

SCHOOL RESOURCE OFFICER/LAW ENFORCEMENT ADMINISTRATIVE MEMORANDUM OF UNDERSTANDING

Between City of ROCHESTER Police and ROCHESTER School District

The Rochester Police Department and the Rochester School District work closely together to ensure the safest environment in the local schools. By working with the students, parents, faculty and staff, the School Resource Officer in the school provides a culture of safety and peace so that students may realize the full benefits of their education.

The purpose of this memorandum of understanding is to ensure that introduction of School Resource Officers in the schools will continue to further that attitude of cooperation. Further, this provides guidelines for the conduct of SROs and other law enforcement authorities in the schools. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis.

1 .0. Goals and Objectives

It is understood and agreed that ROCHESTER School District and the ROCHESTER Police Department officials share the following goals and objectives regarding the School Resource Officer (SRO) program in the schools.

- 1.1. To deter acts of violence, address threats to safety and promote an atmosphere of safety and order for students and faculty members through the use of school discipline and enforcement of local, state and federal laws, and town ordinances.
- 1.2. To provide opportunities for educational programs and prevention activities found beneficial to promoting good citizenship, health, and welfare, that will increase student knowledge of the criminal justice system and respect for the law and the function of law enforcement agencies and other related topics.
- 1.3. Establish and maintain collaborative and open communications among key school personnel, i.e. administration, staff, central office.
- 1.4. To support the SRO's efforts as a positive role model in cultivating positive relationships and strengthening each student's understanding of good citizenship and accountability for their actions.
- 1.5. To foster and promote a positive understanding, attitude and approach toward the rule of law, a healthy lifestyle, and law enforcement.
- 1.6. To immediately respond to, mitigate and resolve active and imminent threats to the safety and security of the school by maintaining a visible police presence on campus, assessing threats to school security, reducing and eliminating such threats, and swiftly responding to any immediate threats or breaches of security.
- 1.7. To recognize the school district as primarily responsible for the administration of discipline and maintaining order within the schools.

1.8. To prevent, deter, and investigate crime or attempted crime on the school campus including the possession and/or use of weapons on campus, the illegal possession, sale and/or distribution of controlled substances, alcohol, contraband and other crimes and/or violations of law.

1.9. To address criminal activity and violations of law by students through the collaborative administration of school discipline and/or referral to the criminal justice system.

2. Cooperative Efforts and Expectations Concerning the Roles of School Personnel and SROs:

2.1. SROs shall always conduct themselves in a fair and impartial manner and shall comply with all applicable federal and state laws, School Board policies and procedures, school rules, and Rochester Police Department rules in carrying out their duties and responsibilities within the grounds of the school.

2.2. SROs are expected to maintain the same standards of professional conduct in their dealings with staff, students, parents and community members as other school staff.

2.3. The presence of the SRO at the school is not intended to usurp the rights and responsibilities of the principal or designee to enforce the rules of the student conduct code and/or to administer discipline in the school.

2.4. School administrators and staff may consult with and request assistance from SROs in addressing student violations of policies and rules as they deem appropriate.

2.5. The SRO will be available to respond to and will be alert to any activity which creates an unsafe atmosphere in the school. SROs who observe violations of policies and/or rules may intervene with students to stop the behavior and shall report violations to appropriate administrators.

2.6. School administrators and staff shall notify the SRO if they have reason to believe that a student has committed a crime or if they obtain evidence of illegal activity (such as weapons, drugs or alcohol).

2.7. By mutual agreement, the parties acknowledge that not every criminal act or violation of law will be handled through the criminal justice system. There will be times when the administration of typical school discipline will be sufficient to address behaviors that may constitute crimes/violations.

2.8. The SRO will consult with school officials in matters relating to criminal activity so that school officials may determine what their best course of action will be administratively. All criminal activity will be recorded and statistical information maintained to determine levels and types of activities.

