

**MEMORANDUM OF UNDERSTANDING**

**Between**

**The Alexandria City School Board**

**And**

**The Alexandria Police Department**

**“Calls for Service”**

**August 2021**

**PREAMBLE**

The Alexandria City Public Schools (ACPS) and the Alexandria Police Department (APD):

**a. Recognizing** that school safety and security is best achieved with the collaboration of law enforcement and school administrators,

**b. Having regard** for the Alexandria Police Department staff as professional law enforcement partners,

**c. Recognizing** that the 2020 General Assembly passed [House Joint Resolution No. 91](#) affirming the state's commitment to diversity and safeguarding the civil rights and dignity of all Virginians,

**d. Recognizing** that ACPS makes an enduring commitment to ensure that students and staff are respected for their diversity, dignity and self-worth,

**e. Acknowledging that** ACPS commits to the [ACPS Strategic Plan 2025: Equity for All](#) which identifies racial equity as a strategic imperative, and

**f. Having regard that** ACPS and APD share a common goal to maintain professional law enforcement services and support of the schools for the benefit of Alexandria generally, including both the schools and the City.

ACPS and APD wish to implement this MOU to promote and maintain the safety and security of ACPS students and staff.

**Overview.** The Alexandria City School Board, acting through ACPS, and APD hereby enter into this Memorandum of Understanding (MOU) to define call-for-service parameters that maintain a positive and safe school environment.

ACPS and APD agree that all responses to school misconduct should be reasonable, consistent, and fair, with appropriate consideration of mitigating factors and of the nature and severity of the incident. Students should receive appropriate redirection and support from in-school and community resources prior to the consideration of suspension, expulsion, involvement of law enforcement, or referral to court. This document complies with the Virginia Department of Criminal Justice Services (DCJS) School/Law Enforcement Partnership (SLEP) Guide format.

This MOU clarifies the following three items:

1. Departmental-level scope of responsibilities of the School Board, as implemented through the superintendent of schools and the APD.
2. Roles of key members in the MOU program:
  - a. ACPS:
    - i. ACPS school administrators
    - ii. school security officer (SSO)
  - b. APD:
    - i. APD law enforcement officer (Non-SRO)
3. Procedures for exchanging information among key members and between parties.

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## 1. PURPOSE

The purpose of this MOU is to establish a mutually beneficial framework that both ACPS and APD staff can work within to achieve shared goals.

## 2. GOALS

The primary goals of the MOU are:

- 1) Ensure a clear and defined understanding of the roles and responsibilities of the two parties.
- 2) Maintain safe and secure school environments.

To ensure understanding of the roles of the two parties, this MOU clarifies the respective responsibilities.

To maintain safe and secure school environments, the partnership will collaborate to reduce and prevent crime, violence, victimization, and fear in and around schools, and minimize student involvement with the juvenile and criminal justice systems. This MOU will support effective police interventions as a last resort for staff and student safety. The law enforcement community is also part of the school community, and a partner beyond enforcement.

## 3. EVALUATION OF MEASURABLE DATA

Any law enforcement action/occurrence on ACPS property will be tracked and reviewed by the ACPS Safety & Security Services (see form in Appendix 1).

For the purposes of this MOU:

A “call for service” occurs when a person initiates a non-emergency or emergency call for first-responders (police, fire, or emergency medical assistance) by calling 911 or the City of Alexandria’s non-emergency dispatch number for an incident at an ACPS school.

ACPS may meet with APD periodically to review and share information regarding calls for service that occur on ACPS property. The periodic reviews will assess data covering, at a minimum:

- a) **VDOE Student Behavior and Administrative Response (SBAR).** Each ACPS school will begin to capture student behavior categories and their associated disciplinary sanctions, instructional supports, and behavioral interventions. It is important to note that not all SBAR entries will require a law enforcement action. Most will not, but administrators **will be required to notify law enforcement** when “flagged”, according to state law. In such cases, both ACPS and APD will share information regarding the event.
- b) **Police statistical reports** of student crime and violence (subject to privacy protections). The APD will provide statistical reporting updates to ACPS Safety & Security Services, when

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requested by ACPS. Information sharing between ACPS and APD will be essential for providing the measurable data required for overall school safety.

**c) ACPS Call for Police Service Report Form** - APD officers responding to an ACPS school for a call for service will provide an ACPS employee with the following information upon request: (A designated ACPS employee will fill out the ACPS Calls for Police Service Report Form, a copy of which is attached as Appendix 1.)

- 1) how call for service was initiated,
- 2) police call for service number,
- 3) whether or not criminal charges will be sought,
- 4) whether a student is the subject of the investigation,
- 5) whether a student was questioned while on campus,
- 6) whether or not the student's parent or guardian was present during questioning,
- 7) whether the call for service is school-related.

