

***Memorandum of Understanding Between  
Acton Boxborough Regional School District and the Acton Police Department  
Regarding the School Resource Officer Program***

This Memorandum of Understanding is made and entered into by and between the Acton Boxborough Regional School District and the Acton Police Department.

**I. Purpose**

This agreement formalizes the partnership between the parties and facilitates a clear understanding of the roles, duties, and responsibilities of the parties in the implementation of a School Resource Officer ("SRO") Program in the Acton Boxborough Public Schools.

This agreement is entered into pursuant to the Laws of the Commonwealth of Massachusetts and is to be read in conjunction with any and all policies, procedures, and reporting requirements set forth in the Acton Boxborough Regional Schools' student handbook and Acton Police Department regulations.

**II. Mission Statement**

The SRO Program is based upon the fundamental premise that when schools, police, prosecutors, and other service agencies work collaboratively and proactively, the safety, mental health, and well-being of children and youth are best served. By working together to educate the school community, coordinate efforts, and share information, the Acton Boxborough Public Schools and the Acton Police Department through the SRO Program strive to: (1) prevent violence involving the students of the Acton Boxborough Public Schools; (2) prevent the use, abuse, and distribution of alcohol and other controlled substances involving students of the Acton Boxborough Public Schools; and (3) provide a safe, secure, violence-free, and nurturing school environment.

**III. Goals and Objectives**

The SRO Program is designed to provide a safe, secure, violence-free, and nurturing school environment while creating strong relationships between the Acton Boxborough Public Schools, Acton Police Department, and the community. The goals and objectives for the SRO Program include:

- To develop positive relationships with students, faculty, staff, and parents thereby enhancing the relationship of law enforcement with youth and the community and improving the educational climate;
- To provide a positive role model for students to instill in them good moral standards, judgment and discretion, respect for other students, and a sincere concern for their community;

- To provide a cooperative effort by being accessible and responsive to the needs of the students, faculty, staff, parents, and community;
- To provide enhanced security and law enforcement service thereby maintaining a safe, secure, and violence-free school environment that allows all students to learn and flourish;
- To create a strong partnership between school and police personnel with a clear understanding, appreciation, and delineation of the roles and responsibilities of each;
- To ensure that non-violent infractions of school rules and policies not amounting to criminal or delinquent conduct such as tardiness, use of profanity, and disruptive or disrespectful behavior remain the sole responsibility of school administrators;
- To ensure that SROs are timely notified of Mandatory Reportable Incidents as described in § V.D of this agreement;
- To minimize the number of students that are unnecessarily out of the classroom, arrested at school, or court involved;
- To identify and provide preventive help and services to at-risk students and families;
- To provide requirements and guidance for training of the SRO and school personnel regarding SRO-related topics;
- To assist school personnel in the development of school emergency crisis policies and guidelines (to include Threat Assessment) and assist with the facilitation of disaster-based drills while updating and augmenting said policies and guidelines as needed; and
- To offer additional educational resources to the students, faculty, staff, parents, and community through presentations and programming by the SRO that focus on law enforcement, prevention, health, and safety topics.

#### **IV. Selection, Supervision, and Training of SROs and Review of SRO Program**

The parties agree that the selection, supervision, and training of SROs is a critical aspect of the program. Additionally, the parties agree that reviewing the SRO Program on an annual basis is essential to assess its success and effectiveness in meeting its stated goals and objectives.

##### **A. SRO Selection Process**

In accordance with G.L. c. 71, § 37P, the Acton Police Department is committed to selecting SROs who will foster an optimal learning environment and educational community. The selection of each SRO remains within the sole discretion of the Chief of Police. The appointment(s) shall not be based solely on seniority; rather, preference will be given to officers who demonstrate the requisite personality, character, skills, and interest to work in a school environment with children and educators and who have received specialized training related to working with children and adolescents, including cognitive development, de-escalation techniques, and alternatives to arrest and diversion strategies.

Other factors for consideration in selecting an SRO include:

- Ability to work effectively with students within the age range at the assigned school(s)
- Awareness of and education about the cultural descriptors that make up the community's world views, including race, age, gender, gender identity, ethnicity, religion, culture, sexual orientation, physical or mental disability, immigration status, primary language and English proficiency, socioeconomic status, educational level, and occupation
- A commitment to making all students and the school community feel welcomed, valued, respected, and acknowledged regardless of cultural descriptors
- Knowledge of school-based legal issues
- Commitment to protecting students' legal and civil rights
- Knowledge of school and community resources
- An understanding of crime prevention problem-solving and community policing in a school setting
- Public speaking and teaching skills
- Knowledge of school safety planning and technology

#### **B. SRO Supervision**

The SRO is a member of the Acton Police Department and shall be subject to the administration, supervision and control of the police department. The SRO reports directly to a Sergeant or Lieutenant (identify supervisor by position).

When on school grounds or at school related events, the SRO will coordinate with school officials as delineated in § VI.E of this agreement.

#### **C. SRO Training**

In addition to any basic and annual in-service training required of their officers by the Acton Police Department, SROs shall receive specialized training to promote their effectiveness working with children and youth in a school setting. Continuing professional development shall include instruction in the following areas:

1. Child and adolescent development, including the impact of abuse, exploitation, violence, trauma, disability, poverty, and immigration status
2. Conflict resolution
3. Diversion strategies and practices

Additional areas for continuing professional development may include, but are not limited to:

- SRO course such as that provided by National Association of School Resource Officers
- School crisis planning, threat assessment, and emergency response
- Juvenile law and procedure, including student rights and privacy

- Understanding and protecting civil rights in schools
- Cultural sensitivity and linguistic differences
- Implicit bias
- Teaching and classroom management
- Mental health protocols
- Trauma-informed care
- De-escalation skills
- Drug prevention programs
- Physiology of addiction
- Teen dating violence and healthy teen relationships
- Bullying prevention
- Cyber safety

#### **D. Review of SRO Program**

The SRO Program will be reviewed annually to evaluate its success and effectiveness in meeting its stated goals and objectives. The review will be conducted jointly by the Chief of Police and Superintendent of the Acton Boxborough Public Schools at the end of each school year. This agreement, including the SRO Goals and Objectives, should be amended as required as a result of said review.

As part of the annual review, the performance and effectiveness of each SRO shall be evaluated. The Superintendent in consultation with the Principal(s) of the assigned school(s) will provide input regarding the evaluation. This input should take into consideration and include feedback from teachers, students, and the school community. It may include a recommendation to the Chief of Police that a specific SRO not be assigned to a specific school the following year. The Chief will seriously consider such input and make a good faith effort to address any concerns raised; however, the final selection and assignment of SROs remains within the sole discretion of the Chief of Police.

### **V. Information Sharing Guidelines**

#### **A. Designated Liaisons**

In order to facilitate prompt and clear communications, the parties agree to identify individuals (*by title instead of name*) on their respective staffs who will function as Designated Liaisons.

The Acton Boxborough Public Schools' Designated Liaisons, by School, are:

Principals, Assistant Principals and Dean of Students

Superintendent of Schools, Deputy Superintendent, Assistant Superintendent(s)

The Acton Police Department's Designated School Liaisons are:

School Resource Officers and Department Supervisors

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The aforementioned Police Department Designated Liaisons are considered a part of the Acton Boxborough Public Schools' "Law Enforcement Unit" as defined in the Family Educational Rights and Privacy Act ("FERPA") (20 U.S.C. § 1232g) for purposes of sharing information regarding students.

