, their scope of authority, and the responsibilities of the Pawtucket School Department and the Pawtucket Police Department in this collaboration. The success of the program relies on effective communication between the S.R.O., the principal, and other key staff members of each organization.

DUTIES AND RESPONSIBILITIES

School Resource Officer

- A. The School Resource Officer (S.R.O.) is a sworn Pawtucket Police Officer assigned to provide law enforcement expertise and resources to assist school staff(s) in maintaining safety and order within their assigned school(s). The Pawtucket School Department accordingly designates the S.R.O. as its law enforcement unit
- B. The S.R.O.'s assigned school buildings, grounds, and surroundings will be the equivalent of the S.R.O.'s patrol area, and he or she assumes primary responsibility for handling all calls for service and coordinating the response of other police resources to the school.

- C. The S.R.O.'s duty schedule will be determined by the S.R.O.'s Unit Supervisor, but will generally be arranged to provide coverage throughout the school day including peak arrival and departure times before and after school. Whenever possible, S.R.O.'s will be visible patrolling the exterior and interior grounds, particularly during the opening or closing of school and during the lunch periods.
- D. The S.R.O. shall wear the regulation police uniform and operate a marked police cruiser while on duty unless otherwise authorized by the Unit Supervisor for a specific purpose. The S.R.O. provides a visible deterrent to crime and a positive representative of the Police Department to students and staff.
- E. The S.R.O. shall also assist with training for the school administration in law enforcement and related matters. Information about crime trends and changes in laws relevant to schools shall be disseminated to the school administrative staff to assist them in effectively establishing and maintaining safe school environments.
- F. The S.R.O. assigned to a middle school will instruct the Gang Resistance Education and Training (G.R.E.A.T.) curriculum. The S.R.O. may also become involved with the school's curriculum and provide instruction that will enhance the students' understanding of the police mission and the responsibilities of citizenship. However, the G.R.E.A.T. curriculum instruction in the classroom will always take precedence over responding to incidents or conducting investigations unless the incident is an emergency or requires the immediate response of the S.R.O. Lesson plans for all formal, organized presentations shall be forwarded to the Unit Supervisor and the Principal for review and approval prior to presentation.
- G. S.R.O.s shall be responsible for monitoring the social and cultural environment to identify emerging youth gangs. All information concerning gangs shall be provided to the Police Department's Gang Task Force. Gang prevention and early intervention strategies shall be coordinated with the Police Department's Youth Services Division.
- H. When it is in the best interest of the Police Department and the school, S.R.O.s may make formal presentations to, or participate in, school-based community organization meetings such as Parent Teacher Association and School Advisory Council meetings. Participation in other activities such as panel discussions, mentoring programs, and community coalitions or task forces must be approved, in advance by the Unit Supervisor. The S.R.O. shall keep the Unit Supervisor informed of the status of such additional activities.
- I. Programs conducted in schools by other Divisions of the Police Department shall be coordinated with the S.R.O. to avoid redundant services and to ensure equitable distribution of such programs and services.
- J. A critical element of the S.R.O. program is an open relationship and strong communication between the school principal and the S.R.O. Each S.R.O. shall meet weekly or more frequently if necessary, with the assigned school principal for the purpose of exchanging information about current crime trends, problem areas, or other areas of concern which have potential for disruption in the school or within the community.

K. Other duties and responsibilities of the S.R.O. include:

- * Proper disposal of illegal substances recovered by the school and not needed for criminal prosecution. Be familiar with the School's Student Rules and Regulations. Attend and provide testimony at school disciplinary hearings, upon request.
- * The S.R.O. shall take law enforcement action when necessary.
- * The S.R.O. will provide traffic control during the arrival and departure of students on an as-needed basis. Need is based upon law enforcement determination of actual need.
- * The S.R.O. shall contact the Principal of the school about his/her actions to make them aware of an arrest or crime that has been committed.
- * The S.R.O. shall notify the Principal before removing a student from school when practical.
- * The S.R.O. can take law enforcement action against intruders and unwanted guests who appear on school property.
- * The S.R.O. shall conduct investigations of crimes, which occur at their assigned schools and use other resources if needed for follow up investigations.
- * The S.R.O. will turn in weekly activity reports to the S.R.O. Unit Supervisor at the end of every week.
- * The S.R.O. **shall not** be used as a school disciplinarian. If the Principal believes an incident is a violation of the law, they may contact the S.R.O. to see if law enforcement action is needed.
- * The S.R.O. are expected to be familiar with school rules and their application with the school.
- * The S.R.O. **cannot** enforce school rules and policies unless specifically authorized to do so by the school Principal or his/her designee.

