



|              |   |
|--------------|---|
| Book         | BHASD Policies                          |
| Section      | 800 Operations                          |
| Title        | Relations with Law Enforcement Agencies |
| Number       | 805.1                                   |
| Status       | Active                                  |
| Adopted      | June 5, 2017                            |
| Last Revised | May 1, 2017                             |

### **805.1 Relations with Law Enforcement Agencies**

#### **Purpose**

The Board recognizes that cooperation with law enforcement agencies is considered essential for protecting students and staff, maintaining a safe environment in schools, and safeguarding district property.

#### **Authority**

It shall be the policy of the Board to establish and maintain a cooperative relationship between the school district and police departments in the reporting and resolution of incidents that occur on school property, at any school-sponsored activity, or on any conveyance providing transportation to or from a school or school-sponsored activity.[\[1\]](#)[\[2\]](#)

The Board directs the Superintendent to execute and update, on a biennial basis, a memorandum of understanding with each police department that has jurisdiction over school property in accordance with state law and regulations.[\[1\]](#)[\[3\]](#)

#### **Definition**

**Incident** - an instance involving an act of violence; the possession of a weapon by any person; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco by any person on school property; or conduct that constitutes an offense listed under the Safe Schools Act.[\[1\]](#)[\[4\]](#)[\[5\]](#)

#### **Guidelines**

##### Memorandum of Understanding

In accordance with state law and regulations, the Superintendent shall execute and update, every two (2) years, a memorandum of understanding with each police department that has jurisdiction over school property. The memorandum of understanding shall be signed by the Superintendent, police chief and each building principal, and be filed with the Office for Safe Schools.[\[1\]](#)[\[3\]](#)

In developing and updating the memorandum of understanding, the district shall consult and consider the State Board of Education model memorandum of understanding. If the district's memorandum of understanding with law enforcement contains substantive differences from the State Board of Education model memorandum of

understanding, the Superintendent shall provide a written statement which identifies the differences and the reasons for the differences as part of the biennial filing with the Office for Safe Schools.[\[1\]\[3\]](#)

The memorandum of understanding shall comply with state law and regulations and set forth procedures to be followed regarding incidents that include, but are not limited to, acts of violence, weapons, terroristic threats, controlled substances, alcohol and tobacco.[\[6\]\[7\]\[8\]\[9\]\[10\]](#)

The memorandum of understanding may specify other matters related to crime prevention mutually agreed upon by the Superintendent and the police department that has jurisdiction over the school property.[\[1\]](#)

### Students With Disabilities

The district shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each police department that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the district.[\[11\]\[12\]\[13\]\[14\]](#)

The district shall invite representatives of each police department that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program.[\[11\]\[12\]\[15\]\[13\]\[14\]](#)

### Referral to Law Enforcement

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity, to the police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.[\[16\]\[1\]\[4\]\[18\]\[19\]\[20\]\[21\]\[14\]\[6\]\[7\]\[8\]\[9\]\[10\]\[22\]\[23\]\[24\]](#)

### Safe Schools Report

Annually, by July 31, the Superintendent shall report on the designated form, to the Office for Safe Schools, all new incidents as required by state law.[\[1\]](#)

Prior to submitting the Safe Schools report, the Superintendent and each police department having jurisdiction over school property shall do all of the following:

1. No later than thirty (30) days prior to the deadline for submitting the Safe Schools report to the Office for Safe Schools, the Superintendent shall submit the report to the police department that has jurisdiction over the relevant school property. The police department shall review the report and compare the data regarding criminal offenses and notification of law enforcement to determine whether the report accurately reflects police incident data.
2. No later than fifteen (15) days prior to the deadline for the Superintendent to submit the report to the Office for Safe Schools, the police department shall notify the Superintendent, in writing, whether the report accurately reflects police incident data. Where the police department determines that the report accurately reflects police incident data, the chief of police shall sign the report. Where the police department determines that the report does not accurately reflect police incident data, the police department shall indicate any discrepancies between the report and police incident data.
3. Where a police department fails to take action as required above, the Superintendent shall submit the report to the Office for Safe Schools and indicate that the police department failed to take the required action.

[4. 22 PA Code 10.2](#)

[5. 35 P.S. 780-102](#)

6. Pol. 218

7. Pol. 218.1

8. Pol. 218.2

9. Pol. 222

10. Pol. 227

[11. 22 PA Code 10.23](#)

[12. 22 PA Code 14.104](#)

13. Pol. 113

14. Pol. 113.2

[15. 22 PA Code 14.133](#)

[16. 24 P.S. 1302.1-A](#)

[18. 22 PA Code 10.21](#)

[19. 22 PA Code 10.22](#)

20. Pol. 103.1

21. Pol. 113.1

22. Pol. 323

23. Pol. 351

24. Pol. 904

[35 P.S. 780-102](#)

[22 PA Code 10.24](#)

Pol. 805

Pol. 909