

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE PRINCE WILLIAM COUNTY POLICE DEPARTMENT

AND

PRINCE WILLIAM COUNTY PUBLIC SCHOOLS

I. Purpose

The purpose of this Memorandum of Understanding (MOU) between the Prince William County Police Department (PD) and Prince William County Public Schools (PWCS) is to foster a partnership designed to provide timely coordination and utilization of services by members of the PD as they serve the students enrolled in PWCS and their parents. This shall be achieved through the cooperative efforts of the School Resource Officer Unit (SRO Unit) and school administrators. These efforts shall ~~not only~~ be centralized to the individual schools ~~but and~~ extended to the communities they ~~serviceserve~~.

PWCS and the PD agree to enter into a School-Law Enforcement Partnership (SLEP) ~~in order that so that~~ both parties can work toward shared goals and build a positive and safe school environment. This MOU sets forth the roles and responsibilities of both parties under the ~~at~~ SLEP regarding the use of School Resource Officers (SROs) in PWCS schools, which are intended to foster relationships of mutual respect and understanding between the PWCS, the PD, and the students and communities they serve. —

The parties agree that all responses to school misconduct should be reasonable, consistent, and fair, with appropriate consideration of mitigating factors and the nature and severity of the incident. Furthermore, most ~~of the~~ student misconduct can be best addressed through classroom and in-school support strategies (~~e.g., restorative justice~~) to reduce student contact with the juvenile justice system, while balancing the rights of victims.

II. Mission and Goals

The mission of both the PD and PWCS is to promote the safety and welfare of PWCS students, ~~and~~ to build a positive relationship between PWCS students, families, and the school community consistent with law enforcement, ~~and to enforce state and federal law on school property, consistent with the requirements of the Code of Virginia, PD Policy, applicable School Board policies, PWCS regulations, and this MOU.~~ The primary goals of this MOU and SLEP are to (a) promote positive and supportive school climates, and (b) create and maintain safe and secure school environments. This MOU establishes procedures and guidelines for the respective roles and duties performed by the SRO Unit (its members and supervisors) and school administrators concerning, *inter alia*, law enforcement access to student education records and information contained therein; the utilization of Body Worn Cameras (BWC); the safety of students and staff, including plans and strategies designed to provide for a safe and secure school environment; the role of SROs in relation to those student disciplinary offenses which may also involve possible criminal violations and the

reporting of certain student offenses as required by Virginia Code § 22.1-279.3:1; and the cooperative arrangement for coordination and utilization of services of the PD relating to ~~certains reports the required notice to local law enforcement when required documents have not been submitted for student enrollment required to be submitted by PWCS~~ pursuant to §§ 22.1-3.1 of the "Code of Virginia (1950)." In addition, both parties shall endeavor to foster a relationship of cooperation, mutual support, and the sharing of information and resources as they work together to maintain a safe and secure environment for students, staff, and visitors.

III. Description of Respective Duties

A. ———The PD shall provide law enforcement services to the extent resources are available and designated at no cost to PWCS through the assignment of SROs. —This service does not include employment of off-duty detail officers hired outside of this MOU during special activities such as sports events, proms, etc. The PD shall provide employment, supervision, and evaluation of the SROs. The SRO shall:

- Provide staffing based at all public schools serving grades 6-12 ~~high schools, and middle schools, and non-traditional schools~~ as unit staffing levels allow.;
- Serve the law enforcement needs of the ~~schools serving grades 6-12, high and middle schools;~~
- ———Provide presentations on substance abuse, DWI, curfew, shoplifting, runaway prevention, suicide prevention, child abuse/neglect, gang participation, constitutional law, and other agreed-upon topics that become relevant to the community's needs throughout the school year at the request of PWCS.;
- Provide consultation to staff and parents on matters dealing with law enforcement at the request of PWCS.;
- Work with parents and/or school groups on law enforcement issues.;
- ———Investigate law enforcement issues that occur on school property, share information and evidence needed for PWCS investigative and disciplinary purposes as subject to applicable statutes and Section X of this MOU, and aid school administrators on these issues.;
- Assist school staff with ~~the interpretation of~~ interpreting the law as it relates to police matters.;
- Inform school staff on major issues that affect safety and assist with forming and implementing safety plans.;
- ———Comply with applicable School Board policies and PWCS regulations unless prohibited by state or federal law and/or PD policy.;
- Participate as an active member of School Threat Assessment Teams.;
- Assist in the completion of required School Safety Assessments.

