

# CITY OF CLAYTON, OHIO

## RESOLUTION NO. R- 09 - 20 - 44

### A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTHMONT SCHOOL DISTRICT FOR THE PROVISION OF SCHOOL RESOURCE OFFICERS FOR THE 2020-2021 SCHOOL YEAR

**WHEREAS**, the Clayton Police Department and the Northmont School District have worked cooperatively over the past several years for the provision of School Resource Officers; and

**WHEREAS**, the Northmont School District has approached the City regarding provision of School Resource Officers for the 2020-2021 school year; and

**WHEREAS**, the Northmont School District has agreed to reimburse the City for additional costs associated with backfilling the assigned School Resource Officers' hours with part-time officers at a cost not to exceed \$110,000.00.

### NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the City Manager is authorized to enter into an Agreement in substantially similar form as the Agreement appended hereto with The Northmont School District for the provision of School Resource Officers for the 2020-2021 school year, and including the provision that the City will be reimbursed by the Northmont School District for the backfilling of the assigned School Resource Officers' hours with part-time officers at a cost not to exceed \$110,000.00 for the 2020-2021 school year.

ADOPTED BY COUNCIL ON SEPTEMBER 3, 2020.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor (Presiding Officer of Council)

  
\_\_\_\_\_  
Clerk of Council

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Law Director

CERTIFICATION OF PUBLICATION

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper                      Date of publication  
Brookville Star                      Sept 16, 2020

Barbara Jean  
CLERK

## **Memorandum of Understanding School Resource Officer Program**

*This Memorandum of Understanding (MOU) is executed on Aug 1, 2020 by and between the Northmont City School District Board of Education ("Board") and the City of Clayton Police Department. This MOU satisfies the obligations of Ohio Revised Code 3313.*

### **Purpose**

This MOU establishes and delineates the mission of the School Resource Officer Program, herein referred to as the SRO Program, as a joint cooperative effort. Additionally, the MOU clarifies roles and expectations and formalizes relationships between the participating entities to foster an efficient and cohesive program that will build a positive relationship between police officers, school staff, and the students, promote a safe and positive learning environment and decrease the number of youth formally referred to the juvenile justice system.

### **I. Mission**

The mission of the SRO Program is to promote school safety by building a positive school climate in which everyone feels safe and students are supported to succeed. The SRO Program also seeks to reduce violent crime committed by and against youth in our community. The SRO Program accomplishes this mission by supporting safe, secure, and orderly learning environments for students, teachers and staff. SROs will establish a trusting channel of communication with students, parents, and teachers and establish regular feedback opportunities. The role of the SRO is not to enforce school discipline or punish students. SROs will serve as positive role models to instill in students good moral standards, good judgment and discretion, respect for other students, and a sincere concern for the school community. SROs will provide information on community resources available to students and parents. Goals and objectives are designed to develop and enhance rapport between youth, families, police officers, school administrators, and the community in order to promote overall student achievement and success.

## II. Goals of the SRO Program

### SRO program goals include:

1. To ensure a safe learning environment for all children and adults who enter the building.
2. To prevent and reduce potential harm related to incidents of school violence and/or illegal drug and controlled substance abuse.
3. To foster a positive school climate based on respect for all children and adults in the school.
4. To create partnerships with behavioral health and other care providers in the community for student and family referral.

This SRO program is unique to the community, based on input from the school administration, teachers, faculty, students, families and community members. The program is designed to fulfill three overall roles:

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

**Law Enforcement Role** – SROs are responsible for the majority of law enforcement activities occurring at the school during school hours. Building administration is responsible for school-based discipline. A determination of whether an activity raises to the level of a law enforcement activity shall be made in consultation with a school administrator. Parents, students, teachers and other school personnel should bring complaints about student misbehavior to the school principal and/or designee, rather than the SRO.

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

**Fostering Positive School Climate /Crime Prevention** – One of the primary roles SROs fulfill is fostering a positive school climate through relationship-building and crime prevention. Officers will engage in various activities, in consultation with school administration, teachers, and students, and should strive to build a school culture of

open communication and trust between and among students and adults by focusing on officers getting to know students at the school, serving as a role model, and working with teachers and administrators to identify students who may be facing challenges and need additional resources or attention to be successful in school. Crime prevention activities include foot patrols, monitoring previous crime locations, speaking to teachers about reducing the opportunity for crimes to occur, analyzing possible crime patterns, investigating crimes, and patrolling the parking lots. Officers may also complete security surveys analyzing the physical safety of school property and facilities.

