

**School Resource Officers' (SRO) Program  
Memorandum of Understanding**

*This Memorandum of Understanding (hereinafter "MOU") is made and entered into by and between the Vance County Schools (hereinafter "VCS") and the Vance County Sheriff's Office (hereinafter "VCSSO").*

**Purpose**

The prosperity of a community depends, in large measure, upon the community's ability to properly educate its children. The Vance County Schools (VCS) and the Vance County Sheriff's Office (VCSSO) recognize that the safety and security on school campuses are paramount to an environment conducive with learning. The school/law enforcement approach attempts to instill good values, self-control, and accountability while supporting students to achieve their academic goals and be successful throughout their elementary and secondary education.

The purpose of this Memorandum of Understanding (MOU) is to clarify the roles and responsibilities of the School Resource Officers (SROs) while establishing guidelines for handling violations of the law that are committed on the school campus.

SROs are primarily assigned to middle and high schools, but this MOU will apply to any incidents that may occur on a VCS school campus.

The policies and procedures as outlined in this MOU are applicable to incidents involving students, faculty members, and staff of VCS who are on a VCS campus during regular instructional days. It is also applicable to incidents that occur on any VCS school bus, at extra-curricular events, and at school-sanctioned athletic events.

This MOU does not apply to any incidents involving non-students on school property. This MOU does not apply to any incidents involving students committed off of school property.

**Goals and Objectives**

It is understood and agreed that the VCS and the VCSSO share the following goals and objectives with regard to the SRO Program in the schools:

- To promote a safe, inclusive and positive learning environment for students and faculty members.
- To provide security to the school from outside threats by maintaining a visible police presence on campus, assessing threats to school security, reducing and eliminating such threats, and swiftly responding to any immediate threats and breaches of security.
- To promote adherence to school policy and respect for the law by the students through educational programs, prevention activities, supporting positive behavior incentives, and positive mentorship.
- To maintain open communications among school officials and law enforcement to best meet the needs of the students and the school as a whole.
- To treat all students with respect, dignity and fairness regardless of race, ethnicity, gender, religion, age, sexual orientation, disability, or socio-economic circumstances.
- To aid and support all students to be successful in school and in life.

### **Assignment of the SROs**

The VCSO has agreed to employ five (5) full-time SROs to be assigned to the following schools:

- Vance County Middle School
- Vance County High School
- AdVance Academy High School

SROs are employees of the VCSO, and therefore shall remain subject to the rules, regulations, policies and procedures of the Sheriff's Office and Vance County. SROs are assigned to the Sheriff's Office and report directly to the Sheriff or his designee.

Sheriff's Deputies assigned as SROs will be certified by the NC Criminal Justice Education and Training Standards Commission. SROs will complete the basic SRO training course offered by the NC Justice Academy and Crisis Intervention Team (CIT) training course through the local mental health entity when available. SROs are subject to the same mandatory training requirements as all NC certified law enforcement officers.

School officials may be consulted prior to the selection of a new SRO to determine any special needs or concerns of their school; however, the assignment of the SRO is the decision of the Sheriff.

SROs shall wear their Office-issued uniform while working in the capacity of an SRO and while providing security at school events. Any exception to this rule must be approved by both the school administrator and the Sheriff or his designee.

SROs are issued and certified to carry the same equipment as all other Vance County Sheriff's Deputies including OC Spray, Tasers, and firearms.

SROs are issued a marked patrol vehicle. It is recommended that the patrol vehicle be parked at the front of the school to be visible to the public. The SRO is not authorized to transport students in their patrol vehicle unless the student is party to an active criminal investigation (i.e. victim, witness or offender). The SRO will notify the School Administrator before removing a student from campus.

SROs shall not be utilized for any other assignment during the designated workday except in emergency situations that necessitate an SRO to respond to assist another officer. In the event an SRO is temporarily unavailable on campus due to training, illness, approved leave, court hearing, or other reasons, the patrol officers working in the area of the school, whenever possible, will be notified to provide an extra watch on the campus and to respond to any incidents at the school.

When school is closed or there is shortened school day due to inclement weather, teacher's workdays, early release, scheduled holiday, or summer break, the SRO may be assigned to supplement patrol operations or be placed on special assignment.

The parties to this Agreement acknowledge that the requirements of G.S. 11SC-332.1 apply. The VCSO shall conduct an annual check of all sworn law enforcement officers assigned as SROs on the North Carolina Sex Offender and Public Protection Registration Program, the North Carolina Sexually Violent Predator Registration Program, and the National Sex Offender Registry per the requirements of G.S. 11 SC-332.1. The VCSO shall certify that no individual may provide services to the VCS under this Agreement if he/she appears on any of the sex offender registries.