B. PWCS shall assist the PD by providing administrative assistance. PWCS shall:

- Provide office space private or shared with the school SSO (to include a computer for in-school use, printer, secure file, and weapon storage) for the SRO's use at each school.;

- -Provide opportunities for the SRO to work with students during the regular school day.;
- Provide the SRO Unit one copy of each PWCS middle, high, and non-traditional school yearbook annually.;
- ~~Assist in working with students, parents, and staff to promote good citizenship practices.;~~
- ~~Serve as a resource on school policies, procedures, and regulations;~~
- ~~Immediately~~ report any problem requiring police investigation and any criminal incident connected with the schools involving the student population to the SRO. In the event the SRO is not available, notification shall be made to the PD by contacting the SRO Unit Supervisor or by contacting the PD's emergency or non-emergency number. Both parties shall comply with notification of certain student offenses and criminal activities as outlined in Virginia Code § 22.1-279.3:1.;
- Immediately call 9-1-1 for police assistance in cases of emergency.;
- -Facilitate access to the PWCS student data system, which is subject to the limitations on access to student records and information contained in those records imposed by the Family Educational Rights and Privacy Act (FERPA) and related state law. ~~All~~ members of the SRO unit shall be provided access to the student data system with onsite district-level access at each school. ~~Only SRO supervisors shall receive remote access.~~ Further information and limitations regarding access to student records and information contained therein are outlined in Section IX of this MOU, specifically, compliance with FERPA and related state laws and regulations.;
- -Share information and evidence as required for police to complete an investigation of school-related criminal incidents, including access to school surveillance cameras and student records, subject to applicable statutes and regulations governing confidentiality, including any limitations on such access imposed by FERPA and related state laws, as delineated below in Section XI of this MOU.;
- -Request each principal with an assigned SRO to provide ~~faculty, staff, and student feedback to the SRO supervisor on the SRO's performance~~ feedback to the SRO supervisor on the SRO's performance from faculty, staff, and students.

An SRO assigned ~~to schools serving grades 6-12 at a high or middle school~~ must be recognized as a valuable resource. It is imperative that the officers assigned in this capacity be used to their fullest extent. These officers must be given a full partnership in the daily safety and security decision-making process of their respective schools. Anything less than full partnership and cooperation shall be cause for re-evaluation of the officer's assignment and could be grounds for transfer to other duties outside of the ~~S~~ school ~~D~~ivision. School administrators should review this MOU annually with their assigned SRO to establish school-specific operational and communication procedures to support the goals of the SLEP.

IV. Desired Outcomes

Through this cooperative effort, the PD and PWCS wish to make ~~the~~ students, staff, and visitors safe while on school property and reduce the negative activities that lead to criminal acts. They PD and PWCS further desire to educate the students, staff, and parents on legal issues to improve the quality of life in PWCS and the community. ~~they~~ serve.

V. Information Sharing by PD

The PD and PWCS have a longstanding ~~arrangement~~ ~~angement~~ regarding information sharing. The Youth Services and Special Victims Bureau of the County Police Department maintains ~~nearly has almost~~ daily contact with the PWCS' ~~Risk Management and Security~~ and Crisis Readiness Department and School Security Officers (SSOs). Investigations are conducted in conjunction ~~with and~~ ~~with the~~ cooperation ~~of~~ with the ~~Risk Management and Security~~ and Crisis Readiness Department. This longstanding partnership between the PD and PWCS has worked ~~to~~ for the benefit of the community's ~~benefit~~ and is expected to continue.

The following information may be shared with school administration by the PD, subject to applicable statutes and regulations governing confidentiality:

- The arrest and filing of a delinquency petition against any student under the age of 18 years;
- Student offenses reportable under Virginia Code § 22.1-279.3:1;
- ~~—~~Other non-criminal activity that the PD deems pertinent to the student's well-being, including, but not limited to, threatening and/or attempting suicide and victimization of the student by a parent, caretaker, or other individual;
- Viewing ~~of~~ Body Worn Cameras (BWC) recordings, upon approval from the Youth Services Bureau Commander (Lieutenant); ~~and~~;
- ~~—~~Information permitted to be shared by the terms of the "Standing Order for Information Sharing with Prince William County Public Schools" of the 31st Judicial District Juvenile and Domestic Relations Court, which was effective on July 2, 2018.

