

Memorandum of Understanding
Between
Roanoke County Public Schools
And
Roanoke County Police Department
And
Roanoke County Sheriff's Office
2020-2021

Philosophy

A prosperous future for citizens of Roanoke County depends, in large measure, upon the County's ability to properly educate its children, Effective schooling requires a safe and orderly environment in which learning can occur.

The Roanoke County Police Department (RCPD), the Roanoke County Sheriff's Office (RCSO) and Roanoke County Public Schools (RCPS) recognize that the safety, security, and discipline issues affecting educational settings are not just problems encountered by schools but are also experienced in the community. Such a rationale leads to a school/community approach that encourages good citizenship through education, prevention and intervention services that address the needs of the youth of Roanoke County. The school community is a logical environment to build and reinforce good character through the involvement of law enforcement. School Resource Programs, a collaborative effort between law enforcement agencies and school systems, represents this belief.

This Memorandum of Understanding clarifies the responsibilities of RCPD, RCSO and RCPS, the roles of the School Resource Officers (SROs) and school administrators and the scope of their authority.

Definitions

1. School Resource Officer (SRO): A police officer assigned to law enforcement and crime prevention functions within the RCPS.
2. School Resource Officer Deputy (SRO Deputy): A deputy sheriff assigned to law enforcement and crime prevention functions within the RCPS.
3. Special Operations Supervisor: A supervisory officer of the RCPD responsible for the SRO Program in the RCPS.
4. SRO Deputy Supervisor: A supervisory deputy sheriff responsible for providing supervision of SRO Deputies.

Purpose

The RCPD has the primary responsibility for providing law enforcement and criminal investigation services to the RCPS. The SRO Program provides school administrators and staff with law enforcement resources and expertise they need to maintain safety, security, order, and discipline in the school environment and to bridge the gap to related community services. The SRO program is intended to ensure that no student's right to receive an education is jeopardized by violence or disruption.

The RCPD and RCSO agrees to pay the full applicable salary of all assigned SRO's and SRO Deputies in the RCPS system.

NOW THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

1. Goals and Objectives

It is understood and agreed that RCPS, RCPD, and RCSO officials share the following goals and objectives with regard to the SRO program in the schools:

- a. To recognize the school principal as primarily responsible for the administration of discipline within the schools.
- b. To promote an atmosphere of safety and order for students and faculty members through the enforcement of criminal statutes, traffic laws, and county ordinances.
- c. To provide educational programs and prevention activities that will increase student knowledge of the criminal justice system and respect for the law and the function of law enforcement agencies and other related topics.
- d. To maintain open communications among principals, faculty, SROs, SRO Deputies, parents, Leading Individuals and Fostering Empowerment (LIFE) staff, guidance counselors, conflict mediation coordinators and other key school personnel.
- e. To utilize the SRO/SRO Deputy for problem-solving, mediation, personal safety and an informational source for students involved in the criminal justice system.
- f. To support the SROs/SRO Deputy's efforts in being a positive role model and cultivating positive relationships and strengthening each student's understanding of good citizenship and accountability for their actions.
- g. To foster and promote in students a positive attitude toward law enforcement and law enforcement officers.
- h. To provide security to the school from threats by maintaining a visible police presence on campus, assessing threats to school security, reducing and eliminating such threats and swiftly responding to any immediate threats or breaches of security.
- i. To prevent and deter the possession and/or use of weapons on campus, the illegal possession, sale and/or distribution of controlled substances and alcohol and other crimes.
- j. To address criminal activity by students through the collaborative administration of school discipline and/or referral to the criminal justice system.

2. Cooperative Efforts

- a. The presence of the SRO/SRO Deputy at the school is not intended to usurp the rights and responsibilities of the principal to enforce the rules of the student conduct code and to administer discipline in the school.
- b. The parties acknowledge that not every criminal act will be handled through the criminal justice system. There will be times when the administration of typical school discipline, such as in-school detention, detention, withdrawal of privileges, and/or suspension and the availability of intervention services will be sufficient to address behaviors that may constitute crimes.
- c. The existence of the RCPS policies and administrative regulations, the Student Conduct Code and the related disciplinary process is not intended to nor shall it usurp the mandates and responsibilities of the SRO/SRO Deputy as directed by the Code of Virginia.
- d. In deciding when to resort to the criminal justice system in lieu of or in addition to school discipline, the principal and SRO/SRO Deputy shall confer and each strive to accommodate the opinions of the other as to how to best handle a particular situation.