**B. Issues of Concern to the Designated Liaisons**

1. *Reportable Incidents:* In order to identify and provide preventive help and services to at-risk students and families and consistent with the goals and objectives of the SRO Program, the parties will share information as follows:
  - (a) The Designated Liaisons from the School and Police Department will review all incidents classified as Mandatory Reportable Incidents, as defined in § V.D. of this agreement.
  - (b) Additionally, the Designated Liaisons will review any incident or information that may affect the safety or well-being of students, faculty, or staff at the School.
2. *Prevention Strategies:* In addition to the above responsibilities, the Designated Liaisons from the School, the Police Department and the Middlesex District Attorney's Office ("MDAO") will meet regularly for the following purposes:
  - (a) To discuss incidents of violence or bullying (as defined under G.L. c. 71, § 37O) in school or outside of school that affects students of the school;
  - (b) To discuss any use, abuse, or distribution of alcohol and/or other controlled substances or any other criminal activity affecting students UNLESS such information was gathered as part of a "Verbal Screening Tool for Substance Abuse Disorders" in which case it shall only be disclosed as permitted by G.L. c. 71, § 97;
  - (c) To identify strategies to reduce such activities and to promote a safe, secure, violence-free, and nurturing school environment;
  - (d) To discuss community resources available for students at risk of harm from violence, abuse, neglect, or exploitation;

- (e) To develop violence identification, prevention, and intervention programs, protocol and curricula as required by G.L. c. 12, § 32; and
- (f) To outline the necessary action plan for implementation of such strategies.

### **C. Confidentiality**

The parties agree to keep all information which is necessarily disclosed between them pursuant to G.L. c. 12, § 32; G.L. c. 71, § 37H, G.L. c. 71, § 37H½; G.L. c. 71, § 37H¾; G.L. c. 71, § 37L; G.L. c. 71, § 37O, 603 C.M.R. 23.00; and 20 U.S.C. § 1232g, from being improperly publicly disseminated except as permitted by state and federal law.

### **D. Reporting Guidelines for School Reports to the Police Department**

1. The following shall be considered Mandatory Reportable Incidents:<sup>1</sup>
  - a. Possession, use, or distribution of alcohol by a student UNLESS such information was gathered as part of a “Verbal Screening Tool for Substance Abuse Disorders” in which case it shall only be disclosed as permitted by G.L. c. 71, § 97
  - b. Possession, use, or distribution of an inhalant or any controlled substance, as defined in G.L. c. 94C (excepting any possession of prescription medication possessed and administered in accordance with state law and school policy) UNLESS such information was gathered as part of a “Verbal Screening Tool for Substance Abuse Disorders” in which case it shall only be disclosed as permitted by G.L. c. 71, § 97
  - c. Any incident in which any individual is reasonably believed to be selling or distributing controlled substances or alcohol
  - d. Any incident involving the threat of assaultive behavior or intentional assaultive behavior and/or reckless behavior that results in personal injury to another
  - e. Possession of a weapon, as defined in the school handbook or under G.L. c. 71, § 37(a), which includes, but is not limited to, a gun or a knife, and ammunition or components thereof
  - f. Any incident involving stalking (G.L. c. 265, § 43), criminal harassment (G.L. c. 265, § 43A), annoying phone calls (G.L. c. 269, § 14A), or the issuance or violation of a G.L. c. 209A or c. 258E protection order on behalf of or against a student
  - g. Any incident triggering the filing of a report for abuse and/or exploitation with the Department of Children and Families pursuant to G.L. c. 119, § 51A, including underage

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<sup>1</sup> If such information is obtained *solely* during a communication with a member of the school staff deemed privileged or confidential due to the staff member’s professional licensure, such communication shall only be disclosed if consent is obtained or the communication is subject to the limits and exceptions to confidentiality and is required to be disclosed (e.g., mandatory reporting, immediate threats of harm to self or others).

sexual contact if it qualifies as “sexual abuse.” (See What Conditions Are Reportable, [www.51a.middlesexcac.org](http://www.51a.middlesexcac.org))

- h. Any sexual assault, including, but not limited to, rape, assault with intent to rape, indecent assault and battery, open and gross lewdness, indecent exposure, or incident of gender-based harassment, “sexting”, “sextortion”,<sup>2</sup> or possession or dissemination of sexually explicit photographs of a student
- i. Any incident resulting in significant damage to municipal or private property
- j. Any bomb threat, fire, threatened or attempted firesetting, threatened or attempted use of an incendiary or explosive device or hoax device, or possession of a “novelty lighter” as defined by G.L. c. 148, § 60. (NOTE: The principal also “shall immediately report any incident involving the unauthorized ignition of any fire within the school building or on school grounds to the local fire department” under G.L. c. 148, § 2A)
- k. Any creation or possession of a document, whether digitally or manually generated, handwritten or electronic (e.g., text or email), that identifies any individual targeted for violence or death
- l. Any threat, direct or indirect, past or future, against a student, school personnel, or other school employee
- m. Any incident of “hazing” as defined by G.L. c. 269, § 17, involving any conduct or method of initiation into any school organization that endangers the physical or mental health of any student
- n. Any incident triggering a Title IX investigation (20 U.S.C. § 1681-1688, 34 C.F.R. § 106)
- o. Any incident involving an actual or suspected hate crime or violation of civil rights (See G.L. c. 265, §§ 37 & 39; 18 U.S.C. § 249), including, but not limited to:
  - An assault or battery upon a person, whether or not it results in bodily injury, with the intent to intimidate because of such person’s race, color, religion, national origin, sexual orientation, gender identity, or disability;
  - Damage to the real or personal property of a person with the intent to intimidate because of such person’s race, color, religion, national origin, sexual orientation, gender identity, or disability; or
  - An act willfully causing bodily injury to any person or attempting to do so through the use of fire, firearm, dangerous weapon, or explosive or incendiary device because of the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of any person

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<sup>2</sup> “Sexting” is the act of sending, receiving, or forwarding sexually explicit photos (i.e., images depicting a person in a state of partial or total nudity) via cell phone, computer, or other digital device. “Sextortion” is a form of extortion wherein an individual threatens to expose or disseminate sexually explicit photos of another person if not provided with money, additional images, the performance or promise of sexual acts, or compliance with other demands.

- p. Any incident of “bullying” or “cyber-bullying” as defined by G.L. c. 71, § 37O where the school believes that the incident may have involved criminal conduct or involves any other reportable acts outlined in (a) through (o).
- 2. Mandatory Reportable Incidents will be immediately reported to the Designated Police Liaison if such incident:
  - a. Occurred on school property or within 1,000 foot radius of school property;
  - b. Occurred at a school-sponsored function;
  - c. Occurred in a school owned or contracted bus or other vehicle or at school bus stop;  
or
  - d. Involved a student of the Acton Boxborough Regional School District.
- 3. The Designated School Liaisons may report any other incident or information that may affect the safety or well-being of students, faculty, or staff at the School.

#### **E. Reporting Guidelines for Police Reports to School**

The Designated Police Liaison will inform the appropriate Designated School Liaison, subject to applicable statutes and regulations governing confidentiality, of:

Any arrest of a student or the filing of a criminal or delinquency complaint application against any student of the Acton Boxborough Public Schools;

- 1. A student’s voluntary participation in any Diversion Program; or
- 2. Any occurrence involving a student of the Acton Boxborough Public Schools, if:
  - a. The activity poses a serious (present or future) threat to the safety or well-being of the student, other students, faculty, or staff at the School;
  - b. The making of such a report would facilitate supportive intervention by school personnel on behalf of the student (e.g., the arrest or filing of a criminal complaint against a member of the student’s household); or
  - c. The activity involves actual or possible truancy.