### **Responsibilities of the School Administrator**

The School Administrator will provide the SRO with suitable accommodations to conduct business to include a secured, private office space with office furniture, telephone, and computer. In addition, the school will provide appropriate keys to the building and a school radio.

The School Administrator will facilitate effective communications with the SRO to include sharing any safety and security concerns, any significant disciplinary issues, and any upcoming extra-curricular events.

The School Administrator shall be solely responsible for implementing the student Code of Conduct and discipline policies. The school administration, not the SRO, has primary responsibility for maintaining order in the school environment and for investigating and responding to school disciplinary matters.

The SRO should generally not have any further involvement in routine disciplinary matters such as tardies, loitering, noncompliance, the use of inappropriate language, dress code violations, minor classroom disruptions, and disrespectful behaviors and other similar minor infractions of school rules. School Administrators shall only request SRO assistance when necessary to protect the physical safety of staff, students, or others in the school environment.

The School Administrator shall handle minor violations of the law (non-reportable offenses) by a student, faculty member or staff person. The School Administrator shall report all serious violations of the law (reportable offenses) to the SRO. *See Response to Crime on Campus.*

### **Responsibilities of the SRO**

The SRO will provide coverage in and around the campus during the school day and provide high visibility patrol during the peak hours including when school begins and ends; during class changes; and during lunch periods. Work hours are 7:30 a.m. until 3:30 p.m.

The SRO will facilitate effective communication with the School Administrator to include sharing any safety and security concerns and any violations of the law. The SRO shall confer with the school administrator to develop plans and strategies to prevent/minimize dangerous situations on or near the campus.

The SRO will make himself/herself available to the faculty to provide law-related educational presentations to students.

The SRO will make himself/herself available to students and parents to discuss any concerns or needs they have and to make referrals to resources within the school or the community.

The SRO will defer all disciplinary issues and minor violations of the law by a student, faculty member or staff person to the School Administrator. The SRO will investigate all serious violations of the law (reportable offenses). *See Response to Crime on Campus.*

The SRO will consult with the School Administrator as to the security needs of the school including any extra-curricular activities and athletic events. The SRO will maintain the schedule of off-duty officers to work at these events. Per a mutual aid agreement with the Henderson Police Department (HPD), SROs from HPD may serve in the capacity of a law enforcement officer at any athletic event at schools within Vance County.

*See Response to Crime on Campus*

The School Administrator will handle any disciplinary issues. Minor violations of the law (non-reportable offenses) may be handled through the use of school sanctions and diversion programs and may involve the SRO when deemed necessary. The principal and the SRO shall work together to determine the best course of action.

### **Minor violations of the law may include but are not limited to:**

- Simple affray
- Disorderly conduct
- Simple assault
- Criminal trespass

- Communicating threats
- Minor theft (under \$1000)
- Minor damage to property (under \$1000)
- Possession of drug paraphernalia
- Cyberbullying
- Bullying
- Aggressive behavior
- Verbal harassment

This provision does not preclude a student or a parent/guardian from seeking a criminal warrant through a magistrate or a petition through a juvenile court counselor.

Per the Safe School Act (NCGS 1 15C-288(g)) and Board policy, the School Administrator shall report the commission of the following crimes committed on the school campus to law enforcement:

- Homicide
- Assault resulting in serious bodily injury
- Assault involving the use of a weapon
- Rape
- Sexual offense
- Sexual assault
- Kidnapping
- Robbery with a dangerous weapon
- Taking indecent liberties with a minor
- Assault on school personnel
- Bomb threat
- Burning of a school building
- Possession of alcoholic beverage
- Possession of a controlled substance in violation of law
- Possession of a firearm or powerful explosive
- Possession of a weapon

The SRO will investigate all serious violations of the law and request the assistance of the Criminal Investigations Division when a felony crime against persons is alleged. The SRO may consult with the Juvenile Court Counselors (for offenses committed by a juvenile) or the District Attorney's office (for offenses committed by an adult) before a petition is sought or an arrest is made.

Any violations of the law that is committed on campus during regular school hours by a non-student or an unknown offender will be investigated by the SRO.

The School Administrator will turn over any confiscated weapon or contraband to the SRO as soon as possible for appropriate disposition and disposal.

