

Virginia School-Law Enforcement Partnership Guide

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School-Law Enforcement Partnerships Advisory Group

Local School Division Personnel

Mark Fowler, *Assistant Principal, Chesterfield County Public Schools*
Dr. Stanley Jones, *Superintendent, Danville Public Schools*
Richard Ponti, *Director of Security, Virginia Beach Schools*
Dolores Robison, *Supervisor of Threat Assessment, Prince William Public Schools*
Bob Talley, *Director of Pupil Placement/Student Conduct, Chesterfield County School Public Schools*
Gay Thomas, *Supervisor of Social Workers, Virginia Beach Public Schools*
Dr. Dave Cochran, *Executive Director of School Safety and Security, Danville City Public Schools*
James Bailey, *Director of School Security, Hampton City Public Schools*
Jim McLain, *Director of Security*
Paul Thompson, *Security Specialist, Fairfax County Public Schools*
Suzanne Devlin, *Supervisor, Safety and Security, Loudoun County*

Local Law Enforcement Personnel (from among the following and as available)

Lt. Kerri Freis, *School Resource Officer Supervisor, Hanover County Sheriff's Office*
Lt. Mike Lawhorn, *School Resource Officer Supervisor, Campbell County Sheriff's Office*
Deputy Vince Keller, *Campbell County Sheriff's Office*
Officer John Kimenhour, *School Resource Officer, Chesterfield County Public Schools*
Capt. Linda Toney, *School Resource Officer Supervisor, Henrico Division of Police*
Sgt. Kimberly Johnson, *Henrico Division of Police*
Deputy Brian Vaught, *Wythe County Sheriff's Office*
Lt. Darlene Duncan, *Richmond Police Department*
Lt. Sean Hughes, *SRO Supervisor, Portsmouth Police Department*
Sgt. Steve Jenkins, *Portsmouth Police Department*
Sgt. Bill Fulton and Sgt. Dan Pang, *SRO Supervisors, Fairfax County Police Department*
Sgt. Phillip Townley, *Christiansburg Police Department*
Sgt. Brian Snyder, *SRO Supervisor, Hampton Police Department*

Subject Matter Experts/ Researchers

Dr. Gerard Lawson, *Researcher, Virginia Polytechnic and State University*
William Modzeleski, *Former Deputy Under Secretary, U.S. Department of Education*

Virginia State Educational Associations (VSBA, VASS, VASSP, Attorney's Association)

Elizabeth Ewing and Gina Patterson, *Virginia School Boards Association*
Ben Kiser and Tom Smith, *Virginia Association of School Superintendents*
Randy Barrack, *Virginia Association of Secondary Principals*

Community Member

Angela Ciolfi, *Just Children Program, Legal Aid Justice Center*
Amy Woolard, *Just Children Program, Legal Aid Justice Center*

Virginia Department of Criminal Justice Services Staff

Donna Michaelis, *Manager, Virginia Center for School and Campus Safety*
James Christian, *School Safety Coordinator*
Jessica Smith, *School and Campus Security Officer Program Coordinator*
Shellie Evers, *School Safety Conference Coordinator*
Marc Dawkins, *Campus Safety and Violence Prevention Coordinator*
Laurel Marks, *Manager, Juvenile and Adult Services*
Tom Fitzpatrick, *Confidential Policy Advisor*

Virginia Department of Education Staff

Jo Ann Burkholder, *Director of Student Services, Virginia Department of Education*
Rebecca Kahila, *School Discipline Specialist, Virginia Department of Education*
Robert Kipper, *School Discipline Specialist, Virginia Department of Education*

Virginia Department of Juvenile Justice Staff

Ashaki McNeil, *Re-Entry Manager, Department of Juvenile Justice*

Researcher/Guide Developer

Anne J. Atkinson, *PhD, President, PolicyWorks, Ltd.*

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About the Partnership Guide

Purpose and Intended Users

The *Virginia School-Law Enforcement Partnership (SLEP) Guide* is intended to serve as a user-friendly resource for members of local law enforcement and school communities who are directly involved with implementing school-law enforcement partnerships (SLEPs).

The content is the product of a comprehensive review of the field and extensive consultation with those most deeply knowledgeable about SLEPs at the local, state, and national levels. Numerous publications and other resources were identified, then reviewed and assessed to determine their suitability for inclusion in the *SLEP Guide*. At the end of the process, the content and related resources included are those from the most authoritative sources that were determined to be the most relevant and useful to intended users – those directly involved with implementing SLEPs.

There is an intentional emphasis on content directly related to implementation and operational issues. Although descriptions are provided of educational and law enforcement philosophies, theoretical frameworks, and key principles that inform policies and practices, the descriptions are brief. For each substantive topic and issue there is a “*To learn more...*” element that lists key publications and/or sources of more in-depth background information. As with all *SLEP Guide* content, the resources listed were carefully selected to be from the most authoritative sources and of greatest relevance and usefulness to intended users.

Uses of Guide

It is anticipated that users will employ the *SLEP Guide* as a resource, referring to it as needed, multiple times, over an extended period of time rather than reading it once from beginning to end and not referring to it again. Consistent with this anticipated pattern of use, there is some limited repetition of content on particularly important issues that need to be considered from multiple perspectives. For example, issues related to differentiating disciplinary and law enforcement responses to student misconduct must be examined from both legal and operational perspectives. There is also frequent cross-referencing to closely related issues that should be understood or taken into consideration.

Organization of Guide

The *SLEP Guide* contains five main chapters, three supplements, and an Appendix containing Virginia’s Model Memorandum of Understanding (MOU). The main chapters begin with a focus on establishing the partnership and the MOU as an operational framework, then describe key roles and responsibilities of law enforcement and school personnel, legal foundations and related operational issues, partnership strategies at the school level, and approaches to working effectively with students.

Chapter I. School-Law Enforcement Partnerships focuses on establishing the partnership and related policies and procedures at the school *division* and law enforcement *agency* levels and is most relevant for school division-level administrators and law enforcement officers at the executive and command levels. Following brief background on community policing in schools, the rationale for and contributions of SLEPs to safe and supportive schools and steps in establishing effective partnerships are described. The chapter concludes with a cross referencing of sections of Virginia’s Model MOU with related sections of the *SLEP Guide*.

Chapter II. Fundamental Roles and Responsibilities illuminates the roles and responsibilities of school resource officers (SROs) and of the multiple school personnel who are involved with or touched by implementation of the SLEP. Consistent with a community policing approach, the descriptions are intended to clarify roles, reduce misperceptions or inappropriate expectations, and to contribute to the formation of collaborative relationships at both the school division and school building levels. The chapter focuses initially on SROs, how they are defined in Virginia law and their qualifications, selection, training, and supervision. Then the three primary roles of SROs are introduced. Activities and strategies associated with each of these roles are detailed in subsequent chapters.



Chapter III. Legal Issues in School-Law Enforcement Partnerships focuses on differentiating disciplinary and law enforcement responses to student misconduct, use of discretion and supportive responses to student misconduct, and legal issues and practices associated with information sharing, questioning, searches, arrests, physical intervention, and student victims' rights. There is an emphasis on establishing foundational understandings at the school division and law enforcement agency levels to ensure that division-wide and law enforcement agency policies and procedures support the successful implementation of the partnership.

Chapter IV. Building Effective Partnerships at the School Level focuses on implementing SLEPs at the *school* level – where the “rubber meets the road” and its contents are most relevant for SROs and the school administrators with whom they work on a daily basis. It focuses on school-based strategies for establishing and maintaining successful working relationships and establishing key operational understandings about differentiating disciplinary and/or criminal matters, crime reporting, threat assessment, crisis planning, and critical incident response. The remainder of the chapter is designed primarily to orient SROs to key school programs and supports including services for children with disabilities and programs of bullying prevention/intervention, conflict resolution, truancy prevention/intervention, and suicide prevention.

Chapter V. Understanding and Working Effectively with Students focuses on unique aspects of community policing in a school setting. It begins with a look at the teen brain and implications for school discipline and law enforcement. Then, common challenges that students experience are briefly discussed and specific SRO strategies are listed along with sources of more in-depth information about the challenge and resources for addressing them. Challenges discussed include child abuse, trauma, mental health issues, alcohol and other drugs, gangs, homelessness, justice-involved youth, and students with disabilities.

Supplement 1. School-Law Enforcement Partnership Toolkit contains tools for use in evaluating the partnership, recordkeeping and reporting, conducting school safety inspections, interviewing teens, implementing law-related education, and public speaking with student and adult audiences.

Supplement 2. Strategies for Safe and Supportive Schools provides background information on the importance of school climate and maintaining safe and supportive schools, and tiered systems of support for students.

Supplement 3. Key Partnership Resources list authoritative Virginia-specific and national resources of high relevance and value in implementing SLEPs.

Virginia's Model MOU is included as Appendix A.

A Note about Web Links –

The *SLEP Guide* contains numerous weblinks to key resources and publications. Although links were operational as of May 2017, it is well known that weblinks are subject to change at any time when host sites move the resource or publication to another location.

Tip: If a link fails, try taking the web address back to the main host site address (i.e., ending in .gov, .org, .edu, .net, and .com), then use the site's “Search” function to locate the topic or publication listed in the *SLEP Guide*.

I. School-Law Enforcement Partnerships

This chapter of the *Virginia School-Law Enforcement Partnership Guide* focuses on establishing the partnership and related policies and procedures at the school *division* and law enforcement *agency* levels and is most relevant for school division-level administrators and law enforcement officers at the executive and command levels. Following brief background on community policing in schools, the rationale for and steps in establishing partnerships are described. The chapter concludes with a cross referencing of sections of Virginia’s Model MOU with related sections of the *SLEP Guide*.

A. Emergence of School-Law Enforcement Partnerships

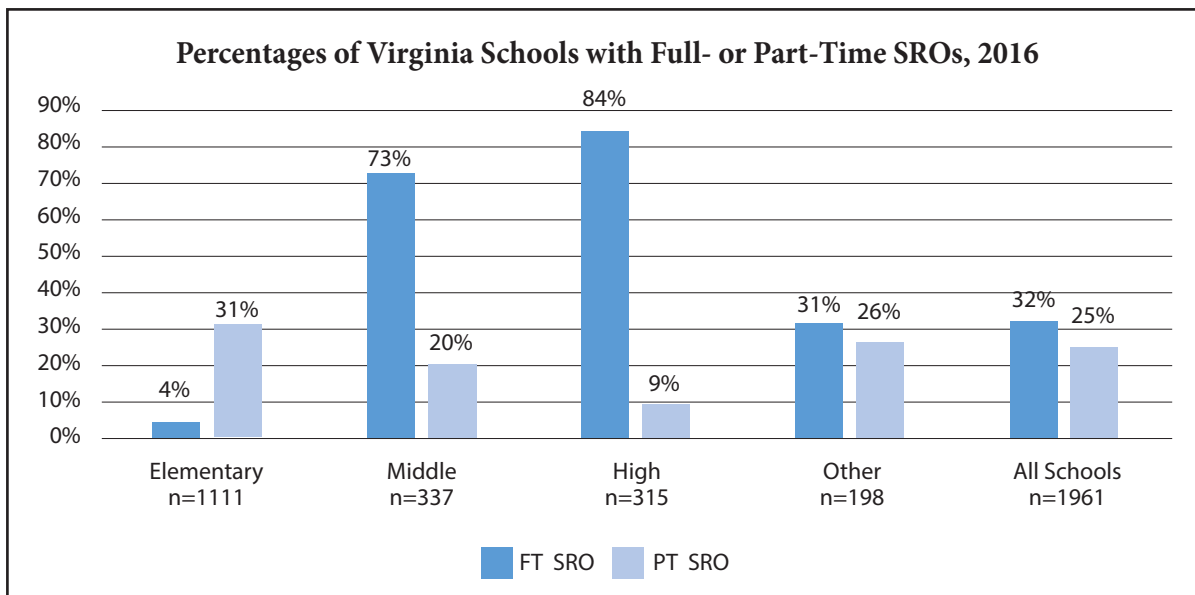
Although law enforcement officers have always provided services to schools, only in the past 20 years has the practice of assigning officers to work full-time in schools become widespread. The Congressional Research Service has estimated there are between 17,000 and 20,000 school resource officers (SROs) across the U.S.

Today, in Virginia, SROs are in almost all secondary schools. According to the 2016 Virginia School Safety Audit Survey, SROs were assigned on a *full-time* basis to

- 84% of Virginia’s 315 high schools,
- 73% of the 337 middle schools,
- 4% of the 1,111 elementary schools, and
- 31% of the 198 “other” schools, defined as those that do not fit into the high, middle, and elementary categories, such as combined schools or those with a specific purpose (e.g. alternative, technical, special education, correctional education).

Chart 1 shows percentages of schools with full- or part-time SROs across types of schools in the Virginia Department of Criminal Justice Services (DCJS) publication *2016 Virginia School Safety Audit Survey Results*.

Chart 1. Percentages of Virginia Schools with Full- or Part-Time SROs in 2016



Data source: *2016 Virginia School Safety Audit Survey Results*, Virginia Dept. of Criminal Justice Services

The legal definition of SRO and a great deal of information on fundamental roles and responsibilities of SROs are included in Chapter II.



To Learn More about SRO Programs Nationally and in Virginia

School Resource Officers: Law Enforcement Officers in Schools (June 26, 2013). Congressional Research Service T43126. <https://www.fas.org/sgp/crs/misc/R43126.pdf>

The 2016 Virginia School Safety Audit Survey Results. Virginia Department of Criminal Justice Services. <https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/law-enforcement/2016-virginia-school-safety-survey-results.pdf>

National Association of School Resource Officers. <http://www.nasro.org>

B. Community Policing

School-law enforcement partnerships are best understood from a community policing perspective. The Office of Community Oriented Policing Services (COPS), U.S. Department of Justice, defines community policing in the following way:

Community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

Note the key elements of this definition in which partner organizations:

- align resources and efforts;
- engage in proactive and systematic problem solving; and
- address conditions (going beyond responding to incidents).

Tailoring Work to School Needs

The strength of community SRO programs is that they are not cookie-cutter approaches to policing and security. Programs are tailored to the schools to which officers are assigned and they employ proactive, solution-based, and community driven strategies to address problems identified at the particular school.

The SRO:

- builds relationships,
- helps assess safety conditions, and
- collaborates with school administrators and other members of the school community to improve safety and security.

Community policing looks at *improving the quality of life* by maintaining order, reducing fear, and contributing to an environment conducive to learning and positive youth development.

Comparing Traditional Policing and Community Policing in Schools

Community policing in schools represents a significant departure from traditional policing. Rather than a reactive response to incidents, community policing in schools involves assigning law enforcement officers to school communities and using collaborative, problem oriented policing strategies.

Taking a community policing approach, schools and law enforcement agencies engage in ongoing collaboration to address problems of concern; the role of the law enforcement officer is extended beyond law enforcement and incident response to include school safety assessment and planning, crime prevention activities, law-related education, and diversion that contributes to positive outcomes for youth. Such collaborative prevention and early intervention activities contribute directly to positive and supportive school climates.

Communication is valued and tends to become ongoing and of high quality as the same officers work daily in the same school “community” with the members of that community. When a community policing approach is employed, law

enforcement presence in schools is viewed not as an indicator that schools are unsafe, but an indicator that positive action is being taken to ensure schools are safe and conducive to learning. To members of the community, seeing a police car in front of a school becomes a sign that good things, rather than bad, are happening.

This is an important shift in the role of policing probably best expressed by a Virginia School Resource Officer who said, “You know you’re on the right track when the SRO is viewed as a *resource*, not just a response.”

Just as community policing that occurs in the community, community policing in the school setting is *proactive*, *solution-based*, and *community driven*. SROs not only enforce the law and respond to incidents involving violations of law, but also build collaborative relationships to solve problems aimed at improving the quality of life within the school. Table 1 compares some key features of traditional policing and community policing in schools.

Table 1. Comparing Traditional Policing with Community Policing in Schools

Traditional Policing in Schools	Community Policing in Schools
Reactive response to 911 calls.	Law enforcement officer is assigned to the school “community.”
Minimal school-law enforcement interaction, typically limited to post-incident reporting and investigation.	Ongoing school-law enforcement partnership to address problems of concern to educators, students, and parents.
Law enforcement role limited to enforcement.	Law enforcement role expanded beyond enforcement to include school safety assessment and planning, crime prevention activities, problem-solving, law-related education, and diversion that contributes to positive and supportive school climate.
Law enforcement viewed as reactive responder to incidents.	Law enforcement viewed as a partner with members of the school community (students, teachers, administrators) in addressing concerns.
Information sharing minimal and often reluctant.	Information sharing valued as an important problem-solving tool.
Potential for inconsistent/inadequate enforcement if incidents are not consistently reported to law enforcement.	Consistent responses to incidents result in consistent enforcement – both criminal and administrative/ disciplinary.
Law enforcement/other emergency responders not always involved with school crisis/emergency planning.	School crisis/emergency planning routinely involves assigned SRO, other law enforcement and emergency responders.
Effectiveness measured by arrest rates, response times, calls for service.	Effectiveness measured by the absence/reduced rates of crime and disorder and declines in fear of crime.

To Learn More about Community Policing

Community Policing Defined. (2014). Community Oriented Policing Services, U.S. Department of Justice.

<http://ric-zai-inc.com/Publications/cops-p157-pub.pdf>

Brett Chapman and Eric Martin, “Ideas & Insights: Community Policing Revisited,” *The Police Chief* 83 (March 2016): 44-46.

Secure Our Schools Program Assessment (2013). U.S. Department of Justice. This publications contains some examples of grant-funded partnership initiatives and best practices identified in their implementation.

<https://ric-zai-inc.com/Publications/cops-p341-pub.pdf>

Final Report of The President’s Task Force on 21st Century Policing (May 2015). Office of Community Oriented Policing Services, U.S. Department of Justice. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf



C. Rationale for School-Law Enforcement Partnerships

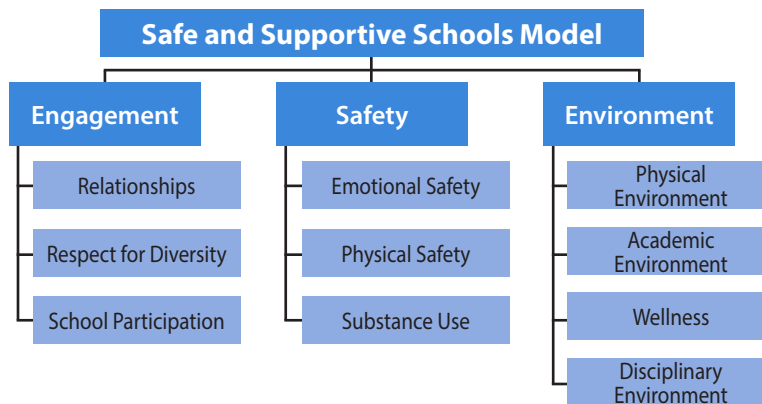
Safe and Supportive Schools Model

The Safe and Supportive Schools Model shown in Figure 1 below was developed by a national panel of researchers and other experts who concluded that positive school climate involves:

- **Engagement.** Strong relationships between students, teachers, families, and schools and strong connections between schools and the broader community.
- **Safety.** Schools and school-related activities where students are safe from violence, bullying, harassment, and controlled-substance use.
- **Environment.** Appropriate facilities, well-managed classrooms, available school-based health supports, and a clear, fair disciplinary policy.

Safety is one of the three main elements of safe and supportive schools and SROs clearly plays an integral role in establishing and maintaining safety in their law enforcement officer role. It is evident, however, that SROs can also contribute positively to strong relationships and a favorable environment in their other roles as law-related educators and informal counselors and role models.

Figure 1. Safe and Supportive Schools Model



Among the contributions of SLEPS are:

- SROs bring to the school setting the expertise of a public safety specialist. They provide an immediate response to life-threatening situations, ensure that laws are enforced when illegal activities occur, and work collaboratively with schools to resolve problems that threaten the safety of schools. Their presence has a deterrent effect on illegal and disruptive behavior and communicates that the school and larger community have made school safety a priority.
- SROs reinforce clear expectations for appropriate behavior through enforcement of laws, law-related education, and involvement of students in crime prevention activities.
- The school-law enforcement partnership helps schools to focus on their central mission – educating – by reducing crime and violence in and around schools and reducing victimization and fear.
- When crime is reduced and perceptions of safety are increased, school leaders can focus more effectively on their central instructional leadership role. Additionally, opportunity to learn and student time on task are increased when disruptive behavior is reduced.

To Learn More about the Role of SROs in Creating Safe and Supportive Schools

School-Justice Partnership. <https://schooljusticepartnership.org>

Supporting Safe Schools. <http://www.cops.usdoj.gov/supportingsafeschools>

National Center for Safe Supportive Learning Environments. <https://safesupportivelearning.ed.gov/>

National Association of School Resource Officers. <http://www.nasro.org>

Current Evidence Supporting School-Law Enforcement Partnerships

The National Center for Mental Health Promotion and Youth Violence Prevention has reported that surveys of educators, students, officers, and community members suggest that school-based law enforcement programs are popular and perceived as effective. Survey respondents report that officers can do the following:

- Increase feelings of safety among students, teachers, and administrators
- Deter aggressive behavior and empower school staff to maintain order and address behavioral issues in timely fashion
- Improve school safety and reduce school-based crime
- Increase the likelihood that students report witnessing a crime and help reduce community-wide criminality
- Improve relationships between law enforcement and youth

Although the Center notes the need for more rigorous research, they conclude that in communities that opt to use school-based law enforcement as part of their school safety strategy, the evidence to date suggests that *properly selected, trained, and governed SROs can achieve positive outcomes* and avoid the pitfalls linked to some school-based law enforcement programs.

Of particular importance is to clearly define and differentiate the roles and responsibilities of law enforcement officers and school administrators, particularly related to student misconduct. This *SLEP Guide* is intended to provide usable information about strategies and resources to assist SRO Programs to achieve high standards of effectiveness.

To Learn More about Evidence Supporting SRO Programs

Studies on the Effectiveness of School Resource Officers (January 2013). Virginia Department of Criminal Justice Services. <http://www.dcjs.virginia.gov/virginia-center-school-and-campus-safety/publications-links>

School Resource Officers: Steps to Effective School-Based Law Enforcement (September 2013). By B. Thomas, L. Towvim, J. Rosiak, & K. Anderson. National Center for Mental Health Promotion and Youth Violence Prevention. <http://www.ncjfcj.org/sites/default/files/SRO%20Brief.pdf>

National Assessment of School Resource Officer Programs Final Project Report (March 2005). By Peter Finn and Jack McDevitt. The National Institute of Justice. <https://www.ncjrs.gov/pdffiles1/nij/grants/209273.pdf>

Concerns about Partnerships

In recent years, in the wake of several highly publicized incidents of inappropriate involvement of SROs in school disciplinary situations, concern was registered about the presence of SROs in schools. Some advocates asserted that the presence of law enforcement officers in schools increases the numbers of students who enter the justice system and thereby become more likely to become stigmatized and experience academic failure. Concerns center on the criminalization of relatively minor misconduct as well as evidence of disproportionality with students of color and students with disabilities experiencing more sanctions. It behooves school divisions and law enforcement agencies to be aware of emerging concerns as they create and implement partnerships and to take action to address concerns.



Concerns were addressed in a September 2016 “Dear Colleague” letter from the U.S. Department of Justice, Office of Community Oriented Policing Services:

Dear colleague:

The U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office) strongly believes that properly implemented school resource officers (SROs) can positively impact the lives of our nation’s students. Interactions with SROs should be a positive experience for young people, and it is critical that we continue to foster the resulting relationships of mutual respect and understanding. For this reason, the COPS Office has provided funding for the nationwide hiring of more than 7,000 SROs since 1996.

In school settings, young people can get to know these officers as individuals, and can see them as professionals who are part of the school community and there to help provide safety and security. Likewise, officers who are present and engaged in schools get to know the students in informal and non-adversarial settings. This familiarity can help reduce bias and negative stereotypes on both sides and lead to strong personal relationships.

Officers also fill critical roles as mentors and educators – teaching students about public safety and the criminal justice system, as well as how to keep themselves and their families safe. Finally, and perhaps most important, officers can serve as role models for students. We’ve heard countless stories from across the country of SROs developing one-on-one relationships with students that led to life-long positive impacts that changed the trajectory of their lives for the better.

At the same time, we understand the legitimate concerns that have been raised about the presence of SROs in our nation’s schools. We have seen that there is the potential for SROs to have a negative impact on students through unnecessary arrests and improper involvement in routine school discipline matters. If SROs are not properly hired, trained, evaluated, and integrated into the school community – or if they are given responsibilities more appropriately carried out by educators – negative outcomes, including violations of students’ civil rights, can and have occurred. It is therefore incumbent upon all of us, including law enforcement and education leaders, to do everything we can to directly address these concerns and reduce the potential for problems.

(See [https://cops.usdoj.gov/pdf/sro/COPS Office Director Letter on SROs.pdf](https://cops.usdoj.gov/pdf/sro/COPS%20Office%20Director%20Letter%20on%20SROs.pdf) for the full letter)

As a result of concerns expressed in the letter, the U.S. Department of Education (USED) and the U.S. Department of Justice, Office of Community Oriented Policing Services jointly released Safe, School-based Enforcement through Collaboration, Understanding and Respect (SECURE) Rubrics intended to help schools and law enforcement agencies that use SROs to review and, if necessary, revise SRO-related policies to improve school safety and improve outcomes for students.

The rubric for local schools and law enforcement recommends five action steps that help ensure that SROs are incorporated effectively into school learning environments. Shown in Table 2 are the SECURE action steps and related policy recommendations.

Table 2. SECURE Action Steps and Policy Recommendations

Action Step	POLICY RECOMMENDATIONS
<p>Step 1. Create sustainable partnerships and formalize MOUs among school districts, local law enforcement agencies, juvenile justice entities, and civil rights and community stakeholders.</p>	<p>In taking this action step, State and local policy encourages the creation of sustainable community partnerships, supported by strong MOUs, by:</p> <ul style="list-style-type: none"> A. Requiring the execution of an MOU prior to commissioning SROs; B. Requiring that MOUs be substantially similar to an approved model; C. Requiring the involvement of school administrators, educators, law enforcement, and community stakeholders in the development of MOUs; and D. Requiring the periodic revision of MOUs. <p>In taking these action steps, States and local communities can encourage the creation of sustainable MOUs, including by:</p> <ul style="list-style-type: none"> A. Clarifying the frequency of review; B. Requiring that communities, schools, and law enforcement participate in the MOU review process; and C. Mandating the collection, analysis, and reporting of school-based law enforcement data to inform the development of partnerships, to inform the MOU review process, and to evaluate compliance with Federal, State, and local civil rights laws.
<p>Step 2. Ensure that MOUs meet constitutional and statutory civil rights requirements.</p>	<p>In taking this action step, written State policy supports school-based law enforcement that complies with civil rights laws by identifying Federal and State constitutional provisions and Federal, State, and local civil rights laws and ordinances that apply to law enforcement in educational settings and ensuring that law enforcement and school administrative policies and practices comply with those legal requirements.</p>
<p>Step 3. Recruit and hire effective SROs and school personnel.</p>	<p>In taking these action steps, State and local policy supports hiring, training, and management of SROs by:</p> <ul style="list-style-type: none"> A. Mandating school-specific preparation. B. Specifying the minimum duration of training. C. Encouraging officers to minimize arrests when a less punitive measure, such as diversion, restorative justice, or the school code of conduct, could be applied. D. Eliminating the involvement of SROs in non-criminal matters.
<p>Step 4. Keep your SROs and school personnel well trained.</p>	<p>In taking these action steps, States and local communities can support the hiring and management of SROs by including the following in MOUs:</p> <ul style="list-style-type: none"> A. Requiring prospective SROs to receive training regarding youth development. B. Listing all required and ongoing trainings, and supervisory structures, for SROs and staff, with clarity regarding agency responsibility for each component. C. Clarifying the processes for schools' right to request removal or re-assignment of an SRO. <p>States and local leaders can support community efforts to close a school-to-prison pipeline by ensuring that MOUs:</p> <ul style="list-style-type: none"> • Encourage officers to minimize arrests for minor school-based offenses. • Eliminate the involvement of SROs in non-criminal matters. • Define the different roles of SROs and school administrators when addressing minor student misbehavior.
<p>Step 5. Continually evaluate SROs and school personnel, and recognize good performance.</p>	<p>Design a comprehensive performance evaluation and recognition system.</p> <p>Create a mechanism to collect feedback from students, families, and peers, and other school staff for SRO and school staff evaluations.</p>

Adapted from *Safe School-based Enforcement through Collaboration, Understanding, and Respect SECURE State and Local Policy Rubric*, https://cops.usdoj.gov/pdf/sro/SRO_State_and_Local_Policy.pdf

The SECURE Local Implementation Rubric is included in Supplement 1 SLEP Toolkit and additional information about the SECURE rubrics can be viewed at Supporting Safe Schools (<http://wwwcops.usdoj.gov/supportingsafeschools>), the U.S. Department of Justice, Office of Community Policing Services website.



Virginia Studies

In Virginia, two National Institute of Justice, Office of Justice Programs, U.S. Department of Justice grants-funded studies are being conducted that examine school-law enforcement practices about which concerns have been expressed. Preliminary findings from the first study (Award No. 2014-CK-BX-0007) have shown that the rate of referral to juvenile intake in Virginia is 2.3 per 1,000, likely placing Virginia well below the national average rate, although published rates are known to contain erroneous data, making it difficult to ascertain an accurate national average rate. About 14 percent of incidents reported to law enforcement appeared before a juvenile court intake officer; the numbers/percentages appearing before a judge are not yet determined. The study, using rigorous methodology, has identified serious methodological errors in a prior published report that ranked Virginia first, having the highest in the nation rate. Ongoing analyses are examining the degree to which SROs contribute to exclusionary and/or disparities in disciplinary outcomes. (Personal communications with Principal Investigator, Gerald Lawson, Ph.D. Associate Professor, Virginia Tech, May 15, 2017 and May 23, 2017). The second study (Award No. 2016-CK-BX-0021) is investigating school resource and school safety programs, policy, and practice in Virginia and is likely to greatly improve understanding of current practices in Virginia.

D. Steps in Establishing the Partnership

Initial steps in establishing a SLEP are undertaken at the leadership level of the school division and law enforcement agency where a framework with which implementation within individual schools operates. The framework, typically formalized in a MOU, clearly defines roles and responsibilities, relationships, and policies and procedures for key areas of operation. Whereas most of the work in developing an interagency framework for a school-law enforcement partnership occurs at the school division and law enforcement agency command level, most aspects of day-to-day implementation occur in individual schools. This chapter of the *SLEP Guide* focuses on developing the interagency framework and operational procedures while chapter IV focuses on implementing partnerships within individual school settings.

Steps in developing the interagency partnerships include:

- Establishing leadership commitments
- Formalizing commitments in an MOU
- Developing partnership relationships
- Developing operational procedures
- Clarifying key issues

A general overview of steps is provided here. In the next section focusing on Virginia's Model MOU, key components of the MOU will be cross-referenced with related sections of the *SLEP Guide* where more in-depth discussion of issues, implementation strategies, and related resources can be found.

Step 1. Establishing leadership commitments

Although school-law enforcement partnerships operate most visibly on a day-to-day basis at the school level, commitments and understandings at the highest levels of each organization are essential for effective partnerships. This means the superintendent of schools and the chief of police or sheriff must commit their involvement and organizational resources to the partnership.

It is important for school leaders and law enforcement officials to communicate effectively to the community that having a school-law enforcement partnership is a positive step to create safe schools that are conducive to learning rather than an indicator that schools are unsafe. Shared "ownership" for school safety is common among the strongest and most effective school-law enforcement partnerships.

Shared Ownership of Problems and Solutions

A necessary first step in establishing a partnership involves setting aside the inclination to assign ownership (and sometimes blame): “*This is a school problem*” or “*This is a law enforcement issue.*” Instead, partners consider:

- How can we work together to solve problems in our schools and community?
- How can the addition of law enforcement resources and expertise help schools fulfill their obligation to keep students and other members of the school community safe?

SLEPs proactively extend into the school setting the services and protection law enforcement already provides in the broader community.

Clear Purpose and Goals

A clear statement of purpose for the partnership is important. Developing the statement of purpose and establishing specific goals and objectives provide opportunities for the partners to develop a shared vision, to correct misperceptions, to learn about the other organizations, and to develop consensus about priorities.

Shared goals and objectives typically focus most centrally on reducing crime and violence in and around schools and reducing victimization and fear and thereby improving school climate.

The National Association of School Resource Officers (NASRO) cites the following main goals of SRO Programs:

- Bridge the gap between law enforcement officers and young people.
- Increase positive attitudes toward law enforcement.
- Teach the value of our legal system.
- Promote respect for people and property.
- Reduce juvenile delinquency by helping students formulate an awareness of rules, authority, and justice.

Goals set forth in Virginia’s Model MOU focus more broadly on the *partnership* rather than the SRO program and are 1) to promote positive and supportive school climates and 2) to create and maintain safe and secure school environments.

Step 2. Formalizing commitments

Commitments of the school division and of the law enforcement agency are typically formalized in a written interagency agreement called a Memorandum of Understanding (MOU) that outlines the purpose of the partnership and the fundamental responsibilities of each agency involved. The MOU establishes the framework in which the SRO program operates. A MOU specifies, at minimum, the following:

- Purpose of establishing the school-law enforcement partnership
- Roles and responsibilities of the school and the law enforcement agency
- General chain of command and channels of communication
- Schedule for updating and renewing the agreement

Many partnerships prefer a very brief MOU containing just “the basics” with more detailed procedures in a separate document. Other partnerships prefer to include more detailed policies and procedures in the MOU itself. The next section focusing on Virginia’s Model MOU includes sample language for consideration by partnerships.

Experience has shown that the process of developing the MOU and the operational procedures has great value in clarifying expectations and in anticipating and avoiding operational glitches during implementation. Both the MOU and operational procedures are evolving documents and should be refined over time. It is important that key law enforcement and school division representatives periodically review and refine these documents as needed.



