

SCHOOL RESOURCE OFFICER PROGRAM
MEMORANDUM OF UNDERSTANDING
Between the City of La Crosse Police Department and the School District of La Crosse

This Memorandum of Understanding (hereinafter "MOU") is made and entered into by and between the City of La Crosse Police Department and the School District of La Crosse effective July 1, 2021.

SECTION 1. PURPOSE OF MOU

This MOU formalizes the relationship between the participating entities in order to foster an efficient and cohesive program amongst the police department, school district, and other stakeholders. This MOU delineates the mission, organizational structure, and procedures of the School Resource Officer Program (hereinafter the "SRO Program") as a joint cooperative effort between the School District of La Crosse and the City of La Crosse Police Department.

SECTION 2. TERM

The term of this MOU shall begin on **July 1, 2021 and end on June 30, 2022**, unless terminated earlier as provided herein. The parties may renew this MOU only by separate written agreement or addendum hereto, which must be executed by both parties.

SECTION 3. MISSION, GOALS, AND OBJECTIVES

The mission of the SRO Program is to ensure schools have access to a highly trained law enforcement officer who can help support staff in creating and maintaining safe, secure and orderly learning environments at schools in the City of La Crosse. This is accomplished by assigning Law Enforcement Officers employed by the City of La Crosse Police Department (hereinafter referred to as "SROs") to area schools during the school year.

The goals of the SRO Program include:

- Increasing the likelihood that responding officers to school incidents have special training and/or dispositions to support school age youth.
- Establishing trusting channels of communication with students and parents/guardians.
- Building rapport between the SRO and parents, faculty, staff, and administrators.
- Maintaining a safe and secure environment on school grounds while minimizing youth exposure to the criminal justice system.

The SRO will serve as a positive role model to instill good moral standards, good judgment and discretion, respect for all students, and a sincere concern for the school community. The SRO will promote citizen awareness of the law to enable others to become better-informed and effective citizens, while empowering people with the knowledge of law enforcement efforts and obligations regarding enforcement as well as consequences for violations of the law. Upon student or family request, the SRO can serve as a point of contact for students and parents/guardians concerning problems they face as well as providing information on community resources that may be available to them.

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SECTION 4. ORGANIZATIONAL STRUCTURE

A. Composition. The City of La Crosse Police Department shall assign three (3) full time law enforcement officers to serve as SROs. There will be one additional officer assigned to the elementary schools to teach DARE. The SROs shall be generally assigned to City of La Crosse schools by geographic region in the district. This will include a:

Northside SRO Assignment: All City of La Crosse schools north of La Crosse Street

Midtown SRO Assignment: All City of La Crosse schools south of La Crosse Street and north of Green Bay Street

Southside SRO Assignment: All City of La Crosse schools south of Green Bay Street

The SROs are exclusively employees of the City of La Crosse Police Department and as such the La Crosse Police Department shall retain the exclusive right to exercise the customary functions of management. The SRO will be certified by the State of Wisconsin and meet all requirements as set forth by the Wisconsin Department of Justice - Training and Standards. The La Crosse Police Department reserves the right to remove the SRO at any time if Police Department staffing levels fall below acceptable norms; or in the event of a critical incident or natural disaster. In these cases, the District and Police Department will consult with each other on MOU adjustments or prorations that may be appropriate or necessary.

B. Supervision. The day-to-day operation and administrative control of the SRO Program will be the responsibility of the Police Department. Responsibility for the conduct of the SRO, both personally and professionally, shall remain solely with the City of La Crosse Police Department. The SRO is employed and retained by the City of La Crosse Police Department, and in no event will be considered an employee of the School District of La Crosse.

The Police Department and the School District shall each name a contact person who will monitor the program. Building administrators will serve as contacts for their respective school for the Police Department. The School District will provide input to the Police Department on the performance of the SRO as part of their evaluation. School District concerns regarding the conduct or performance of the SRO shall be brought to the immediate attention of the SRO Supervisor.

