



SOMERS PUBLIC SCHOOLS

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Dr. Paul C. Gagliarducci
Superintendent of Schools

**Memorandum of Agreement
Between
The Town of Somers
And
The Town of Somers School District/Administration**

This agreement is made and entered into this 14th day of November, 2022, by and between the Somers Police Department and the Somers Board of Education and the Somers Public Schools.

I. Purpose:

This Memorandum of Agreement (MOA) is intended to outline the agreement concerning the assignment of a School Resource Officer(s) (SRO/(SRO's) at the Town of Somers school buildings and to create a cooperative relationship between the Town of Somers and the Town of Somers School District/Administration.

The purpose of this MOA is to identify and address the needs and concerns of the schools within the Town of Somers, with the goal of providing a safe and secure learning environment and to employ best practices to promote collaborative problem solving to enhance the safety of the Somers school community.

II. Rationale:

The School Resource Officer ("SRO") Program involves the placement of a law enforcement officer within the education environment. The SRO is an employee of the Somers Police Department assigned by the Somers Police Department to serve as liaison between the school community and the Somers Police Department and to support the school administration and staff in maintaining a safe and positive school environment. Any individual hired as the SRO shall be a sworn police officer.

The SRO is a visible and active law enforcement figure at the schools to which the SRO is assigned. The SRO may be a resource for instruction in the following areas: law-related education, violence diffusion, safety programs, alcohol and drug prevention, crime prevention and other pertinent subjects.

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The Somers Police Department and the School District shall review and adhere to the requirements and principles set forth in Conn. Gen. Stat. § 10-233m, including the implementation of a graduated response model for student discipline and training related to social-emotional learning and restorative practices.

III. Goals and Objectives

- Establish a positive working relationship in a cooperative effort to prevent juvenile delinquency and assist in student development.
- Maintain a safe and secure environment on school campuses which will be conducive to learning.
- Promote positive attitudes regarding the role of police officers in today's society.
- Strive to ensure a consistent response to incidents of student misbehavior, clarify the role of law enforcement in school disciplinary matters, and reduce involvement of police and court agencies for misconduct at school and school-related activities.

IV. Employment and Assignment of the School Resource Officer

The SRO shall be an employee of the Town of Somers, certified sworn police officer by POSTC (Connecticut's Police Officer Standards and Training Council).

The SRO(s) shall be under the operational control and supervision of the Connecticut State Police Resident State Trooper Program in accordance with the Resident State Trooper Contract between DESPP (Department of Emergency Services and Public Protection) and the town of Somers.

Somers will designate a minimum of one (1) SRO to the Somers school district. The SRO will be assigned to work hours that are compatible with the school's normal operating hours for the school's normal operating school year. (approximately 180 days over 10-month period).

The SRO's work schedule may be adjusted when mutually agreed upon for various school activities that the SRO is involved with.

If the SRO is going to be absent from work, the SRO shall notify their immediate supervisor or designee. The supervisor will make every attempt to replace the SRO's absent school shift with another Town of Somers (if the Town has another SRO) and that SRO is available to work. In the event that there is no SRO assigned to the Somers school grounds for the day, the SRO or the SRO's supervisor will notify the town of Somers Superintendent or his office of the SRO absence for the day. In that event, normal notifications for police assistance will be made.

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V. Appointment, Term and Schedule

The SRO's duty schedule will be determined by the school calendar, but will generally be arranged to provide coverage throughout the school day including peak arrival and departure times before and after school. The SRO's supervisor at the Department will be responsible for addressing scheduling related issues and will notify the Superintendent in writing of the SROs' working hours. Whenever possible, the SRO will be visible patrolling the exterior and interior grounds, particularly during the opening and closing of school and during the lunch periods. When public safety requires, the SRO may be temporarily reassigned by the Department.

An SRO will be appointed annually by the Department to the school district in consultation and agreement with the Superintendent of Schools. If either or both parties wish to terminate this agreement, they will comply with Section XIII, below.

The SRO will be available for flexible scheduling to reasonably accommodate designated after school and evening school activities whenever possible. If such attendance requires overtime, overtime is subject to the approval of the SRO's supervisor at the Department.

VI. Duties and Responsibilities of the School Resource Officer

- The SRO will complete, while in the performance of the SRO's duties as a school resource officer and during periods when such SRO is assigned to be at the school, any separate training specifically related to social-emotional learning and restorative practices provided to certified employees of the school.
- The SRO will bring to the attention of the school administration and assist in the development and implementation of plans and strategies to prevent and/or minimize dangerous situations on or near the school campus or at school activities.
- The SRO has no role in ordinary school discipline or enforcement of school rules, although a SRO may provide assistance to school personnel at the request of a school administrator.
- The SRO will present topics to students on various law enforcement/safety issues as requested by building-based administrators and/or the Superintendent, including but not limited to law-related education, violence diffusion, safety programs, alcohol and drug prevention, crime prevention and other pertinent subjects.

