

RESOLUTION NO. 2022-____

A RESOLUTION BY THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE PRAIRIE GROVE SCHOOL DISTRICT REGARDING SCHOOL RESOURCE OFFICERS

WHEREAS, the Prairie Grove Police Department provides school resource officers to the Prairie Grove schools; and

WHEREAS, changes to state statutes now require school districts and municipalities to enter into a Memorandum of Understanding using a model form developed by the State; and

WHEREAS, the City and the School District have agreed to enter into the attached MOU.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS:

That the City Council hereby approves entering into the attached MOU with the Prairie Grove School District regarding school resource officers.

PASSED AND APPROVED on this 18th day of July 2022.

APPROVED:

ATTEST:

Charles (Sonny) Hudson, Mayor

Christine Kelly, Clerk



School Resource Officer (SRO) Memorandum of Understanding

This Memorandum of Understanding (MOU) between the Prairie Grove School District (School District) and the Prairie Grove Police Department (Law Enforcement Agency) is executed on _____ (date).

This MOU provides for a written agreement between the Prairie Grove School District (hereinafter the “PGSD”) and the Prairie Grove Police Department (hereinafter the “PGPD”). It establishes the needed commitment and support from both institutions. It provides guidelines and policies relevant to the performance of the School Resource Officer (SRO). An SRO is a sworn law enforcement professional assigned to a public-school campus during the instructional day or employed by a school district. This MOU will serve as a document that SROs, school administration, the law enforcement agency, students, parents and/or caregivers may refer to for structure and accountability. This MOU shall be reviewed, updated, and signed annually by the administrations of the PGSD and the PGPD. The school administration welcomes recommendations from all community stakeholders, including parents/caregivers, students, teachers, the assigned SRO, other law enforcement personnel, and members of the community. Nothing in this MOU should be construed as limiting or impeding the basic spirit of cooperation that exists between the school district, the law enforcement agency, and the local community.

I. Purpose

The purpose of the MOU is to establish the mission of the School Resource Officer program (SRO program) and provide for an understanding between the school district and the law enforcement agency that the success of the SRO program is a cooperative effort. Additionally, the MOU clarifies roles and expectations of the SRO and formalizes the relationship between the PGSD and the PGPD. Following the guidelines as established within the MOU will help in building a positive relationship between law enforcement officers, school staff, and students; support a safe and positive learning environment; and potentially decrease the number of youths formally referred to the juvenile justice system.

II. Mission

The mission of the SRO program is to promote school safety by establishing a safe, supportive, and orderly environment that maximizes collaboration for the enhancement of student learning and success.

III. Goals of the SRO Program

The SRO, SRO supervisor(s), and school officials will collaborate to reduce school violence by:

- a) Ensuring a safe learning environment for students, teachers, and staff.
- b) Fostering a positive school climate based on respect for all children and adults in the school.
- c) Creating partnerships with community stakeholders and other care providers in the community for the benefit of students, staff, and families.
- d) Reducing crime committed by and against youth on campus or in the community
- e) Establishing a trusted channel of communication with students, parents, and teachers through observation and engagement.
- f) Ensuring SROs serve as a positive role model to instill in students:
 - 1. Good moral standards,
 - 2. Respect for others, and
 - 3. Sincere concern for the school and community.

IV. Chain of Command

- a) An SRO shall be assigned to a school during the instructional day. During the hours that school is in regular session, the SRO may also be assigned additional responsibilities by the law enforcement agency in emergency type/critical incident situations that may require the SRO to leave campus. The PGPD recognizes that removing an officer from the school campus causes difficulty in the school and will only do so when absolutely needed.
- b) The SRO operates under the supervision of the law enforcement agency. When a situation arises within the school that is determined to be criminal in nature (i.e., drugs, weapons, threats), the SRO will notify his/her law enforcement agency supervisor and school administration.
- c) Minor offenses committed on school property can and often should be handled internally within the school without filing criminal charges. Each situation will have unique factors to consider. The SRO shall consult with a member of the school administration (superintendent or principal) concerning these types of offenses. Offenses, such as fighting or using vulgar language, that do not involve serious physical injury shall be considered school discipline issues and handled internally by school officials rather than law enforcement.

