

Council Bill: B 212-17

MOTION TO AMEND: _____

MADE BY: _____

SECONDED BY: _____

MOTION: I move that Council Bill B 212-17 be amended as set forth on this amendment sheet.

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Exhibit A attached to this amendment sheet is substituted for the original Exhibit A attached to the ordinance.

School Resource Officer Agreement

This agreement is entered into on this ____ day of _____, 2017 between the Columbia School District (Columbia Public School District) and the City of Columbia, Missouri (Columbia Police Department). This agreement shall automatically extend through October 1, 2018. Both parties can agree to modify this agreement during that time. Any further extensions or amendments shall be duly executed by both parties.

NOW, THEREFORE, THE PARTIES HERTO AGREE AS FOLLOWS:

1.0 Goals and Objectives – It is understood and agreed that the COLUMBIA PUBLIC SCHOOL DISTRICT and the COLUMBIA POLICE DEPARTMENT officials share the following goals and objectives with regard to the School Resource Officer (SRO) Program in the schools:

- 1.1 To foster educational programs and activities that will increase students' knowledge of and respect for the law and the function of law enforcement agencies;
- 1.2 To encourage SROs to attend extra-curricular activities held at schools, when possible, especially those activities with significant crowds;
- 1.3 To act swiftly and cooperatively when responding to major disruptions and flagrant criminal offenses at school, such as: disorderly conduct by trespassers, the possession and use of weapons on campus, the illegal sale and/or distribution of controlled substances and riots;
- 1.4 To report crimes that occur on campus and to cooperate with law enforcement officials in their investigation of crimes that occur at school;
- 1.5 To cooperate with other law enforcement entities in their investigations of criminal offenses which occur off campus; and
- 1.6 To build relationships with students, families and staff which enhance communication and the partnership between the Columbia Police Department, school and community.

2.0 Employment and Assignment of School Resource Officers

- 2.1 The COLUMBIA POLICE DEPARTMENT (with the financial assistance of the COLUMBIA PUBLIC SCHOOL DISTRICT) agrees to employ four (4) School Resource Officers (SROs) during the regular school session and for the one month summer school session as outlined in this agreement. The SROs shall be employees of the COLUMBIA POLICE DEPARTMENT and shall be subject to the supervision and control of the COLUMBIA POLICE DEPARTMENT.

- 2.2 The COLUMBIA POLICE DEPARTMENT (with financial assistance from the COLUMBIA PUBLIC SCHOOL DISTRICT) agrees to provide and to pay the SROs' salary and employment benefits in accordance with the applicable salary schedule and employment practices of the City of Columbia.
- 2.3 The COLUMBIA POLICE DEPARTMENT, in its sole discretion, shall have the power and authority to hire, discharge and discipline SROs. However, the COLUMBIA PUBLIC SCHOOL DISTRICT will be actively involved in interviews and decisions on the placement of SROs in the COLUMBIA PUBLIC SCHOOL DISTRICT, with a collaborative decision resting with the Columbia Police Department.

To the extent allowed by law, the COLUMBIA POLICE DEPARTMENT shall hold the COLUMBIA PUBLIC SCHOOL DISTRICT free, harmless and indemnified from and against any and all claims, suits or causes of action arising out of allegations of unfair or unlawful employment practices brought by SROs. Nothing contained herein shall be deemed a waiver of either party's defenses and immunities available under law or require the COLUMBIA POLICE DEPARTMENT to hold the COLUMBIA PUBLIC SCHOOL DISTRICT harmless from the DISTRICT'S own negligence or intentional acts.

- 2.4 The SROs shall be assigned by the COLUMBIA POLICE DEPARTMENT and the COLUMBIA PUBLIC SCHOOL DISTRICT as follows:

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|---------------------------------------|-----|
| 2.41 One shall be assigned to HHS | (1) |
| 2.42 One shall be assigned to RBHS | (1) |
| 2.43 One shall be assigned to BHS | (1) |
| 2.44 One shall be assigned to CORE/MS | (1) |

- 2.5 In the event an SRO is absent from work, for reasons due to illness or personal matters, the SRO shall notify both his/her supervisor in the COLUMBIA POLICE DEPARTMENT and the principal of the school to which the SRO is assigned. For pre-arranged absences, e.g. training or other CPD assigned duties, the COLUMBIA POLICE DEPARTMENT will make every effort to provide a substitute officer for the SRO and/or to schedule absences on days when school is not in session.
- 2.6 The COLUMBIA PUBLIC SCHOOL DISTRICT will provide office space and office supplies for each SRO.

