

CITY OF HUBER HEIGHTS
STATE OF OHIO

RESOLUTION NO. 2020-R-6882

AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE HUBER HEIGHTS CITY SCHOOLS AND TO CONTINUE THE SCHOOL RESOURCE OFFICER PROGRAM.

WHEREAS, the Huber Heights Police Division received a grant in 2002 to help fund a School Resource Officer Program in which a Memorandum of Understanding between the City and the Huber Heights City Schools District was formed; and

WHEREAS, the original Memorandum of Understanding has expired; and

WHEREAS, the School District and the City feel the program is valuable and necessary to keep in operation and have agreed to continue sharing the funding as detailed in the proposed Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City Manager is hereby authorized to enter into the Memorandum of Understanding with the Huber Heights City Schools District to continue sharing the funding for two (2) School Resource Officers attached hereto as Exhibit A.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the 8th day of June, 2020;
__8__ Yeas; __0__ Nays.

Effective Date: June 8, 2020

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

EXHIBIT A

MEMORANDUM OF UNDERSTANDING

AGREEMENT BETWEEN THE HUBER HEIGHTS CITY SCHOOL DISTRICT BOARD OF EDUCATION AND THE CITY OF HUBER HEIGHTS.

I. Policy Statement

A. Purpose

The purpose of the School Resource Officer (SRO) Program involves the assignment of carefully selected and trained police officers from the Huber Heights Police Division to work directly in the schools of the Huber Heights City School District in cooperation with the administrators and faculty. The program is designed to minimize disruption to the educational process in the Huber Heights City School District by a commitment to maintain a zero tolerance for weapons, drugs, violence, and unruly behavior through the arrest of violators, confiscation of contraband, counseling of at-risk youth, and maintaining an atmosphere that is safe and conducive to learning.

B. Objectives of the Program.

1. Build a positive image toward orderly behavior.
2. Familiarize students with the role of law enforcement personnel, their objectives, and role in society.
3. Encourage students to stay in school.
4. Implement an effective program of safety education.
5. Make the campus a safe environment for learning through law enforcement and crime prevention.
6. Work with students to foster a positive attitude toward law enforcement.
7. Encourage more cooperation between students and police.
8. Reduce juvenile crime. Promote positive youth development.
9. Assist teachers/staff with instruction or support information as requested.

C. Duties of the School Resource Officer (SRO)

The SRO's activity in the Huber Heights City Schools will be guided by the following procedures. These procedures have been drafted in a cooperative effort between Huber Heights City School District and Huber Heights Police Division. These procedures highlight several areas which are collectively felt to be necessary. It is understood that specific daily

assignments to accomplish the following functions will vary from school to school. The primary functions of the SRO are as follows:

1. Provide a safe and secure school environment.
2. Serve as an educational resource officer.
3. Serve as liaison between the school and the Huber Heights Police Division.
4. Meet with the school principal and at times with central office Administration to discuss plans and strategies to address specific issues or needs as they may arise.
5. Protect the students and staff.
6. Reduce juvenile delinquency through close contact with students and school personnel.
7. Investigate delinquent acts within the school system and its neighborhood complex when school or student oriented.
8. Participate as a resource person for the school district in classrooms, assemblies, and other school events.

D. Personnel Assignments

1. Volunteers are selected from the Police Division and after examination of their qualifications by representatives of the Police Division and the District, members will be recommended for consideration by the Police Chief.
2. The officer will be a full-time commissioned police officer certified by the State of Ohio Peace Officer Training Commission.
3. The officers are assigned to the Public Affairs Unit of the Huber Heights Police Division. When dealing with matters specifically related to operation of the schools, the officer will fully cooperate with the school security and/or the building principal. When dealing with matters directly related to violations of law, officers will be under the direction of his/her Police Division chain of command.
4. Ordinarily, the SRO will work five days a week with weekends off. Working schedules and off days may be altered by the officer's supervisor.
5. Communications control
 1. Interoffice mail, electronic mail and general correspondence
 11. Contact by police radio via the communications center
 111. Cellular Phone
 - 1v. Office Phone in their respective schools
6. Dress for the SRO will be the full police uniform of the day or the approved SRO class C uniform.