VI. Supervision Responsibility and Chain of Command for the SRO

The supervision responsibility for the SRO shall be the sole responsibility of the PD. The SRO unit is incorporated under the PD's Youth Services Bureau and managed by the Youth Services Bureau Commander. The day-to-day supervision, evaluations, and control shall rest with the SRO unit's immediate supervisor, a Sergeant. The school's administrative staff shall routinely deal directly with the assigned SRO, but should there be any concerns or need to speak to a higher level of authority, the Sergeant shall be the point of contact. If the Sergeant is not available, ~~(four Sergeants assigned to the SRO unit can be contacted)~~ any available supervisor in the Youth Services Bureau should be contacted. The school administrative staff should contact the PWCS ~~Risk Management and Security~~ Service and Crisis Readiness ~~es~~ Department should they have any questions concerning this MOU or to obtain advice concerning the actions of the SRO as it pertains to this MOU. Office and cellular phone numbers shall be provided to the school staff of all members of the SRO unit and its supervisory staff.

The points of contact for issues or concerns arising from this MOU or actions by PWCS staff or PD personnel shall be the following:

- PWCS - Director of Security and Crisis Readiness ~~Risk Management and Security Services~~ Department
- PD - Youth Services Bureau Commander

VII. Physical Intervention by School Resource Officers

An SRO should not be involved in the physical restraint of a student unless there is a clear and imminent threat to safety. As sworn law enforcement officers, SROs may intervene to de-escalate situations. Physical intervention by SROs is undertaken in accordance with the policies and operational procedures of the PD and state law regarding physical intervention and use of force by a law enforcement officer. If an SRO is involved in ~~using the use of~~ restraint or physical intervention, the action should be reported to the school administrator and the SRO's supervisor. The rationale for the action should be fully documented. SROs should be aware of the Virginia Board of Education's policies and guidelines on seclusion and restraint and PWCS' Regulation 746-1, "Disruptive Student Behavior - Use of Physical Restraint and Seclusion," and may attend training offered by PWCS on the use of seclusion and restraint by school personnel. However, SROs should continue to operate by the policies and operational procedures of the PD and state law regarding physical intervention and use of force by a law enforcement officer. Additionally, if the SRO physically intervenes with a student, school administration and PD should coordinate to ensure that a reasonable effort is made to inform the parents or legal guardians of such student on the same day as the occurrence of the physical intervention.

VIII. SRO Selection and Training

The SRO position is advertised to all officers in the PD, and an interested officer must apply for the position. The officer must not be on probation when applying and must have two years of law enforcement experience, per Virginia law. The following criteria are also considered when selecting an SRO:

- Interest in working with children;
- Interpersonal skills;
- Ability to work without direct supervision;
- Supervisors' endorsements;
- Experience working with/mentoring/coaching children;
- ~~Advanced~~ Completion of the SRO basic course; within 60 days of assignment
- ~~Tenure in the Department—A candidate must have at least two years of certified law enforcement experience upon appointment.~~
- ~~Tenure in the PD; and~~
- Disciplinary history.

All SROs receive job-specific training as mandated by the Code of ~~Virginia, §~~ Virginia, § 9.1-114.1. SROs receive the applicable training through the Public Safety Training Academy, In-service training, and Department of Criminal Justice ~~Services'~~ Services certification via the ~~“School Resource Officer and School Administrator Basic Course.”~~ Training for all SROs includes but is not limited to:

- ~~Developing the School Law Enforcement Partnership;~~
- ~~The Roles and Responsibilities of an SRO and School Administrator;~~
- ~~School Climate and School Safety;~~
- ~~K-12 Crisis Management and Critical Incident Response;~~
- ~~Security Issues in the School Environment and the School Safety Audit;~~

- ~~Threat Assessment in Virginia Schools;~~
- ~~Legal Issues and Topics Related to Virginia Schools;~~
- ~~Technology Related Search and Seizure;~~
- ~~Adolescent Brain Development;~~
- ~~The Effect of Trauma on the Student;~~
- ~~Mental Health Issues in Adolescents;~~
- ~~Working with Special Populations;~~
- ~~Implicit Bias; and~~
- ~~Mediation and De-escalation.~~

IX. ~~Decision-Making Authority Regarding Enforcement of Applicable Law and Procedures by the SRO~~

It is the goal of the PD and PWCS that children are not unnecessarily exposed to the criminal justice system. Therefore, it ~~shall be~~ agreed that ~~all~~ minor criminal behavior committed by a child in the school setting will be handled by ~~the~~ PWCS administration in accordance with the "Code of Behavior." In the event, ~~an SRO is required or requested to become involved to restore peace, an SRO is required or requested to become involved to restore peace~~ or for safety reasons, an SRO supervisor will be notified. Collaboratively, school administration, the SRO, and the SRO supervisor(s) will decide what course of action is in the ~~child's~~ best interest, of the child, victim(s), school, and community.