3. Responsibilities and Duties of SRO and SRO Deputies

- a. The RCPD will assign an SRO to each middle and high school as funding permits. The SRO is a sworn Roanoke County police officer assigned to provide the law enforcement expertise and resources to assist school staff in maintaining safety and order within their assigned schools. The SRO will actively collaborate with the administrative team in his/her assigned school. Additionally, each SRO will be assigned by the Special Operations Supervisor to assist with law enforcement and safety needs at designated elementary schools.
- b. The RCSO may assign two SRO Deputies as funding permits. These deputies will be assigned to assist school staff in maintaining safety and order within elementary schools on

- a rotating basis. The SRO Deputy will actively collaborate with the administrative teams of the elementary schools.
- c. The SROs duty schedule will be determined by the Special Operations Supervisor, but will generally be arranged to provide coverage throughout the school day including peak arrival and departure times before and after school. The SRO Deputy's duty schedule will be determined by the SRO Deputy Supervisor through a collaboration with the Special Operations Supervisor. Whenever possible, the SRO/SRO Deputy will be visible patrolling the exterior and interior grounds, particularly during the opening and closing of school and during lunch periods.
 - d. The SRO will notify the principal or the assistant principals of the assigned school when they will be absent from the campus. The SRO will be required to notify the Police Department when they leave the school campus.
 - e. The SRO/SRO Deputy will wear the issued police/sheriff's uniform and related equipment and operate a police/sheriff's vehicle while on duty unless otherwise authorized by a supervisor for a specific purpose.
 - f. The SRO/SRO Deputy will assist with training for the school administration in law enforcement related matters. Information about crime trends and changes in laws relevant to schools will be disseminated to the school administrative staff to assist them in effectively establishing and maintaining safe school environments. The SRO/SRO Deputy will be an integral part of each school's Safety and Security Team.
 - g. At the principal's request, the SRO/SRO Deputy may also become involved with the school's curriculum and provide instruction that will enhance the student's understanding of the law enforcement mission and the responsibilities of citizenship. During the classroom instruction time, the teacher shall remain in the room. However, responding to incidents or conducting investigations will always take precedence over instructing the classroom.
 - h. When appropriate, the SRO/SRO Deputies may attend Parent Teacher Association (PTA) meetings, faculty and staff development meetings, and parent-teacher conferences. Additionally, SROs will be required to address parents annually during the early PTA meetings of the school year. SRO Deputies or other RCSO representatives will attend these meetings as schedules permit or as requested by the RCPS. When it is in the best interest of the RCPD, RCSO, and the school, the SRO/SRO Deputy should make formal presentations to or participate in school based community organization meetings such as PTA and School Advisory Council meetings. Participation in other activities such as panel discussions, mentoring programs and community coalitions or task force must be approved in advance by the Special Operations Supervisor. The SRO/SRO Deputy will keep his/her supervisor informed of the status of such additional activities.
 - i. Programs conducted in schools by other members of the Police Department or Sheriff's Office should be coordinated with the SRO/SRO Deputy or Special Operations Supervisor to avoid redundant services and to ensure equitable distribution of such programs and services.
 - j. A critical element of the SRO program is an open relationship and strong communication between the school principal and the SRO. School principals or their assistants are required to keep the SRO apprised of criminal and non-criminal situations encountered, current crime trends, problem areas, or other areas of concern. The SRO/SRO Deputy will work in conjunction with the principal in developing plans to prevent and counteract such activities at the school. Elementary school staff will provide this information to the Special Operations Supervisor who will distribute it to the appropriate SRO/SRO Deputy.
 - k. The SRO/SRO Deputy will not be primarily responsible for the enforcement of school rules, administrative rules and/or regulation violations. However, the SRO/SRO Deputy will maintain familiarity with the Roanoke County Public Schools' Student Code of Conduct. Unless requested by a school administrator, the SRO will not attend disciplinary meetings with students or parents.
 - l. The school principal or their assistant must turn over illegal substances and contraband to the SRO/SRO Deputy. The SRO/SRO Deputy will be responsible for maintaining custody of

illegal substances and/or contraband pending proper disposal in accordance with Police Department regulations.