Step 3. Developing partnership relationships

Beyond commitments of school superintendents and police chiefs/sheriffs, there is a need to enlist support and build understanding in the leadership ranks of both organizations. At minimum, this involves meetings held with school administrators and with law enforcement supervisors that include the following:

- A clear explanation of the purposes and goals of the partnership
- A description of the basic operation of the school-law enforcement partnership
- Explanation of how the partnership fits into or modifies existing school and law enforcement operations
- Clear expectations of supervisory and administrative personnel in both organizations

Well-facilitated, joint meetings for school administrators and law enforcement supervisors can be particularly productive, providing opportunities for questions to be answered, concerns aired, and plans for initial implementation in schools to be completed.

Step 4. Developing operational procedures

Whereas the MOU is the interagency agreement establishing the *framework* for the SLEP, the standard operational procedures for a school resource officer (SRO) program should be developed by the law enforcement agency that employs the SRO with consultation from the school division. The SRO program is one aspect of the overall SLEP and its operational specifics should reflect the philosophy of the joint partnership. It is important that procedures reflect the fact that the SRO is a certified law enforcement officer who is subject to the standard operating procedures of the employing law enforcement agency. Operational procedures, whether included in or appended to the MOU, should address a broad range of issues including, at minimum, duties, chain of command, communications channels, and basics related to information sharing, investigation, search, and arrest and be consistent with the employing agency's procedures.

Step 5. Clarifying key issues

Serious problems that threaten the school-law enforcement partnership can occur if critical issues are not clarified. Critical issues areas where clear policies and detailed operational procedures at the both the division and school levels are needed include crime reporting, differentiating criminal and disciplinary matters, information sharing, searches, arrests, and specifying the role of SROs in threat assessment and school safety audits.

E. Leadership Strategies

It is important to keep in mind:

- Collaboration is not an *event* but an ongoing *process*.
- Collaboration requires communication and builds trust.

There are a number of leader strategies for fostering positive interagency relationships. Experience has taught that the following are especially effective at the *early stage of partnerships*:

- It takes time to develop trust in relationships. Invest time so that school division and law enforcement agency leaders can spend time together developing trusting relationships, affirming shared “ownership” for school safety, and developing their shared vision.
- Joint training opportunities are an excellent way to build rapport while understanding information from a school perspective.
- Clearly communicate to administrative and supervisory staff members in both the school division and law enforcement agency the purpose of the partnership and how it fits within the current relationships and practices. This helps people in both organizations understand what is happening and how it relates to them. Develop written materials describing the partnership, its purpose, and primary activities.
- Remember that the partnership is a *process*, not an event. Mistakes may occur but can be overcome when there is

commitment to achieving the shared vision.

When partnerships are established, these strategies are important to *maintaining ongoing support for the partnership*:

- The superintendent of schools and police chief/sheriff continue to actively express support and positive expectations for the partnership in clearly visible terms such as appearing jointly at meetings of community groups, citizen advisory councils, and staff meetings.
- Make time to formally review the interagency memorandum of understanding and operational procedures at least annually – even when “things are going fine” and other matters appear to be more pressing. The process of review will acknowledge successes, uncover issues that can be clarified or resolved before a problem occurs, and reaffirm interagency commitments.

To Learn More about Establishing School-Law Enforcement Partnerships

Assigning Police Officers to Schools (2010) by B. Raymond. Problem-Oriented Guides for Police Series. Office of Community Oriented Policing Services, U.S. Department of Justice. Office of Community Oriented Policing Services, U.S. Department of Justice. http://www.popcenter.org/Responses/pdfs/school_police.pdf

Partnering to Ensure School Safety (July 2008). Juvenile Justice. A Brief from the International Association of Chiefs of Police. <http://www.theiacp.org/portals/0/pdfs/SchoolSafetyBrief.pdf>

A Guide to Developing, Maintaining, and Succeeding with Your School Resource Officer Program (2005) by P. Finn, M. Townsend, M. Shively, & T. Rich. Office of Community Oriented Policing Services, U.S. Department of Justice. http://www.popcenter.org/Responses/school_police/PDFs/Finn_et_al_2005.pdf

Forging a School-Police Relationship to Decrease Student Arrests (September 2016). The Police Chief, vol. LXXXIII, no. 9, International Association of Chiefs of Police. <http://www.policechiefmagazine.org/forging-a-school-police-relationship-to-decrease-student-arrests/>

Fostering School-Law Enforcement Partnerships (2002) by A. Atkinson. *Guide 5: Guides to Creating Safer Schools*. Northeast Regional Educational Laboratory; Office of Juvenile Justice and Delinquency Prevention. <https://www.ncjrs.gov/pdffiles1/ojdp/book5.pdf>

Supporting Safe Schools Website – <http://www.cops.usdoj.gov/supportingsafeschools>
U.S. Department of Justice, Office of Community Policing Services website containing information on Safe School-based Enforcement through Collaboration, Understanding, and Respect (SECURE) rubrics.

F. The MOU: The Partnership Framework

Who

The interagency agreement between the school division and the local law enforcement agency is formalized in a memorandum of understanding (MOU), developed jointly by the school division (i.e., Superintendent or School Board) and the chief law enforcement officials (i.e., Police Chief or Sheriff).

What

MOUs typically address the purpose(s) of establishing the SRO program, general roles and responsibilities of the schools and law enforcement agency, operational procedures that apply across all schools, and provisions for reviewing/ updating the agreement. More comprehensive MOUs may address such issues as assignment of SROs, duty hours, duties, qualifications, training requirements, dress code, and specific procedures for key activities such as information sharing, arrests, and searches.

When

MOUs should be developed before SROs are assigned to and arrive at schools. MOUs establish partnership frameworks at the school division and law enforcement agency leadership level, providing the “ground rules” for implementation that occurs largely at the school level.



Virginia's Model MOU

In accordance with recommendations of the Virginia Children's Cabinet, a Model MOU was developed through a process that involved extensive consultation with a broad range of stakeholders. The Model produced contains "the basics" and is included as Appendix A of the *SLEP Guide*.

Partnerships may wish to add more detailed procedures and guidelines to the basic MOU itself or to develop a separate accompanying document that contains more detailed operational procedures and guidelines. The opinions of legal, policy, and school safety authorities vary about what needs to be included in MOUs themselves and what needs to be contained in a separate standard operational procedures document. Where key policies and operational procedures are formalized in writing is up to individual school divisions; what is critical is that the policies and procedures are clear and of sufficient detail to guide successful implementation.

Elements of the Virginia Model MOU

This section briefly examines the elements of Virginia's Model MOU and provides cross-references to sections of the SLEP Guide where more in-depth discussion of issues, implementation strategies, and related resources can be found.

Parties to the Partnership

The overwhelming majority of MOUs in Virginia and elsewhere are between school divisions (sometimes called "districts") and law enforcement agencies (Police Departments and Sheriff's Offices). In a few localities, the agreements name local school boards, rather than the school division, although it is clear that implementation responsibilities fall to the school division and schools. In the absence of controlling laws and regulations, this appears to reflect a local practice related to authority to sign contracts and agreements and does not appear to make any operational difference.

Preamble

The preamble of the Virginia Model MOU sets forth the overarching purpose of forming a partnership and emphasizes building positive and safe school environments in which the "vast majority" of student misconduct, often arising from students' lack of maturity and judgment, can be best addressed through classroom and in-school strategies without law enforcement involvement.

The *SLEP Guide* reinforces the importance of supportive responses to student misconduct that involve:

- Schools making every effort to handle routine discipline within the school disciplinary process without involving SROs in an enforcement capacity unless absolutely necessary or required by law. To this end, school division policies, administrative guidance, training, and ongoing oversight must clearly communicate that school administrators and teachers are ultimately responsible for school discipline and culture and that law enforcement should not be involved in the enforcement of disciplinary response.
- SROs not becoming involved with routine school matters unrelated to any law enforcement or security function and to avoid criminalizing adolescent misbehavior by exercising discretion and judgment in response to school-based incidents. To this end, SROs should reserve petitions to juvenile courts for serious offenses and only after considering alternative consequences that divert students from court involvement.
- School administrators and SROs using a collaborative process to consider the totality of circumstances to determine what responses to misconduct best serve the interest of the student and the welfare of the school community. Parties may not achieve full agreement in balancing these interests in all cases, but a good faith effort to exercise discretion within their respective spheres of authority is more likely to balance the interests of the school community and the student.

Preamble: Related SLEP Guide Content

Supplement 2. Features and principles of Safe and Supportive Schools and Virginia’s Tiered Systems of Support
 Chapter III, Section A. Understanding Student Discipline Policies and Practices.
 Chapter III, Section B. Student Misconduct: Clarifying the Disciplinary and the Criminal – clarifying appropriate avenues in addressing student misconduct and avoiding inappropriate law enforcement involvement.
 Chapter III, Section C. Use of Discretion – Use of discretion by school administrators and SROs – minimizing youth involvement with juvenile and criminal justice systems.
 Chapter III, Section D. Use of restorative justice approaches.
 Chapter IV, Section E. Understanding Key School Programs and Supports – Key school programs and supports (i.e., special education, bullying prevention/intervention, truancy prevention/intervention, suicide prevention, and conflict resolution/mediation).
 Chapter V, Section A. Adolescent Development – Adolescent development and implications for school discipline and law enforcement.
 Chapter V, Section B. Challenges Students Experience – Challenges students experience (i.e., child abuse, trauma, mental health issues, alcohol and other drug abuse, gangs, homelessness, and juvenile justice involvement).
 Chapter V, Section C. Students with Disabilities – SRO strategies.

Purpose

The purpose statement in Virginia’s Model MOU contains two simple statements: one on the purpose of the partnership (to facilitate effective, timely communication and coordination of efforts) and the other on the purpose of the MOU (to establish a mutually beneficial framework that both schools and law enforcement can work within to achieve shared goals). Some partnerships combine the preamble and purpose statements and go into greater detail about specific purposes such as defining roles and outlining procedures for key law enforcement activities.

Statements defining purposes have been very important in legal cases that have called into question actions of educators and of SROs. As a general principle, when actions have stemmed from educational and school safety interests consistent with the pursuit of purposes defined in the MOU, courts have found the actions justified. The National Association of School Resource Officers (NASRO) in its October 2012 report *To Protect and Educate: The School Resource Officer and the Prevention of Violence in Schools*, advises:

“The courts now take the contents of the MOU very seriously when resolving the issues that arise from the presence of a SRO on campus. Every jurisdiction with a school-law enforcement partnership should have such an agreement. The key to the resolution of many of the legal disputes has been found in the language of the MOU itself ... A flawed MOU is either one that does not accurately state the intentions of the safe schools team, or one that has not kept up with the changing duties of the SRO after its original implementation. Both instances can create liability for the team or the individuals implementing the plan.” (p.48, *To Protect and Educate*).

Purpose: Related SLEP Guide Content

Chapter I, Section C. – Rationale for and benefits of partnership.
 Chapter I, Section D. – Steps in establishing a SLEP.
 Chapter I, Section E. – MOU as critical framework for partnership implementation.



Goals

Establishing specific goals is of great value in specifying expected outcomes of the partnership and focusing activities to achieve identified goals and objectives. Goals and objectives that are well defined and periodically measured will strengthen accountability and credibility of the partnership with the broader community.

The Virginia Model MOU cites two main goals: 1) to promote positive and supportive school climates and 2) to create and maintain safe and secure school environments. Actions associated with each of the two goals are cited:

- Actions associated with *promoting positive and supportive school climates* include increasing law-related education, expanding school safety and crime prevention efforts, reducing conflict, and supporting effective interventions for students.
- Actions associated with *creating and maintaining safe and secure school environments* are collaboration to reduce and prevent crime, violence, victimization, and fear in and around schools and minimizing youth involvement with the juvenile and criminal justice systems.

The *SLEP Guide* addresses all the associated activities cited, providing relevant background, examples of best practices and/or strategies for implementation, and numerous lists of related resources

<i>Goals: Related SLEP Guide Content</i>
<p>Positive and supportive school climates</p> <p>Chapter II, Section A. School Resource Officer Roles – SRO roles as law-related educator and informal mentor and positive role model.</p> <p>Chapter IV, Section D. Key school programs and supports for effective interventions for students.</p> <p>Supplement 1. School-Law Enforcement Partnership Toolkit – Law-related education tools.</p> <p>Supplement 2. Strategies for Safe and Supportive Schools – school climate and discipline, safe and supportive school model, guiding principles for improving school climate, and tiered supports for students.</p> <p>Safe and secure school environments</p> <p>Chapter II, Section A. School Resource Officer Roles – SRO role as law enforcement officer.</p> <p>Chapter III, Section C. Use of Discretion – minimizing youth involvement with juvenile and criminal justice systems.</p>

Evaluation of the School-Law Enforcement Partnership

The Model MOU establishes an expectation for jointly developing measurable objectives of the partnership and jointly reviewing and reporting progress at least annually. It also prescribes the use of available school discipline, crime, and violence data, school climate survey data, and other data deemed to be relevant.

Partnerships may choose also to establish additional school-specific goals and objectives that support the more global partnership goals. For example, if an objective is reducing fights in middle schools, each school might have its own performance target for reduction.

The *SLEP Guide* contains descriptions of and sources for multiple types of data that are readily available in Virginia.

<i>Evaluation of SLEP: Related SLEP Guide Content</i>
<p>Supplement 1 Partnership Toolkit – information about and sample forms/templates for establishing measurable goals and objectives and strategies for evaluating the partnership.</p> <p>Chapter IV, Section C. Understanding and Using School Discipline, Crime, and Violence (DCV) Data – information on how data are collected and how to use of the Safe Schools Information Resource (SSIR).</p>

Roles and Responsibilities: Police Department/Sheriff’s Office

The Model MOU lists law enforcement responsibilities to designate a point of contact for the law enforcement agency and expectations for the point of contact to address operational and administrative issues as well as maintaining an especially deep understanding of school rules and regulations and related laws. Depending on the size and organizational structure of partner organizations, the law enforcement point of contact/liason and the SRO supervisor/coordinator

functions may be different persons or assigned to a single person. It is strongly advised, based on experience, that the SRO supervisor/coordinator be an experienced SRO.

This section of the Virginia Model MOU also clearly places SROs fully under the purview of the law enforcement agency chain of command but allows for input from the school community on personnel matters and on policies and procedures affecting schools. It also specifies that the SRO will receive relevant training prior to or within 60 days of assignment as well as ongoing joint training with school administrators.

<i>Law Enforcement Roles and Responsibilities: Related SLEP Guide Content</i>
Chapter II, Section A. Law Enforcement Partners – SRO roles and their selection, training and supervision, and the law enforcement agency liaison role.

Roles and Responsibilities: School Division

School division responsibilities include designating a primary division-level point of contact, committing to school administrator support for the partnership and workspace for SROs, and strongly reinforcing the understanding that school disciplinary matters will be handled by school division personnel while avoiding unnecessary involvement of SROs. The Model MOU also contains a school division commitment that school administrators with an assigned SRO will receive relevant training prior to or within 60 days of SRO’s assignment and ongoing joint training with SROs.

Points of contact designated by school divisions in Virginia vary greatly but division-level administrators responsible for school safety and/or school discipline are often tapped for this role. As noted under “Preamble,” the importance of differentiating disciplinary and law enforcement responses to misconduct is addressed from multiple perspectives in the *SLEP Guide*.

<i>School Division Roles and Responsibilities: Related SLEP Guide Content</i>
Chapter II, Section B. School Partners – school division-level roles and responsibilities.

SRO Roles

The Model MOU defines SROs as active members of their assigned schools, specifies channels of communication, the need to provide coverage, and key roles. Many MOUs in Virginia include additional information about SRO qualifications, selection, training, duty schedule, and supervision.

Three key roles are identified and described: 1) law enforcement officer, 2) law-related educator, and 3) informal mentor and role model.

<i>SRO Roles: Related SLEP Guide Content</i>
Chapter II, Section A. Law Enforcement Partners – introductory descriptions of three key SRO roles as well as qualifications, selection, and training.
Chapter III – Legal Issues in SLEPs – legal issues with primary focus on the SRO law enforcement role.
Chapter IV, Section B. Establishing Critical Operational Specifics – establishing school-specific operational procedures; the chapter contains specific SRO strategies for effectiveness.
Supplement 1. School-Law Enforcement Partnership Toolkit – tools for recordkeeping and reporting, conducting school safety inspections, communicating with teens, and law-related education.

School Administrator Roles and Responsibilities

The Virginia Model MOU cites school administrator responsibilities for “effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn,” enforcement of the school division’s student code of conduct, and maintaining a safe and secure school environment. The Model MOU further specifies that school administrators should review the SLEP MOU with SROs and establish school-specific operational procedures.



The *SLEP Guide* emphasizes the importance of the SRO and school administrator collaboratively determining school-specific procedures and contains numerous school-level strategies and related resources.

<i>School Administrator Roles and Responsibilities: Related SLEP Guide Content</i>
Chapter IV, Section A. School-Based Implementation Strategies – school-level implementation strategies and related resources.
Chapter IV, Section B. Establishing Critical Operational Specifics – determining school-specific procedures related to criminal vs disciplinary responses to student misconduct, crime reporting, threat assessment, critical incident response, and school safety audits.

Operational Procedures: Differentiating Disciplinary Misconduct from Criminal Offenses

On the issue of differentiating disciplinary misconduct from criminal offenses, the Model MOU explicitly places responsibility for school discipline with school administrators and teachers and states that SROs should not be involved with the enforcement of school rules or disciplinary infractions that are not violations of law. It further establishes expectations for interventions that allow students to learn from their mistakes and consideration of alternatives to exclusionary practices and referrals to law enforcement or juvenile courts. It also affirms that the SLEP shall operate to ensure that children with disabilities receive appropriate behavioral interventions and supports.

<i>Differentiating Disciplinary Misconduct from Criminal Offenses: Related SLEP Guide Content</i>
Chapter III, Section A. Understanding Student Discipline Policies and Practices and Section C. Use of Discretion – parameters of legal and administrative authorities and use of discretion in both disciplinary and law enforcement matters.
Chapter IV, Section B. Establishing Critical Operational Specifics – differentiating criminal vs disciplinary responses to student misconduct; importance of establishing administrator-SRO understandings related to respective responses to incidents.

Operational Procedures: Information Sharing

Parameters for the release of student records in accordance with the Family Educational Rights and Privacy Act (FERPA), including conditions of SRO access, are defined in operational procedures for information sharing. For purposes of access to student records, SROs are considered “school officials” and may be provided student information as needed to carry out their duties related to the school environment. It is also made clear that law enforcement records are not subject to FERPA and may be released only for the purposes of ensuring the physical safety and security of people and property in schools and/or enforcement of laws.

Additional information on FERPA and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) are detailed in chapter III on legal issues along with lists of most authoritative resources for more in-depth information.

<i>Information Sharing: Related SLEP Guide Content</i>
Chapter III, Section E. Information Sharing – Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and lists of most authoritative sources for additional in-depth information.

Operational Procedures: Investigation and Questioning

The Model MOU makes it clear that SROs have authority to question students who may have information about criminal activity without prior authorization of the school administrator or contacting parents, but that questioning during school hours at school should occur only when delay might result in danger, destruction of evidence or flight from the jurisdiction. All interviewing should be conducted privately in an office setting and students may remain silent and/or request their parents or attorneys. It is further made clear that SROs are responsible to lead the investigation and questioning of students related to suspected violations of criminal law and that school administrators are responsible for questioning of students about violations of the code of conduct.

Additional information on investigation and questioning is detailed in chapter III on legal issues along with a list of most authoritative resources for additional in-depth information.

Investigation and Questioning: Related SLEP Guide Content

Chapter III, Section F. Questioning – law enforcement investigation and questioning.
 Supplement 1. SLEP Toolkit – tips on talking with teens, recordkeeping, and report writing.

Operational Procedures: Searches

Permissible searches by school administrators based on reasonable suspicion and by SROs based on probable cause are described in the Model MOU which specifically cautions against SRO involvement in administrative searches for law enforcement purposes.

More detailed information on searches is detailed in chapter III on legal issues.

Searches: Related SLEP Guide Content

Chapter III, Section G. School Searches – balancing competing interests in school searches, reasonable suspicion, and probable cause; lists of authoritative sources for additional in-depth information.

Operational Procedures: Arrests

Whenever practical, arrests of a student or staff member should be accomplished outside of school hours in order to not disrupt the educational process or school setting. Arrests that must occur during school hours or on school grounds should be coordinated through the school administrator to minimize potential disruption. When circumstances do not allow for prior coordination through the school administrator, arrests will be reported to the school administrator as soon as possible. In addition to any required notification of parents and legal guardians by the SRO taking a student into custody, school administrators or their designees are also responsible for an additional notification of parents and legal guardians upon a school-based arrest of their child.

Arrests: Related SLEP Guide Content

Chapter III, Section H. Detention and Arrest – detaining and arrests of students.

Operational Procedures: Physical Restraint by School Personnel

The Model MOU defines physical restraint and prescribes its use by school personnel in accordance with Virginia Board of Education’s policies and guidelines on seclusion and restraint and related local school board policies. The expectation is established that school staff will act to deescalate situations and, if physical intervention is used, it must be fully documented.

Operational Procedures: Physical Intervention by School Resource Officers

The Model MOU limits SRO involvement to situations involving imminent danger of serious physical harm to self or others and establishes the expectation for de-escalation. SROs are to follow local law enforcement agency policies and procedures and report and fully document the rationale for any intervention. SROs are to be aware of Virginia Board of Education’s policies and guidelines on seclusion and restraint and are to attend training offered by the local school system on their use of seclusion and restraint by school employees.

Both the school division and law enforcement agency will coordinate to ensure that reasonable effort is made to inform the parents on the day of an incident involving physical intervention.

Physical Restraint: Related SLEP Guide Content

Chapter III, Section I. Physical Intervention – prohibition of corporal punishment, use of physical restraint by school administrators and other school personnel and physical intervention by SROs.



Operational Procedures: Crime Reporting

The Model MOU cites statutory requirements for notification of school officials by law enforcement agencies when a student commits certain offenses and for reporting to law enforcement by school officials of certain types of criminal activity. It is made clear that the reporting of criminal offenses to law enforcement does not carry with it any requirement for filing a complaint with the juvenile court and that use of graduated sanctions and needed supports are encouraged before any such complaint is made.

The *SLEP Guide* details statutory requirements, emphasizes the need for clear policies and procedures at both the division and school levels, discusses strategies for ensuring required reporting occurs, and lists most authoritative sources for more in-depth information.

<i>Crime Reporting: Related SLEP Guide Content</i>
Chapter IV, Section B. Establishing Critical Operational Specifics – statutory requirements for crime reporting by schools and by law enforcement and school-based strategies and related resources.

Operational Procedures: Threat Assessment

Threat assessments are to be conducted in accordance with local school board policies adopted as required by §22.1-79.4., *Code of Virginia* and consistent with model procedures and guidelines published by the Virginia Department of Criminal Justice Services. SROs may serve as members of threat assessment teams and assist in monitoring of subject students as well as determining the need, if any, for law enforcement action.

The *SLEP Guide* details statutory requirements, emphasizes the need for clear policies and procedures at both the division and school levels, discusses strategies for ensuring required reporting occurs, and lists most authoritative sources for more in-depth information.

<i>Threat Assessment: Related SLEP Guide Content</i>
Chapter IV, Section B. Establishing Critical Operational Specifics – statutory requirements for threat assessment and school-based strategies and related resources.

Operational Procedures: School Safety Audits

In accordance with existing requirements, the Model MOU calls for school safety audits to be conducted annually and for SROs to conduct inspection walkthroughs and collaborate in school crisis and emergency management and response planning and preparation.

The *SLEP Guide* details statutory requirements, discusses strategies for ensuring required reporting occurs, and lists most authoritative sources for more in-depth information.

<i>School Safety Audits: Related SLEP Guide Content</i>
Chapter IV, Section B. Establishing Critical Operational Specifics – school safety audits, crisis planning and critical incident response.
Supplement 1. SLEP Toolkit – School safety inspection checklist.

Review of MOU

The Model MOU sets the expectation that parties to the partnership will review the MOU annually and amend as necessary to meet identified needs and conduct quarterly meetings to support successful implementation of the partnership. Further, it allows for withdrawal by either party with 45 days written notification.

To Learn More about MOUs

Memorandum of Understanding Fact Sheet (2013). COPS Fact Sheet, U.S. Department of Justice.

http://www.cops.usdoj.gov/pdf/2016AwardDocs/chp/2016_CHP_MOU_FactSheet_v4.pdf

School Resource Officers: Steps to Effective School-Based Law Enforcement (September 2013). By B. Thomas, L. Towvim, J. Rosiak, & K. Anderson. National Center for Mental Health Promotion and Youth Violence Prevention.

<http://www.ncjfcj.org/sites/default/files/SRO%20Brief.pdf>

School-Justice Partnership Website – <https://schooljusticepartnership.org>

Site contains the webinar “Developing a Memorandum of Understanding (MOU) for Your School-Justice Partnership) and related technical assistance tools.

Supporting Safe Schools Website – <http://www.cops.usdoj.gov/supportingsafeschools>

U.S. Department of Justice, Office of Community Policing Services website containing information on Safe School-based Enforcement through Collaboration, Understanding, and Respect (SECURE) rubrics.



II. Fundamental Roles and Responsibilities

This chapter illuminates the roles and responsibilities of school resource officers (SROs) and of the multiple school personnel who are involved with or touched by implementation of the SLEP. Consistent with a community policing approach, the descriptions are intended to clarify roles, reduce misperceptions or inappropriate expectations, and to contribute to the formation of collaborative relationships at both the division and school levels. The chapter focuses initially on SROs, how they are defined in Virginia law and their qualifications, selection, training, and supervision. Then each of the three primary roles of SROs are introduced. Activities and strategies associated with each of these roles are detailed in subsequent chapters.

A. Law Enforcement Partners

School Resource Officer Role

Legal Definition of SRO

School resource officer is defined in § 9.1-101, *Code of Virginia*, as:

“School resource officer” means a certified law enforcement officer hired by the local law enforcement agency to provide law enforcement and security services to Virginia public elementary and secondary schools.

Understanding key words from the statutory definition, a SRO must:

- *Be a certified law enforcement officer.* SROs have met all requirements to be a law enforcement officer and have authority set forth in state law, including the authority to arrest. Law enforcement officers are “responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth.” (§ 9.1-101, *Code of Virginia*)
- *Be employed by a local law enforcement agency.* SROs are law enforcement officers who are employed by a local law enforcement agency. They are assigned by the law enforcement agency to work in one or more schools but remain under the administrative control of the law enforcement agency.
- *Provide law enforcement and security services to public elementary or secondary schools.* Note the SRO is defined as providing both law enforcement and security services.
- Where there is both an assigned SRO and an SSO, the division and coordination of security responsibilities is to be determined collaboratively and should be defined in both school policies and procedures and the interagency memorandum of understanding (MOU) between the school division and law enforcement agency.

Qualifications

Individuals being considered to become SROs should be fully qualified and certified law enforcement officers who have demonstrated success in carrying out basic law enforcement duties. In addition, they should demonstrate:

- Desire to serve as a SRO based on a sound understanding of roles and responsibilities associated with the assignment
- Ability to work well with children and youth either as a law enforcement officer or in other substantive roles (e.g., volunteer work, coaching, church youth activities)
- Character traits known to be associated with SRO success (e.g., calm, approachable, patient, empathetic, flexible, mature, able to work with people from diverse populations)
- Evidence of dependability, sound judgement, and ability to work hard and independently

It is helpful for SROs to have knowledge of the juvenile code and juvenile court procedures and to be skilled in conflict resolution; however, these are knowledge and skills competencies that an officer who meets other qualifications can build early in his/her assignment as a SRO.

The SECURE Local Implementation Rubric lists the following potential hiring guidelines:

- Ability to work effectively with students, parents, teachers, and school administrators
- An understanding of the importance of diversion programs and alternatives to arrest
- Respect for youth and families of all backgrounds and cultures
- An understanding of developmentally appropriate, trauma-informed practices for interacting with youth
- Strong interpersonal communication skills
- Strong public speaking ability
- Effective law-related teaching and mentoring skills
- Minimum years of experience
- An interest in promoting and enriching the lives of youth
- Knowledge of the specific needs and local concerns of the community

Selection

The National Assessment of School Resource Officer Programs Final Project Report (see <https://www.ncjrs.gov/pdffiles1/nij/grants/209273.pdf>) describes multiple approaches used by school-law enforcement partnerships for SRO selection and no clear consensus about a preferred approach. In one site studied, the final decision was made by the school administrators from a list of qualified applicants from the SRO Supervisor. In another, school division and school-level administrators were added to the law enforcement agency's interview panel and their views influenced final decisions.

The final selection of officers to serve as SROs typically remains with the law enforcement agency but is greatly influenced by the views of school personnel informing the selection process. Approaches reported more recently have involved having the school division safety/security director and school administrators of affected schools review personnel files and participate in formal interviews of finalists.

SRO Training

Keeping SROs and school personnel well trained is critical for SLEP effectiveness in operation and success in achieving partnership goals and objectives. Prior to selection, SROs must already be well trained and demonstrate proficiencies in law enforcement basics. However, working within the school environment requires understanding a broad range of additional topics. The National Center for Mental Health Promotion and Youth Violence Prevention recommends specialized training for SROs on these topics: (See *School Resource Officers: Steps to Effective School-Based Law Enforcement* at <http://www.ncjfcj.org/sites/default/files/SRO%20Brief.pdf>)

- **Mental health.** Training SROs to understand mental illness and mental health problems, recognize signs of emotional disturbance, and intervene in mental health crises can diminish referrals to juvenile court and promote diversion of at-risk youth into mental health services. Experienced officers can champion mental health awareness and increase buy-in among new SROs through active endorsement of mental health training.
- **Adolescent development and communication.** With continued development in key decision-making areas of the brain, youth are more reactive, prone to risk-taking behavior, and influenced by social pressures. Environmental factors (including culture, socio-economic status, and family structure) also impact youth behavior and perceptions. Instruction on adolescent physical and social development and developmentally appropriate communication prepares SROs to respond to youth misbehavior.
- **Implicit bias.** Training officers to understand that all individuals harbor unconscious bias, helping them recognize bias and its impacts, and instructing them on how to implement controlled responses can promote fair and impartial reactions to misbehavior and offenses.



- **Trauma-informed care.** Adverse events (e.g., domestic violence, neglect, physical and sexual abuse) can potentially harm a child’s emotional and physical well-being and can lead to behavioral issues. Instruction on how to recognize and respond to the causes and implications of trauma can help officers intervene more effectively when signs of trauma appear.
- **De-escalation techniques.** SROs can benefit from instruction on how to interact with and respond to students in crises using validated communication and behavioral techniques. For instance, former patrol officers and road deputies may need to be “untrained” in standard law enforcement methods that promote a heavier reliance on use of force.
- **School-specific topics.** Training in bullying, positive school discipline, substance abuse, truancy, dropout prevention, and school crisis planning can help SROs more effectively carry out their duties.
- **Cultural competence.** This type of training prepares SROs to communicate and tailor interventions based on an understanding of student and staff cultures. Culturally competent SROs can work with individuals representing diverse cultures, including students of various socio-economic strata, religions, ethnicities, or countries of origin.

It is also helpful for SROs to gain an understanding of special populations in schools and the types of services and supports that are present for these and other students. Information about students with disabilities and implications for law enforcement is included in chapter V.

SRO Supervision

When law enforcement officers are being assigned to schools, the immediate supervisor can either facilitate the success or ensure the failure of the SRO program. Orientation of the new supervisor should include not only written information on the purpose, philosophy, and operation of the school-law enforcement partnership, but also opportunities to visit and observe successful partnerships in action. For newly established SRO Programs, it is strongly recommended that supervisory staff understand, and preferably be experienced in, community policing.

Most law enforcement agencies have no formal procedures for selecting supervisors for the SRO program beyond what is required by agency policies and procedures. However, departments that have developed formal, detailed procedures for screening candidates for SRO supervisor positions report the process results in the selection of qualified individuals who can best ensure that the program is properly monitored.

According to the COPs publication *Guide to Developing, Maintaining, and Succeeding with Your SRO Program* approaches to effective supervision include:

- Regular reviews and discussions of SRO records such as activity logs and incident reports;
- Meeting with SROs as a group which promotes sharing, discussion of common issues and trends, and promotes a esprit de corps among SROs;
- Regularly visiting schools allows for observation of SRO interaction with students and staff and communicates to schools how important the law enforcement agency considers the SRO Program to be;
- Maintaining frequent telephone and/or radio communication with SROs, particularly during periods when problematic conditions may be occurring (e.g., gang activity, racial tension, recent critical incident); and
- Seeking school administrator feedback on the SRO program and any school safety-related issues.

See “Strategies to Evaluate SRO Program Effectiveness and SRO Performance” in Supplement 1. SLEP Toolkit for additional guidance and a sample form.

To Learn More about SRO Roles and Responsibilities, Qualifications, Selection, and Training

School Resource Officers: Steps to Effective School-Based Law Enforcement (September 2013). By B. Thomas, L. Towvim, J. Rosiak, & K. Anderson. National Center for Mental Health Promotion and Youth Violence Prevention.

<http://www.ncjfcj.org/sites/default/files/SRO%20Brief.pdf>

Assigning Police Officers to Schools (2010) by B. Raymond. Problem-Oriented Guides for Police Series. Office of Community Oriented Policing Services, U.S. Department of Justice.

http://www.popcenter.org/Responses/pdfs/school_police.pdf

The National Assessment of School Resource Officer Programs Final Project Report (2005) by Peter Finn and Jack McDevitt. Submitted to the Office of Community Oriented Policing Services, U.S. Department of Justice.

<https://www.ncjrs.gov/pdffiles1/nij/grants/209273.pdf>

A Guide to Developing, Maintaining, and Succeeding with Your School Resource Officer Program (2005) by P. Finn, M. Townsend, M. Shively, & T. Rich. Office of Community Oriented Policing Services, U.S. Department of Justice.

http://www.popcenter.org/Responses/school_police/PDFs/Finn_et_al_2005.pdf

Jeff Golden, "Training to Work Effectively with Youth: Reflect on the Past and Retool for the Future," *The Police Chief* 82 (November 2015): 22–29.