C. Complaints. General concerns from parents, students, or citizens about the School Resource Officer program should be brought to the attention of both the School District and the Police Department. Based on the nature of the complaint, it will be determined who should address the issue. Specific complaints from parents, students or citizens regarding a SRO or the performance of the SROs duties will be referred to the SRO supervisor. The SRO supervisor will determine the appropriate action to be taken based on the nature of the complaint. The School District will not investigate specific complaints filed against a SRO. The School District and the Police Department will work cooperatively to address these matters. Disciplinary action as the result of a complaint against a SRO is the exclusive right of the La Crosse Police Department. The Police Department shall provide a complete summary of any such complaint investigations and final dispositions to the School District.

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SECTION 5. PROCEDURES

A. Selection. The SRO position will be filled per Police Department directives and selection process. School District personnel will be included in the selection process when a vacancy occurs. The City of La Crosse Police Department has exclusive rights to make the final selection of any SRO vacancy in consultation with the School District of La Crosse.

B. SRO Program Structure. The SRO is first and foremost a law enforcement officer for the La Crosse Police Department. The SRO shall be responsible for carrying out all duties and responsibilities of a law enforcement officer and shall remain at all times under the control, through the chain of command, of the La Crosse Police Department. All acts of commission or omission shall conform to the guidelines of the providing law enforcement agency directives.

School officials should ensure that non-criminal student disciplinary matters remain the responsibility of school staff and not the SRO. Enforcement of the Student Code of Rights and Responsibilities is the responsibility of teachers and administrators. The SRO shall refrain from being involved in the enforcement of disciplinary rules that do not constitute violations of law, except to support staff in maintaining a safe school environment. Additionally, the SRO is not a school administrator, either formally or informally. School administrators will maintain responsibilities related to administrative building coverage, corrective student discipline, and the implementation and execution of school safety policies and plans.

SROs will be assigned to a group of schools as prescribed in this MOU that they are responsible for providing service. SROs shall not maintain a regular, ongoing presence in any one school unless a specific threat/event necessitates a constant presence. A SRO may schedule office hours in a school for student or parent/guardian visits. SROs shall not be assigned by school staff to provide general supervision of students.

The SRO is not a formal counselor or educator, and will not act as such. However, the SRO may be used as a resource to assist students, faculty, staff, and all persons involved with the school. With administrative approval, the SRO can be invited to classrooms to provide information to students and staff on a variety of subjects, ranging from alcohol and drug education to other relevant topics.

The La Crosse Police Department recognizes that the School District of La Crosse shall maintain full, final, and plenary authority over curriculum and instruction in the School District, including the instruction of individual students. The parties recognize and agree that classroom instruction is the responsibility of the classroom teacher, not the Police Department or its employees, and the Police Department and its employees shall not attempt to control, influence, or interfere with any aspect of the school curriculum or classroom instruction except in emergency situations.

C. SRO Training. The Police Department and the School District recognize the importance and value of having SROs specially trained to work effectively within school settings and with youth. As such, all SROs will successfully complete the following training requirements, or their equivalency, prior to starting in their position or as soon as practicable based on the availability of the training(s).

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1. **NASRO Basic SRO Course** - The NASRO Basic School Resource Officer Course is a forty-hour (40) block of instruction designed for law enforcement officers and school safety professionals working in an educational environment and with school administrators.
2. **Fair and Impartial Policing Training** - The US Department of Justice funded the development of a curriculum for recruits and patrol officers that reflects the Fair & Impartial Policing perspective. The 8-hour training helps the recruit and patrol officer to:
 - Understand that even well-intentioned people have biases;
 - Understand how implicit biases impact on what we perceive/see and can (unless prevented) impact on what we do;
 - Understand that fair and impartial policing leads to effective policing; and,
 - Use tools that help an officer (1) recognize their conscious and implicit biases, and (2) implement “controlled” (unbiased) behavioral responses.
3. **National Alliance on Mental Illness (NAMI) - Crisis Intervention Training (CIT)** - NAMI CIT programs create connections between law enforcement, mental health providers, hospital emergency services and individuals with mental illness and their families. Through collaborative community partnerships and intensive training, CIT improves communication, identifies mental health resources for those in crisis and ensures officer and community safety.
4. **Mental Health First Aid Training** - Mental Health First Aid is a course that teaches SROs how to help someone who may be experiencing a mental health or substance use challenge. The training helps them identify, understand and respond to signs of addictions and mental illnesses.
5. **YWCA Racial Justice Trainings** - YWCA offers a series of learning experiences as an opportunity to develop a foundational understanding of the System of Racial Inequity in the context of the United States, and the impact it has at the interpersonal, institutional, and structural levels.