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

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

#### **IV. Organizational Structure**

##### **A. Composition**

The SRO program will consist of police department personnel that are certified peace officers for the state of Ohio and meet all requirements as set forth by the Board and City of Clayton Police Department.

##### **B. Background Requirements**

School officials and the police department office shall agree on guidelines for the selection of officers to serve as SROs. The ultimate selection process and appointment of the SRO is completed by the City of Clayton Police Department.

SROs should meet three general criteria:

1. **College or degree coursework** – SROs are in an educational atmosphere and will be supporting instruction in elementary classes. To increase credibility in this area, a college degree or substantial college-level coursework is preferred.
2. **Experience as a police officer and commitment to student well-being** – SROs must have a minimum of two years' experience as a patrol officer, and have extensive experience with juvenile assignments. Experience working with youth and an interest in student success, juvenile justice, child and adolescent development and psychology, and creating a positive school climate are essential.
3. **Successful performance** – All candidates should have proven performance as reflected by prior performance evaluations. Candidates should be free of significant disciplinary action.

### C. **Professional Development**

Prior to entering service as an SRO, officers shall complete a basic training program approved by the Ohio Peace Officer Training Commission. All SROs who are initially appointed on or after November 2, 2018, must complete an additional forty (40) hours of school resource officer training within one (1) year of appointment through an entity approved by the Ohio Peace Officer Training Commission. In addition, it is recommended that SROs receive ongoing training that focuses on age-appropriate practices for conflict resolution and developmentally informed de-escalation and crisis intervention methods.

### V. **Operational Procedures**

**Chain of Command for SROs:** The SRO shall be accountable to the Clayton Police chain of command. However, while at the school, the SRO may be additionally accountable to the building principal or his/her designee. The SRO is expected to cooperate with the school officials, including administrators and faculty. The SRO will abide by Board policy and Administrative Guidelines, and will promptly respond to the requests of school officials.

The SRO's activity in the school is guided by the following procedures, and supervision and evaluation shall be provided by both the School administration and Clayton Police to effectively support SROs efforts and monitor their progress:

## **A. Duties**

The primary functions of the SRO are to help provide a safe and secure learning environment, foster a positive school climate, reduce / prevent crime, serve as an educational resource, and serve as a liaison between the school and the police department/sheriff's office. Specific daily assignments to accomplish this function will vary by school. The SRO and the building principal or designee will meet on a regular basis to discuss plans and strategies to address specific issues or needs that may arise.

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

1. To enforce criminal law and protect the students, staff, and public at large against criminal activity.
2. Foster mutually respectful relationships with students and staff to support a positive school climate.
3. Provide information concerning questions about law enforcement topics to students and staff.
4. Provide classroom instruction on a variety of topics including, but not limited to, safety, public relations, occupational training, leadership, and life skills.
5. Coordinate investigative procedures between police and school administrators.
6. Handle initial police reports of violent crimes committed on campus.
7. Take enforcement action on criminal matters when appropriate and after consultation with school administrators.
8. Attend school special events as needed.
9. Assist the teacher in the preparation of lesson plans, as necessary, when the SRO is integrated into classroom instruction.
10. Collect data on SRO activities (arrests, citations, etc.).

## **B. Uniform**

The SRO is in uniform when performing services under this MOU.

**C. Daily Schedule**

To be determined by the Chief of Police and school administration, consistent with the 2020-2021 Board approved school calendar, City of Clayton Police Department and this MOU.

**D. Absence/ Substitution**

School administration and City of Clayton Police Department should develop and agree on a protocol for assigning and using substitute SROs when regular SROs are unavailable only for a long-term basis. Substitute SROs should, at a minimum, have the same requisite experience as regular SROs and, ideally, should receive training on age-appropriate practices for conflict resolution and developmentally informed de-escalation and crisis intervention methods in a school environment.

**E. Special Events**

To be determined by the commanding officer and school administration, consistent with the terms of the 2020-2021 Agreement between the Board, City of Clayton Police Department and this MOU.