The decision-making authority concerning ~~the~~ enforcement of all laws shall rest with each individual SRO. The SRO shall seek input from school administrators, Assistant Commonwealth's Attorneys, County attorneys, and their supervisors, if the situation dictates, to aid in making such decisions. Should there be a question as to the SRO's actions, their immediate supervisor, as previously noted, should be contacted. ~~A~~ member of the SRO supervisory staff ~~member~~ shall initiate an investigation into the inquiry to ~~en~~ assure proper regulations were ~~followed~~ adhered to and that the decision- making process was sound.

X. ~~PD Access to Student Educational Records and Information~~

"Student Educational Records" mean all records (written or electronic), files, documents, certain video, audio recordings, and other materials maintained by the PWCS, which contain personally identifiable information directly related to a student, subject to certain limited exceptions, such as records created and maintained by the members of the PWCS' ~~Risk Management and Security and Crisis Readiness Services~~ Department or by the PD for the purpose of enforcing state or federal laws, School Board policies, PWCS regulations, and the PWCS "Code of Behavior."

~~Personally~~ Personally identifiable information contained in Student Educational Records, including any electronic PWCS student management system, relating to specific students enrolled in the PWCS shall only be disclosed to, or accessed by, members of the PD, including members of the SRO Unit, without written parental consent, ~~under the following conditions as follows:~~

- ~~SROs are considered school officials with a legitimate educational interest in reviewing information from student educational records and may have access to certain student information as needed to carry out their duties related to the school environment, provided the SRO is engaged in the function of maintaining the physical safety and security of the school.~~

- SROs may have access to directory information as defined in PWCS Regulation 790-3, "Release of Directory Information," and the FERPA notice to parents on the PWCS website. If a parent or adult student has opted out of disclosure of the student's telephone number or their home or email address as provided in Regulation 790-3, such information may only be disclosed to PD pursuant to one of the following exceptions to FERPA.
- —Where a member of the SRO unit or other member of the PD is investigating criminal student misconduct directly related to the schools, which may violate federal, state, or local laws. This exception to FERPA does not authorize the release of personally identifiable information (other than directory information) relating to a student for law enforcement investigation of student offenses ~~not connected~~not connected to the school or PWCS. In such cases, information or records relating to individual students shall be produced by PWCS in response to a valid subpoena, search warrant, or court order.
- —To further the ability of the juvenile justice system ~~to effectively serve a student prior to adjudication~~to effectively serve a student prior to adjudication, and then only upon written certification provided to the ~~S~~school principal or his/her designee~~Division~~ from the person to whom the information is disclosed that the information shall not be provided to any party, other than state and local law enforcement or correctional personnel, attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family services agencies, the Department of Juvenile Justice, and to the staff of such agencies, and then only where those parties certify not to disclose the information outside the agency to which it was provided.
- In connection with an emergency to protect the health and safety of a student or other individual, if, in the judgment of the school principal (or designee) or ~~the PWCS' PWCS~~ Director of ~~Risk Management and Security and Crisis Readiness Services~~ Department (or designee), the knowledge of such ~~information~~information is necessary to protect the health or safety of the student or other individuals, and then only upon the condition that the person(s) to whom such information is provided agree that the information shall not be provided to any other party outside the PD, unless that party is another appropriate party to respond to the emergency. The PD shall provide ~~the Risk Management and Security and Crisis Readiness~~ Department or the principal (or designee) with enough facts and information upon which PWCS can determine that there is an articulable and significant threat to the health and safety of a student or other individuals upon which they can make an informed decision of whether a health and safety emergency exists and record the same as required by FERPA.
- In response to a judicial order, search warrant, or any lawfully issued~~valid~~ subpoena, and then only upon the condition that the student and parents are notified in advance of disclosure of the information, except in the case of:
 - —A federal ~~g~~Grand jury subpoenas where the court has ordered PWCS not to disclose the existence or ~~f~~ contents of the subpoena or the information furnished in response to the subpoena.