The Police Department will maintain all training records for SROs.

D. Program Evaluation. The Police Department and School District will work collaboratively to evaluate the SRO program bi-annually after each semester. The evaluation will consist of the following measures:

- Summary field report from each SRO that outlines current work, practices, procedures, trends, concerns and recommendations for program improvement.
- Count of student drop-in/open office visits by school.
- Count of incident-related SRO student contacts by school.
- Count of citations, arrests or youth justice referrals from school-initiated contact by school.
- Review of any formal or informal complaints of the SRO program as well as any resolutions to those complaints.
- Student, staff and family survey data regarding the SRO program.

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E. SRO Program Advisory Committee. The School District of La Crosse, in cooperation with the La Crosse Police Department, will establish the SRO Program Advisory Committee to review and provide feedback on policies, procedures, and data related to the SRO Program. The La Crosse Police Department and the School District of La Crosse will provide liaisons to present information to and answer questions from the committee. The SRO Advisory Committee is an external group of stakeholders and should be comprised of the following:

- 2 Parent representatives from a racially or ethnically diverse community/group (e.g. Southside Moms)
- 2 Parent representatives from the District-Wide Parent Committee
- 2 Community representatives from diverse community groups (e.g. The Greater La Crosse Diversity Council, UWL Multicultural Center, Hmoob Cultural and Community Center, Cia Siab, B.L.A.C.K, YWCA, Ho-Chunk Nation)
- 1 Representative from the Criminal Justice Management Council
- 1 Representative from La Crosse County Human Services (e.g. Juvenile Justice, System of Care)
- 1 Representative from the La Crosse School Board

The La Crosse Police Department and all of its members, as well as the School District of La Crosse, recognize the importance and value of listening to and considering a broad range of community perspectives on policing within the schools. Additionally, they also recognize that members of the SRO Program Advisory Committee are citizen and community volunteers whose valued participation on the committee must be welcomed, encouraged and supported. Finally, they recognize that members of the committee must be treated with dignity and respect, privately and publicly, even when they share perspectives or feedback that may be different from the department and/or its members or the District.

To that end, the La Crosse Police Department and the School District of La Crosse provide assurances that members of their respective organizations will be informed of the work of the advisory committee and the terms of this agreement by their administration. Furthermore, the La Crosse Police Department and School District of La Crosse commit to addressing any instances in which one or more of their members' conduct is in conflict with the terms of this agreement. Finally, each organization will make available to the other the following agency orders, documents, processes, and/or procedures:

- Professional Standards for Employees
- Complaint Procedures
- Complaint Investigation Processes
- Agency/Organizational Accountability and Oversight

SECTION 6. DUTIES AND RESPONSIBILITIES

A. SRO. The responsibilities of the SRO will include but are not limited to:

1. Address criminal law and protect the students, staff, and public at large against criminal activity. The SRO shall follow the chain of command as set forth in the policies and procedures manual of the La Crosse Police Department. School authorities and the parents of any child involved shall be notified as quickly as possible when the SRO takes any direct law enforcement action involving a student, on-campus or off-campus, during school hours.
2. Complete reports and investigate crimes committed on school campuses.

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3. Coordinate, whenever practical, investigative procedures between law enforcement and school administrators. The SRO shall abide by all applicable legal requirements concerning interviews or searches should it become necessary to conduct formal law enforcement interviews or searches with students or staff on property or at school functions under the jurisdiction of the School District of La Crosse. The SRO will not be involved in searches conducted by school personnel unless a criminal act is involved or unless school personnel require the assistance of the SRO because of exigent circumstances, such as the need for safety or to prevent flight. Formal investigations and arrests by law enforcement officials will be conducted in accordance with applicable legal requirements.

4. The SRO shall intervene when it is necessary to prevent any criminal act or maintain a safe school environment. The SRO shall, whenever practical, advise the principal before requesting additional enforcement assistance on campus and inform the principal of any additional law enforcement responsibilities that may need to be undertaken.

5. SROs may assist school staff with home visits only if there is an articulable welfare or safety concern. Participation in home visits will be done on a "case by case" basis and the SRO supervisor should be consulted to determine if police presence is needed. School staff requests for this type of assistance will be directed to the administrator.