Supervision

The Unit Supervisor of the Police Department's Community Police Unit will oversee the S.R.O. Program. The S.R.O. Unit Supervisor shall ensure that open lines of communication are in place between the schools and the Police Department. A weekly meeting with the S.R.O. shall be arranged, and the S.R.O. Unit Supervisor shall meet with the school principal at least once each semester. To the extent that schedules permit, the initial S.R.O. Unit Supervisor/Principal meeting should be held prior to the start of the school year and be devoted to reviewing school/Police Department expectations and clarifying any operational procedures. The second meeting should occur mid-year and involve a preliminary evaluation of the S.R.O.'s performance as well as the identification and resolution of any developing issues. The S.R.O. Unit Supervisor shall address any concerns regarding the performance of the S.R.O.. Principals are to be consulted prior to selection of a new S.R.O. to determine any special needs or concerns to be taken into consideration in selection of the S.R.O..

School Principal

It is the responsibility of the principal to facilitate effective communications between the S.R.O. and the school staff. The principal of the school shall meet on a weekly basis with the assigned S.R.O. This meeting shall not be delegated to other administrative staff on a regular basis.

All criminal activity that comes to the attention of the principal or school staff shall be reported immediately to the Police Department via the following method. In an emergency situation, the school shall call 911 and also notify the S.R.O. In a non-emergency situation, the school should notify the S.R.O. or call the non-emergency Police Department number if the S.R.O. is not available. Information that is not of an emergency nature may be held for action by the S.R.O. upon his or her return to duty.

Any criminal enforcement action taken by the S.R.O. which results in the charging of a student with a crime will be supported by the principal and/or school employees by their appearance in court when necessary to provide testimony essential to the case.

The school shall provide a work area for the S.R.O. that is equipped with a telephone, desk and chair. It is recommended that the area have a locked storage area for securing contraband recovered by school staff. The S.R.O. shall be responsible for arranging for the destruction of any illegal substances that will not be used for prosecution in accordance with the Pawtucket Police Department's evidence destruction policies.

Community Police Unit

The Community Police Unit shall provide coordination for the School Resource Officer Program. These functions shall include but not be limited to the following:

- * Planning, budgeting, management, and agency leadership for the S.R.O. Program
- * Initial and recurring training for S.R.O.s
- * Coordination between the Patrol Major, School Department Administration, and S.R.O.s
- * Provide the S.R.O. Supervisor with assistance in S.R.O. selection
- * S.R.O. Program monitoring and assistance with problem solving
- * Release information on the S.R.O. program and functions to the media

SELECTION AND ASSIGNMENT OF THE SCHOOL RESOURCE OFFICER

A goal of the S.R.O. Program is to assign a S.R.O. to each school jointly identified as being in need of an S.R.O. by the Police Department and School Department. In accordance with staffing availability and the demonstrated needs of the school, the Police Department will assign a full-time S.R.O. to the school. The duties of the full-time and part-time S.R.O. while at their assigned schools or related duties will be the same unless specifically noted. The Chief of Police may dismiss a S.R.O. based upon the Pawtucket Police Department Rules, Regulations, and General Orders.

The selection of the officer is the most critical aspect of the program. Police management shall select officers who have demonstrated the ability, interest, and skills necessary to work with youth, school staff, and the public.

The assignment of the S.R.O. shall be at the discretion of the Police Chief. It is recommended that the full-time S.R.O. be assigned to the school for a minimum of two years. Part-time S.R.O.'s should be assigned to the school for the entire school year. The Superintendent shall have the right to submit to the Chief of Police reasons why a particular S.R.O. will need to be removed. However, the Chief of Police shall have final determination as defined in the collective bargaining agreement between the City of Pawtucket and the Fraternal Order of Police, Lodge #4.

In the event the S.R.O. is absent from work, the S.R.O. is to notify both his/her supervisor at the Police Department and the Principal at the school to which they are assigned. School Resource Officers shall remain employees of the Pawtucket Police Department. The School Department and the Pawtucket Police Department acknowledge that the School Resource Officers remain responsive to the command of the Pawtucket Police Department. It is agreed that the S.R.O.'s shall not transport students in their vehicles except when the students are victims of a crime, under arrest, or some other emergency circumstances exist.

S.R.O.'s will work the normal school calendar year. In the event of cancellation of school (i.e., snow day, heat emergency, or any day that does not fall under the Collective Bargaining Agreement) the S.R.O.'s will report directly to the S.R.O. Unit Supervisor.

The Pawtucket Police and School Departments agree to provide a School Resource Officer to the following schools:

- **William E. Tolman Senior High School, 150 Exchange Street.**
- **Charles Shea Senior High School, 485 East Avenue.**
- **Goff Jr. High School, 974 Newport Avenue**
- **Joseph Jenks Jr. High School, 350 Division Street**
- **Slater Jr. High School, 281 Mineral Spring Avenue**

POLICE INVESTIGATION AND QUESTIONING

Consistent with Rhode Island General Law 16-21.5-3 and 16-21.5-4, the S.R.O. has the authority to stop, question, interview, and take police action. However, it is understood that during school hours, the Pawtucket Police Department, including the S.R.O., shall refrain from investigations and questioning of students for offenses not related to the operation of or occurring at the school. When all other means have been exhausted the police may question, interview, or serve legal papers only after the Superintendent or designee reach an agreement between the School Department and the Police Department. It will be permissible for the Pawtucket Police Department, including the S.R.O. to conduct investigations and questioning of students for offenses not related to the operation of or occurring at the school in such situations where, for example, delay might result in danger to any person, flight from the jurisdiction by the person suspected of a crime or destruction of evidence.