#### **Investigations and Arrest Procedures**

Law Enforcement interviews and interrogations shall be conducted out of public view. Prior to a Law Enforcement interview or interrogation of a student, the School Administrator will be notified. When interrogating a suspect of a crime, the SRO will read the suspect his/her Miranda Warnings. Interrogation of those under the age of 15 and under requires that the youth be allowed to consult with a parent or guardian if no attorney is present prior to questioning. If the School Administrator is questioning the suspect in the presence of the SRO, the suspect must be read his/her Miranda Warnings.

The School Administrator is responsible for notifying any parent/guardian of any student involved in a crime on campus.

For felony crimes against persons, the SRO will contact the Criminal Investigations Division for

assistance.

The arrest of a student or employee of the school should be coordinated with the School Administrator as to cause the least disruption to the school environment.

The SRO will submit a written offense report per departmental policy, and the report and any supplemental reports will be submitted electronically for review and approval by a supervisor. Pursuant to the Safe Schools Act, police report information may be shared with the School Administrator in the interest of creating a safe school environment.

### **Search and Seizure**

The School Administrator or his/her designees may conduct searches of students' property and person under their jurisdiction when reasonable suspicion exists that the search will reveal evidence that the student has violated the law.

The SRO shall not become involved in administrative (school related) searches unless specifically requested by the school to provide security, protection, or for handling of contraband. These searches must be at the direction and control of the School Administrator. At no time shall the SRO request that an administrative search be conducted for law enforcement purposes or have the administrator act as his/her agent.

The School Administrator may request the use of the K-9 Unit for the purpose of an administrative search. The search shall be conducted in accordance with departmental policy and the law. The request must be in writing addressed to the Sheriff of Vance County. The K-9 Unit may conduct a walk-through of the school without a search with permission of the School Administrator. Prior approval by the Sheriff is not required. The walk-through should be used as a visible deterrent to keep contraband off campus.

The SRO shall not become involved in random "wandering" of students or their possessions with a metal detector unless specifically requested by the school to provide security, protection, or for handling of contraband. These searches must be at the direction and control of the School Administrator.

### **Response to Rumors or Threats Involving Schools**

With the proliferation of social media and texting, information can spread quickly, regardless as to whether the information is based on truth or fallacy. It is critical that the rumors of pending violence and threats towards persons or schools are taken seriously and are investigated promptly to determine the legitimacy of the information. Any rumor or threat involving a student, school employee, or toward a school must be forwarded to the VCSO for investigation to determine if the rumor or threat is legitimate. The VCSO will be in communication with the Superintendent's office to determine if any course of action is required.

### **Confidentiality of Information**

Investigative information contained in a police report shall be kept confidential, especially when it involves a juvenile. Pursuant to the Safe Schools Act, police report information may be shared with school officials in the interest of creating a safe school environment. All other requests for copies of police reports shall be referred to the Records Unit at the Sheriff's Office.

The release of student records is governed by the Family Educational Rights and Privacy Act (FERPA). The SRO shall have access to and only disclose confidential student records or any personally identifiable information of any student in connection with a health or safety emergency as defined in 34 CFR 99.3, only to the extent allowed under FERPA and applicable VCS policies and procedures.

**Financing the SRO Program**

For the services performed under this Agreement by the Vance County Sheriff's Office, the Vance County School System shall pay the full salary of the designated School Resource Officers at the rate prescribed by the Vance County Salary and Classification Plan, along with employee benefits to which the Deputies are entitled, including insurance, retirement, and FICA; provided, that nothing herein contained shall constitute a change of relationship between the designated School Resource Officer Deputies and the Vance County Sheriff, and the said Deputies shall at all times be deemed to be the employee of the Sheriff and governed accordingly.

**Termination of MOU**

This Memorandum of Understanding remains in force until such time as either party withdraws from the agreement by delivering a 90-day written notice of such rescission to the other party. The MOU shall be reviewed annually and amended as necessary to meet the needs of the signatory agencies.

This Memorandum of Understanding shall not be construed to create or substantiate any right to claim on the part of any person or entity, which is not party hereto.

In testimony whereof, the parties hereto, have caused this agreement to be duly executed this 11 day of February, 2019.

VANCE COUNTY BOARD OF EDUCATION

BY: Dorothy W. Gooche  
Dorothy W. Gooche, School Board Chair

BY: Anthony D. Jackson  
Anthony D. Jackson, Superintendent

VANCE COUNTY SHERIFF'S OFFICE

BY: Curtis R. Brame  
Curtis R. Brame, Sheriff