



**Agreement between the Burlington School District and
The
Burlington Police Department
For
The School Resource Officer Program**

This agreement made and entered into this 14th day of December, 2015 by and between the Burlington School District and Burlington Police Department.

It is the intention of the Burlington Police Department and the Burlington School District to maintain collaborative efforts to provide a safe and healthy school environment for students, staff, faculty, and visitors.

Goals and Objectives

- Establish a positive working relationship in a cooperative effort to prevent juvenile delinquency and assist in student development
- Protect the constitutional and civil rights of students
- Maintain a safe and secure environment on school campuses which will be conducive to learning
- Promote positive attitudes regarding the role of police in society through non-punitive alliance-building interactions with students and staff
- Conduct criminal investigations and refer student cases to the Restorative Justice program and Court Diversion to the greatest extent possible
- Ensure that all Burlington Police Department Officers understand the needs, strengths, and challenges of various age, cultural, and ability groups.

Duties of the School Resource Officer

- Assist the Superintendent, principals, faculty, and staff in enforcing the campus code of conduct and other school rules in order to maintain a safe learning environment. When it pertains to preventing a disruption that would, if ignored, place students, faculty and staff at risk of harm, the SRO will resolve the problem to preserve the school climate. In all other cases, disciplining students and other conduct deemed inappropriate is a District responsibility.
- Promote positive interactions between law enforcement and students.
- Provide students, staff, and parents with a familiar and recognizable law enforcement contact.
- Establish positive working relationships with students, staff, and parents to prevent crime, disorder, substance abuse and other negative behaviors.
- Assist students, parents, and staff in solving problems.

- As needed, conduct criminal investigations and refer cases to the Restorative Justice program, Court Diversion as appropriate.
- The SRO shall meet with building-level school administrators, teachers, parents and student representatives quarterly to discuss issues of school safety.
- The SRO shall be integrated into the school community through participation in faculty and student meetings and assemblies, as well as trainings, as appropriate.

Guidelines for Distinguishing Between Disciplinary Misconduct and Criminal Offenses

- SRO is responsible for criminal law issues, not school discipline or poor behavioral issues.
- Absent a real and immediate threat to student, teacher, or public safety, incidents involving public order offenses including disorderly conduct; disturbance/disruption of schools or public assembly; trespass; loitering; profanity; and fighting that does not involve physical injury or a weapon, shall be considered school discipline issues to be handled by school officials, rather than criminal law issues warranting formal law enforcement intervention (e.g., issuance of a criminal citation, ticket, or summons, filing of a delinquency petition, referral to a probation officer, or actual arrest).
- Whenever possible a student shall not be arrested at school, an arrest at school is the last resort after all other avenues have been exhausted, unless the child poses a real and immediate threat to student, teacher, or public safety; or a judicial warrant specifically directs the arrest of the student in a school.
 - School principals shall be consulted prior to an arrest of a student where practicable.
 - The student's parent or guardian shall be notified of a child's arrest as soon as practicable.

Student Rights

- The SRO shall inform school administrators prior to conducting a probable cause search where practicable.

The SRO shall not ask school officials to search a student's person, possessions, or locker in an effort to circumvent these protections.

- Absent a real and immediate threat to student, teacher, or public safety, a SRO may not question or participate in the questioning of a student about a conduct that could expose the child to court involvement or arrest only after informing the child of his or her Miranda rights and only in the presence of the child's parent or guardian.
 - The SRO shall inform school administrators prior to questioning the student on school grounds where practicable.
 - The SRO shall not ask a school official to question a student in an effort to circumvent these protections.

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- Absent a real and immediate threat to student, teacher, or public safety, a school official shall not ask a SRO to be present or participate in the questioning of a student that could expose the student to court-involvement or arrest.
- Absent a real and immediate threat to student, teacher, or public safety, other physically invasive searches by a school official or SRO shall not be conducted on a child.

Assignment of School Resource Officer

The Burlington Police Department agrees to provide (2) School Resource Officers (SRO's) to the Burlington School District (BSD). These officers will be assigned as agreed upon by the BSD and BPD.

The Burlington Police Department, in conjunction with the Superintendent of the Burlington School District (and any other key personnel determined by the superintendent), will decide which Burlington Police officer has the best knowledge and skills and abilities to assume the roles and responsibilities a SRO.