V. Roles and Responsibilities

This SRO program is intended to be unique to the community, based on input from the school district administration, teachers, faculty, students, families, and community members.

- a) **SRO Roles** – The SRO Program is designed for the SRO to fulfill three overall roles: 1) Law Enforcement Officer; 2) Mentor/ Informal Counselor; (3) Educational Resource.
 - 1. Law Enforcement Officer Role

The SRO in this role provides public safety within the established school boundaries through motorized and foot patrol. The SRO collaborates with the PGSD administration in developing or updating emergency crisis/critical incident response plans as well as plans for the training of students and staff on various issues. The SRO should establish

himself/herself as a resource for students, teachers, parents, and other school staff, while maintaining his/her status as a law enforcement officer.

As a law enforcement professional, the SRO is certified to carry a firearm. SROs will follow their law enforcement agency protocol and policies for the use of force. A copy of the agency policies shall be attached to this MOU and incorporated by reference.

2. Mentor/Informal Counselor Role

One of the primary roles the SRO will fulfill is fostering a positive school climate through relationship building and crime prevention. The SRO will engage in various activities, in consultation with school administration, teachers, and students. He or she should strive to build a school culture of open communication and trust between and among students and school staff. The SRO should focus on 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 at school (such as bullying), at home, or both, and need additional resources or attention to be successful in school.

3. Educational Resource

In this role, the SRO should participate in the school community by becoming a member of the educational team. This will provide the SRO a method to build positive relationships with students, their families, and school staff. Whether talking to students in the hallway, in the lunchroom, or delivering a presentation in the classroom, the SRO should become embedded in the education fabric within the school. Note that any and all presentation materials to be used in the classroom must first be approved in accordance with the districts selection of instructional materials policy.

4. Clarifications of the SRO's role in:

- Responding to Criminal Activity

A role of the SRO, as a law enforcement professional, is to enforce criminal and traffic laws. The SRO will have the authority under Arkansas law to issue warnings and use alternatives to arrest at their discretion.

- School Policy Violations

School faculty and staff, not the SRO, should always handle violations of the school student code of conduct or rules that are not criminal matters. SROs are not school disciplinarians, but rather licensed peace officers charged with enforcement of all applicable local, state and federal laws within their jurisdiction. The SRO should not directly intervene in disciplinary incidents unless the situation directly affects an imminent threat to the health, safety, and security of the student or another person in the school. When intervening, the SRO will employ de-escalation techniques as appropriate. All school staff should receive training on the roles and responsibility of the SRO so there is a clear understanding that school discipline is the responsibility of the appropriate school staff. The SRO will report school policy violations through the proper

channels to be handled by school administration. In this regard, it is the responsibility of the SRO to become familiar with the Student Handbook or Student Code of Conduct, but it is not the responsibility of the SRO to enforce the rules in these documents.

- **Locker, Vehicle, Personal, and Other Searches**

The SRO may conduct a search of a student's person, possessions, locker, or vehicle only where there is probable cause to believe the search will result in evidence that the student has committed or is committing a criminal offense. The SRO will not ask a school employee to conduct a search for law enforcement purposes. The SRO may perform searches independent of the school administration only during emergency situations and where criminal activity is suspected.

b) Primary Responsibilities

The primary responsibilities of the SRO in an SRO Program include, but are not limited to