#### **VI. Roles and Responsibilities of Schools, SROS, and Police Department**

The parties are dedicated to providing a safe and nurturing climate in which learning can take place. The parties also want to promote a safe environment in the public school community while upholding the students’ legal rights as outlined in the Standard Operating Procedures Regarding the School Resource Officer Program in the Acton Boxborough Public Schools (“SRO SOP”) §5.

The parties acknowledge that proper integration of the SRO in the school environment, including (as appropriate) educational activities, classroom instruction, school assemblies, and staff and



school safety meetings, can help build trust, relationships, and strong communication among the SRO and students, faculty, staff, parents, and community.

As past events have shown, any school is at risk for incidents of violence, threatened violence, or attempted violence, as well as the use, abuse, and distribution of alcohol and other controlled substances, all of which diminish the ability of the school community to focus upon the business of learning. In order to promote a safe and nurturing environment in our schools and in our community, it is in our common interest to share information as outlined in § V above. It is through the collaborative efforts of the Acton Boxborough Public Schools and the Acton Police Department that this can occur.

#### **A. School Administration and School Personnel**

1. Non-violent infractions of school rules and policies not amounting to criminal or delinquent conduct such as tardiness, use of profanity, dress code violations, and disruptive or disrespectful behavior remains the sole responsibility of school administrators. To this end, SROs shall refrain from being involved in the school's handling of such violations or misbehavior except, as asked or needed, to support school staff in maintaining a safe school environment.
2. The school administrators agree to ensure that school employees cooperate with police investigations and any subsequent actions related to crime or criminal activity on school premises or at school-related events.
3. In order to maintain a safe and nurturing school environment, the Acton Boxborough Public Schools reserves the right to conduct a reasonable search of all school property for weapons, alcohol, other contraband, or controlled substances in accordance with state and federal law, the student handbook, and the SRO SOP § 5(a). Should any evidence of a criminal nature be seized during such an inspection or search, immediate notification to the designated police liaison will be made and the property will be secured by the SRO.

#### **B. Reporting Procedures for Emergency Situations**

Definition: An emergency situation is any incident that poses an immediate threat to human health or safety or which may result in serious property damage.

A teacher or other school employee having knowledge of any emergency situation shall immediately notify or cause to be notified both the Acton Police Department (911) and the Principal or Assistant Principal. This requirement is in addition to any procedures outlined in the school's student handbook, administrative manual, and/or School Committee policy manual.

Where an emergency exists and there is an immediate need to avert or diffuse certain unusual conditions or disruptions in the school setting, the school will provide all necessary information to law enforcement personnel regarding the students at issue. (See § 99.31(a)(10) of the FERPA regulations.)

#### **C. Reporting Procedures for Non-Emergency Situations**

A teacher or other school employee who has reasonable grounds to believe that a student has committed an act categorized as a Mandatory Reportable Incident, shall promptly: (1) report the incident and names of any involved persons to the appropriate Designated School Liaison, and (2) notify the Designated School Liaison of the existence of any physical evidence and take reasonable steps to maintain any pertinent physical evidence in a secure place.

#### **D. Responsibilities of Designated School Liaison(s)**

Once a Designated School Liaison has been made aware of a Mandatory Reportable Incident, it is her/his responsibility to:

- Timely notify the Designated Police Liaison and, when appropriate, the parents/guardians of the involved student(s);
- Timely notify the Designated Police Liaison of the existence of pertinent physical evidence and take reasonable steps to maintain it in a secure place; and
- Timely notify the Designated Police Liaison of any written reports about the incident.

#### **E. Responsibilities of SRO/Designated Police Liaison(s)**

Because the Principal or his/her designee alone has control of the school building at any given time, police officers shall report to the main office upon entering a Acton Boxborough Public School. The Principal's foreknowledge of police presence in the building can do much to facilitate the school's operation and still prevent escalation of any existing situation requiring police response.

SROs shall not serve as school disciplinarians, as enforcers of school regulations, or in place of licensed school mental health professionals and shall not use police powers to address traditional school discipline issues, including non-violent disruptive behavior.

When the police have assumed responsibility in a criminal investigation, the police naturally are the decision-makers concerning that investigation. The Principal or Designated School Liaison shall convey to those authorities his or her best assessment of the situation which may not be apparent to the police. The Principal or Designated School Liaison will not interfere with a criminal investigation once it has been initiated.

It is the goal of the Acton Police Department to meet the needs of all its community's children and youth. In collaboration with the Acton Boxborough Public Schools, the SRO/Designated Police Liaison will attempt to identify those students who may be at risk for problematic or unsafe behavior and link them to the support and services they need (e.g., mental health services, drug and alcohol counseling). In this endeavor, the SRO/Designated Police Liaison will seek to assist families by offering to develop an action plan that is tailored to meet the unique needs of the student.

#### **F. Arrests of Students**

Whenever possible, arrests of students will be attempted outside of school buildings and in compliance with the Standard Operating Procedures separately established by the Chief of Police and Superintendent pursuant to G.L. c. 71, § 37P.

#### **G. Emergency Mental Health Issues**

The parties recognize the importance of utilizing the expertise of mental health professionals in addressing the needs of students with behavioral and emotional difficulties in crisis situations and agree that examination by a qualified mental health professional is the preferred mechanism for evaluating a student experiencing a mental health crisis.

Occasionally, the public schools encounter a student in crisis who requires emergency psychiatric treatment. The law provides for involuntary commitment of such individuals if, in the judgment of a qualified mental health professional, the failure to hospitalize such an individual would create a likelihood of serious harm to himself or others by reason of mental illness. In such circumstances, the individual may be restrained while an application for involuntary hospitalization is sought. Likewise, if a qualified mental health professional is unavailable, the law provides that a police officer may restrain such individual and apply for involuntary hospitalization. See M.G.L. c. 123, §12(a).

The parties therefore agree as follows:

- The school's medical personnel will initiate any requests for a Section 12 involuntary commitment, unless there is an immediate risk of harm to the student or others in which case the police department shall be contacted and assume responsibility for initiating commitment proceedings
- The school will seek alternate emergency response, if available (e.g., from an Emergency Services Program), for an immediate clinical assessment of the student in crisis before seeking the intervention of the police department
- If intervention by the police is necessary, the school will notify the police at the earliest possible opportunity so as to coordinate efforts, minimize disruption at school, and maintain privacy for the student involved to the extent possible
- When an assessment of a student is made for possible involuntary commitment, referrals for follow-up mental health services shall be made by the school's clinical team

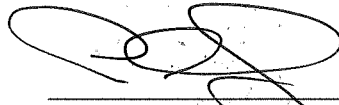
#### **VII. Data Collection and Reporting**

The parties agree to collect and report data regarding school-based arrests, citations and court referrals of students to the Department of Elementary and Secondary Education ("DESE") in accordance with regulations promulgated by DESE pursuant to G.L. c. 71, § 37P. The parties understand that such data will be collected and published by DESE in a disaggregated form and made available for public view.

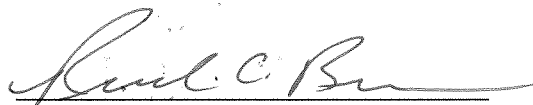
#### **VIII. Effective Date and Duration of Agreement**

This agreement shall be effective as of the date of signing. It should be reviewed at least annually (before the start of the school year) and amended as necessary to meet the needs of the parties. This agreement will remain in full force and effect until amended or until such time as either party withdraws from the agreement by delivering written notification of such recession to the other party.

Signed on this 4th day of September, 2018.