The SROs will keep open communication with the applicable school principal and make them aware of any significant schedule changes. The schedules for the most part will mirror the school day, but the SRO must have some flexibility to better address the needs of the school, the students and the Police Department. If the SRO calls out sick, he/she will request the notified BPD supervisor to call the affected school and relay their absence.

School Resource Officer(s) shall remain employees of the Burlington Police Department and shall not be employees of the Burlington School District. The Burlington School District acknowledges that the SRO will adhere to the command of the Burlington Police Department. Under the supervision of the Superintendent and Chief of Police, the SRO is a partner of the District and therefore has the authority to share information with the superintendent or his/her designee for the safety and wellbeing of students and staff of the District.

Hours and Special Events

The Chief of Police or another designated scheduling officer will assign the SRO workdays and shifts. During these shifts/hours, the SRO may be off campus to conduct such tasks as may be required by their assignment or other assignments designated by supervisors of the Burlington Police Department.

Use of Additional Police Resources

In the event that additional police resources have been deemed necessary by the Police Department to promote building safety, the Police Department, in consultation with the Burlington School District whenever possible, may employ such resources as needed for the safety of students and staff. Clear lines of communication between BPD and BSD (including the affected school Principal) will be essential and all actions and intents will be relayed to all parties

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involved. The BPD will continue to address all incidents on campus in the least intrusive manner possible.

Rights and Duties of the School Board

The School Board shall provide to the full-time SRO the following materials and facilities, which are deemed necessary to the performance of the SRO's duties.

- A private office space with a desk with drawers, a chair and secured filing drawers at each assigned school
- A computer terminal or computer hookup
- Confidential meeting location

The Burlington Police Department will supply the SRO with the usual and customary office supplies and forms required in performance of their duty.

Modifications to the Said Agreement

In the event a principal of a school to which the SRO is assigned feels that the SRO is not effectively performing his or her duties and responsibilities, the principal will first notify the SRO's immediate supervisor and inform them of their concerns. A meeting shall be conducted with all parties, to include the SRO, to mediate and resolve any problems. The Chief of Police may dismiss or reassign a school resource officer based upon the Burlington Police Department's rules, regulations, and general orders.

Evaluation and Reports on SRO Activity

- The SRO shall write and submit a quarterly report that must include data on school and faculty presentations, policy violations, and any and all incidents involving students, staff and guest. These reports may include the involved parties name, age, race/ethnicity, and gender when practical.
- The District will utilize data and will report it to the appropriate local, state, and federal authorities as required.
- The District shall assume sole responsibility for any school related trainings the District deems necessary for the SRO to effectively conduct his/her day to day functions in a manner appropriate and conducive to healthy relationship building.
- The SRO shall be familiar with and trained in all programs adopting non-punitive approaches to behavioral management available in the school district. If a school has implemented a specific program designed to improve overall school climate or respond to student behaviors in specific ways, the SRO shall participate in all trainings associated with that program.
- The SRO shall be evaluated as required by the Burlington Police Department and no less than twice annually by the Burlington School District and these reports shall be submitted to the Superintendent and the supervisor of the SRO's.
- The Burlington Police Department and the Burlington School District agree to provide their employees with training relative to this agreement and its purpose.

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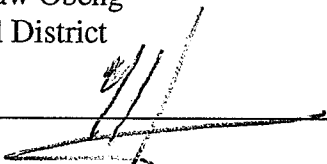
- The parties also agree to maintain regular and open communication to evaluate the effect of this agreement and suggest improvements and adjustments that may be necessary.

This agreement constitutes a final written expression of all terms of this agreement and is a complete and exclusive statement of those terms.

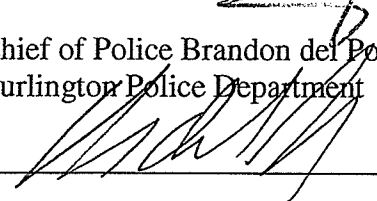
IN WITNESS WHEREOF, the parties have caused this agreement to be signed by their duly authorized officers.

Signed, sealed, and delivered in the presence of the Burlington School Board.

Superintendent Yaw Obeng
Burlington School District



Chief of Police Brandon del Pozo
Burlington Police Department



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