**F. Role in Responding to Criminal Activity**

One of the roles of SROs, as law enforcement officers, is to engage in traditional criminal investigation and report taking. As a police officer, SROs have the authority to issue warnings, make arrests and use alternatives to arrest at their discretion. SROs, however, perform their duties mindful of the parties' common goal of supporting student success. The following procedures will help SROs be as effective as possible in this role:

1. School staff will contact SROs to inform them of all violent or other criminal activity that creates a safety risk that occurs on the school campus. SROs and school officials shall discuss and agree in writing on what levels of violent activity would prompt school officials to notify the SROs. This information will be conveyed to all school staff. In turn, SROs will inform school administration of all criminal activity they observe on the school campus.
2. For any offense on school property, the SRO, working cooperatively with the school administration, will endeavor to avoid arrest and criminal involvement for misdemeanor activity. Certain offenses (felonies), such as sex offenses, weapons



offenses, and any offenses of violence, will normally require the filing of charges in consultation with school officials, but should be evaluated on a case-by-case basis. The SRO's powers to arrest will be governed by the Ohio Revised Code.

3. The SRO and school officials shall put into place plans, such as de-escalation techniques, conflict resolution and restorative justice practices, to serve as an alternative to arrest, which will be distributed to school staff.

#### **G. Role in School Policy Violations**

SROs are not school disciplinarians and violations of the student code of conduct, Board policy or other school regulations that are not criminal matters should be handled by school administration and/or faculty, not by SROs. SROs should not directly intervene unless the situation directly affects an imminent threat to the health, safety, and security of the student or another person in the school and will employ de-escalation techniques as appropriate. School discipline is the responsibility of the appropriate school administrator and clear guidelines on SRO involvement should be developed and distributed to school staff. The SRO, as a staff member, will report violations of the student code of conduct, Board policy, or school regulations through the proper channels to be handled by school administration. It is the responsibility of the SRO to become familiar with the Student Handbook and/or Student Code of Conduct for the SRO's assigned school, but it is not the responsibility of the SRO to enforce the rules in these documents. School administration will have final decision-making authority regarding all matters of school discipline.

#### **H. Data Collection**

SROs should submit a semi-annual activity report to the Superintendent of Schools, building principals, and his/her Chief of Police. The report should include descriptions of all activities engaged in by the SRO, including incidents or calls for service, names of students and/or staff involved, student searches, arrests, citations and/or summons issued, and other referrals to the juvenile justice system.

#### **I. Sharing of Information**

Communication and information sharing is essential to the success of the SRO program. The following procedures should be followed to facilitate a free flow of information between school officials and the SRO:

1. Sharing of information will be governed by the Ohio Revised Code, the Ohio Administrative Code, Ohio's Public Records Law, the Family Educational Rights and Privacy Act ("FERPA"), and City of Clayton Police Department and Board policies.
2. The sharing of arrest related information by the SRO with school administration, upon request or at the discretion of the SRO, will involve the dissemination of arrest reports and calls for service filed with the City of Clayton Police Department or from other law enforcement agencies coming into contact with students from Northmont City School District.
3. Juvenile fingerprints and photos as part of the arrest record will not be shared by the SRO.
4. If the SRO is aware of information on a student that is officially obtained by the City of Clayton Police Department, which reflects that the student is in violation of school policies (Student Handbook or Athletic Code), the SRO may forward that information to school administration.
5. If a juvenile is an uncharged suspect in a crime, his/her information will not be released unless authorized by the City of Clayton Police Department Chief of Police or his/her designee.
6. Information which the SRO obtains from school personnel which deals with criminal or possible criminal intelligence will be maintained by the SRO as a criminal justice file. This file may be shared with other City of Clayton Police Department personnel and Criminal Justice Agencies, but will not be part of the student's school record.
7. Any information that is obtained by the SRO that pertains to criminal activity occurring outside the City of Clayton, Ohio city limits shall be relayed to the police department of jurisdiction.
8. When any felony occurs or any crime that prompts a Public Information Officer response from the schools or the City, or if a school building is evacuated, the SRO shall contact his immediate supervisor at City of Clayton Police Department as soon as possible.
9. The SRO shall have access to any public records maintained by the school to the extent allowed by law. Law enforcement officials may need confidential information

in emergency situations based on the seriousness of the threat to someone's health or safety, time sensitivity, and the direct relationship of the information to the emergency.