Measurable objective: Forms collected will be reviewed for accuracy. Event type, administrative result, criminal result, parent notification, and case number information will be analyzed by Safety & Security Services. Safety & Security Services may include age, race, sex, disability and other pertinent data in its analysis.

**d) Periodic reviews.** ACPS and APD may meet periodically (e.g., quarterly) to review and share information. Data collected for areas "a," "b" and "c" above will be used to produce reports to the community via the Superintendent, School Board or Chief of Police.

**e) Educational activities with students.** (e.g. classroom briefings, student-council briefings) School administrators may request law enforcement participation in a school-related, educational law enforcement briefings or seminars at any time. Briefing material and topics must be approved by school administrators. Most seminars will relate to public safety topics.

#### **4. ROLES AND RESPONSIBILITIES OF PARTNER ORGANIZATIONS**

##### **a. Police Department Responsibilities**

The APD will designate a direct point of contact between APD and ACPS. The point of contact will address any operational and administrative issues and will serve as a consultant for school safety and security issues including assessments and critical incident response planning. The designee will maintain a working knowledge of school rules, regulations, and laws regarding student safety and conduct. The designee will establish and maintain effective relationships with school personnel at the division and school levels.

##### **b. School Division Responsibilities**

ACPS will designate a primary division-level point of contact to implement the partnership and to maintain ongoing communications with APD officials. The director of safety & security services or their designee will be the primary contact with APD.

ACPS will handle student behavior and administrative responses without involving law enforcement officials other than in exceptional circumstances outlined below. This corresponds with policy JFC-R “Standards of Student Conduct.” ACPS policies, administrative guidance, training, and ongoing oversight will clearly communicate that school administrators and teachers are responsible for school discipline and that law enforcement is not to be involved with disciplinary action.

For the purposes of this MOU, a school administrator is a principal, assistant principal, or their designee.

ACPS may hire off-duty APD officers to work at school events/activities such as sporting events, social events, plays, and school-sponsored programs. Such a detail must be approved by the chief of police through regular off-duty detail procedures within the Police Department.

ACPS will continue to utilize a positive behavior intervention strategy (PBIS) system in grades K-8. Additionally, ACPS will utilize restorative practices with grades 8-12. Restorative practices include the use of restorative circles to mediate conflict and disciplinary issues. If during the use of a restorative circle, or discipline investigation, there is information shared that relates to a required reportable offense to the APD, ACPS staff will notify the APD immediately in compliance with mandated reporting procedures. Restorative practices are also used when a student returns from a suspension. (For more information about restorative practices, principals and staff are directed to the ACPS webpage: <https://www.acps.k12.va.us/Page/2140>)

### **c. School Principal and Administrator Roles and Responsibilities**

It is the responsibility of school administrators (principal or designee) to facilitate effective communication between Safety & Security Services, school staff and any officer responding to a call for service.

### **d. School Security Officers (SSO)**

A school security officer (SSO) is an unarmed security officer employed by ACPS, via full-time employment or security contract, and authorized by ACPS to maintain order and discipline in ACPS school buildings and on ACPS property, and to assist school administrators with ensuring the safety, security, and welfare of all students, faculty, staff, and visitors to ACPS schools. For more information on SSO, Principals should refer to Appendix 2 on page 14.

**Note: SSOs are not law enforcement personnel, as their responsibility and authority are only in effect while on duty at an assigned ACPS property. SSOs have no authority off school property.**

## **5. OPERATIONAL PROCEDURES**

### **a. Differentiating Disciplinary Misconduct from Criminal Offenses**

School administrators and teachers are responsible for school discipline. Consequences of student misconduct should be effective, developmentally appropriate, and fair. Interventions and school sanctions should help students learn from their mistakes and address root causes of misconduct. School administrators will consider alternatives to suspensions-

In accordance with School Board Policy JB, any action taken in response to disciplinary misconduct and/or criminal offense will be administered fairly and without regard to race, national origin, disability, religion, gender identity, gender expression, sexual orientation or marital or parental status.

The MOU shall operate in a manner to ensure children with disabilities receive appropriate behavioral interventions and support.

### **b. Information Sharing**

The release of student records is governed by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g. "School officials" may access and disclose student records only as authorized by FERPA.

When appropriate, and to the extent the law allows, ACPS should notify the APD of any special needs of a student involved in a school-based infraction that is not routine discipline, in order

to assist police in recognizing and accommodating behaviors that may be manifestations of the student's disability.

Consent access. A law enforcement officer may have access to a student's education records only with written consent of the student's parent/guardian and in accordance with FERPA. Please see Section "c" (below) for additional guidance.

Health and Safety Emergency Exception. In the event of a significant and articulable threat to health or safety, school officials may disclose relevant information from student records to appropriate parties, including law enforcement officials, whose knowledge of the information is needed to protect the health and safety of a student or another individual.