Partnership Goals and Related SRO Roles

SROs have multiple roles in the school setting that contribute directly to both these goals. Although there is general agreement about the nature of SRO work, experts do not agree on a single list of roles and responsibilities. Therefore, numbers and titles attached to roles vary in publications from authoritative sources.

The U.S. Department of Justice guide *Assigning Police Officers to Schools* (http://www.popcenter.org/Responses/pdfs/school_police.pdf) organizes SRO activities into three general categories:

1. Safety expert and law enforcer – assuming primary responsibility for handling calls for service at the school and serving as first responders in the event of critical incidents
2. Problem solver and liaison to community resources – developing and expanding crime prevention efforts and community justice initiatives for students
3. Educator – presenting courses on topics related to policing or responsible citizenship.

The National Association of School Resource Officers cites three roles (law enforcement officer, teacher, and informal counselor) while previous versions of the Virginia SRO Program Guide listed four roles (law enforcement officer, law-related educator, community liaison, and positive role model).

More recently, the COPs website Supporting Safe Schools (<http://cops.usdoj.gov/supportingsafeschools>) has identified four roles:

1. Law Enforcer – promotes safety in or around the school by addressing crime and fear of crime and serves as liaison between the school and outside agencies.
2. Educator – teaches topics related to law enforcement geared toward positive student behavior and collaborates with stakeholder groups.
3. Informal Counselor – builds relationships, reinforces positive behaviors, and connects youth with needed services.
4. Emergency Manager – develops and implements comprehensive safety plans or strategies, in coordination with school administrators and local first responders.

Interrelated Nature of Roles

It is important also to recognize that the roles are *interrelated* rather than entirely separate, discrete sets of activities. For example, within the context of a student violation of law such as assault and battery, the SRO is likely to respond in the role of law enforcement officer. However, subsequent to the incident, the SRO may well act in the role of informal mentor and role model in helping students to avoid the mistakes of the student who committed assault and battery by dealing with the problem in a more appropriate manner. In the context of the law-related educator role, the SRO can



draw upon his/her experience as law enforcement officer to speak credibly about what actions constitute violations of law, consequences of breaking the law, and teaching students strategies for avoiding violations of law.

Virginia SRO Roles

While law enforcement agencies are familiar with the roles of SROs, school personnel likely do not have a comparable level of understanding. These descriptions of SRO roles are included in the interest of aiding school personnel's understanding of the roles of SRO.

Three roles are featured in this *Guide* and they align with the two primary goals of school-law enforcement partnerships.

The role most closely associated with ***creating and maintaining safe school environments*** is:

1. Law enforcement officer (including crime prevention, school and public safety functions)

Roles most closely associate with ***promoting positive and supportive school climates*** are:

2. Law-related educator
3. Informal mentor and role model

Role 1. Law Enforcement Officer

In this role, SROs provide ***law enforcement services*** to the school, school grounds, and areas adjacent to the school.

As sworn law enforcement officers, SROs assume a leadership role in law enforcement and public safety matters in schools. Specific operational procedures related to investigation, searches, and arrests should be clearly set forth in written procedures. The law enforcement role can be effective when the officer assigned to a school:

- Assumes primary responsibility for handling all calls for service from the school and coordinates the response of other police resources to the school.
- Serves as a liaison between the school and the police and to provide information to students and school personnel about law enforcement matters.
- Is advised of all situations where other units within the law enforcement agency have provided services to the school.
- Provides information to the appropriate investigative units of crimes or leads that come to the attention of the officer.
- Is kept advised of all investigations by other units that involve students from his/her assigned school.
- Ensures school administrator safety by being present during incidents that may involve weapons, controlled dangerous substances or in such cases that the student's emotional state may present a serious risk to the administrator.

SROs may also serve as members of schools' threat assessment teams and assist in monitoring of subject students as well as determining the need, if any, for law enforcement action.

Beyond responding to calls for service, the law enforcement officer brings to the school setting expertise in ***crime prevention***. Focusing on crime prevention, SROs assist school administrators in problem-solving to address school crime and disorder in collaboration with members of the community.

Problem solving is a fundamental element of crime prevention. In a neighborhood setting, for example, making the environment inhospitable to drug dealers may involve not only the law enforcement agency but also the coordinated efforts of local departments of zoning, environmental health, sanitation, and traffic engineering. In the school setting, crime prevention also involves coordinated efforts by administrators, teachers, students, parents, in-school intervention programs, and community-based resources. Examples of problems addressed through proactive policing include:

- Larcenies in parking area addressed by limiting access to property; developing an enforceable parking policy; increasing parking area patrol; involving students in reporting suspicious activities; raising awareness among students, staff, and visitors of risks of leaving items in vehicles.

- Fights in cafeteria addressed by increasing SRO presence throughout lunch periods; adjusting schedule and patterns of entry/exit from food line.
- Illegal parking on roadway and nearby business lots may be addressed by posting “No Parking” signs; collaborating with business owners to post notices; enforcing ticketing and towing.
- Larcenies from locker room addressed by increasing frequency of patrol during time period larcenies are occurring; installing temporary surveillance cameras; involving students in being more vigilant and securing personal property.
- Graffiti/vandalism at school addressed by giving classroom presentations about penalties or requirements for restitution; increasing awareness of students and of parents; establishing crime line and SRO website to receive tips.
- Smoking in the woods behind school before/after school addressed by increasing surveillance of area; work with property owner to post “no trespassing” signs; enforcing trespassing violations.

SROs, as part of their law enforcement role, also bring into the school setting expertise in *school and public safety*. They assist school administrators in developing school crisis, emergency management, and medical emergency response plans. They are likely to serve as a first responder in the event of critical incidents such as serious accidents, fires, explosions, shootings, and other life-threatening events. When critical incidents occur, schools become crime scenes. Among activities SROs may undertake are:

- Conducting school safety and security assessments.
- Practicing protocols regularly using tabletop exercises and practice evacuations and lockdowns, then critiquing performance and refining protocols as needed.
- Conducting drills and related staff training to prepare staff for emergency response.
- Coordinating emergency response plans with other emergency responders.

Resources for engaging youth in school safety and other crime prevention activities are listed in Supplement 1. SLEP Toolkit.

Role 2. Law-Related Educator

Law-related education (LRE) is designed to teach students the fundamental principles and skills needed to become responsible citizens in a democracy. As *law-related educators*, SROs draw on their expertise about the law and their law enforcement experiences. Because they are representatives of the law, they are in a particularly effective position to communicate to students the consequences of unacceptable behavior.

In addition to a more formal law-related education program, law enforcement officers can serve as a valuable resource for classroom presentations that complement the school’s curriculum. For example, presentations on forensics for a science class, on ballistics for a physics class, or on crime scene photography for a photography class.

In their law-related educator role, SROs can use Virginia Rules (www.virginiarules.com), Virginia’s state-specific law-related education program for middle and high school students. Virginia Rules is designed to educate young Virginians about Virginia laws and help them develop skills needed to make sound decisions, to avoid breaking laws, and to become active citizens of their schools and communities.

The Virginia Rules web site is designed for use by students, parents, school administrators, and Virginia Rules instructors. Instructors and administrators can access and download lessons with student worksheets, student topical handouts, and supplemental materials. Administrators and other users can take advantage of the online *Juvenile Law Handbook* (accessible at <http://www.virginiarules.org/juvenile-law-handbook/Juvenile-Law-Handbook-December-2016.pdf>). Students and parents can use a wealth of information developed just for them, as well as off-site resources of interest.

For a closer look at this role and related resources...

See the SLEP Toolkit for law-related education tips and resources.



Role 3. Informal Mentor and Positive Role Model

SROs serve as *informal mentor and positive role model* through formal and informal interactions with students that increase the visibility and accessibility of police to the school community.

Being a positive role model is a more subtle and unofficial, yet potentially very powerful, role that law enforcement officers play in schools. It is in the less formal interactions that students often seek approval, direction, and guidance about problems. Adolescents are at a formative stage of development and can be strongly influenced by the messages – both spoken and unspoken – that they receive. Law enforcement officers can best serve as positive role models by:

- Setting limits – Being clear about what is acceptable and what is not; letting students know the consequences of unacceptable behavior and the rewards of acceptable behavior
- Setting an example – Demonstrating how to handle stress, resolve conflicts, celebrate successes, and be a friend
- Being honest – Providing accurate information about risks and demonstrating how to express thoughts and feelings in a mature, straightforward manner
- Showing respect – Treating students with respect; expressing high expectations for them
- Providing resources – The word “resource” in the SRO title should not be overlooked; SROs can serve as crime prevention information resources to the entire school community

To Learn More about the SRO Roles and Responsibilities

To Protect and Educate: The School Resource Officer and the Prevention of Violence in Schools (October 2012), National Association of School Resource Officers. <http://www.nasro.org>

Brian Lumpkin and Everette B. Penn, “Can Police Officers Be Effective Mentors for At-Risk Youth?” *The Police Chief*, 80 (March 2013): 26-29.

To Learn More about SRO Programs

To gain a broader perspective on SRO programs, SROs may want to read some publications from the U.S. Department of Justice developed as part of their COPS in Schools (CIS) grant program. Two examples of such publications are:

Assigning Police Officers to Schools (2010) by B. Raymond. Problem-Oriented Guides for Police Series. Office of Community Oriented Policing Services, U.S. Department of Justice. Office of Community Oriented Policing Services, U.S. Department of Justice. http://www.popcenter.org/Responses/pdfs/school_police.pdf

Guide to Developing, Maintaining, and Succeeding with Your SRO Program (Jun 2005) – U.S. Department of Justice COPS in Schools Program publication. <http://www.cops.usdoj.gov/files/ric/Publications/sroguidelines.pdf>

Additional information on topics of interest to SROs may be obtained from the National Association of School Resource Officers (NASRO), a membership organization. www.nasro.org/

A key NASRO publication describing SRO roles is *To Protect and Educate: The School Resource Officer and the Prevention of Violence in Schools* (October 2012).

B. School Partners: Key School Division and School Level Personnel

It is important for SROs to understand how school divisions and schools are organized and to become familiar with key roles and responsibilities of those with whom the SRO interacts. The remainder of this chapter is intended primarily for SROs and other law enforcement officers providing services at schools to orient them to the broad array of school personnel they are likely to encounter. It contains an overview of roles and responsibilities of key school personnel at both the division and school levels and identifies others such as parents and community members with whom the SRO is likely to have regular contact. Descriptions focus on functions most relevant to the SLEP and are not intended to be comprehensive job descriptions which, of course, vary widely across locally administered Virginia school divisions and schools.

1. Overview of School Division-Level Roles and Responsibilities

School-law enforcement partnerships are established at the school division and law enforcement agency level while most day-to-day implementation occurs at the school building level. Roles and responsibilities of key school division- and school-level personnel are described here.

Public education in Virginia is organized into *school divisions* that are in most cases contiguous with cities and counties. School division “*central offices*” vary in size and organization but are typically made up of administrators and specialists who oversee and/or support programs in multiple schools throughout the school division. “Central offices” often include three major divisions: instructional services (i.e., reading, mathematics, science, and health education), student support services (i.e., counseling, school social work, and school psychological services) and school operations (i.e., transportation, food service, and maintenance).

Local School Boards

In Virginia, local school boards are the highest education authority in counties and cities. The Virginia Constitution vests the supervision of schools in each school division in a school board (Va. Const. Art. VIII, § 7; see also Va. Code Ann. § 22.1-28). Local school boards have a very broad range of duties and responsibilities specified in the *Code of Virginia*. Most important, they promulgate local policy and regulation for the day-to-day operation of schools. (Va. Code Ann. § 22.1-78).

School Division Superintendent

Division superintendents are appointed by the local school board and typically function as chief executive officers responsible for the day-to-day operations of the school division. Interagency agreements between schools and law enforcement agencies are typically executed between the police chief or sheriff and the school division superintendent.

School divisions typically have one or more deputy and/or assistant superintendents who oversee major areas of the organization. In many smaller Virginia school divisions, a deputy or assistant superintendent is designated the point of contact for the SLEP.

School Division Emergency Manager

Effective July 1, 2013 school divisions were required by law to designate an emergency manager. The emergency manager has the potential to be an important partner to first responders and an enhancement to daily safety in schools. The emergency manager should be included in the school-law enforcement partnership at the agency level and should be apprised of the role of the SRO and coordinate their responses. This may be a role already in place under a different title. Since there were no requirements for an additional person to be hired for this role, many school divisions may find it helpful to realign responsibilities with existing requirements.

Virginia Department of Criminal Justice Services’ *Guidance on Emergency Manager Designee* provides an extensive list of potential responsibilities of the emergency manager designee utilizing responsibilities already required of schools and/or school boards and school divisions.

Related Resource

Guidance on Emergency Manager Designee (2013). Virginia Department of Criminal Justice Services. <https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/law-enforcement/guidance-school-systems-event-victims-arise-emergency.pdf>

School Division Disciplinary Hearing Officer

At the school division level, the superintendent administers discipline policy. In most school divisions there is a superintendent’s designee who typically conducts disciplinary hearings, has authority to suspend for more than ten days, investigates incidents, and prepares recommendations for action by the school board. Virginia law defines the designee as a “(i) trained hearing officer or (ii) professional employee within the administrative offices of the school division who



reports directly to the division superintendent and who is not a school-based instructional or administrative employee” (§22.1-276.01.B, *Code of Virginia*).

School disciplinary officers are often involved in the more serious incidents but typically have a great deal of influence on how all disciplinary policies and procedures are carried out by school administrators across school divisions. Many are responsible for the annual review and revisions to local codes of student conduct. Misconduct that involves violations of law often result in both administrative/disciplinary response and law enforcement/juvenile court action. Therefore, it is important for SROs to know and develop relationships with the school division disciplinary hearing officers to help ensure a coordinated handling and resolution of incidents. In some Virginia school divisions, the disciplinary hearing officer is the school division’s designated point of contact for the SLEP.

Instructional Program Supervisors/Coordinators

Educators overseeing instructional programs are also typically based at the school division “central office” and may have a variety of titles (e.g., director, supervisor, coordinator, specialist). These leaders are deeply knowledgeable about school instructional programs and are likely to be important resources in efforts to intervene with students in need of modified or alternative programming.

SROs who are providing law-related education are serving an instructional role that should always complement the ongoing education mission of schools. It is helpful for SROs to know these division-level leaders who can often help open doors to classrooms for law-related education opportunities and advise about how law-related education can complement ongoing education.

Student Services Supervisors/Coordinators

Student support services typically encompass counseling, school social work, school psychological services, and may include programs such as those addressing truancy, dropout, drug prevention/ intervention. Professionals who oversee these programs and services are typically based at the school division “central office” and may have a variety of titles (e.g., director, supervisor, coordinator, specialist). These professionals are deeply knowledgeable about school programs and services as well as community resources and are likely to be important resources in efforts to intervene with students in need of school and/or community services.

SROs will work on a regular basis with student services professionals in schools when supporting efforts to maintain positive and supportive schools. It is very helpful for the SRO to know those at the school-division level who coordinate or supervise these services in schools. They are the most knowledgeable about division-wide policies, procedures, and practices and can open doors and facilitate relationship-building in schools and provide alternatives to arrest.

School Operations Leadership

Transportation, maintenance, and food services are typically administered at the school division level. Those overseeing these services play important day-to-day safety and security roles and should be among those with whom SROs establish collaborative relationships. Transportation leaders who oversee bus drivers can be very helpful when incidents occurring on buses or bus stops must be investigated. Similarly, maintenance personnel are likely to be the most knowledgeable about school physical facilities and are critical in planning for and responding to crises. Collaboration with these division-level operations leaders is critical to SROs in any matters related to school security and crisis preparation and incident response.

2. Key School-Level Personnel

An overview of key school personnel at the school division level who typically provide oversight and/or coordination of programs and services was provided above. Most programs and services, however, are actually delivered at the school level. This section continues the overview of key school personnel, focusing on those who typically work in schools delivering the programs and services.

School Administrators

Individual schools are headed by school administrators or *principals* who, in addition to being the instructional leaders, are responsible for overseeing virtually every aspect of the day to day operation of the school. It is the principal (and assistant principals) with whom the assigned SRO *must* establish a collaborative relationship for the partnership to be successfully implemented.

Instructional Staff

Central to the primary function of schools are the *instructional staff* including classroom teachers, instructional assistants, and library/media specialists. Their primary focus is on teaching and learning. These educators work with the full spectrum of students, see students on a daily basis, and are well positioned to observe changes in students' behavior, conduct, and interactions with other students.

Specialists

In addition to the school administrator and assistant administrator(s) and classroom teachers, schools typically have other professionals who work with students. These *specialists* provide a broad range of services. Because much of the work of these specialists is focused on high-risk students, it is important for the SRO to understand the roles of these specialists and to establish working relationships with them.

Among the specialists who work with a broad spectrum of students are school counselors, school nurses, school psychologists, and school social workers. To be effective, SROs must establish collaborative relationships with these specialists.

School Counselors are professional educators who hold graduate degrees and are licensed by the Virginia Department of Education. They typically do the following:

- Counsel students individually or in small groups
- Coordinate services to students
- Provide crisis counseling
- Consult with school multi-disciplinary teams
- Evaluate student records and interpret test scores
- Conduct classroom guidance sessions
- Explore educational and occupational information
- Refer students and parents to community resources

School counseling departments in individual secondary schools vary in their organization and specialized assignments. Understanding how a particular school counseling department is organized and operates helps SROs work more effectively with counselors in a school.

School Nurses are fully qualified nurses who work within schools and typically do the following:

- Manage medical emergencies and administer medications
- Conduct vision, hearing, scoliosis, and other health screenings and, when problems are detected, refer for additional services
- Continuous observation for and, if necessary, control of communicable and infectious diseases
- Assist with family life education activities
- Individual counseling of students regarding health concerns
- Provide crisis counseling



School nurses are critical actors in emergencies and should be involved with any planning for crisis or critical incident response.

School Psychologists hold graduate degrees, are licensed by the Virginia Department of Education and may hold additional clinical licensure. Some of the duties of school psychologists are:

- Formal assessment of cognitive, academic and social/emotional functions of students
- Crisis counseling and referral of students and their families to community services
- Consultation with teachers, parents, and others regarding the psychological needs of students
- Development of curriculum and teaching strategies and behavior management programs

School psychologists can contribute valuable insights to decisions about students, particularly related to threat assessment and disciplinary action.

School Social Workers hold graduate degrees and are licensed by the Virginia Department of Education and may hold additional clinical or specialty licenses. They typically have some of the following responsibilities:

- Serve as liaison between home, school, and community resources, uniting the efforts on behalf of students
- Provide individual and small group counseling and counseling with families
- Serve on school and community interdisciplinary teams
- Serve as attendance officer designee and enforce compulsory attendance
- Provide outreach, including dropout retrieval
- Serve on school's crisis team and provide crisis counseling

School social workers focus a great deal on linking students and their families to needed school and community resources. They are especially knowledgeable about community conditions and the nature and availability of community-based services.

Custodians and *maintenance and cafeteria personnel* are particularly knowledgeable about the school's physical plant and operation.

Bus drivers are familiar with neighborhoods and with activities at and around bus stops. Their involvement in crisis preparation and response is critical.

Also found in many schools are other specialists such as *speech pathologists*, *physical therapists*, and *occupational therapists* who typically work with students with disabilities. Services of these specialists are usually part of the student's individual education plan (IEP). These professionals often serve more than one school depending on the numbers of students in each school requiring therapy.

School Security Officer Role

School security officer (SSO) is defined in § 9.1-101, *Code of Virginia*, as:

“School security officer” means an individual who is employed by the local school board for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of school board policies, and detaining students violating the law or school board policies on school property or at school-sponsored events and who is responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.

Virginia Administrative Code (6VAC20-240-20) sets forth requirements to be an SSO including training and certification by the Virginia Department of Criminal Justice Services.

The key responsibilities of a SSO in Virginia are to work with the school staff and students to ***maintain order and discipline in the school***. They are employed by school divisions that prescribe the specific duties and responsibilities of the SSOs they employ.

Detailed information about Virginia’s School Security Officer Certification Program is posted on the Virginia Department of Criminal Justice Services website at: <https://www.dcjs.virginia.gov/virginia-center-school-and-campus-safety/k-12/safety-security/school-security-officer-ss0-certification-program>

Parameters of SSO Authority

Of particular importance to an SRO is having a clear understanding of the authority of SSOs and how it differs from that of SROs. The key difference is that SROs are law enforcement officers and have sworn authority set forth in state law, including the authority to arrest. SSOs in Virginia are school division employees working under the direction of a local school administrator. SSOs do *not* have law enforcement authority.

Within the school environment, it is critical to differentiate criminal matters that are the responsibility of the SRO from disciplinary matters that are the responsibility of the school administrator. As a rule,

- Law enforcement officers take the lead when there are serious criminal violations;
- School officials take the lead on school violations; and
- Roles of SSOs are specified by the employing school division.

Comparing SRO and SSO Roles

The SSO must work effectively with both law enforcement and educators to resolve school security problems. Roles of the SSO and the SRO are compared in Table 3. It is important to understand that SSO roles are prescribed by schools either at the division or school level and, therefore, may vary widely across school divisions and schools.

Table 3. Comparison of SRO and SSO Roles

School Security Officer	School Resource Officer
1. A school employee	1. A law enforcement agency employee
2. Complying with and guided by local school policies and regulations	2. Complying with federal and state laws and local ordinances
3. Functions under the direction of local school principal or designee	3. Functions under the direction of law enforcement command
4. Primarily assigned to school campus activities	4. Assigned to school and community activities
5. Responsible for enforcing school policy	5. Responsible for enforcing laws
6. Responsible for detaining individuals	6. Responsible for custody and arrest in conformance with law
7. Can search students based upon reasonable suspicion in accordance with local school board policy	7. Search in accordance with State and Federal laws; search requires probable cause or permission
8. May detain and question students	8. Laws and custody requirement procedures apply
9. Act in absence of parents (<i>in loco parentis</i>)	9. Act under the standards of law
10. Use of force should be limited and only used in accordance with local school policy	10. Use of force is permissible as guided by department policy

School Personnel Training about SRO Roles and Procedures

School personnel must be trained to achieve an accurate set of expectations about SRO roles and to understand school-specific operational procedures. Because both SROs and school personnel require training, it is strongly recommended that the partnership develop a plan for initial and ongoing/refresher training.

For training on legal issues, joint training of SROs and school administrators is particularly effective. Trainings related to student issues (e.g., mental health conditions, substance abuse, intervention programs and supports, suicide prevention) are often offered for school personnel and allowing SROs to attend can be a simple and effective strategy for SROs accessing specialized training.



The Broader School “Community”

Schools are communities within communities. Beyond students, teachers, administrators, and a variety of specialists and support personnel, there are additional members of the broader community that might be overlooked. Schools are where the whole community comes together and SROs are strategically located to interact with and be of assistance to numerous members of the community.

- It is not uncommon for parents to approach the SRO concerning non-school related issues.
- Faculty and staff members will seek advice from the SROs concerning domestic issues or neighbor complaints.
- Homeowners near the school may report suspicious activity to the SRO.
- Business owners may request assistance from the SRO concerning student conduct in their stores.

Although the SRO may be assigned to a school with 1,500 students, the actual number of community members served can be much higher when taking into account the broader school community. Shown in Table 4 are some key groups and some examples of their roles in school-law enforcement partnerships:

Table 4: Key Groups in School–Police Partnerships

Key Members of School-Law Enforcement Partnerships	Partnership Roles
Local School Board	The Virginia Constitution vests the supervision of schools in each school division in a school board.
School division leadership: Superintendent and division-level administrators.	Their support is critical. Agreement between the superintendent and police chief/sheriff establishes the framework for partnership. They are key to division-wide policy change.
Building leadership: Principal, assistant principals.	On a day-to-day basis, principals carry primary responsibility for school building operations including implementing student conduct policies and procedures.
Instructional staff: Department heads, faculty, instructional assistants.	Focus primarily on the teaching and learning. Often very knowledgeable about individual students and student groups. Their support for partnership efforts is critical.
Specialists: School counselors, school nurses, school social workers, school psychologists, and homelessness coordinator.	Focus largely, although not exclusively, on high-risk students. They are key to developing intervention strategies for individual students. See Chapter V, Section B. Challenges Students Experience for additional related information on issues these specialists address and strategies for effective collaboration.
Operations staff: Custodian, maintenance and cafeteria personnel, bus drivers.	Knowledgeable about the school’s physical plant and operation; often in a position to observe important student interaction. Sometimes overlooked, they need to be involved in partnership activities.
Coaches	Coaches are well positioned to observe behavior and peer interaction and to have informal contact with students. Further, they are typically held in high esteem by students and are very influential. Their understanding and support for the school-law enforcement partnership implementation is very important.
Students	Although some have needs that require school intervention and a small number require law enforcement intervention, most can serve as a valuable resource for school safety and security. They can be engaged in law-related education, in crime prevention activities, and are an excellent source of information for problem analysis and developing solutions.
Parents	Provide valuable perspectives; important to continuing political support for partnerships.
Local businesses and civic groups	Often strongly invested in schools, they can provide valuable perspectives and financial and/or political support.
Community-based agencies serving children and families including Community Services Boards (CSBs), Court Service Units (CSUs), Departments of Social Services (DSSs).	Students and their families may be involved with or need the services of various community mental health, social services, or counseling and support organizations. See Chapter V, Section B. Challenges Students Experience for additional related information on issues these specialists address and strategies for effective collaboration with these resources.

III. Legal Issues in School-Law Enforcement Partnerships

This chapter focuses legal issues in SLEPS, clarifying disciplinary and law enforcement action, use of discretion and supportive responses to student misconduct, and issues associated with information sharing, questioning, searches, arrests, physical intervention, and student victims' rights. There is an emphasis on establishing foundational understandings at the school division and law enforcement agency levels to ensure that division-wide and law enforcement agency policies and procedures support the successful implementation of the partnership.

All issues in this chapter should be clearly defined and procedures delineated as fully as possible at the school division and law enforcement agency level and not be left to be determined by building administrators and individual SROs.

A. Understanding Student Discipline Policies and Practices

The Virginia Board of Education is required by law (§ 22.1-279.6. of the *Code of Virginia*) to establish guidelines and develop model policies for codes of student conduct to aid local school boards in the implementation of such policies.

SROs need to have a firm understanding of their school division's student conduct policies and procedures and are strongly urged to read both the Virginia Board of Education *Student Conduct Policy Guidelines* (to understand statutory base for disciplinary actions) and the local school board student conduct policies (to understand division-wide policies and procedures). In addition, SROs should become familiar with school-specific rules. Although SROs should have no role in the enforcement of school rules, violations need to be recognized and brought to the attention of school personnel for appropriate administrative action.

Of great importance for SROs is an understanding of the graduated sanctions used by their schools and the degree of discretion that school administrators have in response to misconduct. The degree of administrator discretion in determining appropriate disciplinary action granted by a school board is critical to the effectiveness of a school division's discipline policy.

School boards have a legitimate interest in the consistency and fairness of policy implementation across school sites. To ensure greater consistency, some school boards have prescribed certain minimum and maximum disciplinary actions, others have identified levels of action appropriate for specified offenses and many have limited principal discretion in cases of very serious offenses.

To Learn More about Virginia Codes of Conduct

Student Code of Conduct Policy Guidelines (January 2015). Virginia Board of Education.

http://www.doe.virginia.gov/boe/guidance/safety/student_conduct.pdf

These guidelines are written for local school boards to use in developing and implementing local student discipline policy in accordance with Virginia law. The publication contains a review of the legal bases for disciplinary action, sets forth elements of student conduct policy and its application, and discusses use of administrative discretion.

Parents' Guide to Understanding School Discipline Policies and Practices in Virginia Schools (May 2008). Virginia Department of Education.

http://www.doe.virginia.gov/support/student_conduct/parents_guide_student_discipline_policies.pdf

This is a Virginia Department of Education publication written for parents in an easy-to-understand question and answer format.

For students with disabilities there are certain additional procedural safeguards that are detailed in *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* (January 2010).

http://www.doe.virginia.gov/special_ed/regulations/state/regs_speced_disability_va.pdf



B. Student Misconduct: Differentiating Disciplinary and Law Enforcement Responses

Virginia's Model MOU requires differentiation of misconduct requiring disciplinary responses and criminal offenses requiring a law enforcement response and includes the following provisions:

- School administrators and teachers are responsible for school discipline. Although SROs are expected to be familiar with the school division code of student conduct, the rules of individual schools, and their application in day-to-day practice, SROs should not be involved with the enforcement of school rules or disciplinary infractions that are not violations of law.
- Consequences of student misconduct should be effective, developmentally appropriate, and fair. Interventions and school sanctions should help students learn from their mistakes and address root causes of misconduct. School administrators will consider alternatives to suspensions and law enforcement officials will consider alternatives to referrals to juvenile court services and arrests for student violations of law.
- The SLEP shall operate in a manner to ensure children with disabilities receive appropriate behavioral interventions and supports.

An effective SLEP is characterized by foundational understandings about the a) nature of incidents that occur – whether they are criminal or non-criminal), b) permissible law enforcement and administrator responses in responding to incidents, and c) administrative and criminal sanctions that may apply.

The first challenge is differentiating misconduct that is addressed through the administrative disciplinary process and violations of law that require a law enforcement response. These understandings should in large measure be established at the school division and law enforcement agency level and be outlined in the MOU and/or related procedures and guidelines.

In determining the nature of the incident, relevant questions include:

- Is it a conduct code violation? Does it conform to the DCV definitions?
- Is it also a violation of law? Does it meet criteria set forth in Code?

Discussing questions such as these will raise important issues involving exercise of judgement:

- Under what circumstances will bullying be labeled “assault” or “extortion” and result in criminal charges?
- Under what circumstances will fighting result in charges of assault and battery?
- When does a dispute over an allegedly borrowed jacket become a theft and result in a larceny charge?

Once it is determined whether a code offense and/or crime has been committed, decisions about appropriate response are required.

When a violation of law has occurred, the SRO may take action whether the incident has been reported to him/her by school administrators or the SRO has personal knowledge of the incident.

Positive outcomes for students, for schools, and for school-law enforcement partnerships are far more likely when the law enforcement officers and school administrators who work together on a daily basis understand their respective roles and work together judiciously to apply appropriate available sanctions.

Certain offenses are required to be reported to law enforcement in accordance with *Code of Virginia*, §22.1-279.3:1; however, other violations are reported voluntarily. Whether and under what circumstances violations are voluntarily reported should be clearly defined at the school division level. School-level understandings, however, are also necessary.

It is important to note that incidents reported to law enforcement may or may not result in charges. Just as school administrators can exercise discretion in disciplinary action, SROs also have discretion in the handling of cases reported to them. Opportunities for discretion are more fully discussed in the following section of this Chapter.

Of great concern is the potential for schools to seek out law enforcement response as a solution to weak disciplinary policies or practices. This is a serious issue that requires examination and clear understandings between the schools and law enforcement to ensure school personnel fully assume responsibility in disciplinary matters and that SROs stay within the boundaries of their law enforcement officer role.

According to the Northwest Regional Educational Laboratory’s Clearinghouse on school safety, recent experience with school-law enforcement partnerships has taught the following:


- Law enforcement officers are not school disciplinarians.
- The officer’s presence does not reduce the responsibility of teachers and of administrators to enforce school rules and the school division’s student code of conduct.
- Classroom management rests with the teacher.
- Disciplinary responses remain the responsibility of school administrators.
- The focus of law enforcement involvement in conduct matters is properly centered on incidents that involve a violation of law.

C. Use of Discretion

Both school administrators and SROs have and can exercise discretion and judgment in response to school-based incidents. Criminalizing misconduct that arises from youthful poor judgment should be avoided if at all possible.

Discretion by school administrators

School division student conduct policies typically employ graduated sanctions and grant school administrators authority to select from a range of disciplinary actions. The Virginia Board of Education *Student Conduct Policy Guidelines* cite a range of options from an admonition to expulsion. The options and alternatives may include, but are not limited to:

Less  More	1. Admonition and counseling 2. Parent/pupil conference 3. Modification of student classroom assignment or schedule 4. Student behavior contract 5. Referral to student assistance programming services 6. After-school or in-school detention 7. Suspension of student privileges for a specified period 8. Removal from class 9. Initiation of eligibility determination process 10. Referral to in-school intervention, mediation, or community service programs 11. Short-term suspension 12. Long-term suspension 13. Recommendation for expulsion
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SROs must become familiar with local school division disciplinary policies, the range of disciplinary options authorized and available, and the enforcement norms at the assigned school.



Discretion by SROs

In deciding whether to handle an incident formally or informally, SROs and their law enforcement agency policies should consider:

- Seriousness of offense;
- Prior record of student;
- Child's age;
- Cooperation and attitude of all parties (student, parent, victim) and the possibility of the offense being repeated;
- Degree of wrongful intent, violence, premeditation, knowledge of violation; and
- Likelihood that the student or parent can be successfully referred to a helping resource.

Formal handling (e.g., filing of a petition with the juvenile court or filing charges if an adult) is usually required for:

- Acts that if committed by an adult would be a felony;
- Acts involving weapons;
- Acts involving aggravated assaults; and
- Acts committed by juveniles already on probation.

Using a collaborative approach, SROs and school administrators can consider the totality of circumstances to determine what responses to misconduct best serve the interest of the student and the welfare of the school community. Although parties may not achieve full agreement in all cases, a good faith effort to exercise discretion within their respective spheres of authority is more likely to result in a balancing of community and student interests.

“Pipeline to Prison” Concerns

Establishing clear understandings has become even more critical in light of recent assertions that the presence of SROs in schools increases the number of students who enter the justice system, contributing to the “pipeline to prison.” There is particular concern that those entering the justice system are disproportionately students of color and students with disabilities.

Advocates for reforms argue that minor, adolescent behavior would be more appropriately addressed by education through disciplinary processes that allow students to learn from their mistakes and avoid unintended negative consequences of involvement with the justice system. Current school law enforcement reforms emphasize diversion from the justice system of students who commit minor criminal offenses and strengthening rehabilitative alternatives. See related information about the use of discretion by both school administrators and SROs as well as strategies to divert youth from the justice system and the use of restorative justice approaches contained elsewhere in this *SLEP Guide*.