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- The SRO shall notify the school principal or designee and the Superintendent of Schools whenever any law enforcement action has been taken while performing in the role of SRO.
- The SRO shall maintain records as required by the Department and as requested by the School District for their use in evaluating and reviewing the SRO program and this agreement.
- The SRO will assist the Superintendent of Schools, principals, faculty and staff to maintain a safe learning environment.
- The SRO will abide by all applicable Board of Education policies and School District administrative regulations.
- The SRO will consult with and coordinate activities through the school principal or designee.
- If a conflict develops between the SRO's legal responsibilities as a sworn police officer and the SRO's responsibilities to the School District, the SRO's legal responsibilities as a sworn police officer shall take precedence. However, the SRO shall inform the school principal, the Superintendent of Schools and the Department of such conflict and shall work with school officials to suggest a means of avoiding future conflicts.
- The SRO will be available to students, parents and staff who freely want to discuss concerns.
- The SRO will follow applicable law, Board of Education policy, School District administrative regulations, and the Department's general orders in regards to investigations, interviews, and searches relating to juveniles and other students. At no time will the SRO direct or demand that school personnel search a student.
- The SRO will not be responsible for student discipline or enforcement of school rules, although the SRO may provide assistance to school personnel. The SRO will work collaboratively with school administrators to determine the goals and priorities for the SRO program and the parameters for SRO involvement in school disciplinary matters, consistent with the Graduated Response Model described in Section VI, below.

VII. Confidentiality of Information

DESPP agrees that it shall ensure the protection of the confidentiality of any personally identifiable data, information and records collected or maintained by Somers as it pertains to this MOA, except as otherwise provided by law. DESPP

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shall adhere to all of the confidentiality requirements of the Family Educational Rights and Privacy Act (FERPA in 20 U.S. C. 1232g, 34 C.F.R. Section 99.31 et seq., particularly as these requirements relate to the confidentiality and transfer of student data. DESPP and Somers shall provide guidance to personnel to ensure adherence to the confidentiality requirements of FERPA and will ensure that these requirements are met through the general supervision and monitoring systems of each party.

Each party agrees that it shall be responsible for losses arising out of:

1. Its own acts or omissions that result in a breach of personally identifiable information or failure to comply with applicable law regarding protection of confidential information;
- or
2. Its own negligence or misconduct, and each party shall defend itself against any action or claim brought against its own officers, agents, or employees as provided by law.

VIII. Uniform and Equipment of School Resource Officer

The SRO will wear the SRO's approved uniform with appropriate logos and name badges depending on the type of school activity and program and/or the request of the school or the Department. It is understood that the SRO will carry a Department-approved duty firearm and other Department-issued equipment. Such duty firearm and other Department issued equipment shall only be used when law enforcement intervention is necessary and then shall only be used in accordance with the policies and standards of the Department and applicable law. Body-worn recording equipment shall not be turned on by the SRO while acting in the capacity of an SRO with respect to educational responsibilities or typical interactions with students, staff or other members of the public in the School District. The SRO will use Department-issued body-worn recording equipment only when acting in a law enforcement capacity and as required by Department policy and in accordance with applicable law and guidelines. The Department and the Superintendent of Schools shall jointly set expectations and resolve any disputes in this area.

IX. Law Enforcement Professionals/SRO Activity at Schools

The parties agree that employees of the Department and/or the assigned SRO ("Law Enforcement Professionals") need to follow certain protocols when on school grounds in non-emergency circumstances as follows. Law Enforcement Professionals will act through school administrators whenever they plan any activity on school grounds. Law Enforcement Professionals entering school grounds will be aware of the potential disruption of the educational process that their presence may cause. Prior to entering a school to conduct an investigation, arrest or search, Law Enforcement Professionals will consider the necessity of such action based on:

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- The potential danger to persons;
- The likelihood of destruction of evidence or other property; and
- The ability to conduct the investigation, arrest or search elsewhere.

When taking a student into custody, officers should make reasonable efforts to avoid making arrests or taking students into custody on the school premises. Whenever possible, students should be taken into custody out of sight and sound of other students.

X. Police Access to Images from School Cameras

In the event of a criminal investigation, the Department or other law enforcement agencies may request access to School District video images, live or recorded, by making a request for access to the appropriate building administrator or Superintendent of Schools. Access may be granted by the certified administrator as designated by the Superintendent only when determined to be appropriate under state and federal law.

The Superintendent or designee may disclose video images to the Department, live or recorded, which include personally identifiable student information and/or video images of School District employees and/or other persons on school property, when appropriate under state and federal law.

XI. Duties of the School District

The School District shall provide to the SRO the following materials and facilities which are deemed necessary to the performance of the SRO:

- A desk with drawers, a chair and filing drawers.
- Access to inspect and copy public records maintained by the school to the extent allowed by law.
- Training specifically related to social-emotional learning and restorative practices provided to certified employees of the school, in accordance with Conn. Gen. Stat. §10-233m.

XII. Reports and Records

All law enforcement investigative reports and records are the property of and shall be maintained solely by DESPP. Neither the Somers Resident Trooper's office, nor the SRO, are authorized to disclose such reports or records without the express written approval of DESPP.

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XIII. Disputes

Disputes concerning the SRO and DESPP operational control and supervision shall be addressed in accordance with the chain of command identified in the Resident State Trooper Contract, including communication with the State Police Troop Commander, the Resident Trooper Supervisor, and the Resident State Police Trooper(s).

XIV. Term of Agreement

The SRO duties listed in this MOA are an overview of this assignment and are subject to change as needed.

This agreement may be terminated by both parties at any time by mutual written agreement, or by either party by providing written notice of termination to the other party by January 1 of any year, with such termination to be effective the following July 1.

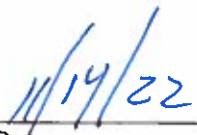
This agreement constitutes a final written expression of all terms of this agreement and is a complete and exclusive statement of those terms. This agreement may be modified in writing by consent of both parties.

IN WITNESS WHEREOF, the parties have caused this agreement to be signed by their authorized officers.


Signed, sealed and delivered in the presence of:



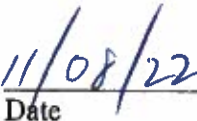
Superintendent
Somers Public Schools



Date



Chief of Police
Somers Police Department



Date

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