2.9. School administrators may request the assistance of SROs in enforcing Board policies, school rules and federal/state laws with visitors and intruders on school property.

2.10. The existence of any school or school district policies, the student conduct code and any related disciplinary process is not intended to nor shall it usurp the mandates and responsibilities

of the SRO as directed by the policies of the ROCHESTER Police Department and/or the laws of the State of New Hampshire or Attorney General Guidelines.

2.11. Unless there is a health or safety emergency, SROs shall consult with an appropriate school administrator prior to requesting additional law enforcement assistance on school grounds.

3 .0. Responsibilities and Duties of School Resource Officers

3.1. The ROCHESTER Police Department will assign a SRO to the ROCHESTER School District. The SRO is a sworn ROCHESTER Police Officer assigned to provide the law enforcement expertise and resources to assist school staff in maintaining safety, order, and discipline within their assigned schools. The SRO will be considered an active member of the School community. The SRO will serve by mutual agreement of the school district and the police department.

3.2. The SRO's schedule will be determined by the SRO's supervisor, but will generally be during the school day including peak arrival and departure times before and after school. Whenever possible, the SRO will be visible patrolling the interior and exterior of the school grounds, particularly during the opening and closing of School and during the lunch periods.

3.3. The police department will notify the principal or their designee of the SRO's assigned school when they will be absent from the campus. The SRO should also notify the police department when they leave the school campus.

3.4. The SRO will wear a standard uniform and carry all related authorized and issued police equipment and operate a marked police cruiser while on duty unless otherwise authorized by a police supervisor for a specific purpose. The SRO and cruiser provides a visible deterrent for criminal activities and provide reassurance to students and staff.

3.5. The SRO will assist with training the school administrators in law enforcement related matters. They will also share information about crime trends and changes in laws relevant to schools. Information may be disseminated to the school administration to assist them in effectively establishing and maintaining a safe school environment. The SRO will be incorporated into each applicable school committee and team, to include such committee or team that addresses threat assessment, Behavioral Intervention, safety and security and/or it's equal.

3.6. By mutual agreement between parties, SROs may provide law enforcement, criminal justice, substance use/health, harm reduction, personal safety/security and motor vehicle related instruction that will enhance the student's understanding of the police mission as well as student health, welfare, safety/security and promote good citizenship. During any classroom instruction time a teacher shall remain in the room. Responding to incidents or conducting investigations will always take precedence over instructing in the classroom.

3.7. Programs, classes, speaking engagements, and/or visitations conducted in schools by other members of the Police Department should be coordinated with the SRO to avoid redundant services and to ensure equitable distribution of such programs and services.

3.8. SROs are required to keep the school administration apprised of criminal, to the extent allowable under the law, and non-criminal situations encountered, current crime trends, problem areas, or other areas of concern, which have potential for disruption in the school or within the community. The

SRO will work in conjunction with the school administration and/or other police departments and schools, if regional, in developing plans to prevent and counteract such activities at the school.

3.9. The SRO will not be primarily responsible for the enforcement of school and/or administrative rules or regulation violations. However, the SRO should maintain familiarity with the ROCHESTER School District's Student Code of Conduct. Unless requested by a school administrator the SRO will not attend disciplinary meetings with students or parents.

3.10. The SRO will be responsible for maintaining custody of illegal substances and/or contraband pending proper disposal in accordance with police department regulations.

3.11. Illegal, illicit controlled substances/drugs or other illegal/illicit items such as but not limited to weapons, dangerous and or illegal devices, instruments articles, items or instruments of destruction or harm or that poses or may pose a threat to public health and safety including the fruits and or instrumentalities of a crime obtained or observed by school staff will be immediately surrendered to or brought to the attention of an SRO or other ROCHESTER Police Department official.