6. The SRO will primarily wear plain clothes while on duty. Additionally, SROs will conceal other equipment including their firearm. The La Crosse Police Department SRO Supervisor may direct or change SRO dress at their discretion based on investigatory or policing needs.

7. The SRO shall be accessible to students and staff at their assigned schools but should not be assigned to general student observation duties. The SRO should make regular visits to their assigned schools and may consider scheduling and posting office hours for students to make appointments.

8. Confer with the principal to develop plans and strategies to prevent and/or minimize dangerous situations on or near the campus or involving students at school-related activities.

9. Comply with all laws, regulations, and school board policies applicable to employees of the School District of La Crosse, including but not limited to laws, regulations and policies regarding access to confidential student records and/or the detention, investigation, and searching of students on school premises, provided the SRO shall under no circumstances be required or expected to act or in a manner inconsistent with their duties as law enforcement officers. The use of confidential school records by the SRO shall be done only with the principal's approval and as allowed under the Family Educational Rights and Privacy Act. Any existing rights or benefits of personnel assigned under this agreement shall not be abridged, and remain in full effect.

10. Upon teacher request and with administrative approval, SROs may provide information about law related topics to students and staff. This may include, but is not limited to:

- Understanding municipal codes, ordinances, rules and regulations
- Understanding citizen rights and responsibilities
- Prevention topics including drug/alcohol abuse prevention education
- School safety topics

11. The SRO may attend special school events (dances, athletic competitions, etc.) in an official capacity if assigned or approved by the SRO Supervisor at the expense of the Police Department. Requests for SRO presence at an extra-curricular event must be made in a timely manner by the building principal to the SRO Supervisor. If costs are incurred for these services the School District will be invoiced by the Police Department using the Police Department's standard security billing rate.

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12. Attend law enforcement agency in-service training as required. Reasonable attempts will be made to schedule such training to minimize their absence from school on an instructional day.

13. Upon request, attend meetings of parent and faculty groups to solicit their support and understanding of the school resource program and to promote awareness of law enforcement functions.

14. The SRO will be familiar with community agencies offering assistance to youths and their families such as mental health services, drug treatment centers, etc., and may make referrals when appropriate.

15. It is the responsibility of the SRO to report schedule changes or conflicts to the school administrator.

B. SRO SUPERVISOR. The responsibilities of the SRO supervisor will include but are not be limited to:

1. Coordinate work assignments of the SROs including scheduling and work hours.

2. Ensure SRO compliance with Police Department operational policies, general orders and the parameters of this MOU.

3. Work with the schools and the district to make any needed adjustments to the SRO Program throughout the school year.

4. Complete the SROs' annual performance evaluations. The SRO supervisor will request feedback from the district's and school's designated contact persons during the evaluation process.

5. Assemble, complete and submit summary activity reports for the SRO Program to the School District, bi-annually.

C. SCHOOLS. The responsibilities of the Schools will include but are not limited to:

1. The School District of La Crosse shall provide the SRO with access to a shared, appropriately furnished and climate-controlled office space. This shall include but is not limited to a desk and chair, a filing cabinet for files and records which can be properly locked and secured, and telephone and internet access.

2. Provide access to security cameras, updates to school security plans and work with SROs to address specific security concerns in and around the schools.

3. Reasonable opportunity to address students, teachers, school administrators, and parents about the SRO Program, goals and objectives. Administrators shall seek input from the SRO regarding youth justice concerns relating to students and site security issues.

4. When school personnel discover weapons, drugs, alcohol, or the illegal contraband on school property, the SRO shall be notified as soon as reasonably possible. If no juvenile or criminal charges are to be filed and no administrative action is to be taken by the Schools, the contraband shall be confiscated by the SRO according to Police Department policy and properly disposed of.

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5. School personnel shall timely notify the SRO with the names of specific individuals who are not allowed on school property, and shall notify the SRO of any anticipated safety concerns resulting from disciplinary action taken against a student.

6. Work cooperatively with the Police Department to make any needed adjustments to the SRO Program throughout the year.

7. Provide the Police Department with updated copies of all laws, rules, regulations, and school board policies applicable to employees of the School, including but not limited to laws, rules, regulations and policies regarding access to confidential student records and/or the detention, investigation, and searching of students on school premises.