3.0 Duty Hours

- 3.1 The maximum number of hours that an SRO officer shall be on duty in a two-week pay period shall be 80 hours and the minimum shall be 80 hours. Specific SRO duty hours at a particular school shall be set by mutual agreement between the COLUMBIA PUBLIC SCHOOL DISTRICT and the COLUMBIA POLICE DEPARTMENT.
 - 3.1.1 Any hours worked for SRO duties in excess of 80 hours in a two week pay period related to calls for service initiated prior to the end of the officer's regular shift that extend beyond that shift will be paid by COLUMBIA POLICE DEPARTMENT and reimbursed by COLUMBIA PUBLIC SCHOOL DISTRICT at 50% of the cost of salary and benefits.
 - 3.1.2 Nothing in this agreement shall be construed to confer a benefit on any officer. This agreement is not an employment contract.
- 3.2 The High School SROs shall be on duty at their respective school(s) from 8:30 a.m. to 4:30 p.m. and the CORE/MS SRO shall be on duty from 7:30 a.m. to 3:30 p.m. unless modified by the mutual agreement between COLUMBIA POLICE DEPARTMENT and the COLUMBIA PUBLIC SCHOOL DISTRICT.
- 3.3 It is understood and agreed that time spent by SROs attending juvenile court and/or criminal cases arising from and/or out of their employment as an SRO shall be considered as hours worked under this Agreement.

4.0 Basic Qualifications of School Resource Officers (SROs)

To be an SRO, an officer must first meet all of the following basic qualifications:

- 4.1 Shall be a commissioned officer and should have three years of law enforcement experience;
- 4.2 Shall possess a sufficient knowledge of the applicable Federal and State laws, City and County ordinances, and Board of Education policies and procedures;
- 4.3 Shall be capable of conducting in-depth criminal investigations;
- 4.4 Shall possess even temperament, and an ability to build relationships with students, staff and parents;
- 4.5 Shall possess communication skills which would enable the officer to function effectively within the school environment; and
- 4.6 Shall possess high levels of skill and training as an officer. The COLUMBIA POLICE DEPARTMENT will be responsible for the skill level and training of the officer. The COLUMBIA PUBLIC SCHOOL DISTRICT will provide additional in-service for the SRO regarding the specific buildings' practices and culture.

5.0 Duties of School Resource Officer

- 5.1 To protect lives and property for the citizens and public school students of the City;
- 5.2 To enforce federal, state and local criminal laws and ordinances,
- 5.3 To assist school officials with the enforcement of Board of Education Policies and administrative regulations regarding student conduct; however physical confrontations will be avoided unless a law violation has committed.
- 5.4 To investigate criminal activity committed on or adjacent to school property;
- 5.5 To counsel public school students in special situations, such as students suspected of engaging in criminal misconduct, when requested by the principal or the principal's designee or by the parents of a student;
- 5.6 To assist other law enforcement officers with outside investigations concerning students attending the school(s) to which the SRO is assigned;
- 5.8 To provide small-group and whole-class education, at the request of the school, on topics of importance to adolescents (i.e. school safety, substance abuse and/or gang activities).

6.0 Chain of Command

- 6.1 As employees of the COLUMBIA POLICE DEPARTMENT, SROs shall follow the chain of command as set forward in the COLUMBIA POLICE DEPARTMENT Policies and Procedure Manual.
- 6.2 In the performance of their duties SROs shall coordinate and communicate with the principal or the principal's designee of the school to which they are assigned.

7.0 Training

- 7.1 Training sessions will be conducted to provide SROs with appropriate in-service training such as up-dates in the law, in-service firearm training, and other required department training. The COLUMBIA PUBLIC SCHOOL DISTRICT will also provide training in Board of Education policies, regulations and procedures, including diversity training.