Virginia Studies

In Virginia, two National Institute of Justice, Office of Justice Programs, U.S. Department of Justice grants-funded studies are being conducted that examine school-law enforcement practices about which “pipeline to prison” concerns have been expressed. Preliminary findings from the first study (Award No. 2014-CK-BX-0007) have shown that the rate of referral to juvenile intake in Virginia is 2.3 per 1,000, likely placing Virginia well below the national average rate, although published rates are known to contain erroneous data, making it difficult to ascertain an accurate national average rate. About 14 percent of incidents reported to law enforcement appeared before a juvenile court intake officer; the numbers/percentages actually appearing before a judge are not yet determined. The study, using rigorous methodology, has identified serious methodological errors in a prior published report that ranked Virginia first, having the highest rate in the nation. Ongoing analyses are examining the degree to which SROs contribute to exclusionary and/or disparities in disciplinary outcomes. (Personal communications with Principal Investigator, Gerald Lawson, Ph.D. Associate Professor, Virginia Tech, May 15, 2017 and May 23, 2017). The second study (Award No. 2016-CK-BX-0021) is investigating school resource and school safety programs, policy, and practice in Virginia and is likely to greatly improve understanding of current practices in Virginia.

NASRO Position Statement

In response to assertions that the presence of SROs in schools increase the number of students who enter the justice system, contributing to the “pipeline to prison,” the National Association of School Resource Officers (NASRO) issued a report in October 2014 a) citing evidence that SROs are effective in reducing campus disruptions and supporting education interests and b) critiquing key research cited by SRO critics as failing to make empirical connections between implementation of SRO programs and higher arrest rates.

NASRO also issued a position statement emphasizing the importance of SLEP agreements requiring SROs to be carefully selected and trained, clearly define their roles, prohibit their becoming involved in formal school discipline situations that are the responsibility of school administrators, and receive training on response to children with special needs.

Supportive Responses to Student Misconduct

Within the context of current concerns, experiences of SRO programs suggest the need for supportive responses to student misconduct that involve:

- *Schools* making every effort to handle routine discipline within the school disciplinary process without involving SROs in an enforcement capacity unless absolutely necessary or required by law. To this end, school division policies, administrative guidance, training, and ongoing oversight must clearly communicate that school administrators and teachers are ultimately responsible for school discipline and culture and that law enforcement should not be involved in the enforcement of disciplinary response.
- *SROs* not becoming involved with routine school matters unrelated to any law enforcement or security function and to avoid criminalizing adolescent misbehavior by exercising discretion and judgment in response to school-based incidents. To this end, SROs should reserve petitions to juvenile courts for serious offenses and only after considering alternative consequences that divert students from court involvement.
- *School administrators and SROs* using a collaborative process to consider the totality of circumstances to determine what responses to misconduct best serve the interest of the student and the welfare of the school community. Parties may not achieve full agreement in balancing these interests in all cases. However a good faith effort to exercise discretion within their respective spheres of authority is more likely to balance the interests of the school community and the student.

To Learn More about SRO Involvement in School Discipline

To Protect and Educate: The School Resource Officer and the Prevention of Violence in Schools (October 2012). National Association of School Resource Officers. <https://nasro.org/cms/wp-content/uploads/2013/11/NASRO-To-Protect-and-Educate-nosecurity.pdf>

The NASRO Position Statement on Police Involvement in Student Discipline.

<https://nasro.org/news/nasro-updates/nasro-position-statement-police-involvement-student-discipline/>

National Resource Center for School-Justice Partnership. <https://schooljusticepartnership.org/about-the-project.html>

Established in 2015 by the National Council of Juvenile and Family Court Judges as a resource for schools, law enforcement agencies, and to advance school discipline reform efforts. The purpose of the School-Justice Partnership Project is to enhance collaboration and coordination among schools, mental and behavioral health specialists, law enforcement and juvenile justice officials to help students succeed in school and prevent negative outcomes for youth and communities.

Parallel Criminal and Disciplinary Processes

Some offenses will result in students experiencing both disciplinary and criminal processes. One example is bomb threat. It is among the incidents school officials are required to report to law enforcement in accordance with § 22.1-279.3:1. A complaint may also be made to juvenile court intake resulting in the student experiencing both disciplinary and criminal processes. The two processes are briefly described here:



Criminal Process

The criminal process for juveniles is governed primarily by provisions in Title 16.1, *Code of Virginia*, pertaining to courts not of record.

Under the criminal process, the law enforcement officer makes a complaint to juvenile intake following local established procedures. The intake officer may divert cases from the formal process depending on resources and practices authorized by the judge in the particular locality. As with other resources and services, diversion options are typically greater in more urban areas and sparse in rural areas. If diversion is not an option, the intake officer files a petition and makes a determination regarding detention of the juvenile. The case then goes before the Juvenile and Domestic Relations Court in preliminary, adjudicatory, and dispositional hearings. At the preliminary hearing, a determination is made as to whether the case has merit; if it does not, the case may be dismissed at that point. At the adjudicatory hearing the evidence is heard and a determination as to guilt is made. If there is a finding of guilt (or “not innocent”), a dispositional hearing is scheduled. Frequently, judges order that a report is taken into consideration when disposition is made.

A variety of sanctions can be imposed by the judge including, but not limited to, probation with certain conditions attached, community service, and either denying or suspending driver’s license in accordance with §16.1-278.9., *Code of Virginia*. The route of appeal is to Circuit Court.

Administrative/Disciplinary Process

The administrative/disciplinary process for students is governed primarily by provisions in Title 22.1, *Code of Virginia*, pertaining to education.

Under the administrative process, the principal imposes disciplinary sanctions in accordance with local student conduct policy. Because bomb threats are very disruptive to schools, most school division policies call for a suspension of some length and may pair that with other consequences. Principals have authority to suspend a student up to a maximum 10 days but may refer the matter to the school division disciplinary hearing officer with recommendation for longer-term suspension. Regardless of length of suspension, the principal immediately provides notifications prescribed by law to both the student and the parent.

Diversion from Justice Involvement

According to the Mental Health and Juvenile Justice Collaborative for Change, over 1.5 million youth under the age of 18 are arrested each year (OJJDP, 2010); more than 600,000 youth are placed in detention centers; and, on any given day, close to 70,000 youth are in juvenile correctional placement. These statistics, along with documented reports of inadequate and inappropriate care and treatment of youth, have prompted reform efforts across the country at both state and local levels. As a result, many states and localities are exploring diversion programs as a way to keep youth out of the juvenile justice system.

Virginia Juvenile Courts: Potential Partners in Diversion

Often overlooked in discussions of SLEPs and diversion from justice systems are the juvenile courts and, more specifically, court service units (CSUs) that carry out intake and supervisions throughout Virginia. Experience with SRO programs has shown the value of SLEPs establishing collaborative relationships with juvenile court judges and their CSU personnel to identify and employ strategies for keeping students on track educationally and out of the justice system.

CSUs in their intake capacity are heavily invested in diverting low-risk youth from the justice system and reducing the number of youth on probation. When complaints are received, the intake officer reviews the circumstances of the

complaint first to determine whether probable cause exists; if there is insufficient probable cause, the complaint is resolved with no further action. If probable cause exists, in most cases the intake officer has the discretion to informally process or divert the case, file a petition to initiate court action, or file a petition with an order placing the juvenile in a juvenile detention center.

A broad range of diversion options can be used including family counseling, substance abuse intervention, mental health intervention such as anger management, mentoring, life skills training, community service, restitution, and other rehabilitative and restorative consequences.

To Learn More about Diversion Models

School-Justice Partnership National Resource Center. <https://schooljusticepartnership.org/>

The center provides research, training, and technical assistance to develop effective school/justice policies and practice.

Judicially-Led Responses to the School Pathways to the Juvenile Justice System Project: An Overview of the Lessons Learned.

http://www.ncjfcj.org/sites/default/files/NCJFCJ_School_Pathways_TAB_Final.pdf

The Court's Role in Dismantling the School-to-Prison Pipeline by Judge Steven C. Teske and Judge J. Brian Huff.

Journal of Juvenile and Family Justice Today, Winter 2011. [http://www.ncjfcj.org/sites/default/files/Today%20Winter%202011Feature%20\(2\).pdf](http://www.ncjfcj.org/sites/default/files/Today%20Winter%202011Feature%20(2).pdf)

Juvenile Diversion Guidebook. Models for Change Juvenile Justice Diversion Workgroup. <http://www.modelsforchange.net/publications/301>

Mental Health and Juvenile Justice Collaborative for Change. <http://cfc.ncmhji.com/resources/diversion-strategies/>

D. Restorative Justice

Closely related to use of discretion in disciplinary action is use of restorative justice approaches to school discipline. These practices have emerged in response to unintended negative consequences of zero tolerance and other exclusionary discipline policies. The unintended consequences of exclusionary discipline:

1. Student “push-out”
2. School to prison pipeline
3. Disproportional minority exclusion

Restorative justice views crime or harm primarily as a violation of individuals, relationships, and communities that “creates obligations to make things right.” “Justice” is about repairing the harm caused to victims, offenders, and community. To the greatest extent possible, restorative processes seek to rebuild relationships damaged by crime and other conflicts.

Principles of Restorative Justice:

- Repairing harm
- Including stakeholders
- Accountability, safety, reintegration
- Avoiding unnecessary formal government involvement

A restorative response includes two primary components:

1. A non-adversarial and dialogue-based decision-making process that allows affected parties to discuss the harm done to victims, while considering needs of all participants
2. An agreement for going forward based on the input of all stakeholders about what is necessary to repair the harm directly to the persons and community.

A restorative response requires a different mindset. Table 5 compares traditional and restorative systems.



Table 5. Comparison of Traditional and Restorative Systems

Traditional Systems	Restorative Systems
What law was broken?	Who has been harmed and what harm was done?
Whose fault is it? (Who did it and who do we blame?)	What are their needs?
What do they deserve? (What should the punishment be? How should we punish them?)	Whose obligation is this? (What repair is needed and who is responsible?)

The goals of restorative justice in schools are to:

1. Create a restorative and inclusive school climate rather than a punitive one;
2. Decrease suspensions, expulsions, and disciplinary referrals by holding youth accountable for their actions through repairing harm and making amends;
3. Include persons who have harmed, been harmed, and their surrounding community in restorative responses to school misconduct; and
4. Re-engage youth at risk of academic failure and juvenile justice system entry through dialogue-driven, restorative responses to school misbehavior.

To Learn More about Restorative Justice in Schools

Centre for Justice & Reconciliation. <http://restorativejustice.org/restorative-justice/about-restorative-justice/>

NDTAC’s Supportive School Discipline Communities of Practice (SSDCOP), U.S. Department of Education.

<http://ssdcop.neglected-delinquent.org>

National Center on Safe Supportive Learning Environments (NCSSLE), U.S. Departments of Education and Health and

Human Services. <http://safesupportivelearning.ed.gov>

E. Information Sharing

Two federal laws govern the exchange of information in schools:

FERPA – The Family Educational Rights and Privacy Act (FERPA) is the primary law that governs the privacy of educational records.

HIPAA – The Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule provides Federal privacy protections for individually identifiable health information.

Information sharing is an issue that is important to address in the SLEP MOU and to clarify in related policies and procedures. SROs in Virginia are typically defined as a “school official with a legitimate educational interest” and can access most educational records. On a day-to-day basis, most information shared is information obtained through an administrator’s or other school official’s personal knowledge or observation and these are not defined as education records.

The Virginia Model MOU includes the following provisions:

- Release of student records is governed by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g.
- When appropriate, and to the extent the law allows, the school division should notify SROs of any special needs of a student involved in a school-based infraction that is not routine discipline, in order to assist the SRO in recognizing and accommodating behaviors that may be manifestations of the student’s disability.
- **Consent access.** An SRO or other law enforcement officer may have access to a student’s education records with written consent of the student’s parent or of the student if the student is age 18 or older.

- **SRO access.** For purposes of access to student records, SROs are considered “school officials” and may be provided student information as needed to carry out their duties related to the school environment. SROs may have access to directory information for all students in the school division. SROs may have access to information on students in their assigned schools that include directory information and additional items needed to carry out their duties, such as class schedules, as approved by the school administrator.
- **Health and Safety Emergency Exception.** In the event of a significant and articulable threat to health or safety, school officials may disclose any information from student records to appropriate parties, including law enforcement officials, whose knowledge of the information is needed to protect the health and safety of a student or another individual.
- **SRO disclosure of law enforcement records.** SROs may disclose only law enforcement records created and maintained by the SRO for the purpose of ensuring the physical safety and security of people and property in schools and/or enforcement of laws. Because law enforcement records are not student records, they are not subject to the disclosure restrictions of FERPA.

FERPA

The Family Educational Rights and Privacy Act (FERPA) is the primary law that governs the privacy of educational records. FERPA was enacted to provide parents access to education records and to limit disclosure of records without their consent (or the student’s consent if age 18).

FERPA protects the rights of parents or eligible students to

- Inspect and review education records;
- Seek to amend education records; and
- Consent to the disclosure of personally identifiable information (PII) from education records, except as specified by law.

What Are “Education Records?”

Different types of records and information may be protected by FERPA if determined to be “education records.” Education records are protected by FERPA and are broadly defined as records that are directly related to a student and maintained by an educational agency or institution, or by a party acting for the agency or institution.

Table 6 contains examples of what types of records generally are and are not considered to be education records.

Table 6. Comparison of Education and Non-Education Records

Education Records	Non-Education Records
Transcripts	Records that are kept in the sole possession of the maker and used only as personal memory aids
Disciplinary records	Law enforcement unit records
Standardized test results	Grades on peer-guided papers before they are collected and recorded by a teacher
Health (including mental health) and family history records	Records created or received by a school after an individual is no longer in attendance and that are not directly related to the individual’s attendance at the school
Records on services provided to students under the Individuals with Disabilities Education Act (IDEA)	Employee records that relate exclusively to an individual in that individual’s capacity as an employee
Records on services and accommodations provided to students under Section 504 of the Rehabilitation Act of 1973 and Title II of the ADA	Information obtained through a school official’s personal knowledge or observation and not from the student’s education records

Source: U.S. Department of Education. *Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools.*



Who May Access *FERPA*-Protected Education Records?

“School officials with a legitimate educational interest” may access *FERPA*-protected education records. Schools determine the criteria for who is considered a school official with a legitimate educational interest under *FERPA* regulations, and it generally includes teachers, counselors, school administrators, and other school staff.

The term “school official with a legitimate educational interest” may also include contractors, consultants, volunteers, and other parties if those individuals

- Perform an institutional service or function for which the agency or institution would otherwise use employees;
- Are under the direct control of the agency or institution with respect to the use and maintenance of education records; and
- Are subject to the requirements of 34 CFR § 99.33(a), which specifies that individuals who receive information from education records may use the information only for the purposes for which the disclosure was made and which generally prohibits the re-disclosure of records to any other party without the prior consent of the parent or eligible student.

Balancing Safety and Privacy

Source: U.S. Department of Education. *Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools*.

School officials must balance safety interests and student privacy interests. *FERPA* contains exceptions to the general consent requirement, including the “health or safety emergency exception,” and exceptions to the definition of education records, including “law enforcement unit records,” which provide school officials with tools to support this goal.

Personal Knowledge or Observation

FERPA does not prohibit a school official from disclosing information about a student if the information is obtained through the school official’s personal knowledge or observation, and not from the student’s education records. For example, if a teacher overhears a student making threatening remarks to other students, *FERPA* does not protect that information, and the teacher may disclose what he or she overheard to appropriate authorities.

Health or Safety Emergency Exception

In an emergency, *FERPA* permits school officials to disclose without consent education records, including personally identifiable information from those records, to protect the health or safety of students or other individuals. At such times, records and information may be released to appropriate parties such as law enforcement officials, public health officials, and trained medical personnel. See 34 CFR § 99.31(a)(10) and § 99.36. This exception is limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable information from a student’s education records.

The Law Enforcement Unit Record Exemption to the Definition of Education Records

FERPA defines a “law enforcement unit” as any individual, office, department, division, or other component of an educational agency or institution, such as a unit of commissioned police officers or non-commissioned security guards, that is officially authorized or designated by that agency or institution to

- (i) Enforce any local, state, or federal law, or refer to appropriate authorities a matter for enforcement of any local, state, or federal law against any individual or organization other than the agency or institution itself; or
- (ii) Maintain the physical security and safety of the agency or institution.

Significantly, to be considered a “law enforcement unit” under this definition, an individual or component must be officially authorized or designated to carry out the functions listed above by the school. Schools may designate a traditional law enforcement entity (such as school security staff, school resource officers [SROs], school safety officers, school police, or other school official).

Security Videos

Schools are increasingly using security cameras as a tool to monitor and improve student safety. Images of students captured on security videotapes that are maintained by the school's law enforcement unit are not considered education records under *FERPA*. Accordingly, these videotapes may be shared with parents of students whose images are on the video and with outside law enforcement authorities, as appropriate. Schools that do not have a designated law enforcement unit might consider designating an employee to serve as the "law enforcement unit" in order to maintain the security camera and determine the appropriate circumstances in which the school would disclose recorded images.

To Learn More about FERPA and Related Exceptions

U.S. Department of Education webpages on FERPA. <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn>

Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools (Oct.2007). U.S. Department of Education.

<http://www2.ed.gov/policy/gen/guid/fpco/brochures/elsec.pdf>

Addressing Emergencies on Campus (June 2011). U.S. Department of Education.

<http://www2.ed.gov/policy/gen/guid/fpco/pdf/emergency-guidance.pdf>

Management of Student Education Records. Presentation by Virginia Department of Education.

http://www.doe.virginia.gov/support/technology/info_briefs/mgmt_stu_ed_records.pdf

HIPAA

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule provides federal privacy protections for individually identifiable health information, called protected health information (PHI), held by most health care providers and health plans and their business associates. The HIPAA Privacy Rule sets out how and with whom PHI may be shared. The Privacy Rule also gives individuals certain rights regarding their health information, such as the rights to access or request corrections to their information.

Disclosure Circumstances

In general a HIPAA covered entity may disclose personal health information to law enforcement under these circumstances:

A HIPAA covered entity may disclose PHI to law enforcement with the individual's signed HIPAA authorization.

A HIPAA covered entity also may disclose PHI to law enforcement without the individual's signed HIPAA authorization in certain incidents, including:

- To report PHI to a law enforcement official reasonably able to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public.
- To report PHI that the covered entity in good faith believes to be evidence of a crime that occurred on the premises of the covered entity.
- To alert law enforcement to the death of the individual, when there is a suspicion that death resulted from criminal conduct.
- When responding to an off-site medical emergency, as necessary to alert law enforcement to criminal activity.
- To report PHI to law enforcement when required by law to do so (such as reporting gunshots or stab wounds).
- To comply with a court order or court-ordered warrant, a subpoena or summons issued by a judicial officer, or an administrative request from a law enforcement official (the administrative request must include a written statement that the information requested is relevant and material, specific and limited in scope, and de-identified information cannot be used).
- To respond to a request for PHI for purposes of identifying or locating a suspect, fugitive, material witness or missing person, but the information must be limited to basic demographic and health information about the person.



- To respond to a request for PHI about an adult victim of a crime when the victim agrees (or in limited circumstances if the individual is unable to agree). Child abuse or neglect may be reported, without a parent's agreement, to any law enforcement official authorized by law to receive such reports.

To Learn More about HIPAA

Health Insurance Portability and Accountability Act (HIPAA) Privacy Rules: A Guide for Law Enforcement (2013).

U.S. Departments of Justice and Health and Human Services. http://www.hhs.gov/sites/default/files/ocr/privacy/hipaa/understanding/special/emergency/final_hipaa_guide_law_enforcement.pdf

F. Questioning

Virginia's Model MOU contains the following provisions in the Investigation and Questioning section:

- SROs have the authority to question students who may have information about criminal activity. As sworn law enforcement officers, SROs have authority to stop, question, interview, and take law enforcement action without prior authorization of the school administrator or contacting parents.
- The investigation and questioning of students during school hours or at school events should be limited to situations where the investigation is related to suspected criminal activity. Investigations and questioning of students for offenses not related to the operation of or occurring at the school should take place at school only when delay might result in danger to any person, destruction of evidence, or flight from the jurisdiction by the person suspected of a crime.
- The interviewing of students – whether suspects, victims, or witnesses – should be conducted privately in an office setting.
- SROs will take steps to ensure minimal intrusion into the educational experience of students being questioned in the school setting.
- Recognizing that a reasonable child subjected to police questioning will sometimes feel pressured to submit when a reasonable adult would feel free to go, as a general rule, the student should not be arrested or placed in custody during the initial interview or interrogation. The student will be informed generally of the purpose of the investigation, warned against self-incrimination in a developmentally appropriate manner, and given an opportunity to present informally his or her knowledge of the facts. If the student wishes to remain silent, to contact his or her parents or an attorney, or to end the interview, the questioning should cease and the student's request should be granted unless detaining the student is lawful and reasonable under the circumstances.
- SROs are responsible to lead the investigation and questioning of students related to suspected violations of criminal law. SROs shall not be included in questioning students about student code of conduct violations that do not involve any criminal activity or risk of harm to self or others. School administrators are responsible for the questioning of students about violations of the code of conduct.

Law Enforcement Questioning

As a practical matter, virtually all questioning by a law enforcement officer would trigger constitutional protections.

Ordinarily, law enforcement-led questioning requires constitutional protections. Courts have used a “total circumstances” approach to determine whether the encounter between the SRO or other police official and the student constitutes “custody,” which does trigger constitutional protections. The elements of the case examined by the courts illustrates the strict approach applied to law enforcement-initiated and -led activities on campus:

- Juvenile's age and experience
- Juvenile's background and intelligence
- Capacity of juvenile to understand the implications of waiving rights
- Juvenile's experience with police
- Opportunity for juvenile to have access to a parent or other supportive adult

Interviews of students – whether suspects, victims, or witnesses – should be conducted privately in an office setting.

School Administrator/SSO Questioning

Students may not be compelled to give information to school officials, including SSOs, concerning violations of law or school policy. Students may be punished for refusing to give truthful responses.

Questioning of a minor student by school officials/SSOs may be conducted without the presence of, or notification of, the student's parents.

When a student or students are being questioned concerning a serious breach of the criminal code such as a weapons- or drug-related incident, it is best practice to have law enforcement officials conduct the formal interrogation. They will be using required standards of law and law enforcement agency policies to guide their actions in obtaining information and such information is more likely to be fully admissible in any subsequent legal proceedings. Local school board policy should address the respective roles of school administrators/SSOs and SROs related to questioning and investigation.

SSOs are often responsible for investigating or assisting school personnel in investigating violations of school board policies that occur on school property or at school-sponsored events.

Investigative activities must be carefully coordinated with school administrators and care must be taken that students are in no way denied due process. Virginia law is very specific as to due process in school disciplinary matters. Even in the case of very minor disciplinary violations, the student must be told of what he is accused and must be given the opportunity to tell his version of events. More serious offenses that result in out-of-school suspensions and expulsion require written notifications of parents and carry rights to various levels of appeal.

It is important to keep in mind that students may choose to voluntarily provide information to the SRO, school official, or SSO at any time.

For additional tips, see "Talking with Teens: Basic Strategies for Interviewing" in Supplement 1. Partnership Toolkit section of this Guide.

G. School Searches

Virginia's Model MOU contains the following provisions:

Searches

- All searches shall be conducted in accordance with federal and state laws, and applicable school division and police department/sheriff's office policies and guidelines, including the principles embodied in this memorandum of understanding.
- **School administrator searches.** 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 search by a school official is reasonable suspicion.
- **SRO searches.** Any search initiated by SROs or other law enforcement officer shall be based upon probable cause and, when required, a search warrant should be obtained. All searches should be reasonable in scope. All searches should occur outside the presence of students and school staff, with the exception of school administrators, unless there is a clear and immediate threat to physical safety.
- SROs shall not become involved in administrative (school related) searches and at no time shall SROs request that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent.

Balancing Competing Interests

The following is an excerpt from the Virginia School Search Resource Guide, a guide produced by the Virginia Department of Education in 2000. Although dated, it remains the most recent guidance issued and remains accurate.

All searches entail invasion of privacy. Whether a particular search is legally permissible involves a balancing of competing interests: the individual student's right to privacy and security against the school division's interests in maintaining order, discipline, and the security and safety of other students.



Although students do not “shed their constitutional rights ... at the schoolhouse gate,” students have a lesser expectation of privacy than members of the general population. In the public school context, however, when “carrying out searches and other disciplinary functions..., school officials act as representatives of the State, ... and they cannot claim the parents’ immunity from the strictures of the Fourth Amendments.” *New Jersey v. T.L.O.*, 469 U.S. 325 at 336-37 (1985).

Reasonable Suspicion

In the school environment (and at school-sponsored activities), a search is permissible where a school official has reasonable grounds, based on the totality of the circumstances, for suspecting that the search will reveal evidence that the student has violated either the law or rules of the school.

Reasonable suspicion must be based on “individualized suspicion of wrongdoing.” It goes beyond a hunch or supposition and it must be reasonable not only at its inception but also in its scope. The “reasonable suspicion” requirements for a search by a school official differs from the requirements for a search by a law enforcement officer who generally must have a search warrant and “probable cause” based on individualized suspicion.

Importance of School Policy

Best practice involves coherence in the school division mission statement, student conduct policy, search policy, and procedures for implementing searches. The mission statement should clearly articulate the school division’s commitment to provide a safe and disciplined school environment conducive to learning. Consistent with the mission statement, the student conduct policy should define expectations and rules, including privacy expectations. Virginia law requires written notice of the student conduct policy to students and their parents; best practice is to notify, or otherwise make available, the written school policy on student searches also. Search policies and procedures should carefully balance school division interest in safety and security and student privacy interests.

Searches Involving Law Enforcement Officers (Including SROs)

Law enforcement officers are sworn to uphold the law, are employees of a law enforcement agency, and are governed by the laws and their law enforcement agency procedures in conducting searches. As sworn law enforcement officers, school resource officers must have probable cause to conduct a search. In addition to probable cause, a sworn law enforcement officer must have a search warrant from a judge unless the search falls into one of several very narrowly drawn exceptions.

Establishing Policy for School Resource Officer Programs

As a matter of practice, the Memorandum of Understanding (MOU) between the school division and the local law enforcement agency should define and clarify the responsibilities of the school resource officer related to school searches. In general, the MOU should clarify:

- that any search by the school resource officer shall be based upon probable cause and, when required, a search warrant will be obtained;
- that the school resource officer shall not become involved in administrative searches unless specifically requested by the school to provide security, protection, or for handling of contraband; and
- that at no time should the SRO request that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent.

An example of when the school might request the SRO to “provide security, protection, or for handling of contraband” is a search that involves a weapon, particularly a firearm.

Searches by School Security Personnel

Schools may use personnel to perform school security functions who are not sworn law enforcement officers. These employees typically serve under the guidance of the principal.

The security employee is not usually the person designated by the principal to conduct student searches. However, the security employee is often the individual who first identifies the need to search. Because school security employees assist school officials in conducting student searches, they should be trained in appropriate search procedures and knowledgeable of laws and policy that govern student searches.

H. Detention and Arrest

Virginia's Model MOU contains the following provisions related to arrests:

- Whenever practical, arrests of a student or staff member should be accomplished outside of school hours in order to not disrupt the educational process or school setting.
- Arrests that must occur during school hours or on school grounds should be coordinated through the school administrator to minimize potential disruption. When circumstances do not allow for prior coordination through the school administrator, arrests will be reported to the school administrator as soon as possible.
- In addition to any required notification of parents and legal guardians by the SRO taking a student into custody, school administrators or their designees are also responsible for an additional notification of parents and legal guardians upon a school-based arrest of their child.

Arrests by SROs

Arrests by SROs are to be accomplished in accordance with Virginia law and criminal procedure. Technically, any detention by a law enforcement officer is considered an arrest.

As a matter of practice, in the school setting:

- When a student or employee must be arrested with a warrant or petition, the arrest should be coordinated through the school administrator and accomplished after school hours, whenever practical.
- If a student or staff member is arrested during school hours or on school grounds, the school administrator should be fully informed as soon as practical.

Detention by SSO

“Detention” is understood to be a temporary confinement. SSOs are clearly authorized by Virginia Code to detain students who violate the law or school board policy.

Virginia Code defining school security officer (§ 9.1-101) clearly authorizes SSOs to detain:

“School security officer” means an individual who is employed by the local school board for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of school board policies, and *detaining students violating the law or school board policies on school property or at school-sponsored events* and who is responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.

I. Physical Intervention

Corporal Punishment Unlawful

Virginia law states, “No teacher, principal or other person employed by a school board or employed in a school operated by the Commonwealth shall subject a student to corporal punishment.” Corporal punishment means inflicting physical pain on a student as a means of discipline (§22.1-279.1, *Code of Virginia*).

The law against corporal punishment does not prevent:

- (i) the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control;



- (ii) use of reasonable and necessary force to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;
- (iii) the use of reasonable and necessary force to prevent a student from inflicting physical harm on himself;
- (iv) the use of reasonable and necessary force for self-defense or the defense of others; or
- (v) the use of reasonable and necessary force to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control.”

Virginia law makes it clear that corporal punishment also does not include physical pain, injury or discomfort caused by participation in practice or competition in an interscholastic sport, or participation in physical education or an extracurricular activity.

Virginia’s Model MOU contains the following provisions related to physical intervention by school personnel and by SROs:

Physical Restraint by School Personnel

- Physical restraint is a personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. The term physical restraint does not include a physical escort. Physical escort means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.
- Physical restraint by school personnel is used in accordance with Virginia Board of Education policies and guidelines on seclusion and restraint and related local school board policies. Every effort should be made by school personnel to prevent the need for the use of restraint. Physical restraint should not be used except by school personnel trained in the use of physical restraint required by the school division.
- School staff will act to deescalate situations that are, or have the potential to cause, disruptions to the school environment and are violations of the student code of conduct. If physical intervention is necessary, the action should be reported promptly to the school administrator and the rationale for the action must be fully documented.

Physical Intervention by School Resource Officers

- An SRO should not be involved in the physical restraint of a student unless there is imminent danger of serious physical harm to self or others. As sworn law enforcement officers, SROs may intervene to deescalate situations.
- Physical intervention by SROs is undertaken in accordance with policies and operational procedures of their local law enforcement agency. If an SRO is involved in the use of restraint or physical intervention, the action must be reported to the school principal and the SRO’s supervisor and the rationale for the action must be fully documented.
- SROs should be aware of the Virginia Board of Education’s policies and guidelines on seclusion and restraint and related local school board policies and will attend training offered by the local school system on their use of seclusion and restraint by school employees. SROs, however, must continue to operate by their own department’s policies and state law regarding physical intervention and use of force.
- Additionally, the school division and police department/school resource officer will coordinate to ensure that reasonable effort is made to inform the parents on the day of the incident.

Use of Physical Intervention by School Administrators and Other School Personnel

School personnel follow Virginia Board of Education policies and guidelines on seclusion and restraint and local school board policy on the use of physical intervention with students. Physical intervention strategies and guidelines should be established by the local school division after careful thought and review.

The most recent guidance from the U.S. Department of Education’s *Restraint and Seclusion: Resource Document* (May 2012), lists 15 principles that apply to any student, regardless of disability status. Students with disabilities may have behavior management strategies prescribed in their individual education plans. Considerations and strategies associated with each principle are contained in the publication.

1. Every effort should be made to prevent the need for the use of restraint and for the use of seclusion.
2. Schools should never use mechanical restraints to restrict a child’s freedom of movement, and schools should never use a drug or medication to control behavior or restrict freedom of movement (except as authorized by a licensed physician or other qualified health professional).
3. Physical restraint or seclusion should not be used except in situations where the child’s behavior poses imminent danger of serious physical harm to self or others and other interventions are ineffective and should be discontinued as soon as imminent danger of serious physical harm to self or others has dissipated.
4. Policies restricting the use of restraint and seclusion should apply to all children, not just children with disabilities.
5. Any behavioral intervention must be consistent with the child’s rights to be treated with dignity and to be free from abuse.
6. Restraint or seclusion should never be used as punishment or discipline (e.g., placing in seclusion for out-of-seat behavior), as a means of coercion or retaliation, or as a convenience.
7. Restraint or seclusion should never be used in a manner that restricts a child’s breathing or harms the child.
8. The use of restraint or seclusion, particularly when there is repeated use for an individual child, multiple uses within the same classroom, or multiple uses by the same individual, should trigger a review and, if appropriate, revision of strategies currently in place to address dangerous behavior; if positive behavioral strategies are not in place, staff should consider developing them. The phrase “dangerous behavior” refers to behavior that poses imminent danger of serious physical harm to self or others.
9. Behavioral strategies to address dangerous behavior that results in the use of restraint or seclusion should address the underlying cause or purpose of the dangerous behavior.
10. Teachers and other personnel should be trained regularly on the appropriate use of effective alternatives to physical restraint and seclusion, such as positive behavioral interventions and supports and, only for cases involving imminent danger of serious physical harm, on the safe use of physical restraint and seclusion.
11. Every instance in which restraint or seclusion is used should be carefully and continuously and visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel.
12. Parents should be informed of the policies on restraint and seclusion at their child’s school or other educational setting, as well as applicable federal, state, or local laws.
13. Parents should be notified as soon as possible following each instance in which restraint or seclusion is used with their child.
14. Policies regarding the use of restraint and seclusion should be reviewed regularly and updated as appropriate.
15. Policies regarding the use of restraint and seclusion should provide that each incident involving the use of restraint or seclusion should be documented in writing and provide for the collection of specific data that would enable teachers, staff, and other personnel to understand and implement the preceding principles.

Permissible Physical Intervention by School Resource Officers

SROs follow local law enforcement policy on use of physical intervention. Physical intervention policies with students, parents, and visitors within the school zone should be established by the local law enforcement agency after careful thought and review.