- m. SRO's/SRO Deputies must organize their duties so that they do not exceed 160 payroll hours during the twenty-eight day pay period. Activities requiring their participation after school hours will necessitate the scheduling of time off for the officer during the school day.

4. Supervision of SRO and SRO Deputies

- a. SROs/SRO Deputies shall abide by the rules, regulations and policies of their respective agency and be familiar with the teacher handbook. Should conflicts in these rules, regulations and policies occur, the SRO/SRO Deputy will consult with their agency supervisor. School personnel should contact the Special Operations Supervisor to report commendable performance, discuss issues or report concerns involving SRO personnel.
- b. Supervision of SRO Deputies will be provided by the SRO Deputy supervisor in coordination with the Special Operations supervisor. The RCPD will be responsible for the supervision of incidents requiring law enforcement action on RCPS property.
- c. When SROs/SRO Deputies complete a Police Department Incident Report, it will be filed with the Special Operations Supervisor by the following business day.
- d. During inclement weather SRO's will be utilized/reallocated at the discretion of the Special Operations Supervisor or at the needs of Uniform Patrol Division. SRO Deputies will be reassigned at the discretion of the SRO Deputy Supervisor.
- e. The Special Operations Supervisor encourages open lines of communication between the schools and the RCPD/RCSO. The Special Operations Supervisor will meet with the school principal at least once each semester. To the extent that schedules permit, the initial Special Operations Supervisor/principal meeting should be held prior to the start of the school year and be devoted to reviewing school/ RCPD expectations and clarifying any operational procedures. The second meeting should occur mid-year and involve a preliminary evaluation of the SRO's/SRO Deputy's performance as well as the identification and resolution of any developing issues. The Special Operations Supervisor will address any concerns regarding the performance of the SRO/SRO Deputy. To the extent possible, the SRO Deputy Supervisor will participate in meetings with elementary school principals.
- f. The Special Operations Supervisor will review school assignments prior to the beginning of each year with input from the principal when applicable. In the event that the Superintendent or his/her designee determines that an SRO needs to be removed from a school, he/she will submit a written request to the Chief of Police and/or Sheriff.

5. Responsibilities and Duties of School Principals

- a. It is the responsibility of the principal to facilitate effective communications between the SRO/SRO Deputy and the school staff. The principal of middle and high schools have contact with the assigned SRO on a daily basis, also to include a weekly meeting. This meeting shall not be delegated to other administrative staff on a regular basis. Elementary school principals should contact the SRO Deputy during his/her routine visits to the school.
- b. The principal shall be responsible for immediately reporting to the RCPD/SRO any of the following acts that may constitute a criminal offense:
 - i. The assault, assault and battery, sexual assault, death, shooting, stabbing, cutting, or wounding of any person on a school bus, school property or at a school-sponsored activity;
 - ii. Any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity;
 - iii. Any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;
 - iv. The carrying of a firearm onto school property;

- v. Any conduct involving firebombs, explosive materials or devices, or hoax explosive devices, or explosive or incendiary devices, or chemical bombs on a school bus, on school property or at a school sponsored activity; or
 - vi. Any threats or false threats to bomb made against school personnel or involving school property or school buses.
- c. The reporting of such activities by the principal to the RCPD/SRO will satisfy the principal's obligation set forth in §22.1-279.3:1 D of the Code of Virginia.
 - d. All criminal activity that comes to the attention of the Superintendent, Administrator or other school staff shall be reported immediately to the RCPD/SRO as set forth in the Code of Virginia § 22.1-279.3:1. If an immediate law enforcement response is necessary and/or there is an emergency situation and the SRO is unavailable, the school will call 9-1-1 and RCPD will respond. If the criminal activity is not currently in progress and an immediate response from RCPD is not otherwise necessary, the principal may hold the information for the SRO until the SRO is available. In elementary schools, 911 should be called for emergencies. Non-emergency issues may be reported to the Special Operations Supervisor or on scene SRO/SRO Deputy.
 - e. Each middle/high school will provide the assigned officer an administrative radio in order to be immediately available to school personnel. Additionally, each middle/high school will provide the SRO with a suitable/securable office space that is readily accessible to the student population, adequate office furniture, and secure filing cabinet, a locked storage area for securing contraband recovered by school staff, Internet compatible computer, telephone and basic office supplies. Moreover, the school will furnish the SRO/SRO Deputy with materials for classroom instruction.
 - f. Materials used by the SRO/SRO Deputy for class instruction shall be pre-approved by the principal and/or the RCPS Administration.
 - g. The SRO/SRO Deputy will have access to the school's live video camera feed and will have access to view recorded video footage only for the purposes of performing responsibilities and duties specified under this Memorandum of Understanding.
 - h. Police officers shall have access to recorded video to assist in investigations related to law enforcement. Law enforcement will obtain video recordings required for evidentiary purposes by written request to RCPS, and parents/guardians will be notified pursuant to applicable law.
 - i. In a school emergency requiring a police response, or a police investigation, law enforcement officers shall have access to live video.
 - j. The principal shall relinquish to a police representative all illegal substances and/or contraband.
 - k. The principal will have contact throughout the year with the Special Operations Supervisor and at other times at the request of either party when needed to ensure adequate communication between the school and the RCPD/RCSO. Upon request, the school shall provide information to the Special Operations Supervisor/SRO Deputy supervisor to assist in preparing for the annual evaluation of the SRO's performance.
 - l. The Roanoke County Public Schools will provide in-service training, when available, to the SROs on topics that will increase the effectiveness of the officers and their ability to carry out their duties and responsibilities.