8.0 Dress Code

SROs shall be provided by COLUMBIA POLICE DEPARTMENT approved uniform which they are required to wear.

9.0 Transporting Students

9.1 It is agreed that SROs shall not transport students in his/her [the SRO's] patrol vehicle except:

9.11 When the students are victims of a crime, under arrest, or some other emergency circumstances exist; and

9.12 When the parent or guardian has refused or is unable to pick up the child within a reasonable time period and the student is disruptive/disorderly and his/her continued presence on campus is a threat to the safety and welfare of other students and school personnel.

9.2 If circumstances require that the SRO transport a student, then the school officials may provide a school official to accompany the officer in the vehicle.

9.3 If the student to be transported off campus is not under arrest, a victim of a crime, or violent or disruptive, the school administration shall provide transportation for the student and the SRO may accompany a school official in transporting a student.

9.4 SROs shall notify the school principal before [if possible] removing a student from campus.

10.0 Investigation, Interrogation, Search and Arrest Procedures

The policies for the investigation of crimes and interrogation, search and arrest of students are as follows:

10.1 Interrogation Procedures. In the event a serious crime is committed at school or at a school activity, the SRO with the assistance of the principal or assistant principal should:

10.1.1 If a student is detained, placed in custody or arrested, the student must be advised prior to further questioning of his/her rights as required by law prior to further questioning by the SRO.

10.1.2 If the suspect is under 17 years of age, the child's parent, guardian or custodian shall be contacted and must be

present during the interview.

- 10.1.3 If the student is 17 years of age or older, he/she must be advised of his/her rights, but the presence of the student's parent, guardian, custodian or attorney may be waived by the student.

10.2 Search Procedures

- 10.21 If the school has reasonable grounds for suspecting that a search of a student or a student's possessions will uncover evidence that the student has violated, or is violating, either the law or the rules of the school, the school official may search the student and the student's pockets, pocketbook, book bag, desk, locker, vehicle or any other similar location within the student's control. When requested by school officials, the SRO shall be present for the search in order to protect the safety of all persons involved in the search. If the search uncovers evidence of criminal misconduct, the evidence may be held for or turned over to the SRO.

10.3 Reporting of Serious Crimes

- 10.31 If the investigation uncovers evidence of a serious crime as defined in STATUTE and COLUMBIA PUBLIC SCHOOL DISTRICT administrative regulations, or a violation of the Safe schools Act, the school official shall notify the SRO, the student's parent/guardian and the superintendent.

10.4 Arrest Procedures - School Related Crimes

- 10.41 Juveniles. When an SRO arrests or takes a juvenile under the age of 17 into custody, he/she shall contact the juvenile office for appropriate actions.
- 10.42 Students 17 years of age or older. When an SRO arrests or takes a person 17 years of age or older into custody, he/she shall select the course of action consistent with state and local law which is appropriate under the circumstances.
- 10.43 If the school initiated the arrest of the student, the principal or his

designee shall be responsible for notifying the student's parents or guardians. Such notification by a school official shall be made as soon as possible, preferably prior to the actual removal of the student from campus.

10.44 If the SRO initiated the arrest, the SRO shall contact the student's parent as soon as practical after the arrest of a student (who is deemed a juvenile under the criminal justice system) and shall notify the parent/guardian of the reason(s) for the arrest.

10.5 Arrest Procedures - Crime Committed Off Campus

Crimes committed at school bus stops or while students going to and from school.

10.51 Law enforcement officials are responsible for enforcing the law on public streets, including at school bus stops. Therefore, the SRO shall assist school officials and coordinate with the appropriate local law enforcement agency the investigation of crimes that occur at bus stops and while students are going to and from school.

11.0 Bomb Threats

It is a felony to give false information concerning the placement of a bomb in a school building. School officials, the SRO and fire safety officials shall cooperate in the implementation of procedures in the event of a bomb threat (see COLUMBIA PUBLIC SCHOOL DISTRICT Emergency Procedures Manual). In all cases, such incidents shall be reported by the principal to the superintendent and to the SRO.

12.0 Controlled Substances

12.1 School officials shall notify the SRO in all cases involving the possession, sale or distribution of controlled substances at school or school activities.