  
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Superintendent of Schools

Signed on this 4th day of September, 2018.

  
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Chief of Police

## APPENDIX A

### ROLE OF THE OFFICE OF THE MIDDLESEX DISTRICT ATTORNEY

In the spirit of enhancing communication between the district attorney, law enforcement, and school officials and to assist the Acton Boxborough Public Schools in providing a safe, secure, violence-free, and nurturing environment for learning and in accordance with the legislative mandates set forth in G.L. c. 12, § 32, c. 71, §§ 37H and 37I/2H, among others, the Middlesex District Attorney, through her designees, agrees to:

- (1) Report to the school any criminal or delinquency complaint that is issued against a defendant or juvenile who is known to be a student of the Acton Boxborough Public Schools
- (2) Consult with the Acton Boxborough Public Schools and the Acton Police Department when fashioning proposed terms and conditions to be imposed upon a known student of the Acton Boxborough Public Schools at both the pre-adjudication and post-adjudication stages of the prosecution
- (3) Report to the school any adjudication of delinquency or conviction, diversion or other significant occurrence that arises from any above criminal or delinquency proceeding;

The Middlesex District Attorney agrees to provide training to the Middlesex District Attorney's Office ("MDAO") staff to inform them of their roles and responsibilities under this agreement. On an on-going basis, the same training will be provided to new staff members.

The MDAO will not disclose a student's personally identifiable information learned during and/or in relation to a G.L. c. 12, § 32 community based justice meeting to a third party other than another juvenile justice system agency and/or as provided by state and federal law.

Marian T. Ryan

Marian T. Ryan  
Middlesex District Attorney

9/20/18

Date

***Standard Operating Procedures Regarding the  
School Resource Officer Program in the Acton Boxborough Regional School District***

Close cooperation and communication between the schools and police and a mutual understanding of and respect for the important role that each plays in connection with our children and youth are essential to the success of the mission of both institutions. Whenever it is necessary for the police to be present on school property, they will conduct themselves according to accepted legal practices, recognizing the responsibility and authority of school officials to manage the school environment, and work with school officials to minimize any impact their actions might have on that environment.

Pursuant to G.L. c. 71, § 37P, the Chief of Police of the Acton Police Department in consultation with the Superintendent of the Acton Boxborough Regional School District has established the following Standard Operating Procedures ("SOP") regarding the community's School Resource Officer ("SRO") Program.

**1. SRO Uniform:**

When possible, the SRO will wear a regulation patrol uniform, carry all the same equipment they would have on any other law enforcement assignment, and drive a fully equipped patrol vehicle while on school premises. More casual attire (e.g., soft uniform or plain clothes) may be worn, and an unmarked car may be utilized with the permission of the SRO's supervisor when the SRO is participating in school activities that make wearing a uniform impractical. At the secondary schools, the SRO may encounter situations where a uniform can hinder the officer's effectiveness, making the need for plain clothes a necessity.

**2. SRO's Duty Hours and Schedule: :**

The SRO normally will work 7:00 AM to 3:00 PM Monday through Friday, with Saturday and Sunday off. When at full staffing, the SRO supervisor may adjust the work schedule, including a full time SRO evening shift, in order to accommodate school activities and requests. The supervisor may approve overtime pay in advance when schedule adjustments are not practical.

The SRO shall report to his/her supervisor as required at the beginning of his/her shift unless other arrangements are made in advance with the supervisor. The SRO is expected to provide contact information for school officials and his/her supervisor regarding his/her whereabouts when off campus.

When school is not in session (i.e., holidays, summer vacation), the SRO will report to his/her supervisor for any special assignments.

**3. Chain of Command for SRO and Collaboration with School:**

The SRO will be supervised and collaborate with school personnel as outlined in the Memorandum of Understanding Between Acton Boxborough Public Schools and the Acton

Police Department Regarding the School Resource Officer Program ("SRO MOU") §§ IV.B. & VI.

**4. Information Sharing:**

Information shared between the SRO, police department, schools, and parent(s)/guardian(s) will be done in accordance with the SRO MOU § V as well as state and federal law.

**5. Students' Legal Rights:**

**(a) Searching Students:**

- i. All searches and seizure by the SRO and School Administrators must comply with the 4<sup>th</sup> Amendment of the United States Constitution and Article 14 of the Massachusetts Declaration of Rights.
- ii. In order for the police to conduct a warrantless search of a student's person, possessions, or locker, both probable cause and exigent circumstances must exist to justify the search. At the time of the search, the SRO must establish that there is probable cause to believe that evidence of a crime is or will be in a particular location and the circumstances must be so exigent, urgent, and unforeseeable that obtaining a warrant is impracticable.
- iii. The SRO shall inform the School Administrators before conducting a warrantless search of a student or their belongings where practicable.
- iv. In order for a School Administrator to conduct a warrantless search of a student's person, possessions, or locker on school grounds, the School Administrator must have reasonable grounds to suspect the search will turn up evidence that the student has violated or is violating the law or school rules.
- v. The SRO shall not ask School Administrators to search students or their belongings for law enforcement purposes nor shall School Administrators act as an agent of the SRO.
- vi. Absent a real and immediate threat to a student, teacher, or public safety, the SRO shall not be present or participate in a search conducted by School Administrators.

**(b) Interviewing Students:**

- i. The SRO Program strives to provide students with positive role models, to develop collaborative relationships between the school community (including students) and law enforcement, and to identify and provide preventive help and services to at-risk students and families. In carrying out these responsibilities, SROs necessarily will – and should – interact and communicate with students for non-law enforcement purposes.
- ii. When a SRO and/or police officer wishes to detain or question a student on school property *for law enforcement purposes*, the following shall occur unless exigent

circumstances exist or such notification would potentially jeopardize student, school staff, or officer safety:

- a) The officer shall contact the Designated School Liaison or his/her designee first and, to the degree possible, explain the nature of the police business and the need to meet with the student in question.
- b) The Designated School Liaison or his/her designee shall notify the student's parent/guardian prior to the questioning.
- c) The student shall not be publicly contacted by the officer in the school setting.
- d) The Designated School Liaison or his/her designee may be present during the student interview or questioning at the discretion of the police upon consideration of voluntariness and privacy issues.
- e) After due consideration of the nature of the questioning, the individual circumstances of the student, and state and federal law, the officer shall:
  - 1) Determine whether a juvenile under the age of fourteen is required to have a parent or interested adult present to participate in the juvenile's decision to waive rights and, if so required, arrange for such.
  - 2) Determine whether a juvenile who has attained the age of fourteen is required to be provided with a "genuine opportunity" to meaningfully consult with an interested adult regarding a decision to waive rights and, if so required, arrange for such.

## **6. Use of Police Force**

The Acton Police Department places the highest value on the sanctity of life, safety of its officers, protection of the public, and respecting individual dignity. Because of their law enforcement and peacekeeping role, a SRO will be required at times to use reasonable physical force to enable them to fully carry out their responsibilities. The degree of force used is dependent upon the facts surrounding the situation the officer encounters.

It is the policy of the Acton Police Department that the SRO use only the force that is reasonably necessary to accomplish lawful objectives such as to make a lawful arrest, to place a person into protective custody, to effectively bring an incident under control, or to protect the lives or safety of the officer and/or others.

## **7. Arrest, Citation, Court Referral on School Property:**

In accordance with the SRO MOU, SROs shall not serve as school disciplinarians, as enforcers of school regulations, or in place of licensed school mental health professionals. SROs also shall not use police powers to address traditional school discipline issues, including non-violent disruptive behavior except, as asked or needed, to support school staff in maintaining a safe school environment.