Disclosure of law enforcement records. APD officers or officials may disclose, in accordance with the Code of Virginia, law enforcement records created and maintained by their department for the purpose of ensuring the physical safety and security of people and property in schools and/or enforcement of laws. If APD is aware of an event in the community that could compromise the safety and security of ACPS students and staff, they will notify the school administration and Safety & Security Services.

Law Enforcement-Schools Trauma Informed Communication. APD will alert schools to be prepared to provide services for students who have experienced a traumatic event. This will strengthen communications between law enforcement and school-based personnel to better support students and help mitigate the effects of trauma-related events.

### **c. Investigation and Questioning**

APD officers shall follow relevant statutes within the Code of Virginia and Alexandria Police Department Directives when interviewing students.

Law enforcement officers have the authority to question students who may have information about criminal activity (on or off school property). A sworn law enforcement officer has the authority to stop, question, interview, and take law enforcement action without prior authorization of the school administrator or contacting parents, especially when timely information will help prevent injury, death or evidence destruction. For all other non-exigent circumstances, when it becomes necessary for the law enforcement officer to interview a student on school premises, the school principal or their designee shall be contacted immediately.

Investigations and questioning of students for offenses not related to the operation of or occurring at the school should take place at school only when delay might result in danger to any person, destruction of evidence, or flight from the jurisdiction by the person suspected of a crime.



The interviewing of students – whether suspects, victims, or witnesses – should be conducted privately in an office setting, when feasible. Officers will take steps to ensure minimal intrusion into the educational experience of students being questioned in the school setting. No questioning of a student will take place without the presence of a school administrator(s) unless exigent circumstances exist.

Police officers are responsible to lead the investigation and questioning of students related to suspected violations of criminal law. Officers shall not be included in questioning students about student code of conduct violations that do not involve any criminal activity or risk of harm to self or others. School administrators are responsible for the questioning of students about violations of the code of conduct.

#### **d. Searches**

All searches shall be conducted in accordance with federal and state laws, and applicable ACPS and APD policies and guidelines, including the principles embodied in this memorandum of understanding. The below sections correspond with school board policy JFG “Search and Seizure”.

School administrator searches. School officials may conduct searches of student’s property and person under their jurisdiction when reasonable suspicion exists that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. The standard for search by a school official is reasonable suspicion.

POLICE OFFICER searches. Any search initiated by a police officer or other law enforcement officer shall be based upon probable cause and, when required, a search warrant should be obtained. All searches should occur outside the presence of students and school staff, with the exception of school administrators, unless there is a clear and immediate threat to physical safety.

Police officers shall not become involved in administrative (school related) searches unless specifically requested by school administrators and at no time shall officers request that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent. The role of police in administrative searches will be limited to providing security or protection, or to handle contraband or weapons found by school staff.

#### **e. Arrests**

Whenever practical, arrests of a student or staff member should be accomplished outside of school hours in order to not disrupt the educational process or school setting. Arrests that must occur during school hours or on school grounds should be coordinated through the school administrator or their designee to minimize potential disruption. When circumstances do not allow for prior coordination through the school administrator, arrests will be reported to the school administrator as soon as possible. In addition to any required notification of parents and

legal guardians by the officer taking a student into custody, school administrators or their designees are also responsible for an additional notification of parents and legal guardians upon a school-based arrest of their child. If questioning or investigatory interviews must occur, the officer must refer to the “Investigation and Questioning” section of this document (page 8).

#### **f. Police or Law Enforcement Use of Force**

Police officers will operate by their own department’s policies and applicable federal and state laws regarding use of force.

#### **g. Training and Practical Exercises**

ACPS recognizes that conducting safety drills and conducting tabletop exercises involving school-based Crisis Management Teams, teachers, food service, custodial, transportation, health workers and students are essential for the successful implementation of School Crisis Emergency, Management and Medical Emergency Response Plans. ACPS and APD will collaborate and provide opportunities by participating in different types of exercises for preventing, preparing for, responding to, and recovering from school emergencies.

### **6. KEY STATUTORY RESPONSIBILITIES**

#### **a. Crime Reporting**

Pursuant to §22.1-279.3:1.B, Code of Virginia, law enforcement agencies are required to notify a division superintendent, a principal, or a designee when a student in their school commits certain offenses that would be a felony if committed by an adult and the release status of the student. School superintendents who receive such reports are required to report the information to the principal of the school in which the student is enrolled.

Pursuant to §22.1-279.3:1., Code of Virginia, certain types of criminal activity that come to the attention of the principal or school staff shall be reported immediately to the APD/Police officers as specified in ACPS policy. Enumerated acts that may constitute a misdemeanor are no longer required to be reported. No police officer or school administrator shall be required to file delinquency charges. Schools shall be encouraged to deal with school-based offenses through graduated sanctions or educational programming before a delinquency charge is filed with the juvenile court. The Principal or their designee is required to notify the parent, guardian, or legal custodian of an incident that was reported to law enforcement. This section corresponds to school board policy CLA “Reporting Acts of Violence and Substance Abuse”.