12.2 Any controlled substances or suspected controlled substances confiscated by school officials shall be turned over to the SRO for proper identification and eventual destruction.

12.3 If there is reasonable suspicion to believe that a student or any other person has sold or is selling controlled substances at or near a school, the SRO shall be notified, and appropriate law enforcement action shall be taken in accordance with appropriate Federal, State or Municipal laws.

13.0 Riots and Civil Disorders

- 13.1 In the event a riot or civil disorder occurs on a school campus, the principal and the SRO [if possible] shall discuss and agree upon a response to the situation.
- 13.2 If in the opinion of the principal or the SRO, additional law enforcement personnel are needed to restore and/or maintain order, the SRO will contact the Columbia Police Department and request that assistance. The principal or his designee also shall notify the superintendent.
- 13.3 The principal or his designee shall be prepared to respond to questions from the news media, parents and other members of the public as soon as order is restored.
- 13.4 The SRO or officer in charge shall inform the principal or his/her designee of the need or decision to arrest and/or remove students and other persons from the campus. However, law enforcement officials shall have the authority to arrest and remove any person who commits a crime in their presence.

14.0 Access to Educational Records

- 14.1 School officials shall allow SROs to inspect and copy any public records maintained by the school, including directory information such as yearbooks.
- 14.2 If some information in a student's cumulative record is needed in an emergency to protect the health or safety of the student or other individuals, school officials may disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety.
- 14.3 If confidential student records information is needed, but no emergency situation exists, the information may be released only upon the issuance of a search warrant or subpoena to produce the records.

15.0 Term of Agreement

The term of this agreement will be from the first day of school, August 15, 2017 to June 29, 2018 and can be renewed and extended annually by the COLUMBIA PUBLIC SCHOOL BOARD OF EDUCATION AND THE CITY OF COLUMBIA.

16.0 Consideration

- 16.1 For and in consideration of the COLUMBIA POLICE DEPARTMENT providing the SRO Program as described herein, the COLUMBIA PUBLIC SCHOOL DISTRICT agrees to reimburse the COLUMBIA POLICE DEPARTMENT FOR \$172,019 for four (4) officers. The reimbursement by the school district pays for half the salary and benefits of four officers for twelve months.
- 16.2 The said compensation shall be paid by the COLUMBIA PUBLIC SCHOOL DISTRICT to the CITY OF COLUMBIA in nine monthly installments, on or about the first day of each month. For the fiscal year of 2018, monthly payments will begin October 1, 2017 - June 1, 2018. Any additional hours as referenced in Section 3.2 will be billed to the COLUMBIA PUBLIC SCHOOL DISTRICT on January 1, 2018 and June 1, 2018.

17.0 Evaluation

It is mutually agreed that the COLUMBIA PUBLIC SCHOOL DISTRICT shall evaluate the SRO program annually and evaluate the performance of each SRO annually. These evaluations will be completed with forms developed jointly by the COLUMBIA PUBLIC SCHOOL DISTRICT and the COLUMBIA POLICE DEPARTMENT. It is further understood that the COLUMBIA PUBLIC SCHOOL DISTRICT'S evaluation of each officer shall have significant consideration regarding retaining the officer as an SRO. However, the COLUMBIA POLICE DEPARTMENT retains the final authority to evaluate the performance of the SROs, and remove/replace an SRO.

18.0 Scope of SRO Services Contract

All terms in this contract only apply to the specifically designated SRO officers and does not change any other existing agreements between the COLUMBIA PUBLIC SCHOOL DISTRICT to employ sworn officers of the COLUMBIA POLICE DEPARTMENT to work for the SCHOOL DISTRICT in an off-duty capacity.

IN WITNESS WHEREOF, the parties hereto have caused this Operations Agreement to be executed the day and year first written above.

CITY OF COLUMBIA, MISSOURI

BY: _____
Mike Matthes, City Manager Date

ATTEST:

City Clerk Date

APPROVED AS TO FORM



City Counselor

Date

BY: _____

Dr. Peter Stiepleman, Superintendent

Date

ATTEST

Linda Quinley, Chief Financial Officer/
Chief Operations Officer

Date