The manner in which each incident is handled by the SRO, the Principal or his/her designee, and/or the criminal justice system is dependent upon the many factors unique to each student, including, but not limited to, present circumstances, behavioral history, disciplinary record, academic record, general demeanor and disposition toward others, disability or special education status, and mental health history.

(a) "Delinquent child"/Juvenile Court Jurisdiction (G.L. c. 119, § 52 *as amended*):

- i. A child under the age of 12 years old cannot be charged with a crime.
- ii. Delinquency proceeding can be initiated against a child between the ages of 12 and 18 years old who commits an offense against the laws of the Commonwealth except as provided below in § 7(a)(iii).
- iii. Delinquency proceedings cannot be initiated for the following offenses:
  - a) Civil infractions
  - b) A violation of a municipal ordinance or town by-law
  - c) A *first offense* of a misdemeanor for which the punishment is a fine and/or imprisonment for not more than six months (e.g., shoplifting, threats)
  - d) Disturbing an assembly (G.L. c. 272, § 40 *as amended*) if committed by an elementary or secondary student within school buildings, on school grounds, or in the course of school-related events
  - e) Disorderly person or disturbing the peace (G.L. c. 272, § 53 *as amended*) if committed by an elementary or secondary student within school buildings, on school grounds, or in the course of school-related events

(b) Summons/Court Referral:

If the SRO determines that a delinquency or criminal complaint needs to be filed with the Juvenile or District Court, a summons, rather than an arrest is the preferred method of bringing the student to court. Prior to filing the complaint, the complaint must be reviewed by the SRO's supervisor to ensure that a Diversion Program would not be appropriate.

(c) Arrest:

Offenses that constitute serious or violent felonies if committed by an adult generally, but not always, result in an arrest in accordance with state law and the existence of probable cause. The following are example of serious/violent offenses where an arrest should be contemplated:

- Felony assault with intent to cause serious bodily injury or death

- Robbery involving force
- Sale of controlled substance
- Burglary
- Sexual assault (after consultation with the District Attorney's Office)

As a general rule, the police (generally a SRO) should avoid making arrests on school grounds when the arrest may be made effectively elsewhere. Whenever possible, the police shall work with the Designated School Liaison to make the appropriate arrangements for taking a student into custody off of the school grounds.

On occasion, an arrest of a student must be made during school hours on school grounds or at school sanctioned activities. For example, when a student poses a real and immediate threat to public safety, poses a risk of flight, or could not practicably be served with a warrant or complaint at another location. When this is necessary, best efforts will be made to notify the SRO to respond if not already at the scene. In the event an SRO is unavailable, another police officer will go to the scene to consult with Designated School Liaison and take appropriate action.

Students shall not be removed from school property or school sanctioned events without the police making notification to the Designated School Liaison or his/her designee, unless exigent circumstances exist.

The police shall notify the Designated School Liaison or his/her designee *before* arresting a student(s) on school grounds during school hours or school sanctioned activities on or off school grounds unless exigent circumstances exist or such notification would potentially jeopardize the ability of officers to safely and effectively make the arrest. Whenever possible, parents will be notified by the Designated School Liaison if a student is arrested on school grounds.

Working with Designated School Liaison, the police will arrange for the least disruptive way to take the student into custody.

## **8. Diversion Protocols:**

Diversion Programs offer an alternative to formal prosecution. These programs seek to treat at-risk students, not as criminals, but as children and youth in need of aid, encouragement, and guidance. The goal of such programming is to address the root causes of the student's offense and to work with the student to make better choices while minimizing any life-altering negative consequences (i.e., keeping them out of the criminal justice system and preventing the creation of a criminal record).

Evaluation for referral to a Diversion Program and, if accepted, the development of a remedial plan involves a consideration of multiple factors, including:

1. Factual review and determination of whether the offense is program eligible:

- a. Eligible offenses could include, but are not limited to, any misdemeanor, any felony that if committed by an adult could be prosecuted in the District Court, and any case involving a victim only if the victim consents.
  - b. Ineligible offenses could include, but are not limited to, minimum mandatory offenses, terroristic school threats, cases involving the possession or use of weapons, and cases involving serious assaultive or threatening behavior, serious bodily injury, sexual offenses or conduct, or gang-related activity.
2. Any past criminal conduct
  3. Willingness to participate and engage in a remedial program
  4. Input from the police and, where appropriate, from the victim and/or parties involved with the student such as schools, parent(s)/guardian(s), or other youth-involved agencies.

Remedial plans may include referral to community-based supports and providers, assignment to an educational program, community service, letter of apology, restitution, essay writing, curfew, and/or other case-specific conditions.

#### **9. Performance Evaluation Standards:**


The success and effectiveness of the SRO Program will be reviewed, modified, and amended as outlined in the SRO MOU § IV.D. & VIII.

Additionally, a review of the Data Collection and Reporting information outlined in the SRO MOU § VII will be conducted quarterly by the SRO's Supervisor and the Designated School Liaison. Other sources of data for review include: SRO activity log; student arrest and citation logs; use of police force in school; student, school staff, and parent surveys; referrals made by the SRO to assist students and families; number of students advised and the nature of the counseling; informal counseling meetings with students and families; and training and presentations conducted by the SRO.

#### **10. Effective Date and Duration**

This document shall be effective as of the date of signing. It should be reviewed at least annually (before the start of the school year) in consultation with the Superintendent of the Acton Boxborough Regional Schools and amended as necessary. This document will remain in full force and effect until amended or rescinded by the Chief of Police.

Signed on this 17<sup>th</sup> day of July, 2018.

  
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Chief of Police

***Memorandum of Understanding Between  
Acton-Boxborough Public Schools and Boxborough Police Department  
Regarding the School Liaison Officer Program***

This Memorandum of Understanding is made and entered into by and between the Acton-Boxborough Public Schools and the Boxborough Police Department.

**I. Purpose**

This agreement formalizes the partnership between the parties and facilitates a clear understanding of the roles, duties, and responsibilities of the parties in the implementation of a School Liaison Officer ("SLO") Program in the Acton-Boxborough Public Schools.

This agreement is entered into pursuant to the Laws of the Commonwealth of Massachusetts and is to be read in conjunction with any and all policies, procedures, and reporting requirements set forth in the Acton-Boxborough Public Schools' student handbook and the Boxborough Police Department policies and procedures and rules and regulations.

**II. Mission Statement**

The SLO Program is based upon the fundamental premise that when schools, police, prosecutors, and other service agencies work collaboratively and proactively, the safety, mental health, and well-being of children and youth are best served. By working together to educate the school community, coordinate efforts, and share information, the Acton-Boxborough Public Schools and the Boxborough Police Department through the SLO Program strive to: (1) prevent violence involving the students of the Acton-Boxborough Public Schools; (2) prevent the use, abuse, and distribution of alcohol and other controlled substances involving students of the Acton-Boxborough Public Schools; and (3) provide a safe, secure, violence-free, and nurturing school environment.