#### **b. Threat Assessment**

Threat assessments shall be conducted in accordance with local school board policies (e.g., policy EBB “Threat Assessment Teams”), adopted as required by §22.1-79.4., Code of Virginia and consistent with model procedures and guidelines published by the Virginia Department of

Criminal Justice Services. The APD will develop policy and procedures to streamline the sharing of criminal history when needed by ACPS in completing a threat assessment.

APD Officers may serve as members of the school's threat assessment team, known as Safety Team, and assist in monitoring of subject students as well as determining the need, if any, for law enforcement action.

**c. School Safety Audits**

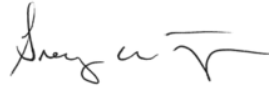
School safety audits will be conducted annually as required by law to assess school safety conditions in schools. The Virginia School Safety Audit Program is managed by the Department of Criminal Justice Services (DCJS) and is a written assessment of the safety conditions in each public school. The audits are designed to identify physical security concerns, and identify and evaluate any patterns of student safety concerns.

APD, in collaboration with school administrators, may participate in school safety audit mandates including school crisis and emergency management, and response planning and preparation.

**7. APPROVAL and ANNUAL REVIEW OF MOU**

This MOU should be reviewed annually and amended as necessary to meet the needs and enhance the partnership of the two signatory organizations. This MOU remains in force until such time as either party, with 45-day notice, withdraws from the agreement by delivering an email or written notification of such rescission to the other party.

Signed:



\_\_\_\_\_  
Don Hayes  
Interim Chief of Police, Alexandria City

\_\_\_\_\_  
Gregory C. Hutchings, Jr.  
Superintendent of Schools on behalf of the  
Alexandria City School Board

9/7/2021

Date


9/13/2021

Date

ACPS Board Policy References

- CLA Reporting Acts of Violence and Substance Abuse
- EBB Threat Assessment Teams
- JFC-R Standards of Student Conduct
- JFG Search and Seizure
- JM Management of Student Behaviors in Emergency Situations
- KN Sex Offender Registry Notification
- KNAJ Relations with Law Enforcement Authorities

## 8. Appendix 1 - ACPS Call for Police Service Report Form.



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**Instructions:** This form shall be filled out by the **school administrator** any time a law enforcement action/occurrence takes place at/during school. Complete the entire form **by asking the responding officer** all questions.

**Submit to ACPS Safety & Security Services by COB day of occurrence.**

School Name:  Date:  Time:

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**Incident/Occurrence Type/Initiated By(select all that may apply):**  Teacher/Administrator Request/Call for Police  
 Anonymous Call  Police Initiated  Parent Initiated  Student Initiated  Emergency Response  
 School Administrative Action Turned Criminal Referral  Traffic or Accident  Other \_\_\_\_\_

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**Answer All Questions Below:**

Did the police issue/create a call for service number?  Yes, # \_\_\_\_\_  No

If "Yes" answered above, were charges filed?  Yes  No  N/A

Did the initiation of an administrative action result in a criminal charge?  Yes  No

Did police investigate or question a student while on campus?  Yes  No

If "Yes" was the student's parent or guardian present?  Yes  No  Contacted

Was there only an administrative disciplinary action taken?  Yes  No

**You must identify all students involved by placing their ID number below. If an employee, identify by EID.**

Place Employee ID or Student ID Number(s) Here:

Was this police activity the result of surrounding activity and NOT school related?  Yes  No

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**Provide a brief summary of this occurrence here.**

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Safety & Security Services notified?  Yes  No Reporter's Name:

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**ACPS Call for Police Service Report Form**  
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## 9. Appendix 2 - School Security Officer (SSO)

A school that has assigned School Security Officers shall understand the authority granted to SSO by the commonwealth of Virginia and the Department of Criminal Justice Services (DCJS). School Security Officers are assigned by Safety & Security Services and primary responsibilities include:

- Assist with enforcement of student conduct
- Visitor screening
- Exterior facility patrols
- Interior patrols
- Security camera monitoring
- Activate and assist with emergency protocols

It is important to note that even though SSO must maintain a state certification, SSO are not law enforcement personnel. Both full-time SSO and contract SSO must be duly DCJS certified upon employment with ACPS, and must attend yearly training as required to maintain their DCJS 24-month recertification.

School Security Officers do not:

- Have general arrest authority
- Receive use of force training

SSO may be assigned to a specific school location based on an ACPS requirement or city regulation, therefore may collaborate with school administrators on day-to-day operations with the goal of providing a safe school environment. For matters that include work performance or program concerns, administrators shall consult with Safety & Security Services.