Courts have long termed “force that is reasonable and necessary under the circumstances” to achieve one or more of the following goals:

- To protectively defend themselves from the actions of another
- To protectively restrain an individual from harming themselves, harming you, or harming others
- To protect property from being damaged or to prevent property from being used to cause harm
- To prevent, control, or to reduce risk of disturbance or disorder of any nature



- To be able to affect the physical and legal arrest of an individual be it student, parent, or visitor
- To protectively restrain an individual or individuals from fleeing your immediate area who have clearly established the intent by fleeing to harm others or to harm themselves

To Learn More about Physical Intervention

Restraint and Seclusion: Resource Document (May 2012). U.S. Department of Education.

<https://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>

Issue Brief #1: Promoting Alternatives to the Use of Seclusion and Restraint (March 2010). Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services.

https://www.samhsa.gov/sites/default/files/topics/trauma_and_violence/seclusion-restraints-1.pdf

IMPORTANT: Virginia Board of Education *Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia* are expected to be published in 2017. Please monitor the Virginia Department of Education website to obtain these regulations when they are published. <http://www.doe.virginia.gov/>

J. Student Victims' Rights

Code of Virginia § 22.1-3.3. allows the transfer of students who were the victims of any crime against the person committed by:

- another student who attends classes in the same school;
- any employee of the local school board;
- any volunteer, contract worker, or other person who regularly works in the school.

A student may also transfer if the crime was committed upon school property or on any school bus owned or operated by the school division. The transfer must be to another comparable school within the school division if available. Such transfer is to occur only when requested by a parent or the student, if emancipated, when the student would suffer physical or psychological harm.

Victims of Critical Incidents and Emergencies

Pursuant to *Code of Virginia* § 22.1-279.8 school divisions are required to immediately contact the Virginia Criminal Injury Compensation Fund and the Virginia Department of Criminal Justice Services when any school's crisis response plan has been implemented and students and staff are victims of crimes as defined by *Code of Virginia* § 19.2-11.01.

See *Guidance for School Systems in the Event that Victims Arise from an Emergency* at <https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/law-enforcement/guidance-school-systems-event-victims-arise-emergency.pdf>

To Learn More about Victim Rights and Resources

Victims Services, Virginia Department of Criminal Justice Services. <https://www.dcjs.virginia.gov/victims-services>

Virginia Victim Assistance Network. <http://www.vanetwork.org>

IV. Building Effective Partnerships at the School Level

This chapter focuses on implementing SLEPs at the *school* level and its contents are most relevant for SROs and the school building administrators with whom they work on a daily basis. It focuses on school-based strategies for establishing and maintaining successful working relationships and establishing key operational understandings, particularly about differentiating disciplinary and/or criminal matters, crime reporting, threat assessment, crisis planning, and critical incident response. The remainder of the chapter is designed primarily to orient SROs to key school programs and supports with which the new SRO may not be familiar including services for children with disabilities and programs for bullying prevention/intervention, conflict resolution, truancy prevention/intervention, and suicide prevention.

A. Key School-Based Implementation Strategies

Although interagency commitments and related policies and procedures that establish the partnership framework are developed at the highest levels of the two organizations – the school division and police chief or sheriff – the day-to-day implementation of the SLEP is carried out in individual schools and by individual law enforcement officers and school administrators working together.

Operationalizing the SLEP: “But, how does it work at *this* school?”

Every school is different. Each school presents its own challenges and opportunities in implementing SLEPs.

It is essential for the assigned law enforcement officer and the school administrator to have an opportunity to meet in advance of the officer’s first day “on duty.” The agenda of initial meetings should include:

- Review of the MOU and any operational procedures established at the division/law enforcement agency level.
- Discussion of the specifics of how the SRO program will operate in the particular school.

While the MOU may state that the SRO “shall notify the school administrator” or that the school administrator “shall meet with the SRO,” it is in these initial meetings that it is decided specifically:

- *how* the notification will occur – via phone or text? using a form of some type? how will notification be documented?
- *when* the meetings will be held – regularly scheduled? as needed? depending on urgency of conditions? as part of already scheduled meeting of administrators?

This initial orientation represents the beginning of an ongoing process in which the SRO develops a clearer understanding of how the school operates and the school administrator develops a deeper understanding of how the law enforcement agency operates. Discussions of program philosophy and operational strategies are critically important in the early stages of program development.

Time invested in orientation at the beginning stage greatly enhances development of the type of collaborative relationship and the shared ownership characteristic of effective partnerships.

The Collaborative Nature of the SRO/School Administrator Relationship

The relationship of the school administrator and the SRO is a *collaborative* one. The collaborative relationship requires the SRO to function independently – not as another school employee. Nonetheless, one of the ways SROs can be successful in their schools is to be included and treated as a member of the school’s administrative team. This is reflected in subtle and not-so-subtle ways. Two examples illustrate the collaborative nature of the relationship:

Example 1. The SRO may, as part of his or her efforts to be visible, decide to regularly be present in the cafeteria area during lunch and the bus loading zones at the beginning and end of school. The SRO is not, however, “assigned” to lunch duty or bus duty by the school administrator. The SRO, a trained law enforcement officer, retains the authority for independent decision making in carrying out duties.



Example 2. The school administrator may report an incident that he or she believes is a violation of law. It is within the authority of the SRO, however, to determine whether law enforcement action is appropriate.

These and other situations that test boundaries of authority and discretion are best resolved when they are addressed directly in MOU and operational procedures, reinforced by common sense and goodwill among partners.

Strategies for Effective Ongoing Communication

The importance of good communications between the SRO and school administrators cannot be overemphasized.

Some strategies to promote effective ongoing communication include:

- Hold 10 to 15 minute conferences daily with the school administrators to keep them abreast of police-related matters and to receive input and related information
- Meet weekly to discuss operational issues and to plan and monitor larger school safety activities
- Place the officer on the school’s distribution list for all memoranda and other notices
- Do not overlook the value of informal, unscheduled communication between the SRO, SSO, and administrators as they go about their daily activities

Table 7 lists a few of the components of a successful SRO Program.

Table 7: Components of Successful School–Law Partnerships

A School–Police Partnership Requires:	A Partnership Requires the SRO to:
<ul style="list-style-type: none"> ▪ Positive relationships with the school administrators, faculty, support staff, students, and parents ▪ Community involvement in developing more effective strategies to control and prevent school crime, violence, and disruptive behavior ▪ Shared approaches and pooled resources to address concerns ▪ Shared responsibility for crafting workable solutions to problems that detract from school safety and security 	<ul style="list-style-type: none"> ▪ Learn the service needs and demands in the school ▪ Devise ways to manage information gleaned from various sources, including administrators, teachers, students, parents, and school and law enforcement records ▪ Learn how to identify patterns of crime and disorder problems, and distinguish them from incidents ▪ Develop plans collaboratively with members of the school community to address crime and disorder problems

Experience has shown that SROs can benefit from participating in certain types of in-service opportunities provided in schools, particularly in light of SROs’ role in supporting safe and supportive schools. Participating in selected in-service opportunities not only help SROs and educators to be “on the same page” but is likely to increase the SROs’ effectiveness.

SRO Location

Where the SRO is housed in a particular school tends to be a function of space availability, layout of the school, working relationships with administrators, and convenience. Many SROs have found that proximity to the principal or administrative staff is an important factor in SRO program efficiency and effectiveness. Other SROs have found that because they are typically “out and about” the school campus, maintaining a high level of visibility and rarely in an office, the actual location of their “office” is less important than accessibility to school administrators, records, telephones, and an appropriate space to interview students. If the SRO’s office is located away from the main administrative office, it is critical for the SRO be integrated into the school’s communication system. Experience has taught that the SRO’s area should be equipped with a locked storage area for securing contraband recovered in the school by the SRO or by school staff.

Strategies for Relationship Building

Meeting teachers and other school staff

Teachers and other school staff members typically return to school a week or two before students arrive. This is an excellent opportunity for the SRO to be introduced, to give a brief presentation on the role of the SRO, and to talk informally with staff members.

Meeting students

Building positive relationships with students is another strategy that helps SROs succeed. Brief presentations with a simple handout can help students understand the roles of the SRO and open the door for later engagement of students in important school safety and crime prevention activities.

Social networks

Today's youth are often more comfortable communicating via texting or social media. SROs should give thought to using technology-based channels for communication with members of the school community. Social networks have proven effective in community engagement, general announcement, soliciting tips, and investigations. In-depth information about use of social media is available at the International Association of Chiefs of Police (IACP) Center for Social Media at <http://www.iacpsocialmedia.org/technologies.aspx>

A Timetable for Successful Relationships

Summer, at least a month before school begins – SRO meets with principal/assistants to review MOU, existing procedures, and plan school-specific operation.

Week before school – introduce SRO during before-opening staff orientation/meetings and encourage informal “getting acquainted” opportunities.

First weeks of school year – introduce the SRO to the entire student body and schedule introductions of the SRO to all students in classroom settings. The SRO should be highly visible, actively engaging in informal discussions with students and staff and taking advantage of every opportunity to explain the SRO role.

First months of school – conduct brief presentations on the role of the SRO to students in the classroom setting; distribute basic brochure describing role of SRO.

First year of school – SRO should conduct brief presentations on the role of the SRO to parents at PTA/PTO meetings, to any community advisory councils that may exist, and to professional groups associated with the school.

In subsequent years – establish opportunities for new students and staff members to meet the SRO and to be oriented to the SRO program.

B. Establishing Critical Operational Specifics

Earlier in this chapter it was recommended that SROs and principals meet in advance of the opening of school or the SRO's first day on duty to review the MOU and establish the operational specifics of how the SLEPs will operate in particular schools. Some aspects of operation are easily determined and it makes little difference whether something is done one way or another. However, other aspects of operational specifics are critical. Among the critical operational specifics are the differentiation and handling of disciplinary and criminal matters, crime reporting, threat assessment, crisis management and critical incident response, and school safety audits.



Differentiating Disciplinary vs Criminal Matters

Issues of student misconduct and clarifying what are exclusively disciplinary matters and what may require law enforcement response are addressed as a legal issue in Chapter III. Clear policies and procedures at the school *division level* and law enforcement *agency level* are strongly encouraged. Here the issue will be discussed as an operational issue.

At the school level, administrators and SROs need to achieve clear understandings of roles and responsibilities and policies and procedures prescribed at higher levels in respective organizations and to establish school-specific operational procedures. It is strongly recommended that school administrators and SROs review the discussion of legal issues in Chapter III and use the information to establish school-specific operational procedures.

Experience with SRO programs has taught the following:

- Law enforcement officers are not school disciplinarians.
- The officer's presence does not reduce the responsibility of teachers and of administrators to enforce school rules and the school division's student code of conduct.
- Classroom management rests with the teacher.
- Disciplinary responses remain the responsibility of school administrators.
- The focus of law enforcement involvement in conduct matters is properly centered on incidents that involve a violation of law.

Practices shown to reinforce this differentiation include:

- Having all referrals to the SRO come through an administrator.
- Training school personnel not to call upon SROs to address non-violent, non-threatening behavior.
- SROs consistently responding to inappropriate requests for assistance in ways that are helpful but avoid involvement such as, "Hold up. I'll get an administrator for you" or "That's a matter you need to discuss with (administrator's name)."
- These practices in no way preclude SRO intervention in circumstances where there is threat of physical injury to persons or major damage to property.

Crime Reporting

Reports of Incidents to Law Enforcement Agencies

Section 22.1-279.3:1.A., *Code of Virginia*, lists certain offenses that school officials are required to report to local law enforcement agencies.

A model School/Law Enforcement Incident Report form is available on the Virginia Department of Education's website at: http://www.doe.virginia.gov/info_management/data_collection/support/school_safety/discipline_crime_violence/optional_law_enforcement_reporting_form.pdf

Schools may use this form to document whether charges were filed when law enforcement was notified or involved in a school related incident. However, school divisions may devise their own reporting process in collaboration with local law enforcement. At the school level, it is important for administrators and SROs to establish operational specifics such as:

- How and by what method(s) will the SRO learn of offenses? Orally? In writing?
- When does the notification occur? Immediately? Within a certain number of hours/days? Does the timing depend on the seriousness of the offense? What if the SRO is not in the school at the time?
- How will required documentation occur?

It is important to recognize that although schools do not have discretion in reporting offenses, SROs and the juvenile court intake officers retain discretion in whether petitions will be filed.

Virginia Research

In Virginia, 14 percent of incidents reported to law enforcement appeared before a juvenile court intake officer (Personal communication with Gerald Lawson, Ph.D. Associate Professor, Virginia Tech, May 23, 2017. Dr. Lawson is Principal Investigator for two National Institute of Justice, Office of Justice Programs, U.S. Department of Justice grants-funded studies examining school disciplinary and law enforcement practices in Virginia).

Responsibilities of Law Enforcement Agencies to Report Incidents to Schools

Section 22.1-279.3:1.B., *Code of Virginia*, requires law enforcement agencies to notify a division superintendent, a principal, or a designee when a student in their school commits certain offenses that would be a felony if committed by an adult or a violation of the Drug Control Act, or an adult misdemeanor as listed in § 22.1-279.3:1.A. and whether the student is released to the custody of his parent or, if 18 years of age or more, is released on bond. It further requires that any school superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection § 16.1-260 to report the information to the principal of the school in which the juvenile is enrolled.

Procedures around this type of reporting are usually established at the division/law enforcement agency level. It is important for the SRO and principal to know the procedures that have been established and their roles.

Threat Assessment

Code of Virginia § 22.1-79.4. requires each local school board to adopt policies to establish threat assessment teams that assess and intervene with students whose behavior may pose a threat to the safety of school staff or students.

Threat assessment teams are required to include persons with expertise in counseling, instruction, school administration, and law enforcement; teams may serve one or more schools. Activities of threat assessment teams are reported annually to the Virginia Department of Criminal Justice Services.

According to the 2016 Virginia School Safety Audit Survey Results, in 2015–2016:

- Nearly two-thirds (63%) of schools reported conducting one or more threat assessments. This included 43% of elementary schools, 23% of middle schools, 20% of high schools, and 55% of “other” schools.
- 51% threatened others; 43% threatened self only, and 6% threatened others and self.

SROs are likely to serve as members of a threat assessment team or assist in monitoring and/or supervising a subject student as well as determining the need, if any, for law enforcement action.

It is important to clarify expectations for SRO involvement in the school’s threat assessment process.

Model policies, procedures, and guidelines have been developed by the Virginia Center for School and Campus Safety and include procedures for referrals to community services board or health care providers for evaluation or treatment, when appropriate. These and other related resources are listed in “To Learn More about Threat Assessment.”

To Learn More about Threat Assessment:

Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines (2013).

<http://www.dcjs.virginia.gov/vcscs/documents/ThreatAssessmentPoliciesProceduresGuidelines-Final.pdf>

Guidance on Threat Assessment Team Formation and Reporting (March 2014). Virginia Center for School and Campus Safety, Virginia Department of Criminal Justice Services. <http://www.dcjs.virginia.gov/vcscs/documents/GUIDANCE-Formatted%20Threat%20Assessment%20Teams%20and%20Reporting%20Revised%20Mar%207%202014%20KF.pdf>

School Threat Assessment Training: Using DCJS Model Policies, Procedures, and Guidelines Participant Manual (2014). <http://www.dcjs.virginia.gov/vcscs/documents/Revised.Participant%20Manual.K12%20Threat%20Assessment%20Training.DCJS.pdf>

K12 Threat Assessment in Virginia Schools. An instructional video for school staff, parents, and community members. <https://vimeopro.com/rsmanimation/k12-threat-assessment-in-va>



Crisis Planning and Critical Incident Response

Code of Virginia § 22.1-279.8.D requires “Each school board shall ensure that every school that it supervises shall develop a written school crisis, emergency management, and medical emergency response plan and provides the following definition:

“School crisis, emergency management, and medical emergency response plan” means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, including cardiac arrest and other life-threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel, or facilities. (§ 22.1-279.8.A, *Code of Virginia*)

All schools have comprehensive all-hazards Emergency Operations Plans (EOPs) as a part of their broader crisis plan. It is important for the SRO to become familiar with current crisis plans and critical incident procedures established at his/her assigned school. This involves becoming thoroughly familiar with the physical plant, grounds and surrounding areas and any emergency response protocols that have been established. SROs play a critical role in conducting drills that create opportunities to train, assess, practice, and improve performance in responding to emergencies.

The specific logistics for each of the main response actions described below vary in every school. Gaining an understanding how each response is implemented in *a particular school* is a priority for the assigned SRO.

Overview of Responses to Critical Incidents

Evacuation	An evacuation is a critical incident response that involves the controlled movement of students from the campus to a pre-specified safe location, either to a remote area of the campus or to an off-campus location.
Lockdown	A lockdown is a critical incident response that secures students and staff, usually in classrooms, to prevent access or harm to the occupants of the lockdown locations. This may also involve quickly moving students and staff from unsecured locations to secure locations.
Shelter-in-Place	A procedure that may be used in the case of chemical, biological, or radiological agent releases.
Lockout	A lockout is a critical incident response that secures the school campus to prevent unauthorized entry to all school facilities. Limited movement around the school campus may be permitted, depending on the circumstances of the incident.
Drop, Cover, and Hold	This procedure is followed when an explosion or other danger imminent, evacuation is not feasible, and the stability of the building is threatened.

To Learn More about Crisis Planning and Response

Virginia Center for School and Campus Safety (VCSCS).

<https://www.dcjs.virginia.gov/virginia-center-school-and-campus-safety/k-12/resources>

A partial list of publications related to school crisis and emergency planning and response:

- *School Crisis, Emergency Management and Medical Emergency Response Plan* (full plan, Quick Guide)
- *Virginia School Bus Driver and Monitor Safety and Security Manual* (video and manual)
- *Virginia School Safety Survey Results* (for multiple recent years)
- *Virginia School Climate Studies*
- *Guidance for Division-wide Safety Audit Committee Formation and Responsibilities*
- *Guidance for Emergency Manager Designee*

The Virginia Educator's Guide for Planning and Conducting School Emergency Drills (2015). Virginia Department of Criminal Justice Services and Virginia Department of Education. <https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/law-enforcement/virginia-educators-guide-conducting-emergency-drills.pdf>

Critical Incident Response (video and accompanying manual).

<https://www.dcjs.virginia.gov/virginia-center-school-and-campus-safety/k-12/resources>

U.S. Department of Education, Readiness and Emergency Management for Schools Technical Assistance Center.

<http://rems.ed.gov>

Guide for Developing High-Quality School Emergency Operations Plans (June 2013). U.S. Department of Education.

http://rems.ed.gov/docs/rems_k-12_guide_508.pdf

School Safety Audits

All public schools are required to conduct an annual school safety audit in order to assess school safety conditions. Through enabling legislation (*Code of Virginia* § 9.1-184), the DCJS Virginia Center for School and Campus Safety (VCSCS) has been designated to collect, analyze, and disseminate various Virginia school safety data including school safety audit information. To date, the VCSCS has developed five components for the school safety audit program:

1. Virginia School Safety Survey (annually)
2. The Division Level Survey (administered as needed)
3. Virginia School Crisis Management Plan Review and Certification (annually)
4. Virginia Secondary School Climate Survey (administered in the Spring)
5. The School Safety Inspection Checklist (due Fall 2017)

School Safety Inspection Checklist

Schools are required to conduct a school safety inspection walkthrough using a checklist provided by the VCSCS that incorporates crime prevention through environmental design (CPTED) principles. The purpose of this checklist is to identify vulnerabilities and offer a foundation upon which to build a safer learning environment.

More detailed information about the School Safety Inspection Checklist is included in the Partnership Toolkit section of this Guide.

To Learn More about Virginia's School Safety Audit and School Security Technologies

Virginia Center for School and Campus Safety, Department of Criminal Justice Services.

<https://www.dcjs.virginia.gov/virginia-center-school-and-campus-safety/virginia-school-safety-audit-program>

School Security Technologies (July 2010). National Clearinghouse for Educational Facilities.

http://www.ncef.org/pubs/security_technologies.pdf



C. Understanding and Using School Discipline, Crime, and Violence (DCV) Data

Discipline, crime, and violence data, referred to as “DCV” data first began to be collected in 1991 after the Virginia General Assembly enacted a law requiring school divisions statewide to submit such data. Some federal laws also require related reporting. For example, the federal *Gun-Free Schools Act (GFSA)* requires states to report the number of students suspended or expelled statewide for the possession of firearms on school property and the federal *Individuals with Disabilities Education Act* requires reporting disciplinary actions involving students with disabilities. Through the years, reporting requirements have evolved as federal and state laws and regulations have changed. Today, the single DCV report serves multiple purposes and all types of data collected and reported by schools are tied to state or federal reporting requirements.

Virginia’s reporting process employs a well-defined set of data elements. As of 2014–2015, 139 types of offenses were being reported and these offenses are organized into nine categories:

1. Weapons Related Offenses
2. Offenses against Students
3. Offenses against Staff
4. Offenses against Persons
5. Alcohol, Tobacco, and Other Drugs (ATOD)
6. Property Offenses
7. Disorderly / Disruptive Behavior
8. Technology Offenses
9. All Other Offenses

The types of data collected and the system of offense codes used in Virginia are consistent with recommendations of national experts and comply with state and federal confidentiality laws that prohibit disclosure of information on individual students.

Schools are required to report incidents that occur in different places and at different times, including:

- All incidents that take place on school grounds, regardless of time of day or day of the week, even if the offender is not an enrolled student at that school;
- All incidents that take place off-campus at school-sponsored events;
- All incidents that occur in alternative education, Governor’s schools, special education, technical or regional centers; and
- All incidents that take place on school transportation to and from school or to and from special events such as field trips.

General Process of Data Collection

At the School Level – The process of collecting and reporting DCV data begins at individual schools when incidents that violate the local code of student conduct occur. Information is collected about the incident, about offenders, about victims, if any, and about disciplinary actions taken.

At the School Division Level – DCV data makes its way from the school to the school division level – typically via being entered into a local data management system. The school division is responsible for reporting DCV data to the Virginia Department of Education. All school divisions have a designated “DCV Coordinator” who serves as the primary point of contact on matters related to DCV reporting and generally serves as the data “steward,” ensuring that the process of data collection within the school division and reporting data to the VDOE operate well.

At the State Level – The VDOE provides detailed instructions for data submission and ongoing technical assistance through regional workshops, telephone and e-mail consultation, and even site visits, when requested. After school

divisions submit and verify DCV data to be accurate, the VDOE uses the data for a variety of purposes, including preparing required state and federal reports.

SSIR: An Important SRO Resource

The Safe Schools Information Resource (SSIR) – (<https://p1pe.doe.virginia.gov/pti/>) is an important tool for SROs in understanding discipline, crime, and violence activities in their schools and school division. The SSIR website was established by the Virginia Department of Education to provide user-friendly public access to the discipline, crime, and violence (DCV) data. Anyone can access the website and obtain information about any school or school division in the Commonwealth.

Using multiple, easy-to-understand drop-down menus, users can search by school year, school division, school type, school name, offense category, offense type, discipline outcome, and time element. Data for the most recent five years are posted and reports may be generated in numerous categories according to the user's selections. A User Guide is posted on the website.

Newly assigned SROs can use the SSIR to obtain full reports on their assigned school(s). It will provide insights into the nature and frequency of incidents at the school, trends, and patterns of disciplinary action – all data helpful in school safety planning as well as crime prevention activities and law-related education.

To Learn More about DCV Reporting and SSIR

Discipline, Crime, and Violence Annual Report: School Year 2014-2015 (August 2016). Virginia Department of Education. http://www.doe.virginia.gov/statistics_reports/school_climate/discipline_crime_violence/14-15_annual_report.pdf

SSIR Quick Start Guide. <https://p1pe.doe.virginia.gov/pti>

D. Understanding Key School Programs and Supports

There are certain programs and supports that are found in virtually all Virginia schools. Having basic knowledge of these programs and supports helps SROs navigate the school environment and understand better how to collaborate in ways that keep schools safe and contribute to positive school climates.

Important related information is included in Supplement 2. Strategies for Safe and Supportive Schools that explains the features and guiding principles of the Safe and Supportive Schools Model, the relationship of school climate and student behavior and guiding principles for improving school climate and discipline, and Virginia's Tiered Systems of Support.

1. Special Education

"Special education" means specially designed instruction, at no cost to the parent(s), to meet the unique needs of a child with a disability, including instruction conducted in a classroom, in the home, in hospitals, in institutions, and in other settings and instruction in physical education.

The Individuals with Disability Education Act (IDEA) guarantees a free appropriate public education to all eligible children with disabilities. The steps in the special education process include:

1. Identification and referral
2. Evaluation
3. Determination of eligibility
4. Development of an individualized education program (IEP) and determination of services
5. Reevaluation

There are timelines schools must follow for each step. Timelines help to prevent any delay. Procedural safeguards ensure that the student is provided a free appropriate public education according to the federal and state rules. The services and



placement of students with disabilities who need special education, are developed through an individualized education plan (IEP) that is the responsibility of local public school divisions.

To Learn More about Special Education

Virginia Family Special Education Connection. <http://vafamilysped.org/home>

This website provides comprehensive information on special education issues, practices and services to Virginia families who have children with disabilities.

Parent's Guide to Special Education (Revised 2010). Virginia Department of Education.

http://www.doe.virginia.gov/special_ed/parents/parents_guide.pdf

Although written for parents, the *Parent's Guide* contains basic information on the law, the special education process, and rights of students.

Students Eligible for Services under Section 504

Section 504 is part of the Rehabilitation Act of 1973, as amended, that requires schools to provide a free and appropriate public education to students and operates very much like the Individuals with Disabilities Education Act (IDEA).

Whereas IDEA provides a very specific list of categories of disabilities, Section 504 has no categories with strict eligibility criteria but may include a broad range of impairments such as attention deficit disorder (ADD), Attention Deficit Hyperactivity Disorder (ADHD), allergies, disabilities, multiple chemical sensitivity, obesity, pregnancy, social maladjustment, and specific learning disability. Section 504 requires that the disability substantially limits one or more major activities. Temporary impairments are not protected disabilities. A student with a temporary disability expected to last six months or less, such as a broken arm, would typically *not* qualify for Section 504. Examples that may qualify would include:

- A student with severe arthritis may have persistent pain, tenderness or swelling in one or more joints may require a modified physical education program, a rest period during the day, or use of assistive devices for writing (e.g. pencil grips, non-skid surface, typewriter/ computer, etc.)
- For a student with a special health care problem that requires clean intermittent catheterization twice each day, the school would provide trained personnel to perform the procedure or a private location for the student to perform the procedure and may adapt physical education requirements.

Both IDEA and Section 504 require testing and a determination of eligibility and, if eligible, modifications to the student's education such as allowing more time to complete tests may be made or an individualized Behavioral Management Plan (BMP) may be developed. The disciplinary process with a student with a disability under Section 504 is similar to that for students with a disability under IDEA in that a Manifestation Determination Review (MDR) must be conducted before suspending a student more than 10 days.

To Learn More about Section 504

Virginia Department of Education. *SECTION 504: Keys to Implementation in Virginia Schools.*

http://www.doe.virginia.gov/special_ed/tech_asst_prof_dev/section_504_implementation_va.pdf

Disciplinary and Law Enforcement Action with Children with Disabilities

Confusion has sometimes arisen in situations related to the handling of offenses committed by students with disabilities. Although the IDEA constrains disciplinary penalties schools can use with such students, these provisions *do not* apply to law enforcement activities or to the imposition of legal penalties for criminal acts.

It is, however, important for SROs to be aware that there are concerns about exclusionary discipline practices impacting children with disabilities disproportionately. These concerns prompted the U.S. Department of Education to send a "Dear Colleague" letter to schools in August 2016 providing rather detailed guidance clarifying schools' responsibilities under IDEA to provide children with appropriate behavioral interventions. It also clarified that the repeated use of disciplinary actions

may suggest that many children with disabilities may not be receiving appropriate behavioral interventions and supports. (See the letter at: <http://www2.ed.gov/policy/gen/guid/school-discipline/files/dcl-on-pbis-in-ieps--08-01-2016.pdf>).

See Chapter V, Section C for additional information on disabilities and implications for law enforcement as well as specific SRO strategies for understanding and working effectively with students with disabilities.

2. Bullying Prevention/Intervention

State law (*Code of Virginia* § 22.1-208.01) requires local school boards to establish character education programs that include addressing the inappropriateness of bullying. Bullying is defined in the *Code of Virginia* § 22.1-276.01. Bullying may also occur through the use of electronic means and is referred to as cyber bullying. Typically, cyber bullying is defined as using information and communication technologies, such as cell phone text messages and pictures and internet e-mail, social networking websites, defamatory personal websites, and defamatory online personal polling websites, to support deliberate, hostile behavior intended to harm others.

Model Policy and Guidance

To help address and prevent bullying in public schools, a model policy was developed and adopted by the Virginia Board of Education. The model policy document provides information to assist local school boards in formulating policies to help prevent bullying and procedures to report, investigate and intervene when bullying behavior occurs.

The board-approved document expands on this bullying definition by addressing different types of bullying and describing the potential ramifications for all those involved in bullying incidents. Bullying prevention and intervention practices and strategies are described. In addition, information on reporting, investigating and recording incidents, and the necessary notifications for parents and law enforcement are detailed. The appendix provides a sample school board policy, reporting samples and follow-up forms, as well as guidance from the U.S. Department of Education’s Office of Civil Rights and its Office of Special Education and Rehabilitative Services.

Most instances of bullying will be investigated and handled via the disciplinary process. However, school divisions are instructed to ensure compliance with all state and federal laws regarding harassment, intimidation, or bullying and incidents may be reported to law enforcement if it is determined that criminal charges may be initiated or if the school principal or designee believes that the situation is placing the victim in a position of harm or danger. Further, students and their parents/guardians may take action to remediate harassment or discrimination based on a person’s gender or membership in a legally protected class under local, state, or federal law.

Shown in Table 8 is a comparison of DCV and *Code of Virginia* definitions of bullying and cyberbullying.

Table 8. Comparison of Definitions of Bullying and Cyberbullying in Virginia

Offense	Definition used by schools for discipline reporting	Code of Virginia
Bullying	Using repeated negative behaviors intended to frighten or cause harm. These may include, but are not limited to, verbal or written threats or physical harm. (BU1)	“any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim. Bullying involves a real or perceived power imbalance between the aggressor or aggressors and victim and is repeated over time or causes severe emotional trauma. Bullying includes cyberbullying. Bullying does not include ordinary teasing, horseplay, argument, or peer conflict.” <i>Code of Virginia</i> §22.1-276.01
Cyberbullying	Cyberbullying is defined as using information and communication technologies, such as cell phone text messages and pictures and internet email, social networking Web sites, defamatory personal Web sites, and defamatory online personal polling Web sites to support deliberate, hostile behavior intended to harm others (BU2)	“any person who uses obscene, vulgar, profane, lewd, lascivious, or indecent language, or makes any suggestion or proposal of an obscene nature, or threatens any illegal or immoral act with the intent to coerce, intimidate, or harass any person, over any telephone” <i>Code of Virginia</i> §18.2-427 “Over any telephone” includes any electronically transmitted communication producing a visual or electronic message that is received or transmitted by cellular telephone or other wireless telecommunications device.



To Learn More about Bullying

Bullying in Schools: An Overview (Dec. 2011). Available the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. <http://www.ojjdp.gov/pubs/234205.pdf>

Model Policy to Address Bullying in Virginia's Public Schools (Oct. 2013). Virginia Board of Education. Available from the Virginia Department of Education.

http://www.doe.virginia.gov/support/prevention/bullying/model_policy_to_address_bullying_in_va_schools.pdf

The Relationship Between Bullying and Suicide: What We Know and What It Means for Schools (2014). National Center for Injury Prevention and Control. <http://www.cdc.gov/violenceprevention/pdf/bullying-suicide-translation-final-a.pdf>

Federal website providing information from various government agencies on what bullying is, what cyberbullying is, who is at risk and how you can prevent and respond to bullying: stopbullying.gov

National Center on Safe Supportive Learning Environments [operated by the American Institutes for Research (AIR) under a contract from the U.S. Department of Education, Office of Safe and Healthy Students].

<https://safesupportivelearning.ed.gov/topic-research/safety/bullyingcyberbullying>

3. Truancy Prevention/Intervention

In Virginia, the law does not define a truant specifically but does define a child who is habitually and without justification absent from school as a “child in need of supervision” when certain other conditions are met. *Virginia Code* requires schools to intervene with students who have excessive absences and to ensure that they are provided educational and support services to meet their identified needs.

Although truancy is addressed by school attendance officers and SROs are not typically involved with truancy intervention, it is important to be aware of risk factors associated with truancy and to recognize that truancy is a predictor of delinquency. Many factors associated with truancy are also associated with delinquency; on the flip side, a strong commitment to school has been cited by numerous researchers as a protective factor against risky behaviors among youth.

According to Strategies for Youth (<http://strategiesforyouth.org>), police should be concerned about truancy because:

1. Police departments that address truancy often see an immediate decrease in delinquency in their jurisdictions during school hours because potentially delinquent youth are engaged in school.
2. Truancy by youth under the age of 12 is the best predictor of a youth's involvement in delinquency.
3. Truancy is also a predictor of substance abuse, teen pregnancy, and social isolation, and is the number one reason youth drop out of school.
4. Truant youth typically have low self-esteem and are more sensitive to rejection and criticism. They are often vulnerable to peers and adults who may pressure them to become involved in negative behaviors that could undermine their chances for success, and increase run-ins with police.

They report:

- Police are most effective in reducing truancy when they recognize that truancy is not a crime. It is a symptom of a youth's troubled adjustment to school for educational or social reasons.
- Police participation in community responses to truancy are most effective when police:
 - Communicate with schools and parents
 - Do not criminalize truancy
 - Intervene immediately when youth under the age of 12 are truant
 - Work with schools to promote re-engagement of truant youth

To Learn More about Truancy

Strategies for Youth: How to Understand Truancy. <http://strategiesforyouth.org/for-police/how-to/how-to-truancy/>

Virginia Department of Education Resources:

Attendance and Truancy Among Virginia Students is a 12 module training series developed by the Virginia Department of Education, in collaboration with Attendance Works. The training, which also includes a Participant/Facilitator Guide, can be viewed individually or in a group and is designed to assist schools and divisions in looking at current practice and in looking at ways to improve future practice with the goal of addressing and eliminating chronic absenteeism, and ultimately boost student outcomes and success.

