

Memorandum of Understanding (MOU)

This Memorandum of Understanding (MOU) is being executed by the below listed entities:

Minot Public Schools District No. 1

City of Minot Police Department

Nothing in this MOU should be construed as limiting or impeding the basis spirit of cooperation, which exists between the participating entities, listed above.

I. Purpose

This MOU establishes and delineates the mission of the Minot Police Department School Resource Officer Program (SRO) as a joint cooperative effort. Additionally, the MOU formalizes relationships between the participating entities in order to foster an efficient and cohesive program that will build a positive relationship between police officers and the youth of our community. Further, the desired net effect is to reduce crime committed by juveniles and young adults.

II. Mission

The mission of the Minot Police Department is to promote and support the organizational strategies necessary to address the causes and reduce the fear of crime and social disorder through problem-solving tactics and police-community partnerships. Through the SRO Program, the Department will enhance the services provided to those persons within the School District and the community with an emphasis in the reduction and prevention of school-related violence and crimes committed by juveniles and young adults. The SRO Program will accomplish this mission by creating and maintaining a safe, secure, and orderly learning environment for students, teachers, and staff.

III. Description of General Duties

The SRO will serve in a variety of roles, including law enforcement officer, law-related educator, problem-solver, and community liaison. The SRO will address crime and disorder problems, gangs, and drug activities affecting or occurring in or around the School District. The SRO may teach classes in crime prevention, substance abuse awareness, and gang resistance. The SRO will train students in conflict resolution, restorative justice, and crime awareness. The SRO will monitor and assist troubled students through mentoring programs and promote personal and social responsibility by encouraging participation in community service activities. The SRO will continue to build upon the respect and understanding between law enforcement and the school communities. The SRO will identify physical changes in the environment that could reduce crime in and around the School District. The SRO will help develop school policies that address criminal activity and school safety. The SRO will become a trusted channel of communications with the students, parents, and teachers. The SRO will serve as a positive role model to instill in students high moral standards, good judgment and discretion, respect for other students, and a sincere concern for the school community. The SRO will promote citizen awareness to enable students to become better informed and effective citizens. The SRO will empower students with the knowledge of the law, the obligations regarding enforcement, and the consequences for violations. The SRO will serve as a source of counseling for students and parents in addition to providing information on community resources available to them.

IV. Desired Outcomes

The goals and objectives of the SRO Program are designed to develop and enhance the rapport between youth, police officers, school administrators, parents, and the community.

The goals of the SRO Program are:

1. Improve public safety through better police work.
2. Increase the public's interaction and satisfaction with police services.
3. Reduce incidents of school violence.
4. Reduce criminal offenses committed by juvenile offenders.
5. Develop rapport with students, parents, faculty, staff, administrators, and other adults involved or affected by schools in their community.
6. Implement or expand programs which will benefit the students, school district, and their community.
7. Provide for a safe environment for students, faculty, staff, and all persons involved with the school district.

V. Parties Responsibilities

The Minot Police Department will provide:

1. The law enforcement related equipment and uniforms necessary for the SRO to fulfill their responsibility as a police officer.
2. Payment of overtime unless the overtime period is requested by the School District.
3. Payment of twenty-five percent (25%) of the cost of salary and benefits during the contract period.

4. Payment of costs associated with training, certification, and licensing relating to the SRO's law enforcement duties.
5. Payment of any expenses that are strictly police related.

The Minot School District will provide:

1. Payment of seventy-five percent (75%) of the cost of salary and benefits during the contract period.
2. Payment of overtime requested by the School District.
3. Payment of costs associated with materials, supplies, office equipment, and other immediate costs associated with the SRO program.
4. Payment of any expenses that are strictly school related.

VI. Programmatic Reporting

The Minot Police Department will be responsible for completing and submitting progress reports as required on a periodic basis. Such reports shall include information relating to officer hiring, training, and school related community policing activities performed by the SRO.

VII. Financial Reporting

The Minot Police Department will be responsible for completing and submitting financial reports on a monthly basis.

VIII. Information Sharing

The Minot School District will share student information with the SRO and other Minot Police Department employees in compliance with 34 Code of Federal Regulations (CFR) Part 99 Family Education Rights and Privacy Act (FERPA).

The SRO and other employees of the Minot Police Department shall provide information to the District as required under:

1. North Dakota Century Code (NDCC) 15.1-24-05 Law Enforcement Agencies – Duty to Inform Team relating to violations of law pertaining to alcohol, tobacco, drugs, imitation drugs, drug paraphernalia, driving under the influence, and open container of alcohol.
2. NDCC 12.1-32-15 Offenders against Children and sexual offenders relating to those persons required by law to register as an offender.

The SRO and other employees of the Minot Police Department may provide information to the District as provided under:

1. NDCC 27-20-51.1 Disclosure of Information Needed to Apprehend Juvenile relating to the apprehension of violent offenders.
2. NDCC 27-20-52 Law Enforcement and Correctional Facility Records relating to the inspection of files and records of juveniles adjudicated or alleged to be delinquent, unruly, or deprived.
3. NDCC 44-04-18.7 Criminal Intelligence Information relating to active investigations or intelligence gathering.

IX. Supervision Responsibility and Chain of Command for the SRO

The SRO program will consist of a full time Police Officer sworn to duty by the City of Minot Police Department and certified by the North Dakota Peace Officers Standards and Training Board. Further, the SRO shall meet all requirements as set forth by the City of Minot Police Department's Policy Manual.

The day-to-day operation and administrative control of the SRO Program will be the responsibility of the Minot Police Department. Responsibility for the conduct of the SRO, both personally and professionally, shall remain with the Department. The Chief of Police shall appoint supervisory personnel to oversee the program consistent with the current chain of command.