E. Scope of Accountability of the SRO

1. The SRO's assignment is the Huber Heights City School District.
2. The SRO will be accountable to the Police Division's chain of command.
3. While at the schools, the SRO will work closely with and fully cooperate with the school security and staff.
4. The SRO is expected to cooperate with the school officials, including administrators and faculty.
5. The SRO will abide by the school policy regarding school operations and respond to the request of school officials regarding school operations and policies.

F. Reporting Responsibilities of the SRO

1. Monthly reports of SRO activities will be prepared and submitted through the SRO's chain of command to the Chief of Police.
2. Program records will be maintained by the Police Division's Administration.
3. A copy of the monthly report will be made available upon request to school administrators, central office staff, and school security officials.

G. Equipment Needs of the SRO

1. Forms will be supplied by the Police Division.
2. Private and effective office space and office supplies will be provided by the school district.
3. All police equipment and clothing are subject to the Police Division rules and regulations as approved.

H. Supervision of the SRO

1. Will be in accordance with the Huber Heights Police Division policy on chain of command.
2. Upon evaluating the performance of the SRO, the respective supervisor will confer with the school principal and/or Superintendent for input regarding in-school performance.

I. Cooperative Liaison

1. School personnel
2. Fire Division
3. Other police units, sections and personnel

J. Guidelines

The School Resource Program has certain guidelines that must be understood by police officers and school staff. They have evolved from experience, informally, but are stated here for clarification.

1. An officer shall be assigned to the school in full uniform or the approved SRO class C uniform.
2. The uniformed officer who relates well to the majority of the student community will help to instill an air of respect and friendliness for other uniformed members of the police division. The uniformed officer who is trained, understanding, fair and sincere can do much towards building positive police-parent relationships.
3. The SRO should not become involved in school matters unless the situation would typically involve law enforcement. SRO's are not school disciplinarians. When working in conjunction with principals and staff on school matters, the SRO's are considered not only law enforcement officers, but also school officials in regard to District policies. They are to work cooperatively with principals and staff on any school related matter. They will remain full time sworn police officers responsible to and directed by the Police Division command staff.
4. SRO's will handle any student education records or other confidential information in accordance with District policy and state and federal law.

K. Training

1. In compliance with R.C. 3313.951, any officer assigned as an SRO shall meet the training requirements of that Section, which include:
 - a. Complete a basic training program approved by the Ohio peace officer training commission, as described in division (B) (1) of section 109.7 7 of the Revised Code;
 - b. Complete at least forty hours of school resource officer training within one year after appointment to provide those services through one of the following entities, as approved by the Ohio peace officer training commission:
 - (i) The national association of school resource officers;
 - (ii) The Ohio school resource officer association;

(iii) A peace officer certified to conduct a course that satisfies the conditions set forth in division (B)(3) of this section.

c. Training received pursuant to (b)(i), (ii) or (iii) above shall include instruction regarding skills, tactics, and strategies necessary to address the specific nature of all of the following:

1. School campuses;

11. School building security needs and characteristics;

111. The nuances of law enforcement functions conducted inside a school environment, including:

I Understanding the psychological and physiological characteristics consistent with the ages of the students in the assigned building or buildings;

2 Understanding the appropriate role of school resource officers regarding discipline and reducing the number of referrals to juvenile court; and

3 Understanding the use of developmentally appropriate interview, interrogation, de-escalation, and behavior management strategies.

1v. The mechanics of being a positive role model for youth, including appropriate communication techniques which enhance interactions between the school resource officer and students;

v. Providing assistance on topics such as classroom management tools to provide law-related education to students and methods for managing the behaviors sometimes associated with educating children with special needs;

v1. The mechanics of the laws regarding compulsory attendance, as set forth in Chapter 3321 of the Revised Code;

- vu. Identifying the trends in drug use, eliminating the instance of drug use and encouraging a drug-free environment in schools.