3.12. Information of any nature obtained or observed by school staff in connection with their official school duties and responsibilities as employees of the ROCHESTER School District including but not limited to digital information contained on a mobile device, displayed via any social media application or information obtained directly or indirectly from a student or other person that constitutes a crime under NH law or that may impact life safety shall be provided to an SRO or other appropriate ROCHESTER Police Department official as soon as practical. School staff shall only obtain the minimal facts and information necessary to determine whether information regarding a crime or potential crime should be reported to an SRO or other ROCHESTER Police Department official.

3.13. School staff shall not conduct inquiries beyond minimal facts in cases that involve a crime or potential or alleged criminal acts. Once information is developed regarding a crime or possible crime or an allegation of a crime is developed by school staff no further inquiry shall be made by school staff pending an official investigation by the ROCHESTER Police Department except in exigent circumstances when it is necessary to protect a person from imminent serious bodily injury.

4 .0. Supervision of SRO

4.1. The School Resource Officer Program will be monitored by both Department and School officials. The School Resource Officer will maintain close contact with school administrators to ensure that both are working together harmoniously to ensure the safest school environment possible for all students, faculty and staff.

4.2. The primary responsibility to supervise the SRO will fall on the Police Department and the Chief of Police.

4.3. The SRO will be assigned to the Support Services Division.

4.4. While at the school, however, the SRO will work closely with School Administration on matters involving students, faculty and staff. The atmosphere will be one of cooperation between the School Department and the Police Department to create the safest and most comfortable atmosphere in the school to enhance learning.

4.5. SRO's shall abide by the rules, regulations and policies of their respective police department and be familiar with any school handbook(s) pertaining to school policies. Should conflicts in these rules, regulations and policies occur the SRO will consult with a police supervisor. School administration should contact the SRO Supervisor to report commendable performance, discuss issues or report concerns involving SRO's.

4.6 SROs shall complete and file ROCHESTER Police Department incident reports, offense reports, arrest reports and/or accident reports consistent with ROCHESTER Police Department policy and procedure. When SROs complete an incident report it will be filed with their supervisor by the following business day.

4.7. The principal and Police Department will collaborate while selecting a new SRO to discuss any special needs or concerns at their school. Principals should share any relevant information they may have.

5.0 Responsibilities and Duties of School Principal

5.1. It is the responsibility of the principal to facilitate effective communications between the SRO and the school staff. The principal of the school shall meet on a regular basis with the assigned SRO.

5.2. The principal is responsible for immediately reporting to the SRO; acts of theft, destruction, or violence as defined in New Hampshire R.S.A. 193-D entitled "Safe School Zones." In addition to the requirements of 193-D, the principal shall immediately report the following conduct to the SRO; any conduct involving firebombs, explosive or incendiary materials or devices, hoax or otherwise, or chemical bombs on a school bus, on school property, or at a school sponsored activity; any threats or false threats to bomb made against school personnel or involving school property and/or school buses.

5.3. In an emergency situation, the school should notify the SRO or call the Police Department if the SRO is not available. Information that is not of an emergency nature may be held for action by the SRO upon his or her return to duty.

5.4. Any criminal enforcement action taken by the SRO which results in the charging of a student with a crime will be supported by the principal and/or school employees by their appearance in court when necessary to provide testimony relevant to the case.

5.5. The principal shall relinquish to a police representative all illegal substances and/or contraband as soon as discovered/seized.

5.6. The principal shall meet with the SRO Supervisor and the school shall provide information to the SRO Supervisor to assist in preparing for the annual evaluation of the SRO's performance.

5.7. Principals are encouraged to consult with the SRO Supervisor prior to the selection of a new SRO to share any relevant information on the needs or concerns of the school.

6.0. Investigations, Questioning and Searches of Students for School-Related Purposes:

A. Some types of student conduct that are forbidden by school rules, such as assaults, bomb threats, weapons possessions, and drug offenses, are also punishable by criminal law. When a particular act is both a violation of school rules and a crime, the school disciplinary investigation by school administrators and the criminal investigation by the police and county attorney will often operate simultaneously.