SECTION 7. ENFORCEMENT

SROs will strive to avoid taking formal enforcement action and should always attempt to direct the incident to school administration for appropriate school-based sanctions or refer the incident to existing diversionary programs (ie System of Care). Serious incidents may be referred to the appropriate charging authority for a charging decision. As a last option, SROs will take direct enforcement action after consulting with the SRO supervisor. Any enforcement actions will follow the Police Department's policy on juvenile offenders and existing State laws. The La Crosse Police Department will have the final decision on the handling of criminal or ordinance violations. The La Crosse Police Department will not take enforcement action on truancy violations or student attendance issues. For issues related to student attendance, La Crosse Police will work cooperatively with the School District and other members of the Juvenile Justice System to identify methods to improve student attendance.

SECTION 8. OTHER MOUs and MOAs

1. This Agreement also recognizes the applicability of the terms and conditions of the following pre-existing MOUs, MOAs, and policies between the La Crosse Police Department and School District of La Crosse: SROs and La Crosse Police Department personnel are approved by the Superintendent as outside partners and will have authorized entry access to all buildings within the district when acting in the capacity of their position and duty.
2. SROs and the La Crosse Police Department will have access to the district's security camera system per the camera Use MOA ~ signed 9/20/2012 and School District of La Crosse Administrative Policy 3710.3.
3. SROs are approved by the Superintendent as school officials and will have access to the District's student information system per School District of La Crosse Administrative Policy 5220.7 I (g) and in compliance with the Family Educational Rights and Privacy Act (**FERPA**). School administrators will have direct control with respect to the use and maintenance of education records.
4. SROs will support the implementation of the Coulee Region System of Care School Justice Collaborative per the System of Care MOU ~ signed 8/9/2016.

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SECTION 9. DISPUTE RESOLUTION

The La Crosse Police Department and School District of La Crosse agree that, in the event of a dispute, each organization will communicate in a good faith effort to resolve the dispute. Concerns must be directed to the appropriate personnel within each organization beginning with the SRO Supervisor for the La Crosse Police Department and the Administrative SRO Program Liaison for the School District of La Crosse.

SECTION 10. COSTS

The La Crosse Police Department will invoice the School District of La Crosse annually for the following program costs:

<u>SERVICES</u>	<u>COST/RATE</u>
SRO Program - 3 SROs	\$150,000

SECTION 11. TERMINATION

This Agreement may be terminated by either party, with or without cause, upon seven (7) days written notice to the other party.

SECTION 12. HOLD HARMLESS

1. In accordance with the Wisconsin Constitution, each party agrees to hold harmless, defend, and indemnify each other including its officers, agents, and employees against all claims, demands, actions and suits (including all attorney fees and cost) arising from the indemnitors' performance of this Agreement where the loss or claim is attributable to the negligent acts or omissions of that party.

2. The School District of La Crosse and the City of La Crosse Police Department mutually covenant and agree that neither party will insure the actions of the other, and each party will assume its own responsibility in connection with any claims made by a third party against the City of La Crosse Police Department and/or the School District of La Crosse subject to the provisions of paragraph 1.

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SECTION 13. NOTICE

Any notice, consent or other communication in connection with this Agreement shall be in writing and may be delivered in person, by mail or by email. If hand-delivered, the notice shall be effective upon delivery. If by email, the notice shall be effective when sent. If served by mail, the notice shall be effective three (3) business days after being deposited in the United States Postal Service by certified mail, return receipt requested, addressed appropriately to the intended recipient as follows:

For School District of La Crosse:

Superintendent Aaron Engel
807 East Avenue South
La Crosse, WI 54601
aengel@lacrossesd.org

For La Crosse Police Department:

Chief Shawn Kudron
400 La Crosse Street
La Crosse, WI 54601
kudrons@cityoflacrosse.org

This has been agreed to in cooperation with the City of La Crosse Police Department and the School District of La Crosse. As agreed to and in partnership with:



Superintendent Aaron Engel

June 4, 2021
Date

Chief Shawn Kudron

Date

Attachments:

1. Building Access MOA
2. Camera Use MOA
3. Access to Information Systems Policy
4. System of Care MOU
5. Current School Resource Officer (SRO) Position Description
6. Current SRO Assignments