1. Patrolling the campus by vehicle if necessary but primarily on foot to reduce/prevent crime and help to provide a safe and secure learning environment.
2. Serving as an educational resource, and as a liaison between the school and the law enforcement agency.
3. Developing and maintaining mutually respectful relationships with students and staff to support a positive school climate.
4. Preparing for and providing classroom instruction on a variety of relevant topics.
5. Being proactive in creating and taking advantage of educational situations. (Note: school administrators are encouraged to leverage this resource.)
6. Preparing initial police reports of crimes committed on campus.
7. Taking enforcement action on criminal matters involving students, when appropriate.
8. Attending school special events as needed (comp time will be given for overtime worked).
9. Collecting and maintaining data on SRO activities (arrests, citations, educational programs, etc.). PGSD will provide a reporting system to input data.
10. Assisting the school safety coordinator or designated staff member in developing emergency response plans (i.e., reunification plans) as well as strategies (such as training students and staff in lockdown drills) to prevent and/or minimize dangerous events, such as an armed person(s) or active shooter on campus, hostage situations, student disturbances, and natural/man-made disasters.
11. Taking appropriate law enforcement action against individuals or unwanted guests who are at the school or a school function in accordance with the SRO's law enforcement authority.
12. SROs shall make all efforts to take their vacation/comp time during scheduled school breaks. Each SRO will have three (3) personal leave days per school year.

VI. Physical Restraint or use of Chemical Aerosol Sprays

Except in the case of a clearly unavoidable emergency in which a trained member of school personnel is not immediately available due to the unforeseeable nature of the situation, the physical restraint of a student shall only be used by a member of school personnel who is appropriately trained to administer physical restraint.

- a) The SRO should not be involved in the physical restraint of a student unless:
 1. There is imminent danger of serious physical harm to the student or others; or
 2. The SRO has received the appropriate training on the use of physical restraint in accordance with Ark. Code Ann. § 6-18-2401 et seq. As a sworn law enforcement officer, the SRO may intervene to de-escalate situations.
- b) Physical intervention, including use of aerosol sprays, by the SRO will be undertaken in accordance with the law enforcement agency protocol and policies for the use of force. An SRO acting in the role of a school's behavioral intervention team member will respond in accordance with Ark. Code Ann. § 6-18-2401 et seq.
- c) Any use of force must be reported to the school administration and the SRO law enforcement supervisor. The rationale for the action must be fully documented by use of established reporting procedures, such as use of physical force to affect an arrest or control a combative person. PGSD will provide a reporting system to input data.

VII. Limits on Interrogations and Arrests

- a) An SRO may participate in the questioning of a student about conduct that could result in criminal charges. In accordance with established law enforcement procedure, a student must be informed of their Miranda rights in age-appropriate language before being questioned; this must be done in the presence of a parent or guardian if the student is under the age of 18. The student's parent(s) or guardian(s) should be allowed sufficient time to arrive at the school to be present for this process.
- b) The Superintendent or other member of the school administration shall be notified, if possible, prior to an arrest of a student. The student's parent(s) or guardian(s) shall be notified of their student's arrest as soon as practical but always in a timely manner in accordance with Arkansas Law, including Ark. Code Ann. § 6-18-513.

VIII. Role in Truancy Issues

The SRO will not take an active role in truancy matters or in the tracking of truants. The SRO will act as a liaison between the school and law enforcement personnel should law enforcement involvement become necessary due to safety concerns and may assist in performing a safety or well-being check.

IX. Student Educational Records and FERPA

The PGSD and the PGPD acknowledge the benefit of appropriate information sharing for improving the health and safety of students but also the importance of limits on the sharing of certain types of student information by school personnel. The PGSD and the PGPD also acknowledge that there is a distinction between student information shared for law enforcement purposes and student information shared to support students and connect them with necessary mental health, community-based, and related services.

- a) In order to facilitate prompt and clear communications, the PGSD and the PGPD acknowledge that the principal (or their designee) and the SRO are the primary points of contact for sharing student information in accordance with this Agreement.
- b) In accordance with the PGSD policy on privacy of student records and directory information, SROs are generally considered “School Officials with a legitimate educational interest” IF the school designates the SRO as such in their FERPA policy.
- c) In addition to FERPA, the Parties agree to comply with all other state and federal laws and regulations regarding confidentiality, including the Health Insurance Portability and Accountability Act of 1996 (HIPAA) if applicable.