II. School Resource Officer Program

The Huber Heights SRO program will be based on the input from the Huber Heights Police Division, the Huber Heights City Schools Administration, teachers, faculty, and students. The programs will be fashioned to fulfill four main roles: (1) law enforcement, (2) education, (3) crime prevention and (4) mentor/problem solver.

- A. Law Enforcement Role - The SRO will be responsible for the majority of law enforcement activities occurring at the school during school hours. This will involve the traditional enforcement activities of arrests, reports, and filing of charges, etc. The officer is also responsible for conducting follow-up investigations at the request of other police division personnel. In addition, the officer is responsible for information sharing between school officials and the Police Division. To establish and maintain credibility, it is imperative that the SRO not be compromised in his/her position as an enforcement authority.

- 1. It is critical that we establish with school Administration's input, protocol and procedures for enforcement action detailing the officer's role and the school's role. It must be clear when and how the officer's law enforcement activities and the school's administrative discipline will be coordinated.

- B. Crime Prevention - A second role the SRO fulfills is crime prevention. The officer will conduct various activities including foot patrol and internal security throughout the school property when requested and appropriate by school officials. The officer can be utilized by completing security surveys relative to the physical security of school property and facilities. Additionally, the officer will act as a resource to the faculty and staff of the school to advise on matters relative to criminal activity. The officer will help coordinate or conduct crime prevention presentations for faculty, staff and students. Topics of interest in the areas of criminal law and crime prevention could benefit students and staff. Finally, the officer will gather and disseminate intelligence to prevent potential crimes.

- C. Education - The third role of the SRO is education. Considering the overall mission of our schools is to educate, it is very important that the SRO participate in this mission. By becoming a member of the educational team, the SRO will become more accepted by students, faculty and staff. Officers can provide presentations on law-related topics which are provided to any class by teacher invitation. The officer can also speak

to student and parent support groups and provide training to administrators and faculty in the area of law enforcement. An added benefit to this role is the presence of the officer in the classroom. Students who have the opportunity to spend some time with a police officer in a positive, non-threatening setting are also more likely to open up and share information with that officer, thus building trust and respect.

- D. Mentor/Problem Solver - The fourth role of the SRO is that of a mentor/problem solver. Officers can mentor students within the context of that officer's knowledge, training and experience. The officer can be available to the students on a variety of issues which range from dealing with anger, personal conflicts, drug and alcohol issues, abuse and neglect, and other issues which could in some way be connected with the law. The SRO's can work closely with the school counselors, social workers, and psychologists in order to provide appropriate levels of support and information to students in need. SRO's should not attempt to provide ongoing/scheduled or formal counseling with students; but rather, should refer those students to the appropriate school psychologist or counselor for such service.

III. SRO Standard Operating Procedures

The SRO's activity in the school will be guided by the following procedures. These procedures have been drafted in a cooperative effort between the Huber Heights Police Division and the Huber Heights City Schools. These procedures highlight several areas which are collectively believed to be necessary.

- A. Role in Crime Suppression - One of the SRO's roles will be enforcement including traditional criminal investigation and report taking. As a police officer, the SRO has the authority to make arrests and use alternatives to arrest at his/her discretion. The following procedures will help the SRO be as effective as possible in this role.
 - 1. The SRO will be informed by school administration and security officials, of all criminal activity which occurs on the school campus during the day regardless of the seriousness of the offense. The SRO will also inform school Administration and security of all criminal activity occurring on campus to make sure all interested parties remain informed.
 - 2. Typically, for misdemeanor offenses other than drug offenses and offenses of violence, the SRO will work cooperatively with the school administration to determine whether formal charges will be filed. For drug offenses and offenses of violence, the SRO will file formal charges according to Police Division policy.
 - 3. For all felony offenses, the SRO will file charges or facilitate the filing of formal charges in conjunction with school

administration, school security officials, and other police division personnel.

