

**Contracted School Safety and Security Staff –
Draft Memorandum of Agreement Template**

Memorandum of Understanding

Between

_____ Public Schools

and

_____ Police Department/Security Firm

This agreement (the Agreement) is made by and between _____ [insert name of public school district] (the District) and _____ [insert name of law enforcement agency/security firm] (the Police Department/the Firm). The Agreement refers to the District and the Police Department/Security Firm collectively as “the Parties”. The Chief of Police/CEO [or designate other] of the Police Department (the “Chief”)/Firm and the Superintendent of the District (“the Superintendent”) [or designate other] are each a signatory to this Agreement. This Agreement shall be effective as of the date of signing and remains in full force and effect until amended or until such time as either of the Parties withdraws from this Agreement by delivering written notification to the other Party.

Upon the Parties execution of this Agreement, a copy of the Agreement shall be placed on file in the offices of the Chief and the Superintendent. The Parties shall also share copies of this Agreement with the Safety and Security Personnel, any principals in schools where the contracted security personnel will work, and any other individuals whom they deem relevant or who request it.

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The District and the Police Department/Firm will annually review the Safety and Security Staff program using a process that involves parents, students, and community members and adopt an updated agreement as appropriate.

I. Mission and Purpose

The mission of the School Safety and Security Staff program is to improve school safety and the educational climate at the school. The purpose of this Agreement is to fulfill the requirements of **RCW 28A.320.124(6)**, which requires an agreement between school districts and the local law enforcement or security agency for implementation of a School Safety and Security Staff program and specifies elements that must be incorporated into such an agreement. Additionally, this Agreement fulfills the requirements of RCW 10.93.160 and formalizes and clarifies the partnership between the District and the Police Department. This Agreement is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable by any person in any civil or criminal matter.

II. Safety and Security Staff Roles, Duties, and Limitations

The role of the Safety and Security staff on campus typically involves three parts: educator, informal counselor, and law or school rules enforcer. The focus of any Safety and Security Staff working in the District is to keep students safe and out of the criminal justice system when possible. The District shall integrate the Safety and Security staff into the school community through participation in faculty and student meetings and assemblies as appropriate. Safety and Security Staff shall support a positive school climate by developing positive relationships with students, parents, and staff, and by helping to promote a safe, inclusive, and positive learning environment. The Safety and Security Staff personnel are valuable team members of School Based Threat Assessment Teams, which are preventative

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in purpose, and SROs are encouraged to participate consistent with Policy and Procedure 3225 – School Based Threat Assessment [modify as accurate for your district].

The primary responsibility for maintaining proper order and conduct in the schools resides with school principals or their designee, with the support of other school staff. This may include minor violations of the law occurring during school hours or at school activities. The Safety and Security Staff program does not diminish the District’s authority and shall not be used to attempt to impose criminal sanctions in matters that are more appropriately handled within the District. Principals or their designee maintain order and handle all student discipline matters consistent with Student Discipline Policy and Procedure 3241[modify as accurate for your district]. Safety and Security Staff appropriately interact with students informally to reinforce school rules.

III. Requests for Intervention

Teachers and school administrators may ask an Safety and Security staff member to intervene if a student’s presence poses an immediate and continuing danger to others or an immediate and continuing threat of material and substantial disruption of the educational process or in other emergency circumstances consistent with 3432 – Emergencies [modify as accurate for your district]. Safety and Security staff personnel do not need to be asked before intervening in emergencies.

As a general rule, law enforcement activity should take place at a location other than school premises. However, there are circumstances where formal law enforcement intervention/activity at school is warranted and may be conducted by an SRO. These law enforcement activities may include interviews and interrogations; search of a student’s person, possessions, or locker; citations, filing of delinquency petitions, referrals to a

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probation officer, actual arrests, and other referrals to the juvenile justice system, consistent with 3226 – Interview and Interrogations of Students on School Premises [modify as accurate for your district] and 3230 – Student Privacy and Searches [modify as accurate for your district].

Per RCW 10.93.160, the SRO duties do not extend to immigration enforcement and the SRO will not inquire into or collect information about an individual’s immigration or citizenship status, or place of birth. Neither will the SRO provide information pursuant to notification requests from federal immigration authorities for the purposes of civil immigration enforcement, except as required by law, consistent with 4310 – District Relationship with Law Enforcement and other Government Agencies [modify as accurate for your district].

IV. Training of Safety and Security Staff

The SRO/contracted security staff member is an employee of the Police Department/Firm. The Police Department/Firm retains the authority and responsibility for training its employees. By signing this Agreement, the Police Department/Firm confirms SROs/Security Staff personnel assigned to the District have been trained in all the topics required by RCW 28A.320.124(4), including:

- Constitutional and civil rights of children in schools, including state law governing search and interrogation of youth in schools;
- Child and adolescent development;
- Trauma-informed approaches to working with youth;
- Recognizing and responding to youth mental health issues;
- Educational rights of students with disabilities, the relationship of disability to behavior, and best practices for interacting with students with disabilities;
- Collateral consequences of arrest and prosecution and pathways for youth to access services without court or criminal justice involvement;
- Local and national disparities in the use of force and arrest of children;
- De-escalation techniques when working with youth or groups of youth;
- State law regarding restraint and isolation in schools, including RCW 28A.600.485
- Bias free policing and cultural competency, including best practices for interacting with students from particular backgrounds, including English learners, Lesbian Gay Bisexual Transgender and Queer (LGBTQ), and immigrants; and

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- The federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g) requirements, including limits on access to and dissemination of student records for non-educational purposes.
- Restorative Practices

V. Complaint Resolution

The Parties shall develop and implement a simple and objective complaint resolution system for all members of the school community that complies with Police Department/Firm policies. The complaint resolution system will register concerns regarding the Safety and Security Staff or Program, provide for the investigation of registered complaints, and provide for timely communication of the resolution of the complaint to the complainant. The complaint resolution system shall allow parents and guardians to submit complaints in their preferred language and in a confidential manner that protects the identity of the complainant from the Safety and Security Staff consistent with all due process rights and any applicable employment protections. The District will inform all students, parents, guardians, teachers, and administrators of the complaint resolution system at the beginning of each school year.

VI. Data Collection and Reporting

The Safety and Security Staff, Police Department/Firm, and the District shall work together to ensure the proper collection and reporting of data regarding the Safety and Security Staff program, calls for law enforcement services, whether SROs or other law enforcement requests, and the outcome of each call. The data will be disaggregated by school, offense type, race, gender, age, and students who have an individualized education program or plan developed under section 504 of the federal rehabilitation act of 1973. Data collection shall be maintained by the district and submitted to the Office of Superintendent of Public Instruction.