X. Program Structure

The SRO Program will consist of a law enforcement officer certified within the state of Arkansas who is an employee of the PGPD (law enforcement agency). The SRO will be assigned by the head of the law enforcement agency to work within the PGSD (school district) and will meet all requirements as set forth by the PGSD (school district).

XI. Selection and Financial Consideration

- a) The PGSD district administration and the head of the law enforcement agency may establish specific procedures governing the selection of the SRO.
- b) The PGSD administration and the head of the law enforcement agency shall collaboratively establish the financial agreement necessary for the SRO program, including but not limited to salary, fringe benefits, training costs, and other foreseeable expenses. The specific financial agreements for each SRO shall be identified in Appendix A. The assigned campus(es), hours on campus, day-to-day duties, extracurricular requirements, and activities during the summer should also be specified in Appendix A.

XII. Supplies/Equipment

In order to implement an effective SRO program and create a safe learning environment for students, the school district/open enrollment charter school and law enforcement agency will work in partnership to provide necessary supplies and equipment specified in Appendix A, including but not limited to:

- a) A designated private office (at least one per campus).
- b) Standard office equipment (i.e., computer, phone, internet connection, etc.).

- c) Standard law enforcement equipment (i.e., radio, transportation, lethal/non-lethal weapon, etc.); and
- d) Additional supplies, resources, and equipment as needed (i.e., uniforms, safety/first aid supplies, instructional resources, etc.).

XIII. Training Requirements

a) The SRO shall complete:

- 1) The forty (40) hour Basic School Resource Officer course within eighteen (18) months of being assigned to the public school district/open enrollment charter school. This course must be developed and provided, or approved, by the Arkansas Center for School Safety.
- 2) Within five (5) years of receiving the initial Basic School Resource Officer training, a sixteen (16) hour School Resource Officer Refresher training developed and provided, or approved, by the Arkansas Center for School Safety.
- 3) Certification in Youth Mental Health First Aid, which must be maintained and renewed every four (4) years if the SRO remains assigned to a school district/open enrollment charter school.
- 4) Twelve (12) hours annually of public school-specific continuing education developed and provided, or approved, by the Arkansas Center for School Safety. Other training required shall include, without limitation:
 - the roles and responsibilities of school resource officers in school districts/open enrollment charter schools;
 - laws that are specific to school districts/open enrollment charter schools; and
 - adolescent behavior and development.
- 5) An SRO who fails to complete any required training shall be unable to serve as a SRO until the training is completed.

b) School District Staff

- 1) A superintendent and principal who accept an SRO shall complete a one (1) hour School Resource Officer Roles and Responsibilities training developed and provided, or approved, by the Arkansas Center for School Safety, within nine (9) months of accepting the SRO.
- 2) Personnel directly responsible for supervising an SRO shall complete a one (1) hour School Resource Officer Roles and Responsibilities training developed and provided, or approved, by the Arkansas Center for School Safety within one (1) year of accepting the SRO and every two (2) years thereafter.
- 3) An SRO shall not be assigned to a school district/open enrollment charter school where the superintendent and/or principal have not completed the required training.

XIV. Program Review

The SRO, school administration, and the assigned law enforcement agency supervisor will meet at least annually to determine the goals and objectives of the SRO program for the respective school. A written review of the SRO program should be conducted at least annually.

XV. SRO Evaluation

The SRO and his/her effectiveness shall be evaluated at the end of each school year. The evaluation shall include input from the school administration.

XVI. Termination of Agreement

Either party may terminate this agreement upon sixty (60) days written notice to the other party.

XVII. Modification

No modification of this MOU shall be valid or binding unless the modification is in writing, duly dated, and signed by both parties.

Executed this _____ day of _____, 20____.