B. Role in Locker, Vehicle and Personal Searches - When requested and lawful, the SRO may assist school Administration in searches of person(s), property or vehicle under the following, but not limited to, applicable reasons:

- I. Student may reasonably be considered a threat to assault the searchers.
2. Student may attempt to escape in a situation in which the student would be a danger to him/herself or a danger to others.
3. Student may possess a firearm or knife, a suspicion that may be supported on the slightest articulated indication including conclusions drawn as a result of teaching, or law enforcement experience.
4. Student is suspected of having drugs, which may include needles or toxic substances.
5. Items being searched may contain dangerous items.
6. Items to be searched, e.g., an automobile, requires professional search techniques to make the search effective.

In all cases, the SRO should refrain from actually conducting the search unless warranted due to the foregoing. It may be sufficient to simply have the SRO present in any of the foregoing circumstances and the administrator and SRO shall determine how to proceed on a case by case basis and should favor, where reasonable, the administrator conducting the search. The SRO may perform searches independent of the school administration only under the existing provisions of the Ohio Revised Code and the Huber Heights Police Division General Orders.

C. Role in Critical Incidents - The SRO will be familiar with the emergency operations manual of the Huber Heights City Schools. During any critical incident occurring on school property, the SRO will act as a liaison between the school Administration, the Huber Heights Police Division, and other emergency resources. The SRO's will be on the district ' s Disaster Planning Committee.

D. Role in Truancy Issues - Truancy will continue to be handled by school personnel. Normally, the SRO will not take an active role in tracking truants. The SRO will act as a liaison between school and police personnel should police involvement become necessary due to safety concerns. The SRO will file charges against students or adults when truancy becomes a violation of Ohio law.

- E. Role as an Educator - The SRO will serve as an educational resource to school faculty, staff and students. The SRO may be called upon for presentations on specific topics which may lend valuable insight regarding a particular subject matter. The SRO might not be a certified teacher; therefore, the normal classroom teacher or authorized substitute will be present during any instructional period. The SRO will maintain complete lesson plans on their topics of instruction and will furnish a list of topics to school personnel.
- F. Enforcing/Reporting School Policy Violations - The SRO is not a school disciplinarian and normally will take action only when there is a violation of law. School discipline is the responsibility of the appropriate school administrator. The SRO will normally report school policy violations through the proper channels to be handled by school Administration. It is the responsibility of the SRO to become familiar with the student handbook.
- G. Sharing of Information - Recognizing that communication and information sharing is essential to the success of the SRO program; the following procedures should be followed to facilitate a free flow of information to and from the SRO.
 - 1. Sharing of information will be governed by the Ohio Revised Code; the Ohio Administrative Code, Ohio Public Records Law, and relevant Huber Heights Police Division and Huber Heights City School District policies.
 - 2. The sharing of arrest related information by the SRO with school Administration upon request or at the direction of the SRO, if lawful.
 - 3. Juvenile fingerprints and photographs as part of an arrest record shall not be shared by the SRO.
 - 4. If the SRO is aware of information about a student that is obtained by the Huber Heights Police Division, which indicates that the student is in violation of school policies (Student Code of Conduct), the SRO should forward that information to the school administration.
 - 5. If a juvenile or school district employee is an uncharged suspect in a crime, his/her information shall not be released unless authorized by Police Division Command Staff.
 - 6. Information which the SRO obtains from school personnel which deals with criminal or possible criminal activity shall be maintained by the SRO in his/her information files and/or forwarded to the Police Division's Intelligence Unit, but shall not be part of the student's school record.
 - 7. Hearsay information or rumors alone shall not be the basis for any formal action by the school or Police Division. It can be used in an

cost of wages and fringe benefits of the two (2) SRO(s). In consideration of the times the officers not providing services to the schools (see item VI) the Huber Heights Police Division will pay the cost of the overtime.

VI. School out of Session

The SRO's will remain in their capacities during summer and winter breaks. To reduce their absence from their respective schools, the SRO's are encouraged to use this time for any advance training and/or personal leave. In cases of immediate need, the Police Division may temporarily assign the SRO's to cover road patrol, investigative, or public affairs duties. SRO's assigned to Huber Heights shall periodically engage in professional development related to age-appropriate practices for conflict resolution and developmentally informed de-escalation and crisis intervention methods.