<http://www.doe.virginia.gov/support/prevention/attendance-truancy/attendance-truancy-va-students/index.shtml>

Improving School Attendance: A Resource Guide for Virginia Schools (August 2005). Virginia Department of Education. http://www.doe.virginia.gov/support/prevention/attendance-truancy/improving_school_attendance.pdf

4. Suicide Prevention

Code of Virginia § 22.1-272.1 requires licensed school personnel, who have reason to believe a student is at imminent risk of suicide, to contact as soon as practicable, at least one of the student’s parents. If the student has indicated parental abuse or neglect, contact with the parent is not to be made and social services is to be notified.

As a practical matter, schools play a key role in identifying youth at risk of suicide because school faculty and staff are well positioned to observe students’ behavior and to act when a student is suspected to be at risk of suicide. Schools in Virginia follow guidelines developed by the Virginia Board of Education.

It is important to note that students about whom there are concerns about potential for suicide may be the subject of threat assessments. SROs may serve as members of threat assessment teams and assist in monitoring of subject students as well as determining the need, if any, for law enforcement action. See additional information on threat assessment earlier in this chapter.

There are several types of training available for school personnel and others who work regularly with youth. SROs have found these types of training to be helpful:

- Applied Suicide Intervention Skills Training (A.S.I.S.T) for a broad range of school and campus law enforcement and security officers, as well as campus and school administrators, counselors, teachers, and staff. The training is a two-day intensive, interactive and practice-dominated course designed to help caregivers recognize and review risk, and intervene to prevent the immediate risk of suicide.
- Other available “Gatekeeper Trainings” such as QPR (Question, Persuade, Refer) and SafeTALK (Suicide Alertness for Everyone) are designed to give faculty members the skills to recognize individuals at risk and make referrals to the appropriate services and are an important piece of any school-based suicide prevention program.

To Learn More about Suicide Prevention

Suicide Prevention Guidelines (2003 Revision). Virginia Board of Education.

http://www.doe.virginia.gov/boe/guidance/health/suicide_prevention.pdf

Virginia Department of Health’s Suicide Prevention Program coordinates statewide training on suicide prevention and intervention and has numerous resources. <http://www.vdh.virginia.gov/livewell/programs/suicide/>

5. Conflict Resolution, Mediation, and Peer Mediation

Conflict resolution, mediation, and peer mediation are employed in many Virginia schools and can serve as resources in resolving conflicts that arise among students before they manifest as violations of codes of conduct and law.

Conflict resolution education teaches the skills needed to engage in creative problem solving. Parties to disputes learn to identify their interests, express their views, and seek mutually acceptable solutions. These programs are most effective



when they involve the entire facility or school community, are integrated into institutional management practices and the educational curriculum, and are linked to family and community mediation initiatives.

Mediation is one form of conflict resolution in which a third party may be invited to guide parties through a mediation process to reach a win-win solution. Most mediation involves a five-step process:

1. In the introductory stage, the mediator(s) will explain the process and ask if the parties would like to continue.
2. The storytelling stage allows each side to present its story.
3. Next, they will be asked to identify issues that have arisen through the stories told.
4. In the problem-solving stage, the disputants have the opportunity to brainstorm creative solutions for the raised issues.
5. In the final stage, an agreement may be crafted that will detail the accepted terms of the resolution.

Peer mediators are students who are trained to mediate disputes between their peers. They are taught skills in communication, active listening, and mediation process management. The underlying assumption of peer mediation programs is that students will be willing to allow other students to help them resolve conflicts (rumors, fights, harassment, misunderstandings, etc.) when they occur. The role of the peer mediator is to listen to the issues raised and guide the disputants through the process; the mediator is not there to determine right or wrong. The disputants are encouraged to work together to find a solution that works for them both.

To Learn More about Conflict Resolution and Peer Mediation

Conflict Resolution/Interpersonal Skills (February 2011). OJJDP-Sponsored, Model Programs Guide Literature Reviews. http://www.ojjdp.gov/mpg/litreviews/Conflict_Resolution_and_Interpersonal_Skills.pdf

This literature review provides practitioners and policymakers with relevant research and evaluations on conflict resolution/interpersonal skills. NCJ 249697

National Crime Prevention Council. Webpage with tips and resources related to conflict resolution. <http://www.ncpc.org/topics/conflict-resolution>

V. Understanding and Working Effectively with Students

This chapter focuses on unique aspects of community policing in a school setting. It begins with a look at the teen brain and implications for school discipline and law enforcement. Then, common challenges that students experience are briefly discussed and specific SRO strategies are listed along with sources of more in-depth information about the challenge and resources for addressing them. Challenges discussed include child abuse, trauma, mental health issues, alcohol and other drugs, gangs, homelessness, justice-involved youth, and students with disabilities.

A. Adolescent Development

The Teen Brain: Behavior, Problem Solving, and Decision Making

It is especially important for SROs to have an understanding of the basics of adolescent development.

According to the American Academy of Child and Adolescent Psychiatry, adolescents differ from adults in the way they behave, solve problems, and make decisions. There is a biological explanation for this difference. Studies have shown that brains continue to mature and develop throughout childhood and adolescence and well into early adulthood.

Scientists have identified a specific region of the brain which is responsible for instinctual reactions including fear and aggressive behavior. This region develops early. However, the area of the brain that controls reasoning and helps us think before we act, develops later. This part of the brain is still changing and maturing well into adulthood.

Changing brains mean that adolescents act differently from adults. Research has also demonstrated that exposure to drugs and alcohol before birth, head trauma, or other types of brain injury can interfere with normal brain development during adolescence.

Based on the stage of their brain development, adolescents are more likely to:

- act on impulse
- misread or misinterpret social cues and emotions
- get into accidents of all kinds
- get involved in fights
- engage in dangerous or risky behavior

Adolescents are less likely to:

- think before they act
- pause to consider the potential consequences of their actions
- modify their dangerous or inappropriate behaviors

These brain differences do not mean that young people can't make good decisions or tell the difference between right and wrong. It also doesn't mean that they shouldn't be held responsible for their actions. But an awareness of these differences can help parents, teachers, advocates, and policy makers understand, anticipate, and manage the behavior of adolescents.

To Learn More about Policing the Teen Brain

Policing the Teen Brain (2014) by Bostic, J. Q., Thurau, L., Potter, M., & Drury, S. S. *Journal of the American Academy of Child and Adolescent Psychiatry*, 53(2), 127–129.

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4336465/pdf/nihms663374.pdf>



Implications for School Discipline, Law Enforcement, and Juvenile Justice

According to *Adolescent Development and Juvenile Justice*, a publication of The Future of Children (available online at http://www.futureofchildren.org/futureofchildren/publications/highlights/18_02_Highlights_01.pdf), adolescents' relative developmental immaturity contributes to immature judgment and criminal behavior in the following ways:

- *Poor decision making:* Teens are less able to process information quickly and thoughtfully in real-world situations. Their ability to make good decisions in situations that require a fast and well-thought out response is sometimes flawed – such as whether or not to go along with a friend to steal a car for a joyride – because they may not have the ability to process the ramifications of the action quickly.
- *Not thinking about the future:* Teens are less likely than adults to consider the long-term consequences of their actions, termed “future orientation.” This reduces their fear of punishment in the future – such as the possibility of going to jail – and leads them to choose the fun of the present over the pain of the future. This is the reason that scare tactics are largely ineffective.
- *Giving in to peer pressure:* Adolescents are more easily influenced by, pay more attention to, spend more time with, and are more responsive to their peers than adults are with friends. Teens are more likely to change their decisions or alter their behavior in response to peer pressure – to use drugs or initiate risky behavior in group situations in order to elevate their status or avoid real or imagined peer rejection.
- *Risk taking:* Teenagers engage in more risky behavior than adults. There are two “blind spots” that adolescents have when it comes to assessing risk that work together to increase their risk-taking behavior: 1) While teens demonstrate that they understand the level of risk associated with a given behavior under ideal (and simulated) conditions, they fail to consider these same risks in real-world situations; and 2) adolescents are more “reward sensitive” (the rush of driving fast) and less “risk averse” (getting a ticket or being in an accident) than adults.
- *Impulsivity and self-control:* Adolescents are more reckless than adults because they are still developing the ability to control impulses. In addition, adolescents experience more rapid and extreme changes in mood than adults do. High levels of emotional arousal, whether anger or elation, have been connected to difficulties with self-control. The combination of moodiness and impulsivity leads adolescents to have more difficulty in controlling their behavior than adults.
- *Unformed identity:* The development of one's sense of self – one's values, plans, attitudes, and beliefs – is one of the fundamental tasks of adolescence. During adolescence, identity is fluid, constantly changing and evolving as teens try to figure out who they are. An important part of the process of forming one's identity is experimentation with different activities and roles, which often includes risky behavior and sometimes includes engaging in crime.

These conditions are clearly acknowledged in the Preamble of Virginia's Model MOU which states, “The parties acknowledge that students are generally less mature and responsible than adults; they often lack the maturity, experience, perspective, and judgment to recognize and avoid choices that could be detrimental to them; and they are more susceptible to outside pressures than adults.”

To Learn More about Adolescent Development and Implications for School Discipline and Law Enforcement

Adolescent Development and Juvenile Justice. The Future of Children.

http://www.futureofchildren.org/futureofchildren/publications/highlights/18_02_Highlights_01.pdf

Facts for Families: Normal Adolescent Development Part I (Middle School and High School Years). American Academy of Child and Adolescent Psychiatry. http://www.aacap.org/AACAP/Families_and_Youth/Facts_for_Families/FFF-Guide/Normal-Adolescent-Development-Part-I-057.aspx

Facts for Families: Normal Adolescent Development Part II (Late High School and Beyond). American Academy of Child and Adolescent Psychiatry. http://www.aacap.org/AACAP/Families_and_Youth/Facts_for_Families/FFF-Guide/Normal-Adolescent-Development-Part-II-058.aspx

B. Challenges Students Experience

This section of the SLEP Guide identifies challenges that are commonly seen and specific SRO strategies for becoming knowledgeable and effective in collaborating with educators to help students manage and overcome these challenges.

Child Abuse

Code of Virginia § 63.2-1509 requires certain professionals to report suspected child abuse or neglect to the local department of social services of the county or city where the child resides or to the state's toll-free child abuse and neglect hotline.

Both school employees and law enforcement officers are mandated reporters.

Civil Immunity – *Code of Virginia* § 63.1-1512. states that any person making such a report shall be immune from any civil or criminal liability in connection with the reporting unless it can be proven that the person acted in bad faith or with malicious intent.

SRO strategies:

- Become familiar with indicators of child abuse and neglect – the resources listed below contain a great deal of very helpful information.
- Clearly understand any established child abuse and neglect reporting procedures.
- Maintain close relationships with child protective services investigators from local departments of social services.
- Consider completing training related to child abuse forensic interviews and child abuse injury investigations.

To Learn More about Child Abuse and Neglect in Virginia

A Guide for Mandated Reporters in Recognizing and Reporting Child Abuse and Neglect (May 2012). Virginia Department of Social Services.

https://www.dss.virginia.gov/files/division/dfs/cps/intro_page/publications/general/B032-02-0280-00-eng.pdf

Child Abuse and Neglect: Recognizing, Reporting, and Responding for Educators – An online course provided by the Virginia Department of Social Services training division.

http://www.dss.virginia.gov/family/cps/mandated_reporters/cwse5691/story.html

Students Who Have Experienced Trauma

According to the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA) trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically and emotionally harmful or threatening and that has lasting adverse effects on the individual's physical, social, emotional, or spiritual well-being.

- Research suggests that approximately 25% of U.S. children will experience at least one traumatic event by age 16.
- In a nationally representative U.S survey, 39% of 12–17 year-olds reported witnessing violence, 17% reported physical assault and 8% reported sexual assault.
- 75% to 93% of youth in the juvenile justice system are estimated to have experienced some type of trauma.

Trauma can result from:

- Natural disasters
- Forced displacement
- War / terrorism
- Emotional, physical, or sexual abuse or assault
- Serious accident or illness /medical procedure
- Victim / witnessing domestic, community, school, or interpersonal violence



Trauma is cumulative and complex trauma describes exposure to multiple or prolonged traumatic events and the impact of this exposure on youth development. It involves the simultaneous or sequential occurrence of psychological maltreatment, neglect, physical and sexual abuse, and domestic violence that are chronic and begin in early childhood.

Impact of Trauma on School Performance

Trauma can impact school performance in multiple ways:

- Decreased reading ability
- Lower GPA
- Higher rate of school absences
- Increased drop-out
- More suspensions and expulsions

Trauma in early childhood can have a detrimental effect on brain development. Brain structures associated with regulating emotion, memory, and behavior can be smaller in size, contributing to poor emotional control and aggression.

Chronic trauma can result in deficits impacting goal setting, organizing, planning, anticipating consequences, distorted views of the world, and poor relationships with school staff and peers. They can be impaired in development of competencies in cognitive functioning, emotional regulation, and interpersonal relationships. Their coping strategies often contribute to secondary problems like school misconduct.

SRO Strategies:

- Become familiar with the basics of how trauma affects children and how it affects their behaviors and relationships.
- Be aware that a sizeable percentage of students in your school have experienced trauma, including those in foster care and likely students for whom suspected abuse/neglect reports have been made and students known to be living in a household where domestic violence is/has occurred.
- Consider taking advantage of any training about trauma and implications for law enforcement.

To Learn More about Trauma and How it Affects Children

National Child Traumatic Stress Network. <http://nctsnet.org/>

Essential Elements of a Trauma-Informed Juvenile Justice System: For Juvenile Justice Professionals/Law Enforcement/First Responders. http://www.nctsn.org/sites/default/files/assets/pdfs/jj_ee_final.pdf

Helping Traumatized Children Learn. Massachusetts Advocates for Children and Harvard Law School. <http://traumasensitiveschools.org>

Creating a Trauma-Informed Law Enforcement System. The National Child Traumatic Stress Network. http://www.nctsn.org/sites/default/files/assets/pdfs/SS_brief_law_enforcement.pdf

Mental Health Issues

The mental health of students has a major impact on their learning. A positive and supportive school environment addresses mental health needs in a proactive manner rather than reacting to crises. Consistent with a tiered system of support, such schools:

- promote the well-being of all students,
- intervene early with services and supports to prevent problems, and
- provide intensive intervention for students with serious or acute needs.

According to the National Institute of Mental Health, 20% of youth ages 13 to 18 live with a mental health condition. About half of students age 14 and older with a mental illness drop out of school and 70% of youth in state and local juvenile justice systems have a mental illness.

In June 2016 the Population Reference Bureau (<http://www.prb.org/>) announced that suicides had become the second-leading cause of death among teenagers in the United States, surpassing homicide deaths.

General warning signs that merit further investigation include:

- Feeling very sad or withdrawn for more than two weeks (e.g., crying regularly, feeling fatigued, feeling unmotivated).
- Trying to harm or kill oneself or making plans to do so.
- Out-of-control, risk-taking behaviors that can cause harm to self or others.
- Sudden overwhelming fear for no reason, sometimes with a racing heart, physical discomfort or fast breathing.
- Not eating, throwing up or using laxatives to lose weight; significant weight loss or gain.
- Severe mood swings that cause problems in relationships.
- Repeated use of drugs or alcohol.
- Cutting behaviors.
- Drastic changes in behavior, personality or sleeping habits (e.g., waking up early and acting agitated).
- Extreme difficulty in concentrating or staying still that can lead to failure in school.
- Worries or fears that get in the way of daily activities like hanging out with friends or going to classes.

Non-emergencies – It is common for SROs and SSOs to become aware of problem behaviors such as those listed above either through direct contact with a student or very commonly through reports of peers who are concerned. Concerning patterns of behavior may not involve violations of school conduct policy or law, but do require further investigation. Concerns should be directed to appropriate school administrators, guidance specialist, or the threat assessment team.

Mental health emergencies – In cases of mental health emergencies, SROs may become first responders. A primary concern is how to effectively de-escalate mental health incidents involving agitated or threatening individuals.

SRO Strategies:

- Work with school administrators to develop protocols specifically for incidents involving a mental health emergency. In the case of a student known to have emotional issues, the SRO should be made aware of the student’s status. If SRO intervention is thought to be needed it is highly likely that such disclosure would fall under FERPA’s health or safety emergency exception.
- Follow the appropriate established school procedures related to threat assessment and suicide prevention. Legal requirements for threat assessment and suicides prevention is included in Chapter III.
- Consider completing specialized training such as Adolescent Mental Health Training for School Resource Officers, Mental Health First Aid, or Crisis Intervention Training for Youth (CIT-Y).

To Learn More about Adolescent Mental Health

National Alliance on Mental Illness. *Mental Health Facts: Children and Teens.*

<http://www.nami.org/getattachment/Learn-More/Mental-Health-by-the-Numbers/childrenmhfacts.pdf>

National Center for Mental Health and Juvenile Justice (NCMHJJ). <http://www.ncmhjj.com/>

The NCMHJJ offers a number of training programs to improve cross-system responses to justice-involved youth with behavioral health needs including:

- **Adolescent Mental Health Training for School Resource Officers (AMHT-SRO)**
AMHT-SRO provides critical information on adolescent mental health to police officers who work in school settings. This course allows participants to practice skills that will help them in their daily interaction with youth, including: serving as a resource, solving problems, de-escalating incidents, communicating, role modeling, and using guided decision making.



- **Specialized Youth Training for CIT Officers (CIT-Y)**

CIT-Y training instructs officers certified in the 40-hour CIT program on how to expand their skills to address the unique needs of adolescents with mental health issues. It covers important topics such as adolescent development, common psychiatric disorders among youth, crisis response techniques, and community options for youth.

Alcohol and Other Drug Abuse

Recognizing alcohol and other drug abuse problems in students is especially important because use can lead to long-term social and health problems, injury, and even death. They are at a formative stage and growth and development can be affected by tobacco, alcohol, and drugs. Use undermines the developmental tasks teens need to achieve during their teens: finding their identity, building relationship skills, and becoming emotionally stable. They also may have trouble preparing for their future because use affects memory and learning and quickly leads to school failure.

Additionally, in teens substance use can grow very quickly from experimenting or occasional use to abuse and addiction in teens at risk. Ninety percent of addictions start in the teen years.

SRO strategies:

- Pre-plan how incidents of students under the influence of alcohol or drugs will be handled including parent notification and referral for substance abuse assessment. Students who come to school under the influence almost always have a serious problem that needs to be professionally assessed.
- Become familiar with behavioral indicators of substance abuse.
- Learn about school- and community-based substance abuse intervention programs and who they serve.

To Learn More about Alcohol and Other Drugs

National Institute on Drug Abuse (NIDA). Contains a wealth of information designed for various audiences including educators, parents, and youth. Current facts about the most commonly abuse drugs are easily accessible on the site. Alerts on current hazards are also posted (e.g., fake prescription drugs laced with fentanyl).

<https://www.drugabuse.gov/parents-educators>

NIDA for Teens. Web site helps educate adolescents ages 11 through 15 (as well as their parents and teachers) on the science behind drug abuse. <https://teens.drugabuse.gov/>

Partnership for Drug-Free Kids. Website contains a great deal of very readable information for a wide range of audiences.

<https://www.drugabuse.gov/parents-educators>

Virginia Resources

The Virginia Office for Substance Abuse Prevention (VOSAP) website contains a broad range of resources and linkages to national resources for children/pre-teens, pre-teen/teens, parents and educators, and general resources.

<http://gosap.virginia.gov/resources.html>

The Virginia Department of Alcohol Beverage Control website contains a wealth of information on underage drinking, including attractive brochures that can be used with students and their parents. See <https://www.abc.virginia.gov/education>. Of particular interest is a guide for high school students providing information on Virginia law, facts about underage drinking and tips on leading by making healthy choices. See *Facts Lead: Learn Alcohol Basics* at:

<https://www.abc.virginia.gov/library/education/pdfs/hs%20guide.pdf?la=en>

The Virginia Department of Education offers several publications of interest: *Guidelines Concerning Student Drug Testing in Virginia Public Schools (2004)*, *Inhalant Abuse Prevention: Staff Education and Student Curriculum*, and *Celebrate Life: A Guide for Planning All Night Alcohol/Drug-Free Prom and Graduation Celebrations*.

http://www.doe.virginia.gov/support/prevention/drug_use/index.shtml

Gangs

Virginia law (*Code of Virginia* § 18.2-46.1) defines a “criminal street gang” as any group, organization or association of three or more persons, whether formal or informal,

- which has as one of its primary objectives or activities the commission of one or more criminal acts,
- which has an identifiable name or identifying sign or symbol, and
- whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence.

Impact on schools

SROs need to recognize that

- there is a strong correlation between gang presence in schools and guns as well as drug availability in schools.
- the presence of gangs more than doubles the likelihood of violent victimization at school and is very disruptive to the school environment, creating fear among students and staff.

Juvenile gang members are responsible for far more than their share of all self-reported criminal activity, and are also far more likely to be the victims of such acts. In Virginia, studies show that students involved in gang activity are:

- Seventeen times more likely (31.6 percent) than all respondents (3.9 percent) to take a gun to school, and five times more likely (11.9 percent) to attack someone to harm them.
- Over four times as likely (36.7 percent) than all respondents (8.6 percent) to be threatened or injured.
- Five times more likely (31.3 percent) than all respondents (6.4 percent) to ever be suspended.

Sadly, gang membership has very negative impacts on gang members’ lives:

- Gang members are more likely to be victimized themselves. They are also at greater risk of arrest, juvenile court involvement, detention, confinement to juvenile correctional facilities, and, later, imprisonment.
- Gang involvement dramatically alters young peoples’ life changes. The gang acts as “a powerful social network” constraining and limiting members so they are cut off from conventional pursuits such as education and employment. Rather than making successful transitions to adulthood, their lives are disordered in a cascading series of difficulties including school dropout, early pregnancy, teen parenthood, and unstable employment.

SRO Strategies:

- Maintain vigilance for indicators of gang activity in and around school and act promptly to deter their presence.
- Remain current on local gang activities through ongoing communication with other law enforcement officers/gang unit members and attending related training.
- Include lessons on gangs and how to avoid becoming involved in law-related education activities. Virginia Rules (www.virginiarules.com) contains one such lesson.

To Learn More about Gangs and Gang Prevention

The National Gang Center (NGC) – A comprehensive resource to learn about gangs and remain current on trends. Offers a newsletter, parent guide, online training, and videos. <http://natonalgangcenter.gov>

Gang Prevention: An Overview of Research and Programs. OJJDP Juvenile Justice Bulletin, December 2010. <https://www.ncjrs.gov/pdffiles1/ojjdp/231116.pdf>



Homeless Students

During the 2013–2014 school year, more than 1.3 million homeless children and youths were enrolled in public schools. The number of homeless children and youths enrolled in public schools has nearly doubled since the 2006–2007 school year. Further, the number of unaccompanied homeless youths (not in the physical custody of a parent or guardian) identified by schools has more than doubled to nearly 100,000.

Experiencing homelessness can have significant negative impacts on children academically, socially, and emotionally. These students have certain rights that allow them to remain in their schools of origins (where they were enrolled, even when the family is staying in another district) and to immediate enrollment if they change schools. They are likely to need connection to various services and supports to address basic needs.

To Learn More about Homelessness

Supporting the Success of Homeless Children and Youth – A factsheet and tips for teachers, principals, school leaders, and other school staff. <http://www2.ed.gov/policy/elsec/leg/essa/160315ehcyfactsheet072716.pdf>

Juvenile Justice-Involved Youth

SROs in Virginia are likely to have regular contact with Court Service Unit (CSU) personnel, either related to filing petitions at intake or the probation supervision of students who attend the SROs' schools. Recent juvenile justice reforms have placed great emphasis on diverting youth from involvement – or deeper involvement – with the justice system. Joint efforts involving SROs and CSU staff increase the opportunities to develop and use diversion strategies.

SRO Strategies:

- Develop relationships with Court Services Unit personnel who handle intake and provide probation supervision of students in your assigned school.
- Learn about any diversion efforts at the juvenile court. There may be opportunities for additional collaboration to address minor offenses through mediation, restitution, completion of brief interventions that avoid filing a formal petition or appearance before a judge.
- Consider involving CSU personnel in law-related education activities; they would be expert presenters on the juvenile justice process.

To Learn More about Court Service Units and Juvenile Justice in Virginia

Virginia Department of Juvenile Justice. Information about Virginia's 34 court service units (CSUs). <http://www.djj.virginia.gov/pages/community/court-service-units.htm>

C. Students with Disabilities

SROs interact with students with disabilities on a daily basis. Some disabilities are visible while others are invisible, not signaling to the SRO or other law enforcement officer that they are dealing with a student with a disability. Regular contact with students with disabilities is inevitable:

- As victims – students with cognitive disabilities are especially vulnerable to victimization; persons with disabilities are four to ten times more likely to be victims.
- As perpetrators – some disabilities are associated with problem behaviors.
- As witnesses – some students who witness an incident may be impaired in their ability to understand and communicate what they have seen or experienced.

Among conditions commonly seen in schools:

- Autism
- ADHD
- Blind/Low vision
- Deaf/Hard of Hearing
- Intellectual Disability
- Learning Disability
- Physical Disabilities
- Neurological Disorders (Tourette Syndrome)

Each of these disabilities can significantly affect encounters with law enforcement. Some persons with autism, for example, are known to wander or run away, are attracted to water (a hazard!), react to overstimulation such as sirens, repeat what is said to them (called echolalia), avoid touch, lack a fear of dangers, and resist restraint – sometimes violently.

It is critical for SROs to become familiar with common disabilities and their implications for law enforcement interaction.

SRO Strategies:

Begin by learning and using “Person First Language” and using the language in communications with others and in official reports.

Examples of Person First Language	
<i>Rather than this...</i>	<i>Say this...</i>
The disabled, handicapped	Person with a disability
Retarded, slow, simple-minded, moronic	Person with an intellectual, cognitive, developmental disability
Confined to a wheelchair, wheelchair bound	Person who uses a wheelchair
Insane, crazy, nuts, psycho	Person with an emotional or behavioral disability
<p>Learn more: <i>Communicating With and About People with Disabilities</i>. http://www.cdc.gov/ncbddd/disabilityandhealth/pdf/DisabilityPoster_Photos.pdf</p>	

- Learn about types of disabilities by talking with the teachers and other specialists who work with students every day; they will have practical insights into their students’ abilities, limitations, and strategies for developing relationships with their students.
- Consider completing additional disability awareness training.

To Learn More about Disabilities and Implications for School-Law Enforcement Partnerships

Commonly Asked Questions about the Americans with Disabilities Act and Law Enforcement.

https://www.ada.gov/qanda_law.pdf

Autism Speaks. *Information for Law Enforcement.*

<https://www.autismspeaks.org/family-services/autism-safety-project/first-responders/law-enforcement>

Virginia Family Special Education Connection. <http://vafamilysped.org/home>

This website provides comprehensive information on special education issues, practices and services to Virginia families who have children with disabilities.

Parent’s Guide to Special Education (Revised 2010). Virginia Department of Education.

http://www.doe.virginia.gov/special_ed/parents/parents_guide.pdf

Although written for parents, the *Parent’s Guide* contains basic information on the law, the special education process, and rights of students.



Supplement 1: School-Law Enforcement Partnership Toolkit

Toolkit Contents:

- A. SECURE Local Implementation Rubric
- B. Evaluating Partnership Effectiveness
- C. Strategies to Evaluate SRO Program Effectiveness and SRO Performance
- D. Recordkeeping and Reporting Basics for SROs
 - Effective Field Notes
 - Effective SRO Reports
- E. School Safety Inspection Checklist: An Important Tool and Resource
- F. Talking with Teens: Basic Strategies for Interviewing
- G. Law-related Education Tools
 - Tips for Effective Presentation with Students at Different Grade Levels
 - Public Speaking Tips with Adult Audiences

A. SECURE Local Implementation Rubric

Source: U.S. Departments of Education and Justice – https://cops.usdoj.gov/pdf/sro/SRO_Local_Implementation.pdf

Action Step	CHECKLIST TO START Use the following checklists when implementing new school-law enforcement partnerships.	CHECKLIST TO IMPROVE Use the following checklists when improving existing school-law enforcement partnerships.
<p>Step 1. Create sustainable partnerships and formalize MOUs among school districts, local law enforcement agencies, juvenile justice entities, and civil rights and community stakeholders.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Measure student, family, school staff, and community experience of school safety and law enforcement presence to gauge your starting place. <ul style="list-style-type: none"> ○ Consider available data on discipline incidents, ticketing, arrests, and school perception. ○ Use relevant data from mandated collections, including state and district accountability data as well as the U.S. Department of Education’s Civil Rights Data Collection. <input type="checkbox"/> Find resources on best practices for school-law enforcement partnerships. <input type="checkbox"/> Draft an MOU together with stakeholder groups to develop a sustainable and regularly-reviewed partnership: <ul style="list-style-type: none"> ○ Collect and adapt exemplar MOUs from existing school-law enforcement partnerships from across the country to suit local needs. ○ Make language applicable and accessible to all audiences (including students, families, school staff). ○ Include language that explicitly prohibits SROs from involvement in enforcing school codes of conduct or engaging school discipline, and clarify their role to ensure safety and security. ○ Identify needs and local concerns in the MOU as demonstrated by local data. 	<ul style="list-style-type: none"> <input type="checkbox"/> Use data to assess the effectiveness of existing partnerships and MOUs. <ul style="list-style-type: none"> ○ Consider available disaggregated data on discipline incidents, ticketing, arrests, and school perception, as well as number and percentage of sworn legal officers in schools. ○ Use relevant data from mandated collections, including state and district accountability data as well as the U.S. Department of Education’s Civil Rights Data Collection. <input type="checkbox"/> Establish a regular timeline to evaluate and revise MOUs to reflect changes in local needs and concerns: <ul style="list-style-type: none"> ○ Involve school administrators, educators, local law enforcement, students, parents and families, and other relevant stakeholders during MOU revision process. ○ Share MOUs with colleagues in other communities for feedback and information on best practices. ○ Share MOUs with State officials and local lawmakers to inform State policy related to SROs in schools. ○ Provide school administrators and SROs with up-to-date copies of MOU agreements and discuss implementation strategies within the context.



Action Step	CHECKLIST TO START Use the following checklists when implementing new school-law enforcement partnerships.	CHECKLIST TO IMPROVE Use the following checklists when improving existing school-law enforcement partnerships.
<p>Step 2. Ensure that MOUs meet constitutional and statutory civil rights requirements.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Incorporate Federal and State constitutional requirements, including legal requirements relating to searches, seizures, uses of force, and interrogations. <input type="checkbox"/> Incorporate the requirements of Federal, State, and local civil rights statutes, including those prohibiting race, color, national origin, language status, disability, religion, and sex discrimination. <input type="checkbox"/> Gather, organize, and present data on law enforcement practices (including searches, seizures, citations, ticketing, arrests, use of force, interrogations, court referrals, alleged student misconduct leading to law enforcement practices, etc.). <input type="checkbox"/> Disaggregate the data by race, ethnicity, age, sex, type of offense, English learner (EL) status, and disability status. <input type="checkbox"/> Include a mechanism to receive complaints about discrimination and other input from parents and students, and to gather information about the complainants' race, age, sex, EL status, and disability status. 	<ul style="list-style-type: none"> <input type="checkbox"/> Establish a process for regularly collecting and analyzing data (including searches, seizures, citations, ticketing, arrests, use of force, interrogations, court referrals, alleged student misconduct leading to law enforcement practices, etc.). <input type="checkbox"/> Use this data to regularly evaluate and revise policies if information indicates that a school-based law enforcement program is being carried out in a manner that is inconsistent with Federal and State constitutions, civil rights laws, and applicable privacy laws. <input type="checkbox"/> Involve stakeholder groups to design and implement a plan of action to address constitutional, privacy, or civil rights-related concerns.
<p>Step 3. Recruit and hire effective SROs and school personnel.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Draft and publish hiring guidelines for SROs with input from students, parents and families, and community stakeholders, potentially including the following: <ul style="list-style-type: none"> ○ Ability to work effectively with students, parents, teachers, and school administrators ○ An understanding of the importance of diversion programs and alternatives to arrest ○ Respect for youth and families of all backgrounds and cultures ○ An understanding of developmentally appropriate, trauma-informed practices for interacting with youth ○ Consideration of the applicant's past discipline and legal history ○ Strong interpersonal communication skills ○ Strong public speaking ability ○ Effective law-related teaching and mentoring skills ○ Minimum years of experience ○ An interest in promoting and enriching the lives of youth ○ Knowledge of the specific needs and local concerns of the community <input type="checkbox"/> Include interviews by school staff, students, parents and families, community stakeholders, and youth development experts. 	<ul style="list-style-type: none"> <input type="checkbox"/> Establish a regular timeline to review and update SRO hiring guidelines. <input type="checkbox"/> Maintain an onboarding / training program for new SROs in which they are mentored by experienced SROs on topics including: <ul style="list-style-type: none"> ○ Constitutional and civil rights ○ Childhood and adolescent development ○ Age-appropriate responses to student conduct ○ Disability and special education issues ○ Conflict resolution and de-escalation techniques ○ Bias-free policing, including implicit bias and cultural competence ○ Responses to trauma ○ Restorative justice techniques ○ Interacting with specific student groups such as those with disabilities or limited English proficiency or who are lesbian, gay, bisexual, or transgender (LGBT). <input type="checkbox"/> Regularly review performance using SRO-specific rating instruments to ensure a good fit between SROs and particular schools.