**III. Goals and Objectives**

The SLO Program is designed to provide a safe, secure, violence-free, and nurturing school environment while creating strong relationships between the Acton-Boxborough Public Schools, Boxborough Police Department, and the community. The goals and objectives for the SLO Program include:

- To develop positive relationships with students, faculty, staff, and parents thereby enhancing the relationship of law enforcement with youth and the community and improving the educational climate;

- To provide a positive role model for students to instill in them good moral standards, judgment and discretion, respect for other students, and a sincere concern for their community;
- To provide a cooperative effort by being accessible and responsive to the needs of the students, faculty, staff, parents, and community;
- To provide enhanced security and law enforcement service thereby maintaining a safe, secure, and violence-free school environment that allows all students to learn and flourish;
- To create a strong partnership between school and police personnel with a clear understanding, appreciation, and delineation of the roles and responsibilities of each;
- To ensure that non-violent infractions of school rules and policies not amounting to criminal or delinquent conduct such as tardiness, use of profanity, and disruptive or disrespectful behavior remain the sole responsibility of school administrators;
- To ensure that SLOs are timely notified of Mandatory Reportable Incidents as described in § V.D of this agreement;
- To minimize the number of students that are unnecessarily out of the classroom, arrested at school, or court involved;
- To identify and provide preventive help and services to at-risk students and families;
- To provide requirements and guidance for training of the SLO and school personnel regarding SLO-related topics;
- To assist school personnel in the development of school emergency crisis policies and guidelines (to include Threat Assessment) and assist with the facilitation of disaster-based drills while updating and augmenting said policies and guidelines as needed; and
- To offer additional educational resources to the students, faculty, staff, parents, and community through presentations and programming by the SLO that focus on law enforcement, prevention, health, and safety topics.

#### **IV. Selection, Supervision, and Training of SLOs and Review of SLO Program**

The parties agree that the selection, supervision, and training of SLOs is a critical aspect of the program. Additionally, the parties agree that reviewing the SLO Program on an annual basis is essential to assess its success and effectiveness in meeting its stated goals and objectives.

##### **A. SLO Selection Process**

In accordance with G.L. c. 71, § 37P, the Boxborough Police Department is committed to selecting SLOs who will foster an optimal learning environment and educational community. The selection of each SLO remains within the sole discretion of the Chief of Police. The appointment(s) shall not be based solely on seniority; rather, preference will be given to officers who demonstrate the requisite personality, character, skills, and interest to work in

a school environment with children and educators and who have received specialized training related to working with children and adolescents, including cognitive development, de-escalation techniques, and alternatives to arrest and diversion strategies.

Other factors for consideration in selecting an SLO include:

- Ability to work effectively with students within the age range at the assigned school(s)
- Awareness of and education about the cultural descriptors that make up the community's world views, including race, age, gender, gender identity, ethnicity, religion, culture, sexual orientation, physical or mental disability, immigration status, primary language and English proficiency, socioeconomic status, educational level, and occupation
- A commitment to making all students and the school community feel welcomed, valued, respected, and acknowledged regardless of cultural descriptors
- Knowledge of school-based legal issues
- Commitment to protecting students' legal and civil rights
- Knowledge of school and community resources
- An understanding of crime prevention problem-solving and community policing in a school setting
- Public speaking and teaching skills
- Knowledge of school safety planning and technology

#### **B. SLO Supervision**

The SLO is a member of the Boxborough Police Department and shall be subject to the administration, supervision and control of the police department. The SLO reports directly to the Day Shift Supervisor. Boxborough Police Department staffing levels do not provide for an officer to be dedicated to full-time duties at the school.

When on school grounds or at school related events, the SLO will coordinate with school officials as delineated in § VI.E of this agreement.

#### **C. SLO Training**

In addition to any basic and annual in-service training required of their officers by the Boxborough Police Department, SLOs shall receive specialized training to promote their effectiveness working with children and youth in a school setting. Continuing professional development shall include instruction in the following areas:

1. Child and adolescent development, including the impact of abuse, exploitation, violence, trauma, disability, poverty, and immigration status

2. Conflict resolution
3. Diversion strategies and practices

Additional areas for continuing professional development may include, but are not limited to:

- SLO course such as that provided by National Association of School Resource Officers
- School crisis planning, threat assessment, and emergency response
- Juvenile law and procedure, including student rights and privacy
- Understanding and protecting civil rights in schools
- Cultural sensitivity and linguistic differences
- Implicit bias
- Teaching and class room management
- Mental health protocols
- Trauma-informed care
- De-escalation skills
- Drug prevention programs
- Physiology of addiction
- Teen dating violence and healthy teen relationships
- Bullying prevention
- Cyber safety

#### **D. Review of SLO Program**

The SLO Program will be reviewed annually to evaluate its success and effectiveness in meeting its stated goals and objectives. The review will be conducted jointly by the Chief of Police and Superintendent of the Acton-Boxborough Public Schools at the end of each school year. This agreement, including the SLO Goals and Objectives, should be amended as required as a result of said review.

As part of the annual review, the performance and effectiveness of each SLO shall be evaluated. The Superintendent in consultation with the Principal(s) of the assigned school(s) will provide input regarding the evaluation. This input should take into consideration and include feedback from teachers, students, and the school community. It may include a recommendation to the Chief of Police that a specific SLO not be assigned to a specific school the following year. The Chief will seriously consider such input and make a

good faith effort to address any concerns raised; however, the final selection and assignment of SLOs remains within the sole discretion of the Chief of Police.



## **V. Information Sharing Guidelines**

### **A. Designated Liaisons**

In order to facilitate prompt and clear communications, the parties agree to identify individuals (*by title instead of name*) on their respective staffs who will function as Designated Liaisons.

The Acton-Boxborough Public Schools' Designated Liaisons, by School, are:

- Superintendent of Schools
- Deputy Superintendent of Schools
- Assistant Superintendent(s) of Schools
- Principal(s)
- Assistant Principal(s)
- Dean(s) of Students

The Boxborough Police Department's Designated School Liaisons are:

- Chief of Police
- Lieutenant
- Sergeants
- Detectives
- School Liaison Officer

The aforementioned Police Department Designated Liaisons are considered a part of the Acton-Boxborough Public Schools' "Law Enforcement Unit" as defined in the Family Educational Rights and Privacy Act ("FERPA") (20 U.S.C. § 1232g) for purposes of sharing information regarding students.

### **B. Issues of Concern to the Designated Liaisons**

1. *Reportable Incidents*: In order to identify and provide preventive help and services to at-risk students and families and consistent with the goals and objectives of the SLO Program, the parties will share information as follows:
  - (a) The Designated Liaisons from the School and Police Department will review all incidents classified as Mandatory Reportable Incidents, as defined in § V.D. of this agreement.

- (b) Additionally, the Designated Liaisons will review any incident or information that may affect the safety or well-being of students, faculty, or staff at the School.

2. *Prevention Strategies:* In addition to the above responsibilities, the Designated Liaisons from the School, the Police Department and the Middlesex District Attorney's Office ("MDAO") will meet regularly for the following purposes:

- (a) To discuss incidents of violence or bullying (as defined under G.L. c. 71, § 37O) in school or outside of school that affects students of the school;
- (b) To discuss any use, abuse, or distribution of alcohol and/or other controlled substances or any other criminal activity affecting students UNLESS such information was gathered as part of a "Verbal Screening Tool for Substance Abuse Disorders" in which case it shall only be disclosed as permitted by G.L. c. 71, § 97;
- (c) To identify strategies to reduce such activities and to promote a safe, secure, violence-free, and nurturing school environment;
- (d) To discuss community resources available for students at risk of harm from violence, abuse, neglect, or exploitation;
- (e) To develop violence identification, prevention, and intervention programs, protocol and curricula as required by G.L. c. 12, § 32; and
- (f) To outline the necessary action plan for implementation of such strategies.

### **C. Confidentiality**

The parties agree to keep all information which is necessarily disclosed between them pursuant to G.L. c. 12, § 32; G.L. c. 71, § 37H, G.L. c. 71, § 37H½; G.L. c. 71, § 37H¾; G.L. c. 71, § 37L; G.L. c. 71, § 37O, 603 C.M.R. 23.00; and 20 U.S.C. § 1232g, from being improperly publicly disseminated except as permitted by state and federal law.