6. RCPD Special Operations Unit

- a. The RCPD Special Operations Unit will provide coordination for the School Resource Officer Program. These functions shall include but not be limited to the following:
 - i. Planning, budgeting, management and agency leadership for the SRO Program.
 - ii. Initial and recurring training for SRO's;
 - iii. Coordination between the Police Department, RCSO, School Administration and SROs/SRO Deputies;
 - iv. SRO Program monitoring and assistance with problem solving;
 - v. Releasing Information on the SRO Program to the media in conjunction with the

RCSO and RCPS;

- vi. The assignment of the SRO/SRO Deputy shall be at the discretion of the RCPD and RCSO. It is recommended that the SRO/SRO Deputy be assigned for a minimum of two years.

7. Investigation and Questioning of Students

- a. The SRO/SRO Deputy has the legal authority to stop, question, interview and take police action without the prior authorization of the principal or contacting parents. However, when it becomes necessary for an SRO or any other law enforcement officer to interview a student on school premises, the principal will be contacted. The SRO or SRO Deputies should coordinate activities so that actions between the RCPD, RCSO, and RCPS are cooperative and in the best interest of the school and public safety.
- b. During the course of an investigation for alleged child abuse or neglect, police officers and/or social workers are authorized by state law to interview any child suspected of being abused or neglected and/or their siblings outside the presence of his/her parent, guardian, legal custodian, or other person standing in loco parentis or school personnel without first obtaining parental permission or consent from school officials. School personnel will not inform parents, guardians, legal custodians, or other persons standing in loco parentis that a police officer and/or social worker has requested, or has interviewed a child in connection with an investigation of alleged child abuse or neglect involving the child interviewed and/or his/her siblings.
- c. The principal shall notify the parent of any student suspected of being involved in any of the following incidents:
 - i. The assault, assault and battery, sexual assault, death, shooting, stabbing, cutting or wounding of any person on a school bus, school property or at a school-sponsored activity;
 - ii. Any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity;
 - iii. Any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;
 - iv. The carrying of a firearm onto school property;
 - v. Any conduct involving firebombs, explosive materials or devices, or hoax explosive or incendiary devices or chemical bombs on a school bus, on school property or at a school-sponsored activity or;
 - vi. Any threats or false threats to bomb made against school personnel or involving school property or school buses.

8. Arrest Procedures

- a. The following procedures will be adhered to where arrests of students or staff become necessary:
 - i. The arrest of a student or employee of the school with a warrant or petition should be coordinated through the principal and accomplished after school hours, whenever practical;
 - ii. Arrests of students or staff during school hours or on school grounds should be reported to the principal as soon as practical.

9. Search and Seizure

- a. School officials may conduct searches of student's property and person under their jurisdiction when reasonable suspicion exists that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. The standard for the search is reasonable suspicion. The SRO/SRO Deputy is required to

adhere to the probable cause standard for the purposes of arresting and or searching individuals as part of a criminal investigation.

- b. The SRO/SRO Deputy shall not become involved in administrative (school related) searches unless specifically requested by the school to provide security, protection or for handling of contraband. The SRO/SRO Deputy will be responsible for taking custody of and arranging for the transportation and destruction of any contraband or weapons found. These searches must be at the direction and control of the school official. At no time shall the SRO/SRO Deputy request that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent.