PRAIRIE GROVE SCHOOL DISTRICT

By: _____
SUPERINTENDENT

PRAIRIE GROVE POLICE DEPARTMENT

By: _____
HEAD OF LAW ENFORCEMENT AGENCY

Appendix A

School Resource Officer (SRO) Financial Agreements, Duties, Assignments, and Other Staffing Details.

Please complete the information below for EACH SRO.

SRO NAME: Officer David Faulk

1. **Financial Agreement Details** (To include salary, fringe benefits, training costs – mandated and additional, equipment and supplies cost, and other foreseeable expenses)

Prairie Grove School District agrees to pay 75% of the SRO yearly salary.
Upon non-renewal of the contract, PGSD agrees to pay the City of Prairie Grove any accumulated comp time earned.

2. **Campus(es) Assigned** (Including hours assigned to each campus)

Officer Faulk's primary assignment will be the high school building from 7:00 am to 3:00 pm. However, he will float throughout each campus, as necessary.

3. **Extra-Curricular Activity Requirements**

In addition to the role of SRO, Officer Faulk will also participate in the Criminal Justice Institute distance-learning class as well as serve as a coach with the soccer team. Other duties will include traveling with sports teams and attending on-site events as needed (i.e., games, PT conferences, graduations, Colors Day, Homecoming).

4. **Required Activities During the Summer**

The contracted days SROs are expected to work at PGSD are August 1 to May 30. SROs will report to their supervisor at the PGPD for summer duty. SROs will conduct school-related training or assist PGSD administration in developing emergency response plans as well as strategies to prevent and/or minimize dangerous events, such as armed person(s) or active shooter on

campus, hostage situations, student disturbances, and natural/man-made disasters.

SRO NAME: Officer Travis Stills

1. **Financial Agreement Details** (To include salary, fringe benefits, training costs – mandated and additional, equipment and supplies cost, and other foreseeable expenses)

Prairie Grove School District agrees to pay 75% of the SRO yearly salary. Upon non-renewal of the contract, PGSD agrees to pay the City of Prairie Grove any accumulated comp time earned.

2. **Campus(es) Assigned** (Including hours assigned to each campus)

Officer Stills will be assigned to the Jr. high school building from 7:30 am to 3:30 pm. However, he will float throughout each campus, as necessary.

3. **Extra-Curricular Activity Requirements**

Other duties for Officer Stills may include traveling with sports teams and attending on-site events as needed (i.e., games, PT conferences, graduations, Colors Day, Homecoming).

4. **Required Activities During the Summer**

The contracted days SROs are expected to work at PGSD are August 1 to May 30. SROs will report to their supervisor at the PGPD for summer duty. SROs will conduct school-related training or assist PGSD administration in developing emergency response plans as well as strategies to prevent and/or minimize dangerous events, such as armed person(s) or active shooter on campus, hostage situations, student disturbances, and natural/man-made disasters.

SRO NAME: Officer Jacob Rollins

1. **Financial Agreement Details** (To include salary, fringe benefits, training costs – mandated and additional, equipment and supplies cost, and other foreseeable expenses)

Prairie Grove School District agrees to pay 75% of the SRO yearly salary. Upon non-renewal of the contract, PGSD agrees to pay the City of Prairie Grove any accumulated comp time earned.

2. **Campus(es) Assigned** (Including hours assigned to each campus)

Officer Rollins will be assigned to the middle school building from 7:30 am to 3:30 pm. However, he will float throughout each campus, as necessary.

3. **Extra-Curricular Activity Requirements**

Other duties for Officer Rollins will include traveling with sports teams and attending on-site events as needed (i.e., games, PT conferences, graduations, Colors Day, Homecoming).

4. **Required Activities During the Summer**

The contracted days SROs are expected to work at PGSD are August 1 to May 30. SROs will report to their supervisor at the PGPD for summer duty. SROs will conduct school-related training or assist PGSD administration in developing emergency response plans as well as strategies to prevent and/or minimize dangerous events, such as armed person(s) or active shooter on campus, hostage situations, student disturbances, and natural/man-made disasters.