○

- Law enforcement subpoenas where the issuing court or agency has ordered or requested that the existence or contents of the subpoena or the information furnished in response to the subpoena not be disclosed, ~~and~~

○

- ~~○~~ — An *ex parte* court order obtained by the United States Attorney General -in connection with an investigation or prosecution of certain terrorism crimes under the USA Patriot Act of 2001.

Any member of the PD who is provided access to personally identifiable information relating to a PWCS student agrees that he or she shall not disclose such information to any person or entity outside the PD other than as provided above and shall not use such information for any purpose other than as specified above. The PD recognizes that in the event such information is improperly disclosed by any member of the PD, the School Board may not allow that member of the PD to access personally identifiable information from Student Educational Records for at least five years, pursuant to FERPA.

All SROs shall acknowledge their understanding of these requirements by signing the attached Certificate of Compliance (see Attachment A).

XI. PD Access to PWCS Security Video Surveillance System

The SRO, SRO Supervisors, Department of Public Safety Communications Center, and Police Captains Command Level Staff shall have access to the PWCS security video surveillance system ~~while onsite and SRO Supervisors, the Public Safety Communications Center, and Command Level Staff at a PD District Station shall have remote access~~ (as system limitations and logistics allow), under the following conditions:

- — Where a member of the SRO Unit or other member of the PD is investigating criminal behavior by a student or adult related to the schools ~~which~~ which may violate federal, state, or local laws.
- — In connection with an emergency to protect the health and safety of a student or other ~~individual~~ individual if, in the judgment of the school principal (or designee) or ~~the~~ PWCS' PWCS Director of ~~Risk Management and Security Services and Crisis Readiness~~ Department (or designee), the use of such system is necessary ~~ly~~ to protect the health or safety of the student or other individuals and then only upon the condition that the person(s) to whom such information is provided agree that the information gathered from such use shall not be provided to any other party outside the PD, unless that party is another appropriate party to respond to the emergency.
- Pursuant to the CCTV Interagency Agreement between the PWC School Board, PD, and PWC Department of Fire and Rescue.

Any member of the PD who is provided access to the security video surveillance system agrees that he or she shall not disclose any information gathered from the system to any person or entity outside the PD other than as provided above and shall not use such information for any purpose other than specified above.

XII. Agreement to Abide by School Board Acceptable Use Policy

Any member of the PD who is provided internet or intranet access to any information technology equipment or system owned or operated by PWCS shall agree to the terms and conditions set forth in the School Board's Acceptable Use ~~Policy~~Policy in PWCS Regulation 295-1, "Computer Systems and Network Services – PWCS Responsible Use and Internet Safety Policy," except to the extent that such usage or access is otherwise intended to carry out the duties of the SRO or PD member as set forth in this MOU.

The PD agrees to provide a copy of this MOU to each SRO, ~~his or her~~ SRO supervisors, and any other member of the PD who seeks, ~~or is provided, access to personally identifiable information relating to any PWCS student, or is provided access to personally identifiable information relating to any PWCS student~~ as a condition of access to any such information.

XIII. PWCS Investigations and Student Disciplinary Matters

PWCS will handle school disciplinary issues regarding the "Code of Conduct~~Behavior~~" without involving the SRO except as requested by PWCS to maintain safety or to gather information/observations by the SRO ~~that are that are~~ relevant to the disciplinary matter.

SROs may assist school administrators in the investigation of student misconduct related to the school, including threat assessments, but shall not be involved in the enforcement of the "Code of Behavior," nor investigations ~~which that~~ are not of a criminal nature unless their presence is requested for safety and security reasons or to take possession of contraband. However, the SRO may be requested to attend disciplinary meetings or hearings to maintain safety and order, or because the SRO ~~was a was a witness to~~witness to the conduct or has relevant information relating to the incident giving rise to the proposed discipline.

XIV. Investigations Involving PWCS Employees or Students of a Criminal Nature or Involving Sexual Assaults Under Title IX

~~A.~~ In the event of a joint investigation involving employee or student misconduct of a criminal nature ~~which that~~ is school-related, the PD and PWCS shall cooperate, to the extent permissible under their own policies and regulations, to share ~~information evidence and testimony~~ relevant to any criminal proceedings, to any concurrent PWCS investigation of an alleged

~~A.~~ sexual assault or related offense under Title IX, or to any related PWCS employee disciplinary/dismissal proceedings.