10. To the extent allowed by applicable law, the Board shall identify its SRO as a "school official" in the annual FERPA notice of rights given to parents and eligible students subsequent the execution of this MOU<sub>[LD1]</sub>.

#### **J. Role in Critical Incidents**

The SRO will be familiar with the Northmont City School District crisis plan. During critical incidents occurring when the SRO is present, the SRO will normally act as a liaison between school administration and staff, law enforcement personnel, and other emergency resources if practical.

### **VI. School District Responsibilities**

The Board shall provide the SRO of each campus and any SRO supervisor the following materials and facilities, which are deemed necessary to the performance of the SRO's duties:

1. Access to a properly lighted private office, which shall contain a telephone, a secure computer and printer, which may be used for general business purposes.
2. A location for files and records which can be properly locked and secured.
3. A desk with drawers, chair, work table, filing cabinet, and office supplies.
4. The opportunity for SROs to address teachers, school administrators, students and their families about the SRO program, goals and objectives.
5. The opportunity to provide input regarding criminal justice problems relating to students.
6. The opportunity to address teachers and school administrators about criminal justice problems relating to students during in-service workdays.
7. The District Emergency Operations Manual, Crisis Plan, Student Handbook/Code of Conduct and other related materials as deemed appropriate.

8. School staff designee for referrals for counseling and other school-based and/or community based supportive services for students and families.

9. SROs shall respect the sensitive nature of student privacy and shall abide by all applicable confidentiality and/or privacy policies, regulations and laws.

10. Provide training to teachers, administrators, staff and SROs about when to directly involve SROs with student misconduct and about available alternatives to arrest.

#### **VII. Crisis Planning**

The Board, the City of Clayton Police Department Police and Fire Departments, and any other law enforcement agencies partnering with the Board will coordinate crisis planning and training. Each entity will be involved in updates and creation of new crisis plans.

Lock down drills shall be included as part of the District's preparedness plan. City of Clayton Police Department shall be included in the creation of lock down procedures so that first responders are familiar with procedures. Lock down procedures should be trauma-informed and consistent throughout the District.

#### **VIII. Reviewing the MOU and SRO Program**

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

#### **IX. Provision Of School Resource Officers Assigned To Schools**

It is hereby agreed that (2) two Full Time Police Officers will be selected by the City of Clayton Police Department and one (1) of the officers and will be assigned to work an average of ( 40 ) hours per week, during the school year, 173 student days, at Northmont High School and the second officer assigned to work (40) hours per week at Northmont Middle School during the 2019-2020 school year. Furthermore, the Police Department agrees that the SRO will provide the following services, but not limited to; (1) providing a safe learning environment, (2) providing valuable resources to school staff members,(3) fostering positive relationships with students and staff, (4) developing strategies to resolve problems affecting youth and protecting all students, and (5) consult with local law enforcement officials and first responders when providing

assistance with adoption, implementation, and amendment of the comprehensive, school emergency management plans.

Additionally, Northmont City School District will be named as an additional insured party on the City of City of Clayton Police Department liability insurance policy.

Northmont School District hereby agrees to reimburse the City of Clayton Police Department for expenses incurred in covering the absence of the Full Time Officer ("ie., "backfill staffing") with the rate plus all direct labor expenses **not to exceed \$110,000** per school year.

#### **X. Billing And Payment**

Northmont School District will be billed on a semi-annual basis for the provision of services rendered and described herein. Payment will be due within thirty (30) days of receipt of invoice.

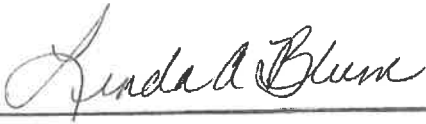
#### **XI. Cancellation Provisions**

It is further agreed that either party hereto may cancel this agreement upon 30 days written notice to the other party. Notices are to be sent, certified mail, return receipt requested, to the parties at the above listed addresses att: City of Clayton Chief of Police or School Superintendent, as applicable.

Should Northmont School District cancel this Agreement, it shall remain responsible for payment of any and all outstanding invoices for services rendered up to the effective date of termination.

SO AGREED:

**Northmont City School District  
Board of Education**

  
Board President

8/12/20  
Date

  
Director of Business Services

8/20/20  
Date

**City of Clayton Police Department, Ohio  
Division of Police**

  
Name, Title

9/4/20  
Date