When a SRO position becomes available, notice will be given to all sworn employees through regular postings. Interested persons will submit a memorandum of interest to the office of the Chief of Police. The officer candidates will be interviewed by a board consisting of Department and School District personnel. The final selection decision will be made by the Chief of Police. The SRO assignment will be for a school year and subject to annual review.

Selection criteria may include but will not be limited to:

1. Oral presentation
2. Past performance report
3. Experience
4. Interpersonal skills
5. Education

The duties and responsibilities of the SRO will include but not be limited

to:

1. Coordinate with the school administrator in charge of the SRO Program to develop activities and assignments for the officer in and around the assigned school.
2. Address crime and disorder problems, gangs, and drug activities effecting, or occurring in or around, the SRO's assigned schools by working with students, staff, community-based organizations, and the local community.
3. Act as a law-related educator to students and staff providing formal courses of instruction and informal information sharing sessions in subjects relating to crime prevention, substance abuse awareness, and gang resistance.
4. Act as a community liaison between the school, the community, and local law enforcement to build respect and understanding between all parties.
5. Develop or expand crime-prevention efforts for students.
6. Monitor and assist troubled students through mentoring programs.
7. Promote personal and social responsibility by encouraging participation in community services activities.
8. Educate likely school-age victims in crime prevention and safety.
9. Develop or expand community justice initiatives for students.

10. Train students in conflict resolution, restorative justice, and crime awareness.
11. Assist in the identification of physical changes in the environment that may reduce crime in or around schools.
12. Assist in developing school policy that addresses crime and recommend procedural changes.

The responsibilities of the Police Department's SRO supervisor will include but not be limited to:

1. Coordinate work assignments of the SRO with school administrators and the police department.
2. Coordinate scheduling and work hours between the police department, the school district, and the SRO to include vacations, sick leave, rescheduled time, and training periods.
3. Approve police reports generated by the SRO relating to criminal offenses occurring on or near the school campus and referrals made by the SRO to outside agencies.
4. Ensure SRO remains in compliance of the Police Department Manual.

The responsibilities of the Minot School District will be to provide the SRO the following materials and facilities which are deemed necessary to the performance of the SRO duties:

1. Access to climate controlled and properly lighted private office space which may be used for general business.

2. A filing cabinet for files and records which may be locked and secured.
3. A desk with drawers, chairs, worktable, and office supplies.
4. Access to a telephone, computer system and printer, fax, copier.

The Minot School District will allow the SRO the following opportunities and access to the students, parents, facility, and staff which are deemed necessary to the performance of the SRO duties:

1. Opportunity for classroom participation and formal programs conducted by the SRO.
2. Opportunity to address students, parents, facility, and staff about the SRO Program's goals and objectives.
3. Opportunity to provide input regarding criminal justice problems relating to students.
4. Opportunity to address teachers and school administrators about criminal justice problems relating to students during in-service workdays as agreed to in cooperation with the Minot School District and the City of Minot Police Department.

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

Although the SRO has been placed into a formal educational environment, they are not relieved of the official duties as a law enforcement officer. Decisions to intervene normally will be made when it is necessary to prevent or terminate any criminal

act or if there is a safety concern. Citations should be issued, juvenile referrals made, and arrests executed when appropriate and in accordance with department policy.

The SRO Program shall utilize the SRO Triad Concept as set forth by the National Association of School Resource Officers (NASRO). The SRO Triad Concept generally means that the officer assigned to the program is a (1) law enforcement officer, (2) counselor, and (3) teacher. The SRO is first and foremost a law enforcement officer for the City of Minot Police Department. The SRO shall be responsible for carrying out all the duties and responsibilities of a police officer and shall remain at all times under the control, through the established chain of command, of the Minot Police Department. All acts of commission or omission shall conform to the guidelines of the Minot Police Department Manual and be according to law. The SRO will report directly to the SRO supervisor in matters pertaining to teaching assignments and normal law enforcement duties.

SRO's must realize they are enforcement officers in regards to criminal matters and safety concerns only. SRO's will not enforce any "school or house rule". SRO's are not school disciplinarians and should not assume this role. SRO's will not involve themselves in administrative matters of the Minot School District which are not criminal offenses.

SRO's are to be used as a resource to assist students, faculty, staff, and all persons involved with the school district.

SRO's may use teaching to build positive relationships between the students and the staff. SRO's may act as teachers on a variety of subjects to students and staff ranging from alcohol and drug education to formalized academy classes.

XI. Annual Review

The goals, objectives, expectations and other details of the School Resource Officer program shall be reviewed at least annually between the members of the City and members of the District. Following such review, the City and the District may reduce to writing their understanding of the Program. The failure to follow the guidelines prepared under this paragraph XI shall not give rise to any claim for relief by one party against the other, other than the ability to terminate this contract as provided in paragraph XIII below.

XII. Amendments

This contract may be amended or modified at any time, but only by the written agreement of both parties.

XIII. Term of Contract

The term of this contract shall be twelve months, beginning January 1, 2018 and ending December 31, 2018. The contract may be renewed on an annual basis thereafter upon the consent of all parties, provided that the contract fee shall be adjusted annually to reflect merit or cost of living salary adjustments and/or other increased costs. Any party may cancel this contract without cause upon giving a 90 day written notice to each party.

IVX. Liability

Now therefore, the City of Minot Police Department and the Minot Public School District agree as follows:

Each party to this Agreement will be responsible for its own action in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

By entering in to this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, the Agreement shall not create any rights in any party not a signatory hereto.

As agreed to and in partnership with:

Jason Olson
Chief of Police
City of Minot



Date 2-13-18

Mark Vollmer
Superintendent of Schools
Minot Public Schools District #6



Date 2/5/18