B. —SROs are sworn law enforcement officers with all applicable police powers on school property, including the authority to stop, question, interview, and take appropriate law enforcement action in situations involving students, faculty, and/or other persons on school property.

C. —Although law enforcement actions may be taken without prior notification or authorization of the school principal, SROs shall notify school officials of situations that arise as soon as practical.

D. —Where SROs are assisting, at the request of school authorities, in ~~the investigation of~~ a school-related incident or any incident ~~which that~~ may have potential consequences for the safety of students or school employees, he or she may interview students without advance

parental consent. Examples of incidents which may have potential consequences for the safety of students and PWCS employees include student fights that may result in retaliation, threats against students or employees, gang-related offenses such as assault and battery and intimidation, or drug or weapon possession on school property or at school-related activities.

XV. Questioning of Students by PD who are not SROs

- A. ~~Routinely, p~~Patrol officers and detectives wishing to interview students should do so outside the school day and off school property whenever possible. The investigation 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.
- B. ~~_____~~If it becomes necessary for a patrol officer or detective to interview a student at school in reference to a criminal offense that occurred in or outside the school, ~~the officer, if not the SRO, they~~ shall contact the school SRO or SRO supervisor, or in the absence of ~~both the SRO~~, the principal or assistant principal to coordinate the interview.
- C. If the interview is of a minor, the appropriate school official shall make a reasonable effort to notify a parent or legal guardian that police officers are seeking permission to question the student in school, except in cases of suspected child abuse or neglect, as mentioned below.
- D. ~~_____~~When questioning of the student is necessary, it should be in a private place, within the school, and in the presence of a designated school representative.
- E. ~~-~~Recognizing that a reasonable child subjected to police questioning will sometimes feel pressured to submit when a reasonable adult would feel free to go generally, the student should not be arrested or placed into custody during an initial interview or ~~interrogation~~ogation. The student will be informed generally of the purpose of the investigation, warned against self-incrimination in a developmentally appropriate manner, and given the 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 ~~the end of the interview~~; ~~the~~ questioning shall ~~eease~~cease, and the student's request ~~is~~ granted unless detaining the student is lawful and reasonable under the circumstances.
- F. Child Abuse/Neglect - During an investigation for alleged child abuse or neglect, police officers and/or social workers are authorized by Virginia Code § 63.2-1518 to interview any child suspected of being abused or neglected and/or their siblings outside the presence of his/her parent, guardian, legal custodian, or other person standing in loco parentis or school personnel without first obtaining parental consent or consent from school officials.
- G. ~~_____~~PWCS personnel should not inform parents, guardians, legal custodians, or other persons standing in loco parentis that a police officer and/or social worker has requested

or has interviewed a child in connection with an investigation of alleged child abuse or neglect involving the child and/or his/her siblings.

- H. ~~_____~~ *In loco parentis* is a legal doctrine holding that educators assume the custodial rights of students while in school. If SROs or other police officers request questioning of an elementary school student(s) at school, the SRO or police officer ~~shall~~will attempt to make immediate contact with the parent or guardian unless the child is suspected of being a victim of abuse or neglect (Virginia Code § 63.2-1518) or the parent or guardian is a suspect in the crime being investigated. If the parent or guardian is not available or the situation dictates they should not be contacted, a school administrator ~~will~~shall sit in on the interview with the student (except for interviews covered under Virginia Code § 63.2-1518, as stated above). The administrator ~~shall~~will not participate in or otherwise ~~_~~ interrupt the interview and is solely there to provide support to the student.