### **D. Reporting Guidelines for School Reports to the Police Department**

1. The following shall be considered Mandatory Reportable Incidents:<sup>1</sup>

- a. Possession, use, or distribution of alcohol by a student UNLESS such information was gathered as part of a "Verbal Screening Tool for Substance Abuse Disorders" in which case it shall only be disclosed as permitted by G.L. c. 71, § 97

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<sup>1</sup> If such information is obtained *solely* during a communication with a member of the school staff deemed privileged or confidential due to the staff member's professional licensure, such communication shall only be disclosed if consent is obtained or the communication is subject to the limits and exceptions to confidentiality and is required to be disclosed (e.g., mandatory reporting, immediate threats of harm to self or others).

- b. Possession, use, or distribution of an inhalant or any controlled substance, as defined in G.L. c. 94C (excepting any possession of prescription medication possessed and administered in accordance with state law and school policy) UNLESS such information was gathered as part of a "Verbal Screening Tool for Substance Abuse Disorders" in which case it shall only be disclosed as permitted by G.L. c. 71, § 97
- c. Any incident in which any individual is reasonably believed to be selling or distributing controlled substances or alcohol
- d. Any incident involving the threat of assaultive behavior or intentional assaultive behavior and/or reckless behavior that results in personal injury to another
- e. Possession of a weapon, as defined in the school handbook or under G.L. c. 71, § 37(a), which includes, but is not limited to, a gun or a knife, and ammunition or components thereof
- f. Any incident involving stalking (G.L. c. 265, § 43), criminal harassment (G.L. c. 265, § 43A), annoying phone calls (G.L. c. 269, § 14A), or the issuance or violation of a G.L. c. 209A or c. 258E protection order on behalf of or against a student
- g. Any incident triggering the filing of a report for abuse and/or exploitation with the Department of Children and Families pursuant to G.L. c. 119, § 51A, including underage sexual contact if it qualifies as "sexual abuse." (See What Conditions Are Reportable, [www.51a.middlesexcac.org](http://www.51a.middlesexcac.org))
- h. Any sexual assault, including, but not limited to, rape, assault with intent to rape, indecent assault and battery, open and gross lewdness, indecent exposure, or incident of gender-based harassment, "sexting", "sextortion",<sup>2</sup> or possession or dissemination of sexually explicit photographs of a student
- i. Any incident resulting in significant damage to municipal or private property
- j. Any bomb threat, fire, threatened or attempted fire setting, threatened or attempted use of an incendiary or explosive device or hoax device, or possession of a "novelty lighter" as defined by G.L. c. 148, § 60. (NOTE: The principal also "shall immediately report any incident involving the unauthorized ignition of any fire within the school building or on school grounds to the local fire department" under G.L. c. 148, § 2A)
- k. Any creation or possession of a document, whether digitally or manually generated, handwritten or electronic (e.g., text or email), that identifies any individual targeted for violence or death

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<sup>2</sup> "Sexting" is the act of sending, receiving, or forwarding sexually explicit photos (i.e., images depicting a person in a state of partial or total nudity) via cell phone, computer, or other digital device. "Sextortion" is a form of extortion wherein an individual threatens to expose or disseminate sexually explicit photos of another person if not provided with money, additional images, the performance or promise of sexual acts, or compliance with other demands.

- l. Any threat, direct or indirect, past or future, against a student, school personnel, or other school employee
  - m. Any incident of "hazing" as defined by G.L. c. 269, § 17, involving any conduct or method of initiation into any school organization that endangers the physical or mental health of any student
  - n. Any incident triggering a Title IX investigation (20 U.S.C. § 1681-1688, 34 C.F.R. § 106)
  - o. Any incident involving an actual or suspected hate crime or violation of civil rights (See G.L. c. 265, §§ 37 & 39; 18 U.S.C. § 249), including, but not limited to:
    - An assault or battery upon a person, whether or not it results in bodily injury, with the intent to intimidate because of such person's race, color, religion, national origin, sexual orientation, gender identity, or disability;
    - Damage to the real or personal property of a person with the intent to intimidate because of such person's race, color, religion, national origin, sexual orientation, gender identity, or disability; or
    - An act willfully causing bodily injury to any person or attempting to do so through the use of fire, firearm, dangerous weapon, or explosive or incendiary device because of the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of any person
  - p. Any incident of "bullying" or "cyber-bullying" as defined by G.L. c. 71, § 37O where the school believes that the incident may have involved criminal conduct or involves any other reportable acts outlined in (a) through (o).
2. Mandatory Reportable Incidents will be immediately reported to the Designated Police Liaison if such incident:
    - a. Occurred on school property or within 1,000 foot radius of school property;
    - b. Occurred at a school-sponsored function;
    - c. Occurred in a school owned or contracted bus or other vehicle or at school bus stop; or
    - d. Involved a student of the Acton-Boxborough School District.
  3. The Designated School Liaisons may report any other incident or information that may affect the safety or well-being of students, faculty, or staff at the School.

#### **E. Reporting Guidelines for Police Reports to School**

The Designated Police Liaison will inform the appropriate Designated School Liaison, subject to applicable statutes and regulations governing confidentiality, of:

1. Any arrest of a student or the filing of a criminal or delinquency complaint application against any student of the Acton-Boxborough Public Schools;
2. A student's voluntary participation in any Diversion Program; or
3. Any occurrence involving a student of the Acton-Boxborough Public Schools, if:
  - a. The activity poses a serious (present or future) threat to the safety or well-being of the student, other students, faculty, or staff at the School;
  - b. The making of such a report would facilitate supportive intervention by school personnel on behalf of the student (e.g., the arrest or filing of a criminal complaint against a member of the student's household); or
  - c. The activity involves actual or possible truancy.

#### **VI. Roles and Responsibilities of Schools, SLOS, and Police Department**

The parties are dedicated to providing a safe and nurturing climate in which learning can take place. The parties also want to promote a safe environment in the public school community while upholding the students' legal rights as outlined in the Standard Operating Procedures Regarding the School Liaison Officer Program in the Acton-Boxborough Public Schools ("SLO SOP") §5.

The parties acknowledge that proper integration of the SLO in the school environment, including (as appropriate) educational activities, classroom instruction, school assemblies, and staff and school safety meetings, can help build trust, relationships, and strong communication among the SLO and students, faculty, staff, parents, and community.

As past events have shown, any school is at risk for incidents of violence, threatened violence, or attempted violence, as well as the use, abuse, and distribution of alcohol and other controlled substances, all of which diminish the ability of the school community to focus upon the business of learning. In order to promote a safe and nurturing environment in our schools and in our community, it is in our common interest to share information as outlined in § V above. It is through the collaborative efforts of the Acton-Boxborough Public Schools and the Boxborough Police Department that this can occur.

##### **A. School Administration and School Personnel**

1. Non-violent infractions of school rules and policies not amounting to criminal or delinquent conduct such as tardiness, use of profanity, dress code violations, and disruptive or disrespectful behavior remains the sole responsibility of school administrators. To this end, SLOs shall refrain from being involved in the school's handling of such violations or misbehavior except, as asked or needed, to support school staff in maintaining a safe school environment.

2. The school administrators agree to ensure that school employees cooperate with police investigations and any subsequent actions related to crime or criminal activity on school premises or at school-related events.
3. In order to maintain a safe and nurturing school environment, the Acton-Boxborough Public Schools reserves the right to conduct a reasonable search of all school property for weapons, alcohol, other contraband, or controlled substances in accordance with state and federal law, the student handbook, and the SLO SOP § 5(a). Should any evidence of a criminal nature be seized during such an inspection or search, immediate notification to the designated police liaison will be made and the property will be secured by the SLO.