10. Administrative Hearings

- a. The SRO/SRO Deputy will attend suspension and/or expulsion hearings upon request of the school principal. The officer will be prepared to provide testimony on any actions that were taken by the officer and any personally observed conduct witnessed by the officer.
- b. The SRO/SRO Deputy shall not provide any official Police Department document or juvenile record to the school or expulsion officer. As a general rule, release of information is prohibited by law unless such documents are subpoenaed by the schools through the appropriate court.
- c. 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 Police Chief, County Attorney, the Commonwealth Attorney and the School Board Attorney.

11. Release of Police Information

- a. Consistent with the basic tenants of the relationship between the school principal and the SRO/SRO Deputy described in this memorandum of understanding, open communication is essential to the effectiveness. SROs/SRO Deputies should exchange information with the school principal regarding students' involvement in criminal activity in and around school. This shall be limited to that which is directly related to and contributes to the safety of the school environment.
- b. Release of student information is controlled by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 F.C.R. Part 99 as amended, the Virginia Code and Administrative Code, as amended and School Board Policy and Regulations, as amended.
- c. Police officers may allow school officials to review official documents, police reports, or records.
- d. In accordance with the Code of Virginia § 16.1-260, the Juvenile Court notifies the School Superintendent of any petitions against school students for selected offenses. The Superintendent or designee, in turn, notifies the appropriate school principal in each case.
- e. According to the Code of Virginia § 22.1-279.3:1, law enforcement authorities may report and the principal or his designee may receive reports on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be an adult misdemeanor.

12. RCPD/RCSO Access to School Buildings

- a. RCPS grants RCPD Officers and RCSO deputies physical access to schools and other buildings owned by RCPS via an "Access Control" system whereby Officers may enter RCPS buildings at card swipe entry points.
- b. RCPS also provides each high school/middle school SRO with a master exterior door key for the school to which the SRO is currently assigned.
- c. Additionally, RCPS provides two sets of exterior door keys to RCPD to be maintained in the secure control of RCPD command. Each set of exterior door keys consists of one exterior door key for each building owned and operated by RCPS.
- d. Use of the "Access Control" system and exterior door keys are to gain access to RCPS-

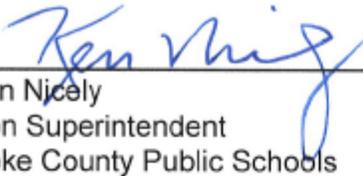
owned buildings for official purposes only in the exercise of law enforcement duties. At no time may RCPD Officers or RCSO deputies use the Access Control system or exterior door keys to RCPS-owned buildings for personal or other unauthorized use.

- e. SROs will retain exterior door keys in his/her control and will return the key in the event that SRO has a change in assignment.
- f. RCPD/RCSO will immediately report to RCPS any instance of a lost or stolen Access Control card/fob or an exterior door key provided by RCPS.

13. Conclusion

- a. This Memorandum of Understanding (MOU) represents mutually agreed goals and objectives of the Roanoke County Police Department, Roanoke County Sheriff's Office and the Roanoke County Public Schools for the School Resource Officer Program.
- b. This MOU defines a partnership between education and law enforcement to support a collaborative, multi-faceted approach to crime prevention and investigation in schools. Regular meetings shall be conducted between the Police Department, Sheriff's Office and School Officials to support this partnership.
- c. This MOU remains in force until such time as any party withdraws from the agreement by delivering a written notification of such rescission to the other parties. It shall be reviewed periodically and amended as necessary to meet the needs of the signatory agencies.
- d. This MOU shall not be construed to create or substantiate any right or claim on the part of any person or entity, which is not a party hereto.

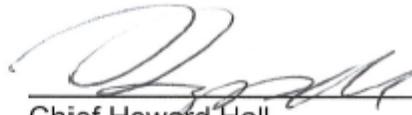
BY:



Dr. Ken Nicely
Division Superintendent
Roanoke County Public Schools

10/28/2020

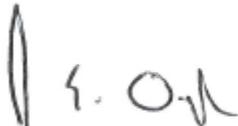
Date



Chief Howard Hall
Chief of Police
Roanoke County Police Department

11/18/20

Date



Sheriff Joseph E. Orange
Sheriff
Roanoke County Sheriff's Office

12/7/2020

Date