Action Step	CHECKLIST TO START Use the following checklists when implementing new school-law enforcement partnerships.	CHECKLIST TO IMPROVE Use the following checklists when improving existing school-law enforcement partnerships.
<p>Step 4. Keep your SROs and school personnel well trained.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Include language in the MOU on ongoing training needs and plans for both SROs and school staff, and incorporate joint training of SROs and school staff as appropriate. <input type="checkbox"/> Develop an ongoing training and refresh program that covers the topics listed in the onboarding training list in step #3. <ul style="list-style-type: none"> <input type="checkbox"/> Other topics can include: use of force that reflects differences in strength and physical vulnerabilities of youth, limited appropriate use of handcuffs in a school setting, consequences of student involvement in the criminal and juvenile justice system, and all available alternatives to arrest. <input type="checkbox"/> Train school personnel not to call upon SROs to address non-violent or non-threatening behavior by using less punitive methods such as restorative justice or using the student code of conduct. <input type="checkbox"/> Train SROs to exercise discretion to minimize arrests for minor misbehaviors and use all available diversion programs and other alternatives to arrest. <input type="checkbox"/> Solicit SRO input in the development of training materials to prevent unnecessary arrests of students involved in minor school-based offenses. 	<ul style="list-style-type: none"> <input type="checkbox"/> Establish a schedule to regularly review current data with SROs and school staff, including analysis on suspensions, expulsions, and arrests, which may indicate there are civil rights concerns where disproportionality exists (particularly for students of color and students with disabilities). <input type="checkbox"/> Establish a schedule to regularly solicit the input of SROs and school staff on effective training for preventing unnecessary arrests for minor, non-crisis disciplinary incidents. <input type="checkbox"/> Establish a schedule to regularly incorporate SRO and educator input on local best practices into SRO training manuals and staff handbooks on professional practice. <input type="checkbox"/> Involve SROs in school life activities designed to improve trust and relationship building between SROs, students, families, and staff. <input type="checkbox"/> Incorporate real-life simulations in SRO and staff training to provide opportunities for practice in the effective de-escalation of non-crisis disciplinary incidents to prevent unnecessary arrests in schools.
<p>Step 5. Continually evaluate SROs and school personnel, and recognize good performance.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Design a comprehensive performance evaluation and recognition system (including a regular performance schedule that is appropriate and made clear throughout the hiring process and onboarding) that maps to trainings provided and capabilities you expect staff to demonstrate, and is conducted by experienced and qualified professionals. <input type="checkbox"/> Evaluate ability to de-escalate and use alternative disciplinary actions to prevent citations, ticketing, and arrests. <input type="checkbox"/> Create a mechanism to collect feedback from students, families, and peers, and other school staff for SRO and school staff evaluations. 	<ul style="list-style-type: none"> <input type="checkbox"/> Incorporate research on positive youth development and safe and supportive learning environments in all evaluation and support systems.



B. Evaluating Partnership Effectiveness

Virginia's Model MOU lists the following two goals:

1. to promote positive and supportive school climates and
2. to create and maintain safe and secure school environments.

For each of these goals, several objectives are cited in the Model MOU. Objectives from the Model MOU are quoted below with sources of data for measuring outcomes listed with each:

To promote positive and supportive school climates, the partnership will collaborate to:

- increase law-related education (program records on LRE activities; student tests/feedback; faculty feedback);
- expand school safety and crime prevention efforts (program records on school safety/crime prevention activities; DCV data; school climate surveys; law enforcement incident data);
- reduce conflict (DCV and law enforcement incident data; school climate surveys);
- and support effective interventions for students (program records on referrals to school and community intervention supports and services; DCV data on trends in use of exclusionary disciplinary outcomes)

To create and maintain safe and secure school environments, the partnership will collaborate:

- to reduce and prevent crime, violence, victimization, (DCV and law enforcement incident data);
- fear in and around schools (school climate surveys);
- and minimize student involvement with the juvenile and criminal justice systems (DCV and law enforcement incident records; court service unit records).

Listed below are examples of outcome goals/objectives and the types of measures that can be used to assess whether the goals are being achieved:

Outcome Goals/Objectives	Measures
Reduce fights or bullying on campus	<ul style="list-style-type: none"> ▪ Incident reports for fights ▪ Discipline referrals for fighting or attempting to fight ▪ Suspensions for assaults, fighting, or threats ▪ Police crime reports on assaults and battery
Improve school climate	<ul style="list-style-type: none"> ▪ Student climate survey ▪ Teacher climate survey
Reduce gang activity on school grounds	<ul style="list-style-type: none"> ▪ Student survey on threats, victimization, and knowledge of anti-bullying strategies ▪ Student survey on the prevalence of gang behaviors ▪ Parent survey regarding their knowledge of gang signs and behavior ▪ School staff survey regarding knowledge of gang signs and behaviors, and prevalence of gang behaviors
Improve trust and relationships between SRO and students	<ul style="list-style-type: none"> ▪ Student survey regarding familiarity with SROs and comfort level approaching them
Reduce the incidence of drug violations by students in school	<ul style="list-style-type: none"> ▪ Incident reports of possession, use or sales ▪ Arrest reports ▪ Student referrals for alcohol or drug use
Reduce neighborhood offenses (e.g., criminal mischief, robbery) by students during school hours	<ul style="list-style-type: none"> ▪ Calls for service ▪ Crime reports

The Virginia Model MOU also contains a section on evaluation of the school-law enforcement partnership:

“Measurable objectives of the SLEP should be developed jointly using school discipline, crime, and violence data, school climate survey data, and other data deemed to be relevant. Progress towards achieving objectives shall be jointly reviewed at least annually by school division and police department/sheriff’s office designees and shared with the public.”

The ABCDE Method of Writing Measurable Goals and Objectives

A useful template for writing measurable goals and objectives employs The ABCDE Method of Writing Measurable Goals and Objectives. Both goals and objectives need to identify specific and measurable performance indicators. By including these ABCDE components, you will state the who, what, to what degree, by when, and evidence source for your program goals and objectives.

Audience

The population/target audience for whom the desired outcome is intended. In the case of SLEPs this is almost always youth because they are the ultimate beneficiary of the services. The audience can be teachers or other adults if the goal or objective is, for example, related to a training that teaches better strategies for classroom management and you are measuring their gains in knowledge or skills.

Behavior – what?

What is to happen? A clear statement of the behavior change/result expected. At a school-wide level, this might be a reduction in the number of fights reflected in DCV data; at the student level it could be gains in knowledge, skills, and/or attitudes from law-related education activities and reflected in tests or participant feedback.

Condition – by when? under what circumstances?

The conditions under which measurements will be made. This may refer to the timeframe and/or upon implementation of a specific intervention. Goals typically have a longer timeframe (e.g., a year or more). Objectives are typically short-term (a grading period, semester, or a few months). Programs may be named here (e.g., “after completion of the Life Skills Training”) because they are always conditions, never goals or objectives.

Degree – by how much?

The quantification of, or the level of, results expected. This often involves measuring change in comparison to an identified baseline.

Evidence – as measured by?

Defines the method of measuring the change expected. The degree of change (set forth above) will be measured using a specified instrument or criterion. For a goal, this may be responses on selected items on a youth survey or change over time in performance indicators such as incidence of crime or violence in schools or arrest rates. For an objective, shorter-term, direct change in participants is usually measured using instruments such as pre-/post-tests.

The following are examples of a measurable goal and related objectives that a partnership might develop:

Sample goal:

By (date), using problem-oriented approaches, crime at our county’s three high schools will be reduced by 25 percent as measured by school incident reports.

Supporting objectives:

- By (date), after completion of a comprehensive safety and security audit in each high school, opportunities for crime and/or disorder will be reduced and removed as documented in an audit after-action report for each school.



- By (date), using effective police presence and response, incidents of disruptive and illegal behavior will be reduced by 25 percent overall as measured by school incident and crime reports. (Reductions for individual schools can be targeted and reflected in individual school goals and objectives)
- By (date), using problem-oriented approaches, school staff and student involvement in school safety and crime prevention activities will increase by 25 percent as measured by annual student and staff surveys at each school.
- By (date), after participating in law-related educational activities, student knowledge about selected laws and consequences of violation will increase by 50 percent as measured by written tests and student surveys.

C. **Strategies to Evaluate SRO Program Effectiveness and SRO Performance**

Virginia’s Model MOU contains the following among Law Enforcement Agency responsibilities:

“Selection, assignment, scheduling, training, supervision, and evaluation of school resource officers (SROs) will be the responsibility of the police department/sheriff’s office. However, each of these actions will take into account the input of school personnel, and identified needs and conditions of schools. The SRO shall remain at all times under the control, through the chain of command, of the law enforcement agency.”

A well-designed evaluation not only satisfies basic requirements for accountability but can provide information for ongoing program improvement. Such an evaluation can also provide information needed to respond to the tougher questions about whether the program is “making a difference” – questions often asked when funding is at stake.

Comprehensive evaluations of SRO Programs are typically undertaken for several reasons:

1. to assess SRO performance,
2. to document activities, and
3. to assess results.

1. Assessing SRO performance

This is the most simple type of evaluation and functions as a personnel evaluation. Employing law enforcement agencies often ask school administrators to provide feedback on the SROs performance. Performance areas typically include the following criteria to assess SRO performance:

Performance Area	Criteria
Judgment	Ability to accurately assess situations and act accordingly.
Dependability	Can be counted on to perform assigned duties with little supervision.
Availability	Is accessible when needed and makes self visible on campus.
Handling of Non-Criminal Incidents	Handles miscellaneous incidents appropriately.
Conflict Resolution	Able to deescalate conflict situations.
Teamwork/Relationship with Faculty	Has established a rapport with, and is considered a part of, the administrative team.
Classroom Participation	Promotes SRO presentations, good classroom resource.
Involvement in School-Related Activities	Is active during and after school.
“Going the Extra Mile”	Goes beyond what is expected.

Areas of performance on which school administrator feedback is typically sought include:

Performance Area	Criteria
Professionalism	demeanor, appearance, punctuality, discretion
Communication Skills	speaking ability, ability to verbalize effectively, listening skills
Knowledge of Job and Duties	knowledge of laws and arrest powers, knowledge of reporting responsibilities
Job Performance	classroom management skills, teaching skills, participation in extracurricular activities, productivity, handling non-criminal incidents, conflict resolution
Community Relations	accessibility to students, relationship with parents, relationship with teachers
Crisis Intervention	crises and safety planning
Handling criminal incidents	impact on the school environment

2. Documenting activities

Documenting activities allows the law enforcement agency and the school to report on what the SRO actually does. Data used include types of SRO activities, numbers of incident reports, activities that are going well and challenges that exist. Some of the most common activities that are tracked include:

- Incidents/complaints
- Arrests
- Classroom presentations
- Investigations
- Weapons confiscated
- Meetings (with staff, parents, committee)
- Referrals to other agencies



SAMPLE: SRO Performance Evaluation Form

Criteria	Strongly Disagree	Disagree	Do Not Know	Agree	Strongly Agree
Dependability					
Is punctual for school and scheduled events/appointments?					
Can be counted on to perform duties with little or no supervision?					
Availability					
Officer is accessible to staff and students?					
Officer responds to requests in a timely manner?					
Professionalism					
Presents professional appearance?					
Self-motivated; willing to take on new tasks?					
Demonstrates commitment to school and community?					
Consistently courteous and tactful?					
Communication					
Communicates effectively verbally?					
Communicates effectively in writing?					
Demonstrates effective listening skills					
Judgment					
Accurately assesses situations and acts appropriately?					
Officer takes a proactive approach when appropriate?					
Knowledge					
Knowledgeable about state laws and local ordinances?					
Knowledgeable about school rules and discipline procedures?					
Knowledgeable the criminal/juvenile justice system?					
Knowledgeable about school and community resources?					
Performance					
Takes proper law enforcement action when appropriate?					
Provides effective level of visibility?					
Presence contributes to higher perception of safety?					
Effective in collaborating with school personnel to address school safety/security concerns?					
Effective in crisis/emergency response planning and preparation activities?					
Effective in collaborating with faculty to provide law-related and other topical presentations?					
Officer serves as a positive role model for students?					
Presentation Skills					
Effective in making classroom presentations?					
Effective in making presentations to adult audiences (faculty, parents)					
Comments or Concerns					

3. Assessing results

Assessing results is a more difficult type of evaluation but is critical to objectively demonstrate whether having a SRO program improves conditions at the school.

Assessing results often involves comparing current conditions with past conditions. Examples of types of data collected and examined include:

- numbers of trespassers/unauthorized persons on a campus,
- numbers of thefts, fights, bullying, gang problems, or weapons, and
- improvements in access control at sensitive locations.

These problems or problem conditions are often identified through the school safety audit process. Additional information on conducting school safety audits will be provided in the training module on school safety planning and response.

School divisions often have departments that specialize in research, evaluation, or assessment. Consider consulting with these specialists to design a simple evaluation that collects basic information that will allow the SRO program to better describe what it does and what results it is achieving.

To Learn More about Evaluating SRO and SRO Program Effectiveness

Extensive information on evaluating SRO performance and SRO program effectiveness can be found in two publications that are on the Related Reading list:

A Guide to Developing, Maintaining, and Succeeding with Your SRO Program (Jun 2005) – U.S. Department of Justice COPS in Schools Program publication. <http://www.cops.usdoj.gov/files/ric/Publications/sroguidelines.pdf>

SRO Performance Evaluation: A Guide to Getting Results (2005) – U.S. Department of Justice COPS publication. <http://www.cops.usdoj.gov/files/ric/Publications/sroperformanceevalguide.pdf>

D. Recordkeeping and Reporting Basics for SROs

Serving as an SRO is a challenging law enforcement assignment. Basic field notes and sound reports are critical. Provided here are some strategies for effective field notes and reporting.

Effective Field Notes

Taking field notes is an important but sometimes overlooked element in effective report writing. While most of the content of a report comes from the officer's memory, taking notes while or shortly after observing an event allows the officer to better recall important facts and details, adding to the accuracy and clarity of the final report.

Field notes serve several purposes.

- To make an immediate record of events.

Notes taken at the scene of an incident are considered particularly reliable because they are being taken while or shortly after observing an event rather than later when a more formal report is being written hours later from memory.

- To aid memory for formally documenting the incident in a written report or further investigation.

SRO duties at the scene of an incident typically prevent a detailed report from being completed until later. Taking notes allows the officer to better recall important facts and details.

- To counteract changes in a person's story or statements.

Spontaneous comments made by those involved in an incident or witnesses are often quite valuable when investigating an incident and developing a more complete picture of what occurred. Those involved or witnesses may later change



their stories either intentionally or unintentionally. Notes can refute later denial by someone involved or provide details forgotten by witnesses.

- To provide an overall picture of what occurred.

Notes that capture the “basics” of an incident can provide the framework for the more comprehensive, detailed report to follow.

- To aid in accurate presentations, if necessary.

Notes strengthen an officer’s ability to testify accurately and completely. SRO testimony may be required at a disciplinary hearing, an appeal hearing, or at a court hearing. Notes taken at the scene of an incident are considered particularly reliable; testimony based on notes is typically considered more credible than testimony that relies on memory alone.

Types of information typically recorded in notes include the following:

- Date/time SRO notified/called
- Location of incident
- What happened (brief)
- Staff members involved/witnessing
- Students involved
 - Perpetrator(s)
 - Victim(s)
 - Witnesses(es)
- SRO response
- Initial disposition/time
- Other notes/observations

Effective SRO Reports

Whether a standardized fill-in-the-blank type form or a more open-ended form is used, sound reports share these characteristics:

1. **Factual** – It is critically important that reports are factual. Focus on the facts: what did and did not occur. Avoid interjecting personal opinions or subjective observations.
2. **Clear** – The report should be easy to read. Use simple language and write what happened in a logical sequence.
3. **Legible** – Although reports are increasingly being produced using technology, making sure that handwritten reports are legible remains important. If a report cannot be read, it is not of use and can be harmful.
4. **Concise** – It is often harder to write concisely than to produce a long, wordy report. Nevertheless, care should be taken to pare down the story to its essential elements. Using common words and short sentences can help keep the report concise.
5. **Complete** – Reports must be complete. Omission of even a small detail can undermine the credibility of the report and be used to discredit an investigation.
6. **Accurate** – Information must be factual and the body of the official report must be based on facts. Make clear distinctions between facts, opinion, and conclusions.
7. **Timely** – A report must be available in time for it to be used. Reports should be prepared as soon as practical. The report itself should note the date and time it was completed.

Related Resource School COP Software

Information is routinely collected on incidents that the SRO handles or with which the SRO is involved. Some schools and law enforcement agencies have well-developed systems of data collection, often allowing data to be entered into a computer or online.

SROs in localities/schools that do not have established reporting systems are encouraged to consider using *School COP*, a free software package for entering and analyzing incidents that occur in and around schools. Development of the software was funded by the U.S. Department of Justice and is available for download from the *School COP* Web site: <http://www.schoolcopssoftware.com>

Data on incidents in a single school or several schools can be entered, analyzed, and mapped using the software. The application can be customized to use local offense codes and other local data categories. Additional features include:

- Search capability using specific values or combinations of values.
- Mapping to show the location of incidents within school buildings or on school grounds.
- Graphing to produce various bar graphs and pie charts to reflect data.
- Reporting using a variety of pre-formatted tabular reports.

Documenting Activities

Beyond reporting incidents, SROs need to have a system of reporting the nature and level of their activities. The *School COPS* software can also be used to collect data on various SRO activities such as school safety assessments, presentations, and crime prevention activities.

A publication of particular value for SROs is the *Guide to Using School COP to Address Student Discipline and Crime Problems* (2007). U.S. Department of Justice, Office of Community Oriented Policing Services. http://www.schoolcopssoftware.com/Schoolcop_guide.pdf

E. School Safety Inspection Checklist: An Important Tool and Resource

The Code of Virginia requires all public schools in the Commonwealth to conduct a school inspection walkthrough using a checklist provided by the Virginia Department of Criminal Justice Services, Center for School and Campus Safety.

The standardized walk-through checklist is an important element of a comprehensive school safety audit. It is built upon the knowledge and training of crime prevention experts using criminal behaviors and fields of science included in the philosophy of Crime Prevention Through Environmental Design (CPTED). It is designed to help each school or school system recognize their own unique challenges and address priorities accordingly.

The purpose of this checklist is to identify vulnerabilities and offer a foundation upon which to build a safer learning environment. The recommendations contained in this report are intended to reduce the opportunity for crime and related problems. Thirty-one (31) areas of inspection are listed with best practices offered for each. Thus, the checklist serves not only as a tool for inspections but a valuable resource to identify best practices. Areas of inspection include:



EXTERIOR	INTERIOR
1. Fences	17. Exit Signs and Emergency Lights
2. Gates	18. Interior Lighting
3. Lighting	19. Identification Badges
4. Buildings and Grounds – General	20. Record Security
5. Surveillance Cameras	21. Property Inventory
6. Security Alarm System	22. Two-Way Communication
7. Landscaping and Visibility	23. Entrance Lobby
8. Signage and Entrances	24. Hallways
9. Doors	25. Cafeteria
10. Windows	26. Restrooms
11. Key Control	27. Classrooms
12. Walkway Covers, Ledges, Other Roof Access	28. High Risk Classrooms and Areas
13. Modular Classrooms	29. Gymnasium and/or Auditorium
TRAFFIC AND PARKING LOT SAFETY	30. Custodial Closets and Mechanical Rooms
14. Design and Use	
15. Bus Loading Area	31. Incident Reporting Policy and Procedure

The Checklist is structured in a yes/no/not applicable format, with a section to write suggestions for improvement. When conducting this walk-through assessment, it is recommended that each school have trained CPTED practitioners to provide additional assistance. Many police departments and sheriffs’ offices have a trained CPTED/Crime Prevention practitioner. Some localities also have CPTED/Crime Prevention practitioners available if the local law enforcement agency is unable to provide the assistance needed.

To Learn More about School Safety Inspections

2016 School Safety Inspection Checklist for Virginia Public Schools. Virginia Department of Criminal Justice Services. DCJS Guidance on Implementation of the Inspection Checklist is available at: <https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/law-enforcement/guidance-school-safety-inspection-checklist.pdf>
 National Clearinghouse for Educational Facilities (NCEF). www.ncef.org/checklist/index.cfm

F. Talking with Teens: Basic Strategies for Interviewing

Many factors influence the degree to which a young person is able and/or willing to talk with the SRO. First is the young person’s developmental level which determines his or her ability to reason and to express thoughts in a clear and understandable way. Keep in mind not only the age/grade level of the student, but also whether the student has any educational disabilities such as an intellectual or developmental disability. Second, the student’s past experience with law enforcement may influence his or her willingness to talk with another authority figure. Third is the nature of the incident being investigated and the student’s possible involvement; a student may be very reluctant to “rat” on fellow students or may be inclined to place blame on other students.

Establish Rapport

Starting the conversation with non-threatening, less serious topics can help reduce the student’s anxiety. If you know the student is involved with a sport, you might comment on how the team is doing and ask about the next game or what position he/she plays.

Be Direct

Be direct in introducing the reason for the interview. Do not start by asking, “Do you know why you are here?” Simply state the basics – “on Tuesday, a fight broke out in the cafeteria” – and explain that you need to hear from the student, in their own words, what occurred.

Allow the story to be told

Encourage the student to tell his or her own story. Avoid interrupting or placing the student on the spot by focusing prematurely on incriminating information. Be patient and attentive; use neutral comments such as “tell me more.” Be aware of your body language; conveying calm and openness will help the student to relax and tell his/her story. Do not correct grammar or vocabulary.

Ask simple, open-ended questions such as “tell me more about…” or “help me better understand…” Avoid long, complicated questions with a great deal of information in them or containing multiple options – they can be confusing.

Confirm You’ve Heard Accurately

Before ending the interview, confirm that you have heard correctly the information given. Briefly sum up, “What you’ve told me is that… Is that correct?” This gives the student an opportunity to clarify or add to what he or she has said and confirms that the information given has been accurately understood.

For related information on adolescent development and implications for law enforcement, see Chapter V, Section A. Adolescent Development.

G. Law-related Education Tools

Law-related educator is one of three key SRO roles defined in Virginia. This section of the SLEP toolkit provides background about the value of law-related education, an overview of Virginia Rules, and tips for effective presentations both with student and adult audiences.

According to the U.S. Department of Justice, law-related education:

- helps young people avoid delinquent behavior and develop the knowledge, skills, and attitudes of effective citizens.
- enriches social studies, language arts, and science courses through interactive instructional strategies.
- enhances learning by providing opportunities for young people to participate in and take responsibility for their communities.
- equips young people to confront challenging issues such as substance abuse, crime, and violence.

Law-related education has been defined as “education to equip non-lawyers with knowledge and skills pertaining to the law, the legal process, and the legal system, and the fundamental principles and values on which these are based” (Law-Related Education Act of 1978).

As law-related educators, SROs draw on their expertise about the law and their law enforcement experiences. They provide an additional resource which can be drawn upon to teach young people about the law. Because they are representatives of the law, SROs are in a particularly effective position to communicate to students the consequences of unacceptable behavior. Although most frequently used in the social studies classes, law-related education has potential applications in other classes and may be used at any grade level.



Virginia Rules

Virginia Rules (www.virginiarules.com) is Virginia’s state-specific law-related education program for middle and high school students. The purpose of Virginia Rules is to educate young Virginians about Virginia laws and help them develop skills needed to make sound decisions, to avoid breaking laws, and to become active citizens of their schools and communities.

Virginia Rules features lessons designed for middle and high school students, and this web site designed for use by students, parents, school administrators, and Virginia Rules instructors. Instructors and administrators can access and download lessons with student worksheets, student topical handouts, and supplemental materials. Administrators and other users can take advantage of the online Juvenile Law Handbook. Students and parents can use a wealth of information developed just for them, as well as off-site resources of interest.

The Virginia Rules website contains:

- Lessons designed for middle and high school students.
- Instructor resources including an Instructor Guide for teaching Virginia Rules lessons. From the website, instructors can access and download lessons with student worksheets, student topical handouts, and supplemental materials.
- Resource lists designed especially for students, parents, and Virginia Rules instructors.

Website portals for students, parents, and educators contain an a great deal of related information in a simple question-and-answer format.

Additionally, there is an extensive array of brief informational products that work well as handouts for both student and adult audiences.

Lesson topics are listed here; however, new lessons are added regularly. For a complete list of lesson topics and related resources visit the website: www.virginiarules.org

Lesson Topics	
Alcohol and Tobacco	Introduction to Virginia’s Judicial System
Bullying	Introduction to Juvenile Justice in Virginia
Child Labor Laws	Introduction to Laws in Virginia
Civil Law Basics	Legal Rights of Juveniles
Introduction to a Virginia Courtroom	Family Relationships and the Law
Teens and Crime Prevention	Property Crimes
Crimes Against Persons	Student Responsibilities
Criminal Law Basics	Technology and You
Keeping Your Driver’s License	Underage Drinking
Drugs – Overview	Victims’ Rights
Prescription Drugs	Dating Violence
Gangs	Heroin
Give It, Get It: Trust and Respect between Teens and Law Enforcement	

Engaging Youth in School Safety and Other Crime Prevention Activities

SROs can plan an important role in engaging youth in school safety and other crime prevention activities in their school and/or community. They contribute a valuable perspective on problems as they build skills that will help them make positive contributions to their neighborhoods.

Programs of particular value to SROs in engaging youth in crime and violence prevention activities:

Safe and Sound in School (B3S)

<http://www.ncpc.org/topics/programs/be-safe-and-sound-campaign>

B3S is an initiative of the National Crime Prevention Council that seeks to raise awareness of school safety and security issues and provide the tools and resources needed to effectively address them.

Teens, Crime, and Community (TCC) Community Works

<http://www.ncpc.org/topics/programs/teens-crime-and-the-community>

TCC's Community Works program helps teens understand how crime affects them and their families, friends, and communities, and it involves them in crime prevention projects to help make their communities safer and more vital.

Resources at the website include implementation guidelines and best practices that describes how Community Works has been implemented in a variety of settings. Examples of other resources are:

- Tips for Street Smart Teens
- Preventing Personal Theft
- High-Tech Harassment: Understanding and Preventing Cyberbullying



Tips for Effective Presentations with Students at Different Grade Levels

Selecting teaching techniques that are suited to the age or developmental stage of the audience is an important aspect of being an effective teacher. When working with students, there are some significant developmental differences to keep in mind:

With primary students (K–2)

- Make the presentation very brief and narrow the message to one or two key points
- Involve the students
- Use puppets, coloring books, and animation when possible

With elementary students (3–5)

- Make the presentation brief and keep the message simple
- Involve the students by using games or asking what they think
- Use simple language

With middle school students (6–8)

Note: there is a great deal of variation in the developmental stages of students in middle school; it is a transition period from childhood to early adolescence. Many sixth graders will appear quite childlike; by eighth grade most girls and some boys will appear quite mature. Despite the appearance of physical maturity, these students lack the maturity, experience, and judgment of older adolescents.

- Engage the students using group participation in exercises or scenarios
- Keep the message basic and use simple language; keep things fairly concrete
- Ask about their views and respond in a straightforward and honest way, avoiding scare tactics
- Peer pressure is beginning to be a significant influence

With high school students (9–12)

Note: high school students are typically capable of understanding more abstract concepts such as justice and obligations of citizenship; however, they still lack experience and benefit from direct instruction.

- Treat them as adults – particularly the eleventh and twelfth graders
- Remember that peer pressure is great at this stage
- Use plenty of examples or scenarios that are relevant to their own experiences
- Give facts; be honest and straightforward
- Avoid scare tactics or being an overbearing authority figure – it invites students to “test limits”
- Be prepared for questions about your personal views or experiences
- Use discussion and displays; provide sources of additional information on the topic in case the student wants to learn more.

Public Speaking Tips with Adult Audiences

SROs have many opportunities to speak publicly – at faculty meetings, PTA, and community advisory councils, and civic organizations.

The essentials of public speaking are:

1. Know the audience

The message needs to be geared to their interests and roles. A parent group differs somewhat from a school faculty which differs from an administrators' meeting.

2. Decide, in advance, on your key message

This not only helps give your message focus, but can be critical when a meeting runs longer than expected and you do not have as much time as you thought you would. By knowing the key message, you can effectively abbreviate your remarks and not lose the key point(s).

3. Make your points clearly and with emphasis

Use phrases such as “my second point is. . .” to help the audience follow what you are saying.

4. Anticipate the questions and concerns that your audience may have

Try to answer these within the presentation. Say, “A concern that parents often have is...” or “Teachers have often asked me...”

5. Allow questions

This gives you an opportunity to clarify any points which might have been misinterpreted and to make your points again.

Remember:

Whether you like it or not, *how you look* and *how you sound* have more impact than the words you speak.



Supplement 2: Strategies for Safe and Supportive Schools

This supplement to the SLEP Guide provides background information about safe and supportive schools and suggests strategies that SROs might use in collaboration with school administrators and staff. The supplement features information about the relationship of school climate and discipline, the Safe and Supportive Schools Model, guiding principles and related action steps of positive and supportive schools, approaches to establishing tiered supports for students, and positive behavioral interventions (PBIS), the behavioral component of the Virginia Tiered Systems of Support.

A. *Background on School Climate and Discipline*

According to the U.S. Department of Education's *Resource Guide for Superintendent Action*, safe, supportive school climate and discipline are associated with the following improved outcomes:

- Few incidences of school violence as well as increased staff and student feelings of safety;
- High academic achievement, including improved grades and test scores;
- Strong student attendance, which, in turn, has been associated with improved academic performance and graduation rates;
- Minimal engagement in risky behaviors, including substance abuse;
- High levels of student engagement and self-discipline, due in part to the emphasis on cooperative learning and respectful interaction that help promote good behaviors (with less likelihood of being referred to the office for disciplinary reasons or to receive a formal disciplinary action);
- Strong attachment to school and positive student relationships with adults and peers, which are associated with student engagement and satisfaction; and
- High levels of staff satisfaction, involvement, and investment.

In contrast, research clearly shows that discipline policies and practices that remove students from engaging instruction – such as suspensions, expulsions, and inappropriate referrals to law enforcement – generally fail to help students improve their behavior and fail to improve school safety. Suspended students are less likely to graduate on time and more likely to repeat a grade, drop out of school, and become involved in the juvenile justice system.

To Learn More about School Climate and Discipline

Resource Guide for Superintendent Action (July 2015). Rethink School Discipline: School District Leader Summit on Improving School Climate and Discipline.

<https://www2.ed.gov/policy/gen/guid/school-discipline/rethink-discipline-resource-guide-supt-action.pdf>

Alliance for Excellent Education. *Climate Change: Implementing School Discipline Practices That Create a Positive School Climate* (September 2013). <http://all4ed.org/wp-content/uploads/2013/09/HSClimate2.pdf>

U.S. Department of Education. *Supportive School Discipline Communities of Practice (SSDCOP)*. <http://wwdcop.neglected-delinquent.org>

B. *School Climate and Student Behavior*

Dr. Dewey Cornell and colleagues at the Virginia Youth Violence Project of the Curry School of Education, University of Virginia have conducted extensive research on school climate. Research in developmental psychology has found that children are most successful and well-adjusted when their parents are both strict (high structure) and affectionate (high support). This combination of structure and support has been termed authoritative parenting. Applying this model of good parenting to schools, Dr. Cornell and his colleagues used school climate surveys in Virginia to identify four climates:

1. Authoritarian – where there is high structure and low support
2. Authoritative – where there is high structure and high support
3. Permissive – where there is low structure and high support
4. Negligent – where there is low structure and low support

The research is continuing but findings to date demonstrate that authoritative schools, compared to schools with other climates, have:

- less teasing and bullying;
- less student aggression towards teachers;
- fewer disciplinary infractions for aggressive behavior;
- high achievement test passing rates;
- less fighting and weapon carrying at school;
- less alcohol and marijuana use; and
- lower suspension rates for black and white students.

A series of one-page research summaries can be accessed at: <http://curry.virginia.edu/research/projects/virginia-secondary-school-climate-study> and at <https://www.dcjs.virginia.gov/virginia-center-school-and-campus-safety/k-12/resources>

C. Guiding Principles for Improving School Climate and Discipline

Positive school climates not only minimize unnecessary suspensions and expulsions, but also reduce disorder in the classroom and bolster learning. Those goals are complementary, not conflicting – they reinforce each other.

U.S. Secretary of Education Arne Duncan

Guiding principles for improving school climate and discipline issued jointly by the U.S. Departments of Education and of Justice identify three priorities for policymakers, district officials, school leaders, and stakeholders to consider as they work to improve school climate and discipline.

Principle 1. Create positive climates and focus on prevention

Recommended action steps associated with Principle 1 are:

1. Engage in deliberate efforts to create positive school climates.
2. Prioritize the use of evidence-based prevention strategies, such as tiered supports, to promote positive student behavior.
3. Promote social and emotional learning to complement academic skills and encourage positive behavior.
4. Provide regular training and supports to all school personnel – including teachers, principals, support staff, and ***school-based law enforcement officers*** – on how to engage students and support positive behavior.
5. Collaborate with local mental health, child welfare, ***law enforcement***, and juvenile justice agencies and other stakeholders to align resources, prevention strategies, and intervention services.
6. Ensure that any ***school-based law enforcement officers***' roles focus on improving school safety and reducing inappropriate referrals to law enforcement.

Principle 1 recommended action steps #4, #5, and #6 specifically cite school-based law enforcement officers, clearly acknowledging their important roles in creating positive school climates.



Principle 2. Develop clear, appropriate, and consistent expectations and consequences to address disruptive student behaviors

Recommended action steps associated with Principle 2 are:

1. Set high expectations for behavior and adopt an instructional approach to school discipline.
2. Involve families, students, and school personnel in the development and implementation of discipline policies or codes of conduct, and communicate those policies regularly and clearly.
3. Ensure that clear, developmentally appropriate, and proportional consequences apply for misbehavior.
4. Create policies that include appropriate procedures for students with disabilities and due process for all students.
5. Remove students from the classroom only as a last resort, ensure that any alternative settings provide students with academic instruction, and return students to their regular class as soon as possible.