XVI. Search and Seizure

- A. ~~_____~~ SROs are required to adhere to the probable cause standard ~~set forth by both the United States and Virginia State Constitutions regarding searches and seizures set forth by both the United States and Virginia State Constitutions regarding searches and seizures~~ during a criminal investigation.
- B. The SRO shall not become involved in searches conducted by school officials ~~which are not supported by~~ which are not supported by probable cause.
- C. ~~_____~~ The SRO shall not ask or encourage a school official to act as an agent of the SRO ~~in-in~~ conducting a search. Any searches conducted by SRO or other PD personnel must be in accordance with existing laws and PD's policies and procedures.
- D. ~~_____~~ This provision does not preclude the SRO from providing school officials with information which has come to the SRO's attention concerning students or staff at the school.
- E. ~~-~~ The SRO shall be responsible for taking custody of any contraband or weapons found, ~~whether or not~~ whether they will be used for prosecution or administrative hearings. Recovered contraband and/or weapons are to be handled in accordance with all applicable PD's policies and procedures.
- F. ~~-~~ PWCS personnel ~~will~~should ~~immediately~~ promptly contact the SRO to ~~turn~~ turn over possession of any contraband (drugs, weapons, etc.) recovered in schools or on school property by the school's staff.
1. If the SRO is not available, school personnel should take all reasonable steps to preserve the confiscated contraband, ~~and immediately contact the PD to have an officer respond to recover the contraband.~~
 2. ~~_____~~ If PWCS personnel fail to follow the above protocol, the assigned SRO shall notify his/her immediate supervisor as soon as he/she becomes

aware of the situation, who will, ~~in turn, in turn~~ contact ~~the PWCS~~ PWCS Director of ~~Risk Management and Security and Crisis Readiness~~ Services ~~Department~~ Department.

- G. The SRO shall be responsible for ~~the destruction of~~ arranging for the destruction of any illegal substances that will not be used as evidence in ~~the the prosecution of~~ prosecution of a criminal matter. PWCS personnel shall not destroy any contraband. The destruction of contraband by the SRO shall be administered in accordance with existing laws and PD's policies and procedures.
- H. ~~————~~ Searches conducted by school officials are conducted under a reasonable suspicion standard and the guidelines ~~set forth in~~ set forth in PWCS Policy 737 and Regulation 737-1, "Searches and Seizures."

XVII. Closed Circuit Television (CCTV) Video Requests

To support school-related investigations and subject to the confidentiality and non-disclosure provisions ~~set forth above~~ in Sections VII, X, and XI, PWCS shall provide CCTV video in response to upon a lawfully issued subpoena or search warrant ~~written request~~ from the PD (~~email requests are sufficient~~). Requests shall be addressed sent to the ~~following PWCS personnel:~~ Director of ~~Security and Crisis Readiness~~ Risk Management and Security Services ~~Department~~ Administrative Coordinator, Security Services; or Administrative Coordinator, Risk Management Services. PWCS will create a case file and preserve the video. Approved requests shall be assigned to a PWCS investigator who shall initiate a case file, preserve the video, and copy to DVD. The investigator shall notify the requesting officer when the DVD is available for pickup and require the officer to sign a receipt for the DVD. CCTV video requests which are not school-related shall be accompanied by a subpoena. Upon receipt of the subpoena, PWCS shall follow the process outlined above. See Interagency Agreement between the PWCS and the PD regarding CCTV for details.

XVIII. Use of Body Worn Cameras (BWC)

The PD and PWCS are committed to deterring criminal activity and providing a safe learning environment. ~~The use of BWC~~ BWC use is intended to enhance public trust by documenting law enforcement encounters with the public while promoting accountability, transparency, and professionalism. Law enforcement's use of BWCs can be effective in reducing the number of violent confrontations, use of force incidents, and complaints.

Procedures:

- ~~————~~ All SROs shall operate their BWC in compliance with the PD's BWC policy (GO.28.11)- ~~which has been provided to the PWCS, which has been provided to the PWCS~~ Risk Management and Security and Crisis Readiness Department.
- The BWC is not actively recording until the SRO becomes involved in or is likely to become involved in an enforcement action or adversarial encounter, at which time the officer must activate the BWC to record.
- ~~————~~ Any request by PWCS to view a recording must be approved by the Youth Services Bureau Commander (Lieutenant). All requests to view BWC recordings shall be reviewed and considered ~~on a case-by-case basis~~ on a case-by-case basis. The BWC

~~recordings are not maintained by PWCS and, therefore, PWCS does not maintain the BWC recordings and therefore, are~~ are not student educational records within the meaning of FERPA.

- Copies of BWC recordings will not be made available to PWCS unless approved by the Chief of Police ~~(or designee)~~.

XIX. Long Guns (Shotguns/Rifles)

All SROs shall take their PD-issued long gun into the school utilizing the procedures below unless it is impractical or unsafe to do so. All SROs shall transport their PD-issued long guns in car-safe condition into the school ~~utilizing~~ the carry case.