#### **B. Reporting Procedures for Emergency Situations**

Definition: An emergency situation is any incident that poses an immediate threat to human health or safety or which may result in serious property damage.

A teacher or other school employee having knowledge of any emergency situation shall immediately notify or cause to be notified both the Boxborough Police Department (911) and the Principal or Assistant Principal. This requirement is in addition to any procedures outlined in the school's student handbook, administrative manual, and/or School Committee policy manual.

Where an emergency exists and there is an immediate need to avert or diffuse certain unusual conditions or disruptions in the school setting, the school will provide all necessary information to law enforcement personnel regarding the students at issue. (See § 99.31(a)(10) of the FERPA regulations.)

#### **C. Reporting Procedures for Non-Emergency Situations**

A teacher or other school employee who has reasonable grounds to believe that a student has committed an act categorized as a Mandatory Reportable Incident, shall promptly: (1) report the incident and names of any involved persons to the appropriate Designated School Liaison, and (2) notify the Designated School Liaison of the existence of any physical evidence and take reasonable steps to maintain any pertinent physical evidence in a secure place.

#### **D. Responsibilities of Designated School Liaison(s)**

Once a Designated School Liaison has been made aware of a Mandatory Reportable Incident, it is her/his responsibility to:

- Timely notify the Designated Police Liaison and, when appropriate, the parents/guardians of the involved student(s);

- Timely notify the Designated Police Liaison of the existence of pertinent physical evidence and take reasonable steps to maintain it in a secure place; and
- Timely notify the Designated Police Liaison of any written reports about the incident.

#### **E. Responsibilities of SLO/Designated Police Liaison(s)**

Because the Principal or his/her designee alone has control of the school building at any given time, police officers shall report to the main office upon entering an Acton-Boxborough Public School. The Principal's foreknowledge of police presence in the building can do much to facilitate the school's operation and still prevent escalation of any existing situation requiring police response.

SLOs shall not serve as school disciplinarians, as enforcers of school regulations, or in place of licensed school mental health professionals and shall not use police powers to address traditional school discipline issues, including non-violent disruptive behavior.

When the police have assumed responsibility in a criminal investigation, the police naturally are the decision-makers concerning that investigation. The Principal or Designated School Liaison shall convey to those authorities his or her best assessment of the situation which may not be apparent to the police. The Principal or Designated School Liaison will not interfere with a criminal investigation once it has been initiated.

It is the goal of the Boxborough Police Department to meet the needs of all its community's children and youth. In collaboration with the Acton-Boxborough Public Schools, the SLO/Designated Police Liaison will attempt to identify those students who may be at risk for problematic or unsafe behavior and link them to the support and services they need (e.g., mental health services, drug and alcohol counseling). In this endeavor, the SLO/Designated Police Liaison will seek to assist families by offering to develop an action plan that is tailored to meet the unique needs of the student.

#### **F. Arrests of Students**

Whenever possible, arrests of students will be attempted outside of school buildings and in compliance with the Standard Operating Procedures separately established by the Chief of Police and Superintendent pursuant to G.L. c. 71, § 37P.

#### **G. Emergency Mental Health Issues**

The parties recognize the importance of utilizing the expertise of mental health professionals in addressing the needs of students with behavioral and emotional difficulties in crisis situations and agree that examination by a qualified mental health professional is the preferred mechanism for evaluating a student experiencing a mental health crisis.

Occasionally, the public schools encounter a student in crisis who requires emergency psychiatric treatment. The law provides for involuntary commitment of such individuals if,

in the judgment of a qualified mental health professional, the failure to hospitalize such an individual would create a likelihood of serious harm to himself or others by reason of mental illness. In such circumstances, the individual may be restrained while an application for involuntary hospitalization is sought. Likewise, if a qualified mental health professional is unavailable, the law provides that a police officer may restrain such individual and apply for involuntary hospitalization. See M.G.L. c. 123, §12(a).

The parties therefore agree as follows:

- The school's medical personnel will initiate any requests for a Section 12 involuntary commitment, unless there is an immediate risk of harm to the student or others in which case the police department shall be contacted and assume responsibility for initiating commitment proceedings
- The school will seek alternate emergency response, if available (e.g., from an Emergency Services Program), for an immediate clinical assessment of the student in crisis before seeking the intervention of the police department
- If intervention by the police is necessary, the school will notify the police at the earliest possible opportunity so as to coordinate efforts, minimize disruption at school, and maintain privacy for the student involved to the extent possible
- When an assessment of a student is made for possible involuntary commitment, referrals for follow-up mental health services shall be made by the school's clinical team

#### **VII. Data Collection and Reporting**

The parties agree to collect and report data regarding school-based arrests, citations and court referrals of students to the Department of Elementary and Secondary Education ("DESE") in accordance with regulations promulgated by DESE pursuant to G.L. c. 71, § 37P. The parties understand that such data will be collected and published by DESE in a disaggregated form and made available for public view.

#### **VIII. Effective Date and Duration of Agreement**

This agreement shall be effective as of the date of signing. It should be reviewed at least annually (before the start of the school year) and amended as necessary to meet the needs of the parties. This agreement will remain in full force and effect until amended or until such time as either party withdraws from the agreement by delivering written notification of such recession to the other party.

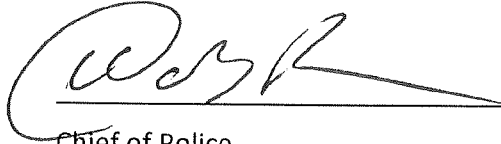
Signed on this 31<sup>st</sup> day of August, 2018.





Superintendent of Schools

Signed on this 6<sup>TH</sup> day of SEPTEMBER, 2018.



Chief of Police

## APPENDIX A

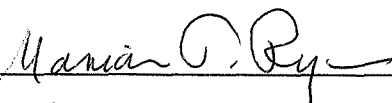
### ROLE OF THE OFFICE OF THE MIDDLESEX DISTRICT ATTORNEY

In the spirit of enhancing communication between the district attorney, law enforcement, and school officials and to assist the Acton-Boxborough Public Schools in providing a safe, secure, violence-free, and nurturing environment for learning and in accordance with the legislative mandates set forth in G.L. c. 12, § 32, c. 71, §§ 37H and 371/2H, among others, the Middlesex District Attorney, through her designees, agrees to:

- (1) Report to the school any criminal or delinquency complaint that is issued against a defendant or juvenile who is known to be a student of the Acton-Boxborough Public Schools
- (2) Consult with the Acton-Boxborough Public Schools and the Boxborough Police Department when fashioning proposed terms and conditions to be imposed upon a known student of the Acton-Boxborough Public Schools at both the pre-adjudication and post-adjudication stages of the prosecution
- (3) Report to the school any adjudication of delinquency or conviction, diversion or other significant occurrence that arises from any above criminal or delinquency proceeding;

The Middlesex District Attorney agrees to provide training to the Middlesex District Attorney's Office ("MDAO") staff to inform them of their roles and responsibilities under this agreement. On an on-going basis, the same training will be provided to new staff members.

The MDAO will not disclose a student's personally identifiable information learned during and/or in relation to a G.L. c. 12, § 32 community based justice meeting to a third party other than another juvenile justice system agency and/or as provided by state and federal law.



Marian T. Ryan  
Middlesex District Attorney

8/31/18

Date