Principle 2 recommended action steps reflect an approach to discipline consistent with that discussed in prior chapters of this *SLEP Guide*. In particular, chapter III cited the need for supportive responses to student misconduct involving:

- *Schools* making every effort to handle routine discipline within the school disciplinary process without involving SROs in an enforcement capacity unless absolutely necessary or required by law. To this end, school division policies, administrative guidance, training, and ongoing oversight must clearly communicate that school administrators and teachers are ultimately responsible for school discipline and culture and that law enforcement should not be involved in the enforcement of disciplinary actions and sanctions.
- *SROs* not becoming involved with routine school matters unrelated to any law enforcement or security function and to avoid criminalizing adolescent misbehavior by exercising discretion and judgment in response to school-based incidents. To this end, SROs and their law enforcement agencies should reserve petitions to juvenile courts for serious offenses and only after considering alternative consequences that divert students from court involvement.
- *School administrators and SROs*, together using a collaborative processes to consider the totality of circumstances to determine what responses to misconduct best serve the interest of the student and the welfare of the school community. Parties may not achieve full agreement in balancing these interests in all cases, but making a good faith effort to exercise discretion within their respective spheres of authority, they are more likely to balance interests of the student and of the school community.

Principle 3. Ensure fairness, equity, and continuous improvement

Recommended action steps associated with Principle 3 are:

1. Train all school staff to apply school discipline policies and practices in a fair and equitable manner so no specific group of students is disproportionately impacted or affected.
2. Use proactive, data-driven, and continuous efforts, including gathering feedback from families, students, teachers, and school personnel to prevent, identify, reduce, and eliminate discriminatory discipline and unintended consequences.

School Climate Improvement

The way students, families, teachers, and other school staff experience the school and school-related activities affects student attendance, learning, and achievement. Students who learn in positive learning environments that are safe, supportive, and engaging are more likely to improve academically, participate more fully in the classroom, and develop skills that will help them be successful in school and in life.

To Learn More about School Climate

U.S. Department of Education Safe Supportive Learning Website, School Climate Improvement Resource Package.
<https://safesupportivelearning.ed.gov/scirp/about>

In 2016, the U.S. Department of Education released a *Quick Guide on Making School Climate Improvements* to help foster and sustain safe and more nurturing environments that are conducive to learning for all students.

<https://safesupportivelearning.ed.gov/SCIRP/Quick-Guide>

The *Guide* provides basics on how to initiate, implement, and sustain school climate improvements and explains five related sets of activities: planning; engaging stakeholders; collecting, analyzing and reporting school climate data; identifying and implementing interventions; and monitoring and evaluation. For each activity, the *Guide* explains why it is important, key things to do, what it looks like when it is done well, and what to avoid/potential pitfalls.

D. Tiered Supports for Students

Use of evidence-based prevention strategies, such as tiered supports, to promote positive student behavior are at the foundation of improving school climate.

The “multi-tiered behavioral framework” shown in Figure S21 depicts the prevention logic guiding behavioral interventions and supports for students that is used the Positive Behavioral Interventions and Supports Center (pbis.org).

Figure S21. Multi-tiered Behavioral Framework

**Tier 1**

At its broad base of the behavioral framework pyramid are universal or primary (Tier 1) resources and interventions designed for everyone in a school – all students and all staff. Examples are *schoolwide* positive expectations and behaviors and routines and procedures that encourage positive expectations and discourage problem behavior.

Tier 2

In the middle of the pyramid are targeted or secondary (Tier 2) responses that address situations where problem behavior is known to be more likely. Examples are supplementary interventions such as small group-oriented supports that typically target students with elevated risk for problems. Students served experience all Tier 1 interventions plus specific supplementary support.

Tier 3

At the top of the pyramid are intensive or tertiary (Tier 3) responses that address problem behaviors that are present or very likely. They are tailored for individual student needs and include a comprehensive assessment, individualized plan of support, and supports that actively involve family and community supports and resources.



Virginia Tiered Systems of Support

Source: <https://vtss-ric.org/about-us/>



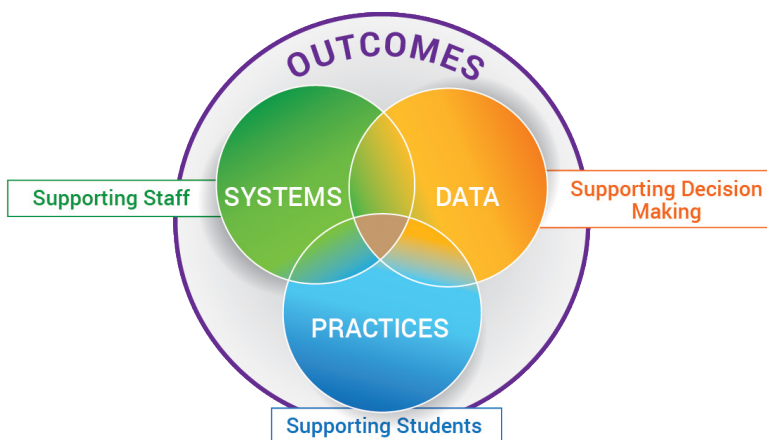
The Virginia Tiered Systems of Supports (VTSS) is an approach to assisting students devised by the Virginia Department of Education in recognition of the following:

1. That one in five youth have a mental health “condition” that impacts social and academic success;
2. The schools are the “de facto” mental health provider and the juvenile justice system is the next level of system default; and
3. about 50 percent of those with conditions receive no treatment and of those who do, 75 percent receive services in school.

VTSS an academic approach that relies on a data-driven, decision-making framework to support students in a more effective, efficient and clearly defined process.

Implementing VTSS requires systemic change at the division, school and classroom level. Our evidence-based, system wide practices give educators the tools they need to address the academic, behavioral, social-emotional needs of all students. These practices include frequent progress monitoring that enable educators to make sound, data-based instructional decisions.

Figure S22. Virginia Tiered Systems of Supports Model



Essentials elements of the VTSS framework are:

- Aligned organizational structure
- Data-informed decision-making
- Evidence-based practices
- Family, school and community partnerships
- Monitoring student progress
- Evaluation of outcomes and fidelity

Two initiatives of VTSS are:

1. **Project AWARE** – trains school personnel to recognize and respond to mental health crises in their buildings. Registered participants have access to workgroup materials.
2. **Youth Mental Health First Aid (YMHFA)** – a training program that teaches participants to recognize and respond to warning signs of mental health issues in adolescents.

Positive Behavioral Interventions and Supports (PBIS)

In Virginia schools, PBIS is the behavioral component of the Virginia Tiered Systems of Supports (VTSS). It is a nationally-recognized approach to support positive academic and behavioral outcomes for all students.

PBIS helps teachers and administrators learn about and implement new techniques that reduce disruptive student behavior, which typically leads to office referrals, in school suspensions, and out-of-school suspensions that decrease instructional time for students. Based on extensive research, PBIS utilizes a positive approach to discipline. PBIS ultimately impacts the very culture of the school to shift attention to positive behavior and successful learning systems for children, teachers and administrators.

PBIS is not a specific intervention or curriculum. Through focused attention on data collection and analyses, PBIS provides a framework of proactive, evidence-based prevention and intervention behavioral strategies that aid schools in defining, teaching, and supporting appropriate student behaviors in a positive school culture.

To Learn More about VTSS and PBIS

Virginia Tiered Systems of Support. <https://vtss-ric.org/initiatives/>

Virginia Department of Education webpage featuring VTSS and PBIS.

http://www.doe.virginia.gov/support/virginia_tiered_system_supports/positive_behavior/index.shtml

U.S. Department of Education's Technical Assistance Center on Positive Behavioral Interventions and Supports.

<https://www.pbis.org/>. PBIS.org provides schools, school divisions, and states with capacity-building information and technical assistance for identifying, implementing, adapting, and sustaining a framework for effective school-wide behavioral practices.

Advancing Education Effectiveness: Interconnecting School Mental Health and School-Wide Positive Behavior Support. (2008). Ed. Susan Barrett, Lucille Eber & Mark Weist.

<https://www.pbis.org/common/cms/files/Current%20Topics/Final-Monograph.pdf>



Supplement 3: Key Partnership Resources

VIRGINIA RESOURCES

Virginia Center for School and Campus Safety (VCSCS)

<https://www.dcjs.virginia.gov/virginia-center-school-and-campus-safety>

Created in 2000, the VCSCS, located within the DCJS Division of Law Enforcement, focuses on improving and enhancing safety by addressing topics which affect Virginia law enforcement, schools, and institutions of higher education. The VCSCS is a resource and training center for information and research about national and statewide safety efforts and initiatives in K-12 schools and higher educations.

Through *Virginia Code* § 9.1-184, the VCSCS is mandated to:

- Provide training for stakeholders,
- Develop, review, and disseminate resources and legislation,
- Facilitate the annual school safety audit,
- Provide technical assistance, and
- Develop partnerships to promote school safety and campus in Virginia.

VCSCS School Security Officer Webpage

Features SSO FAQs, forms, training events, resources.

<https://www.dcjs.virginia.gov/virginia-center-school-and-campus-safety/k-12/safety-security/school-security-officer-sso-certification-program>

VCSCS School Safety Audit Program Webpage

Features an overview of the audit program, template for schools, template for audit committee, links to the school safety survey and secondary school climate survey homepages, school safety inspection checklist and related guidance.

<https://www.dcjs.virginia.gov/virginia-center-school-and-campus-safety/virginia-school-safety-audit-program>

VCSCS School Crisis Management Plan Webpage

Features an overview of the certification process.

<https://www.dcjs.virginia.gov/virginia-center-school-and-campus-safety/school-safety-survey/school-crisis-management-plan-review>

VCSCS Publications

Features an extensive array of school safety related publications on topics such as bullying and school climate, crisis and emergency planning, school safety, school safety audit, threat assessment.

<https://www.dcjs.virginia.gov/virginia-center-school-and-campus-safety/publications-links>

Virginia Department of Education

<http://www.doe.virginia.gov>

The Safe Schools Information Resource (SSIR) – <https://p1pe.doe.virginia.gov/pti/>

SSIR is an important tool for SROs in understanding discipline, crime, and violence activities in their schools and school division. The SSIR website was established by the Virginia Department of Education to provide user-friendly public access to the discipline, crime, and violence (DCV) data.

Using multiple, easy-to-understand drop-down menus, users can search by school year, school division, school type, school name, offense category, offense type, discipline outcome, and time element. Data for the most recent five years are posted and reports may be generated in numerous categories according to the user's selections. A User Guide is posted on the website.

School Safety Webpage

http://www.doe.virginia.gov/info_management/data_collection/support/school_safety/index.shtml

Contains information about the collection of Discipline, Crime, and Violence (DCV) data and most recent annual report.

Student Conduct and Discipline Webpage

http://www.doe.virginia.gov/support/student_conduct/index.shtml

Contains Virginia Board of Education Student Conduct Policy Guidelines and related documents pertaining to students with disabilities.

Prevention Strategies and Programs Webpage

<http://www.doe.virginia.gov/support/prevention/index.shtml>

Contains information about drug and alcohol abuse, child abuse and neglect, suicide prevention, attendance and truancy, gang-related activity, bullying prevention, human trafficking, and mental health in schools.

Virginia Department of Juvenile Justice

<http://www.djj.virginia.gov>

Court Service Units Webpage

<http://www.djj.virginia.gov/pages/community/court-service-units.htm>

Contains description of functions of court service units, a map and directory with links to individual CSUs.

LAW-RELATED EDUCATION RESOURCES

Virginia Rules

<http://www.virginiarules.com>

Virginia's state-specific law-related education program for middle and high school students. The purpose of Virginia Rules is to educate young Virginians about Virginia laws and help them develop skills needed to make sound decisions, to avoid breaking laws, and to become active citizens of their schools and communities.

Virginia Rules features lessons designed for middle and high school students, and this web site designed for use by students, parents, school administrators, and Virginia Rules instructors. Instructors and administrators can access and download lessons with student worksheets, student topical handouts, and supplemental materials. Administrators and other users can take advantage of the online Juvenile Law Handbook. Students and parents can use a wealth of information developed just for them, as well as off-site resources of interest.

Virginia Juvenile Law Handbook for School Administrators

The online format of this Handbook (www.virginiarules.com/juvenile-law-handbook) features links to the *Code of Virginia* (<http://law.lis.virginia.gov/vacode>) and to key publications and resources.

Center for the Constitution

<https://www.montpelier.org/center-for-the-constitution>

The Robert H. Smith Center for the Constitution at James Madison's Montpelier offers both on-site and web-enabled educational programming. The Center's goal is to inspire participation in civic dialogue, improve the public's understanding of the founding principles of the United States, and enable citizens to deepen their understanding of and participation in our democracy.



NATIONAL RESOURCES

School-Justice Partnership National Resource Center

<https://schooljusticepartnership.org/>

The center provides research, training, and technical assistance to develop effective school/justice policies and practice. Its purpose is to enhance collaboration and coordination among schools, mental and behavioral health specialists, law enforcement and juvenile justice officials to help students succeed in school and prevent negative outcomes for youth and communities. Partners include National Council of Juvenile and Family Court Judges (NCJFCJ), in partnership with the International Association of Chiefs of Police (IACP), the National Child Traumatic Stress Network, the National Association of State Boards of Education, and the National Center for Mental Health and Juvenile Justice operates National Resource Center to provide research, training, and technical assistance to develop effective school/justice policies and practice.

LAW ENFORCEMENT RESOURCES

National Association of School Resource Officers (NASRO)

<http://nasro.org>

NASRO is a not-for-profit membership organization for school-based law enforcement officers, school administrators and school security and/or safety professionals that was founded in 1991. NASRO offers training and publications.

International Association of Chiefs of Police (IACP)

<http://www.theiacp.org/>

The IACP manages the Juvenile Justice Law Enforcement Training and Technical Assistance Project in collaboration with the U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. The project is a multi-year initiative focused on increasing the capacity of law enforcement and justice professionals to address juvenile victimization, delinquency, and crime from a holistic perspective.

IACP's Youth Focused Policing Resource Center

www.iacpyouth.org

The Youth Focused Policing Resource Center provides law enforcement with information, tools and resources focused on reducing youth delinquency, crime, and victimization, including:

- a clearinghouse of information and resources relating to youth crime, delinquency and victimization
- a searchable directory of law enforcement programs and services for youth from across the nation
- training and technical assistance available in the areas of juvenile justice, children exposed to violence, and child sex trafficking
- a searchable resource library, including sample documents from law enforcement programs for youth such as brochures, applications, and program flyers as well as juvenile justice and child protection policies, procedures, and reports
- information on IACP's projects and resources
- a secure discussion forum for law enforcement officials to share information, obtain resources, and exchange ideas
- a Youth Program Impact Toolkit for evaluating law enforcement youth program(s), including a customizable evaluation template

The National Gang Center (NGC)

<http://nationalgangcenter.gov>

The National Gang Center (NGC) is a project jointly funded by the U.S. Department of Justice's (DOJ) Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the Bureau of Justice Assistance (BJA). The NGC program works to further the mission of DOJ by providing an array of information and resources on gangs for state, local, and tribal jurisdictions. NGC's national leadership serves researchers, policymakers, direct service providers, criminal justice practitioners, and other community members through peer-to-peer information exchange and mentoring, training, and on- and off-site technical assistance.

EDUCATION RESOURCES

The National Center on Safe Supportive Learning Environments (NCSSLE)

<https://safesupportivelearning.ed.gov/>

- Provides training and support to state administrators, including 11 grantees funded under the Safe and Supportive Schools grant program, 22 grantees funded under the Project Prevent grant program, school and district administrators, institutions of higher education, teachers, support staff at schools, communities and families, and students
- Seeks to improve schools' conditions for learning through measurement and program implementation, so that all students have the opportunity to realize academic success in safe and supportive environments

The website serves as a central location for the Center, providing information about the Center's training and technical assistance, products and tools, and latest research findings.

Technical Assistance Center on Positive Behavioral Interventions and Supports

<https://www.pbis.org/>

The PBIS Center provides schools, school divisions, and states with capacity-building information and technical assistance for identifying, implementing, adapting, and sustaining a framework for effective school-wide behavioral practices.

Alliance for Excellent Education

<http://all4ed.org/>

The Alliance for Excellent Education a Washington, DC-based national policy, practice, and advocacy organization dedicated to that focuses on America's six million most at-risk secondary school students – those in the lowest achievement quartile – who are most likely to leave school without a diploma or to graduate unprepared for a productive future to help ensure they graduate from high school ready for success in college, work, and citizenship.

SCHOOL SAFETY AND SECURITY

Readiness and Emergency Management for Schools (REMS) Technical Assistance Center

<https://rems.ed.gov/>

REMS supports schools in the development of high-quality emergency operations plans (EOPs) and comprehensive emergency management planning efforts. Offers:

- Virtual Trainings
- Live Trainings by Request
- Technical Assistance
- Emergency Management Planning Tools
- Tool Box including an online, searchable library of free, downloadable tools
- Community of Practice – a virtual space for collaboration

National Clearinghouse for Educational Facilities

<http://www.ncef.org/>

Resource providing information on designing, building, and maintaining safe, healthy, high-performing schools. Offers a collection of more than 23,000 resources on facilities supporting early childhood and K–12 to higher education. Subject-specific resource lists provide a quick path to 167 school facilities topics; lists include books, studies, reports, and journal articles, with links to online publications and related websites.



JUVENILE JUSTICE RESOURCES

Office of Juvenile Justice and Delinquency Prevention (OJJDP)

<https://www.ojjdp.gov/>

OJJDP provides federal leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. Website contains an extensive collection of publications and other informational resources pertaining to juvenile justice and law enforcement.

National Center for Mental Health and Juvenile Justice (NCMHJJ)

<http://www.ncmhjj.com/>

The NCMHJJ offers a number of training programs to improve cross-system responses to justice-involved youth with behavioral health needs.

APPENDIX A. VIRGINIA MODEL MOU

MEMORANDUM OF UNDERSTANDING

between

THE _____ SCHOOL BOARD/SCHOOL DIVISION

and

THE _____ POLICE DEPARTMENT/SHERIFF'S OFFICE

[DATE]

PREAMBLE

The [School Board/School Division (SD)] and [Police Department/Sheriff's Office (PD/SO)] hereby enter into the School-Law Enforcement Partnership (SLEP) to foster relations of mutual respect and understanding in order to build a positive and safe school environment. The parties agree the vast majority of student misconduct can be best addressed through classroom and in-school strategies. The parties acknowledge that students are generally less mature and responsible than adults; they often lack the maturity, experience, perspective, and judgment to recognize and avoid choices that could be detrimental to them; and they are more susceptible to outside pressures than adults.

All responses to school misconduct should be reasonable, consistent, and fair, with appropriate consideration of mitigating factors and of the nature and severity of the incident. Students should receive appropriate redirection and support from in-school and community resources prior to the consideration of suspension, expulsion, involvement of law enforcement, or referral to court. This document is meant to be an accompaniment to the School and Law Enforcement Partnership Guide. For further details and instructions regarding the Partnership, please see the Guide.

PURPOSE

The partnership is intended to facilitate effective, timely communication and coordination of efforts for both parties – the SD and PD/SO. The purpose of this Memorandum of Understanding (MOU) is to establish a mutually beneficial framework that both schools and law enforcement can work within to achieve shared goals.

GOALS

The primary goals of the SLEP are 1) to promote positive and supportive school climates and 2) to create and maintain safe and secure school environments.

To promote positive and supportive school climates, the partnership will collaborate to increase law-related education, expand school safety and crime prevention efforts, reduce conflict, and support effective interventions for students.

To create and maintain safe and secure school environments, the partnership will collaborate to reduce and prevent crime, violence, victimization, and fear in and around schools, and minimize student involvement with the juvenile and criminal justice systems.

EVALUATION OF THE SCHOOL-LAW ENFORCEMENT PARTNERSHIP

Measurable objectives of the SLEP should be developed jointly using school discipline, crime, and violence data, school climate survey data, and other data deemed to be relevant. Progress towards achieving objectives shall be jointly reviewed at least annually by SD and PD/SO designees and shared with the public.



ROLES AND RESPONSIBILITIES OF PARTNER ORGANIZATIONS

Police Department/Sheriff's Office Responsibilities

The PD/SO will designate a direct point of contact between the PD/SO and the SD. The point of contact will address any operational and administrative issues and will serve as a consultant for school safety and security issues including assessments and critical incident response planning. The designee will maintain a working knowledge of school rules, regulations, and laws regarding student safety and conduct. The designee will establish and maintain effective relationships with school personnel at the division and school levels.

Selection, assignment, scheduling, training, supervision, and evaluation of school resource officers (SROs) will be the responsibility of the PD/SO. However, each of these actions will take into account the input of school personnel and identified needs and conditions of schools. The SRO shall remain at all times under the control, through the chain of command, of the law enforcement agency.

In developing and implementing law enforcement policies and practices that may affect schools, the PD/SO will consult with and take into consideration the views of the SD and the school community.

The PD/SO will ensure the SRO receives relevant training prior to or within 60 days of assignment in a school and ongoing joint training with school administrators. The training should be aligned with the SLEP and DCJS curriculum and in consultation with the SD.

School Division Responsibilities

The SD will designate a primary division-level point of contact to implement the partnership and to maintain ongoing communications with PD/SO officials.

It is the responsibility of school administrators to facilitate effective communication between the SRO and school staff and to support the goals of the partnership.

Each school with an assigned SRO will provide work area(s) for the SRO that allow access to technologies, private interviewing of several persons, and locking storage space for securing physical evidence.

The SD will handle discipline within the school disciplinary process without involving SROs. SD policies, administrative guidance, training, and ongoing oversight will clearly communicate that school administrators and teachers are responsible for school discipline and that law enforcement is not to be involved with disciplinary action. The SD is responsible for communicating the goals and role of the SRO to all school administration, staff, and students.

The SD will ensure that school administrators with an assigned SRO will receive relevant training prior to or within 60 days of the SRO's assignment in a school and ongoing joint training with SROs. The training should be aligned with the SLEP and DCJS curriculum and in consultation with the PD/SO.

SRO Roles and Responsibilities

SROs will be considered active members of their assigned schools. The SRO facilitates the effective delivery of law enforcement services and assists with matters related to safety, security, and the exchange of information.

As a general practice, unless there is a clear and imminent threat to safety, requests from school staff for SRO or other law enforcement assistance are to be channeled through a school administrator.

SROs' duty schedules should be organized to provide coverage throughout the school day, which may vary by school. SROs provide a visible deterrent to crime and shall be visible patrolling the exterior and interior grounds. The SRO should wear the regulation uniform and operate a marked police vehicle while on duty unless otherwise authorized by the SRO's supervisor for a specific purpose.

Additionally, SROs should assist school administrators in developing school crisis, emergency management, and response plans. They will work with administrators in problem-solving to prevent crime and promote safety in the school environment. SROs are expected to collaborate with school administrators and other school personnel to support positive

school climates that focus on resolving conflicts, reducing student engagement with the juvenile and criminal justice systems, and diverting youth from courts when possible.

SROs serve multiple roles in schools. The roles are interrelated but all are carried out with the aim to contribute to school safety and security and to promote positive and supportive school climates. Key roles are:

Law enforcement officer

As sworn law enforcement officers, SROs' primary role in schools is as a law enforcement officer. SROs assume primary responsibility for responding to requests for assistance from administrators and coordinating the response of other law enforcement resources to the school. SROs should work with school administrators in problem solving to prevent crime and promote safety in the school environment. SROs should also collaborate with school personnel to reduce student engagement with the juvenile justice systems and divert students from the courts when possible.

Law-related educator

As resources permit, SROs should strive to assist with presentations for school personnel on law-related topics such as law enforcement practices, changes in relevant laws, crime trends, crime prevention, school safety strategies, and crisis response procedures. SROs may also deliver law-related education with students using lessons/curricula approved in advance by the SRO Supervisor. In all cases, responding to incidents or conducting investigations will take precedence over delivery of presentations.

Informal mentor and role model

Students often seek approval, direction, and guidance from adults in the school setting about various problems. Through formal and informal interaction with students, SROs serve as informal mentors and role models. SROs are expected to communicate clearly to students about acceptable and unacceptable behavior, to set a positive example in handling stressful situations and resolving conflicts, to show respect and consideration of others, and to express high expectations for student behavior. Students who may need additional assistance shall be referred to a school based resource.

School Administrator Roles and Responsibilities

Consistent with Virginia Standards of Accreditation (2000), Section 8 VAC 20-131-210, "the school administrator is recognized as the instructional leader of the school and is responsible for effective school management that promotes positive student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources." (Section A). "The school administrator also ensures that the school division's student code of conduct is enforced and seeks to maintain a safe and secure school environment." (Section B.2) Additionally, consistent with Section 8 VAC 20-131-260.C.3., the school administration ensures "a written procedure, in accordance with guidelines established by the local board, for responding to violent, disruptive or illegal activities by students on school property or during a school-sponsored activity."

School administrators should review the SLEP MOU with SROs and establish school-specific operational and communications procedures to support goals of the SLEP.

OPERATIONAL PROCEDURES

Differentiating Disciplinary Misconduct from Criminal Offenses

School administrators and teachers are responsible for school discipline. Although SROs are expected to be familiar with the school division code of student conduct, the rules of individual schools, and their application in day-to-day practice, SROs should not be involved with the enforcement of school rules or disciplinary infractions that are not violations of law.

Consequences of student misconduct should be effective, developmentally appropriate, and fair. Interventions and school sanctions should help students learn from their mistakes and address root causes of misconduct. School administrators will consider alternatives to suspensions and law enforcement officials will consider alternatives to referrals to juvenile court services and arrests for student violations of law.

The SLEP shall operate in a manner to ensure children with disabilities receive appropriate behavioral interventions and supports.



Information Sharing

The release of student records is governed by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g. “School officials” may access and disclose student records only as authorized by FERPA.

When appropriate, and to the extent the law allows, the SD should notify SROs of any special needs of a student involved in a school-based infraction that is not routine discipline, in order to assist the SRO in recognizing and accommodating behaviors that may be manifestations of the student’s disability.

Consent access. An SRO or other law enforcement officer may have access to a student’s education records with written consent of the student’s parent or of the student if the student is age 18 or older.

SRO access. For purposes of access to student records, SROs are considered “school officials” and may be provided student information as needed to carry out their duties related to the school environment. SROs may have access to directory information for all students in the school division. SROs may have access to information on students in their assigned schools that include directory information and additional items needed to carry out their duties, such as class schedules, as approved by the school administrator.

Health and Safety Emergency Exception. In the event of a significant and articulable threat to health or safety, school officials may disclose any information from student records to appropriate parties, including law enforcement officials, whose knowledge of the information is needed to protect the health and safety of a student or another individual.

SRO disclosure of law enforcement records. SROs may disclose only law enforcement records created and maintained by the SRO for the purpose of ensuring the physical safety and security of people and property in schools and/or enforcement of laws. Because law enforcement records are not student records, they are not subject to the disclosure restrictions of FERPA.

Investigation and Questioning

SROs have the authority to question students who may have information about criminal activity. As sworn law enforcement officers, SROs have authority to stop, question, interview, and take law enforcement action without prior authorization of the school administrator or contacting parents. However, the investigation and questioning of students during school hours or at school events should be limited to situations where the investigation is related to suspected criminal activity. Investigations and questioning of students for offenses not related to the operation of or occurring at the school should take place at school only when delay might result in danger to any person, destruction of evidence, or flight from the jurisdiction by the person suspected of a crime.

The interviewing of students – whether suspects, victims, or witnesses – should be conducted privately in an office setting. SROs will take steps to ensure minimal intrusion into the educational experience of students being questioned in the school setting.

Recognizing that a reasonable child subjected to police questioning will sometimes feel pressured to submit when a reasonable adult would feel free to go, as a general rule, the student should not be arrested or placed in custody during the initial interview or interrogation. The student will be informed generally of the purpose of the investigation, warned against self-incrimination in a developmentally appropriate manner, and given an opportunity to present informally his or her knowledge of the facts. If the student wishes to remain silent, to contact his or her parents or an attorney, or to end the interview, the questioning should cease and the student’s request should be granted unless detaining the student is lawful and reasonable under the circumstances.

SROs are responsible to lead the investigation and questioning of students related to suspected violations of criminal law. SROs shall not be included in questioning students about student code of conduct violations that do not involve any criminal activity or risk of harm to self or others. School administrators are responsible for the questioning of students about violations of the code of conduct.

Searches

All searches shall be conducted in accordance with federal and state laws, and applicable SD and PD/SO policies and guidelines, including the principles embodied in this memorandum of understanding.

School administrator searches. 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 search by a school official is reasonable suspicion.

SRO searches. Any search initiated by SROs or other law enforcement officer shall be based upon probable cause and, when required, a search warrant should be obtained. All searches should be reasonable in scope. All searches should occur outside the presence of students and school staff, with the exception of school administrators, unless there is a clear and immediate threat to physical safety.

SROs shall not become involved in administrative (school related) searches and at no time shall SROs request that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent.

Arrests

Whenever practical, arrests of a student or staff member should be accomplished outside of school hours in order to not disrupt the educational process or school setting. Arrests that must occur during school hours or on school grounds should be coordinated through the school administrator to minimize potential disruption. When circumstances do not allow for prior coordination through the school administrator, arrests will be reported to the school administrator as soon as possible. In addition to any required notification of parents and legal guardians by the SRO taking a student into custody, school administrators or their designees are also responsible for an additional notification to parents and legal guardians upon a school-based arrest of their child.

Physical Restraint by School Personnel

Physical restraint is a personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. The term physical restraint does not include a physical escort. Physical escort means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.

Physical restraint by school personnel is used in accordance with Virginia Board of Education policies and guidelines on seclusion and restraint and related local school board policies. Every effort should be made by school personnel to prevent the need for the use of restraint. Physical restraint should not be used except by school personnel trained in the use of physical restraint required by the school division.

School staff will act to deescalate situations that are, or have the potential to cause, disruptions to the school environment and are violations of the student code of conduct. If physical intervention is necessary, the action should be reported promptly to the school administrator and the rationale for the action must be fully documented.

Physical Intervention by School Resource Officers

An SRO should not be involved in the physical restraint of a student unless there is imminent danger of serious physical harm to self or others. As sworn law enforcement officers, SROs may intervene to deescalate situations.

Physical intervention by SROs is undertaken in accordance with policies and operational procedures of their local law enforcement agency. If an SRO is involved in the use of restraint or physical intervention, the action must be reported to the school principal and the SRO's supervisor and the rationale for the action must be fully documented.

SROs should be aware of the Virginia Board of Education's policies and guidelines on seclusion and restraint and related local school board policies and will attend training offered by the local school system on their use of seclusion and restraint by school employees. SROs, however, must continue to operate by their own department's policies and state law regarding physical intervention and use of force.

Additionally, the SD and PD/SRO will coordinate to ensure that reasonable effort is made to inform the parents on the day of the incident.



KEY STATUTORY RESPONSIBILITIES

Crime Reporting

Pursuant to §22.1-279.3:1.B, *Code of Virginia*, law enforcement agencies are required to notify a division superintendent, a principal, or a designee when a student in their school commits certain offenses that would be a felony if committed by an adult and the release status of the student. School superintendents who receive such reports are required to report the information to the principal of the school in which the students is enrolled. As a general practice, SROs should notify the principal as soon as practical of any significant law enforcement events occurring at or in association with the school (e.g., at a school bus stop or off-campus activity, during or outside school hours) whether or not the offense would be a felony if committed by an adult.

Pursuant to §22.1-279.3:1.D, *Code of Virginia*, certain types of criminal activity that come to the attention of the principal or school staff shall be reported immediately to the PD/SRO as specified in SD policy. No SRO or school administrator shall be required to file delinquency charges. After such notification is made to PD/SRO, the SD will ascertain the disposition of the incident made by the PD/SRO in order to complete the School/Law Enforcement Reporting form. Schools and SROs shall be encouraged to deal with school-based offenses through graduated sanctions or educational programming before a delinquency charge is filed with the juvenile court.

Threat Assessment

Threat assessments shall be conducted in accordance with local school board policies adopted as required by §22.1-79.4., *Code of Virginia* and consistent with model procedures and guidelines published by the Virginia Department of Criminal Justice Services.

SROs may serve as members of threat assessment teams and assist in monitoring of subject students as well as determining the need, if any, for law enforcement action.

School Safety Audits

School safety audits will be conducted annually as required by law to assess school safety conditions in schools. SROs, in collaboration with school administrators, will conduct school inspection walkthroughs using a prescribed checklist and will collaborate in other school safety audit mandates including school crisis and emergency management and response planning and preparation.

REVIEW OF MOU

This MOU should be reviewed annually and amended as necessary to meet the needs and enhance the partnership of the two signatory organizations. Quarterly meetings should be conducted throughout the year between the SD (designee) and PD/SO (designee) to support successful implementation of the partnership. This MOU remains in force until such time as either party, with 45 days notice, withdraws from the agreement by delivering a written notification of such rescission to the other party.

Signed:

Chief of Police/Sheriff

Superintendent of Schools

Date

Date

Appendix A of Model MOU

Graduated Intervention and Responses

In developing the School-Law Enforcement Partnership MOU, the School Division and Law Enforcement Agency are encouraged to develop alternative responses and educational programming for school-based misconduct in order to divert youth from unnecessary involvement with the juvenile justice systems.

Examples of graduated response programs used by school divisions and law enforcement agencies in other states can be found in these agreements and MOUs.

Clayton County, Georgia

Inter-Agency Governance Agreement on the Handling of School Offenses Between the Clayton County Public School System and Clayton County Juvenile Court (2013).

[http://www.jdaihelpdesk.org/casemodpolicies/Handling%20of%20School%20Offenses%20MOU%20\(Clayton%20County,%20GA\).pdf](http://www.jdaihelpdesk.org/casemodpolicies/Handling%20of%20School%20Offenses%20MOU%20(Clayton%20County,%20GA).pdf)

Hartford, Connecticut

Memorandum of Agreement By and Between Hartford Public Schools and Hartford Police Department (2012).

<https://www.cga.ct.gov/2014/JUDdata/Tmy/2014SB-00054-R000224- Hartford%20Police%20Dept.%20-%20James%20C.%20Rovella-TMY.PDF>

San Francisco, California

Memorandum of Understanding Between the San Francisco Police Department and the San Francisco Unified School District (2014).

<http://www.dignityinschools.org/sites/default/files/SFPD-SRO-MOU.pdf>



Virginia Department of Criminal Justice Services
1100 Bank Street, Richmond, VA 23219
www.dcjs.virginia.gov