Procedures:

- The long guns shall always be stored and locked in the gun safe.
- ~~At the end of their tour of duty, t~~ The SRO shall remove the long gun from the safe at the end of their tour of duty and transport it from the school in the carry case to their cruiser.
- No long guns shall be left in the school overnight or over the weekend.
- The PD ~~shall purchase all the single long gun safes and PWCS shall install the safes~~ shall purchase all the long gun safes, and PWCS shall install the safes in each school serving grades 6-12 ~~high and middle school~~.

XX. Off-Duty Details

The number of police officers required at school sporting events, School Board meetings, graduations, and any other school-sponsored event shall be determined by the PWCS' ~~Director of Security and Crisis Readiness~~ Risk Management and Security Services Department. The ~~Director~~ director will collaborate with PD staff to identify any ~~any~~-specific threats or intelligence that may affect the number of officers assigned to specific events. ~~Request for off-duty police officers shall be entered in the PD prescribed off-duty management system by school staff~~ Requests for off-duty police officers shall be entered in the PD off-duty management system.

XXI. Enrollment Reports Required to be Submitted by PWCS

The purpose of this section is to provide a cooperative arrangement for coordination and utilization of services of the PD relating to certain reports required to be submitted by PWCS pursuant to § ~~-~~22.1-279.3:1 of the Virginia Code.

PWCS shall implement the requirements of § ~~-~~22.1-3.1 of the Virginia Code and provide the PD ~~with those~~ the notices required by that statute in conformance with law and PWCS Regulation 723-2, "Verification of Date of Birth."

XXII. Reports Required to be Submitted to the PWCS

As required by Virginia Code § 22.1-279.3:1, the PD shall report to the Division Superintendent (Superintendent) through the PWCS' ~~Risk Management and Security~~ and Crisis Readiness Services Department and the principal (or designee) of the school, all incidents known to the PD

involving PWCS students, as those incidents are defined in Subsection A of that statute, and shall report to the Superintendent through the PWCS' Risk Management and Security and Crisis Readiness Services Department and the principal (or designee) of the school, all offenses committed by a student enrolled at the school, as those offenses are defined in Subsection ~~BC~~ of the statute, and shall also report whether the student has been released to his parents or on bond.

XXIII. Duration/Termination of MOU

The term of this MOU shall be for a period of two calendar years from the date of execution of this MOU by both parties. Both parties agree to review the MOU during the second year of the term for renewal at its conclusion. Nothing in this section shall be construed to preclude either party from recommending critical amendments to this MOU, if necessary, during the original term. This MOU may be terminated in writing by either party with at least ~~30 days~~ 30 days' notice.~~The term of this MOU shall be for a period of one calendar year from the date of execution of this MOU by both parties. This MOU shall renew for successive two-year periods, unless otherwise terminated in writing by either party with at least 30 days' notice prior to the renewal date.~~

In WITNESS WHEREOF, the parties hereto have executed this MOU as of the day and year below written.

Peter Newsham, Chief of Police
Prince William County Police Department

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____

SUBSCRIBED AND SWORN to before me, a Notary Public in and for the Commonwealth of Virginia, on this _____ day of _____, 20____, by Peter Newsham.

Notary Public

My Commission Expires: _____

LaTanya D. McDade, Ed.D.
Superintendent
Prince William County Public Schools

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____

SUBSCRIBED AND SWORN to before me, a Notary Public in and for the Commonwealth of Virginia, on this _____ day of _____, 20____, by LaTanya D. McDade.

Notary Public

My Commission Expires: _____

**CERTIFICATION OF COMPLIANCE
WITH THE MEMORANDUM OF UNDERSTANDING BETWEEN
THE PRINCE WILLIAM COUNTY POLICE DEPARTMENT AND
THE PRINCE WILLIAM COUNTY PUBLIC SCHOOLS**

I hereby acknowledge receipt of the current Memorandum of Understanding between the Prince William County Police Department and the Prince William County Public Schools ("the MOU") and agree to abide by its terms, including Sections X, "PD Access to Student Educational Records and Information," and XI, "PD Access to PWCS Security Video Surveillance System" thereof, which is attached hereto.

I understand and certify that I will not disclose, nor access student records or personally identifiable information derived from such records, except as provided in Sections X and XI of the MOU.

Date

Signature

Badge Number

Printed Name of School Resource Officer