VII. Conclusion

As an integral part of the school organization, the SRO has a special role to play in each school day. First, he/she is to enforce the law. His/her visibility in many classrooms and talking with students in non-enforcement situations creates a fabric of understanding upon which the stability of a whole community rests. This cooperative effort integrated with the total school program builds a reservoir of understanding for good citizenship.

Legal Refs.: Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. 1232g.
ORC 3319.321
ORC 3313.951

Signed:

Robert Schommer, City Manager
Huber Heights, Ohio

Mario Basora, Superintendent
Huber Heights City School

Mark Lightner, Chief of Police
Huber Heights Police Division

Date of Acceptance

intelligence gathering capacity or to validate the need for further investigation.

8. The SRO and/or Huber Heights Police Division will issue subpoenas for educational records they wish to obtain from the District. The parties acknowledge that if a subpoena is issued, unless the subpoena states that the existence of the subpoena is not to be disclosed, the District will provide notice to the parent or guardian of the student, pursuant to FERPA, and give such parent or guardian at least five days before providing such records to the SRO or the Huber Heights Police Division.
- H. School Liaison - It is recommended that each school assign someone to act as the liaison to the SRO program. This person is very important to ensure acceptance and successful implementation of the program. This person will help coordinate the SRO's presence in the various classrooms and at school functions to ensure maximum utilization of the SRO in an educational role and as a liaison.
- I. Office Area - The school shall provide private office space for the SRO including a desk, chairs and a separate telephone line. The office will be in a highly visible location that has easy access to the students but will provide for privacy when needed.
- J. Written Agreement - This document shall serve as the written agreement relating to the current and additional SRO positions, between the Huber Heights City Schools and the Huber Heights Police Division and replaces any previous agreement. This agreement establishes the needed commitment and support from both institutions. This document also provides a series of guidelines and policies relevant to the performance of the SRO's. This document will be the guiding agreement that our officers, school administrators and City administration look to for structure and accountability and should be under constant review. If either party to this Agreement finds a need for modification to the Agreement, it shall be submitted at the time of the renewal. If the change is needed in the interim, it will be administered through an amendment to the Agreement which is mutually agreed upon by both parties.

IV. Term of Agreement

The City of Huber Heights, acting on behalf of the Huber Heights Police Division and the Huber Heights City Schools collectively agree that this agreement is a two (2) year commitment, based on the effective date shown at the end of this agreement. If either party chooses to terminate this agreement, six (6) months written notice prior to the end of the agreement shall be provided.

V. Financial Agreement

The City of Huber Heights, acting on behalf of Huber Heights Police Division and the Huber Heights City Schools collectively agree to split equally the regular and overtime

ADDENDUM TO AGREEMENT

BETWEEN THE Huber Heights CITY SCHOOL DISTRICT AND THE CITY OF HUBER HEIGHTS.

SRO FINANCIAL ARRANGEMENT PAYMENT SCHEDULE

VIII. In accordance with Section V. of SRO Memorandum of Agreement between the Huber Heights City School District and the City of Huber Heights the Huber Heights City School District have agreed to split equally the regular and overtime cost of wages and fringe benefits of two (2) SRO(s). In consideration of the times the officers not providing services to the schools (see item VI) the Huber Heights Police Division will pay the cost of the overtime.

IX. The Huber Heights City School District agrees to make payments on these services on a quarterly basis beginning October 15, 2020. The City of Huber Heights agrees to invoice the Huber Heights City School District for services for the prior quarter on the following schedule:

Date Invoiced	Period Invoiced	Payment Due Date
October 1	July 1 to September 30	October 15
January 1	October 1 to December 31	January 15
April 1	January 1 to March 31	April 15
July 1	April 1 to June 30	July 15

Invoices should be detailed including personnel billed and period/times billed for and should be remitted to:

Gina Helmick, Treasurer
5954 Longford Road
Huber Heights, OH 45424
Gina.helmick @huberheightscityschools.org