The principal shall be notified as soon as practical of any significant enforcement events. S.R.O.s should coordinate activities so that action between the agencies is cooperative and in the best interests of the school and public safety.

The S.R.O. shall provide information to the appropriate investigative sections of any crime(s) or leads that come to the attention of the S.R.O. The S.R.O. should be kept advised of all investigations that involve students from his/her assigned school.

ARREST PROCEDURES

The following procedures will be adhered to where arrests of students or staff become necessary:

1. Where it is necessary to arrest a student or serve a person with legal process, and the underlying matter is not related to the operation of or occurring at the school, said arrest or service shall take place after school hours and off school grounds. Where an arrest or legal service process must take place on school grounds and/or during the school day in order to avoid imminent danger to health or safety, said arrest shall be coordinated through the principal.

When the underlying matter is related to the operation of or occurring at the school, said arrest or service shall be coordinated through the principal and accomplished after school hours, whenever practical.

2. Persons whose presence on schools grounds has been restricted or forbidden or whose presence is in violation of law shall be arrested for trespassing.
3. Arrest of students or staff during school hours or on school grounds shall be reported to the principal as soon as practical.

SEARCH AND SEIZURE

The S.R.O. **shall not** become involved in administrative (*initiated by school staff*) searches. Administrative searches must be at the **direction** and **control** of the school official. At no time shall the S.R.O. request that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent.

If the Principal or a member of the staff specifically request the presents of a S.R.O. during the administrative search, the S.R.O. will **ONLY** be allowed to provide security, protection, or for handling of contraband seized by the staff. The S.R.O. will submit a detailed report to the S.R.O. supervisor for each administrative search he or she attended at the request of the Principal or member of the school staff.

Any search conducted by an officer (*S.R.O.*) shall be based upon probable cause and, when required, a search warrant should be obtained. Stop and frisk will remain an option when there is reasonable suspicion that a criminal act has been committed or may be committed, or that the suspect may be armed.

ADMINISTRATIVE HEARINGS

The S.R.O. shall attend suspension and/or expulsion hearings upon request of the school principal. The officer shall be prepared to provide testimony on any actions that were taken by the officer and any personally observed conduct witnessed by the officer.

The S.R.O. **shall not** provide any official police department document or juvenile record to the school or expulsion officer. As a general rule, release of such information is prohibited by law unless such documents are subpoenaed by the schools through the appropriate court.

When a subpoena for official records, reports, or documents for an administrative school hearing, is received by the Police Department, any action will be coordinated by the office of the Patrol Major, City Solicitor, and the S.R.O.

RELEASE OF STUDENT INFORMATION

It is understood that the release of student information is governed by the state and federal law. Accordingly, the S.R.O. may be granted access to student records maintained by the Pawtucket School Department only as authorized under 34 C.F.R. 99 and R.I.G.L. 16.71 *et seq.* Said access must be approved by the Superintendent's office.

RELEASE OF POLICE INFORMATION

Consistent with the basic tenets of the relationship between the school principal and the S.R.O. described in this Memorandum of Understanding, open communication is essential to effectiveness. S.R.O.s should exchange information with the school principal regarding students' involvement in criminal activity in and around the school. This shall be limited to that which directly relates to and contributes to the safety of the school environment. S.R.O.s shall make any official documents, police reports, or records available to the school or its staff where those documents, police reports, or records involve incidents of criminal activity in and around the school, unless said release shall jeopardize the status of an ongoing investigation.

CONCLUSION

This policy represents mutually agreed goals and objectives of the Pawtucket Police Department and the Pawtucket School Department for the School Resource Officer Program.

This endeavor is a partnership between education and law enforcement to support a collaborative, problem solving approach to the epidemic growth of violence in schools. Regular meetings shall be conducted between the Police Department and the School Department to support this partnership.

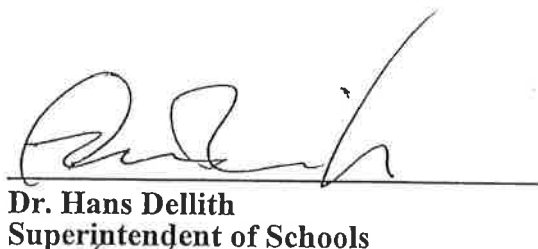
This Memorandum of Understanding remains in force until such time as either party withdraws from the agreement by delivering a written notification of such rescission to the other party. It shall be reviewed annually and amended as necessary to meet the needs of the signatory agencies.

This Memorandum of Understanding shall not be construed to create or substantiate any right or claim on the part of any person or entity which is not party hereto.

Signed


George L. Kelly III
Chief of Police

4-29-08
Date


Dr. Hans Dellith
Superintendent of Schools

4/28/08
Date