6.1. When it becomes necessary for an SRO or any other law enforcement officer to interview a student on school premises, the principal (or designee) should be contacted whenever practicable. The interview will be conducted pursuant to state law and attorney general guidelines.

6.2 Evidence of violation of state/federal laws will be turned over to the SRO, unless such disclosures are otherwise prohibited by Family Educational Rights and Privacy Act (FERPA) or any other applicable law.

6.3. Since police investigative reports and police-obtained witness statements may not always be available to school administrators, the school administrator shall prepare and maintain his/her own records and reports concerning school-related investigations.

6.4. The School Department will make final decisions in all administrative matters.

B. Investigations, Questioning and Searches of Students for Non-School-Related Purposes:

1. In general, SROs and other law enforcement authorities are not allowed to use the schools as a venue for questioning and searching students for alleged violations of state or federal laws that are not related to the schools.

2. Exceptions will be made in the event of an emergency endangering student or staff safety or in exigent circumstances as authorized by law. Other exceptions may be made on a case-by-case basis after consultation between the Superintendent/designee and law enforcement authorities. Whenever practicable, the police should contact the school administrator before questioning or searching students.

3. If the SRO anticipates possible criminal charges, he/she should follow applicable laws and police department policies concerning questioning and searches of juvenile suspects (if the student is under 18) or adult suspects (if the student is 18 or older).

4. The Police Department will make the final decisions in all criminal matters.

5. Nothing in this Memorandum of Understanding will be construed as to preclude the Police Department from pursuing legitimate criminal investigations to their proper completion.

7.0 Arrest Procedures

7.1. SROs are expected to be familiar with school rules and their application with the school. Routinely, rule infractions will not be handled as violations of law, but instead referred to the principal (or designee) for action. Any questions related to the enforcement of rules versus laws within the school should be discussed with the principal. This specifically applies to general standards of conduct.

7.2. The arrest of a student or employee of the school with a warrant or petition should be coordinated with the principal and accomplished after school hours, whenever practical. The ROCHESTER Police Department will strive to avoid the arrest of any student or staff on school property when school is in session; however, both parties recognize situations may occur when the arrest of a student or school employee must occur on school property while school is in session.

8.0 Arrests of Students at School:

8.1. In general, SROs and other law enforcement authorities are discouraged from arresting students at school for non-school-related activities.

8.2. Exceptions to the above will be made in the event of an emergency endangering student and/or staff safety or in exigent circumstances as authorized by law. Other exceptions may be made on a case-by-case basis after consultation between the Superintendent/designee and law enforcement authorities. Whenever practicable, the police should contact the school administrator before making an arrest in school.

8.3. The SRO (or other law enforcement official if applicable) is responsible for complying with applicable state and federal laws concerning parental notice and notification of rights prior to questioning.

8.4. A student may be removed from school by an SRO or other law enforcement official when there is a court order, an arrest warrant or when a warrantless arrest is authorized by law. The school administrator shall attempt to notify the student's parent/guardian as soon as possible of the student's removal from school.

9.0 Search and Seizure

9.1. School officials may conduct searches of student's property and person under their jurisdiction when reasonable suspicion exists that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. The standard for the search is reasonable suspicion.

9.2. The SRO should not become involved in administrative (school related) searches unless specifically requested by the school for security, protection, or handling of contraband. These searches must be at the direction and control of the school official. At no time shall the SRO request an administrative search be conducted for law enforcement purposes or have the administrator act as his/her agent.

10.0 Administrative Hearings

10.1. The SRO will attend suspension and/or expulsion hearings upon request of the school principal. He/she will be prepared to provide testimony on any actions that were taken by the officer and any personally observed conduct witnessed by the officer.

10.2. The SRO shall provide police department documents and juvenile records pursuant to department policy and state law.

10.3 When a subpoena for official records, reports, or documents for an administrative school hearing, is received by the Police Department, any action will be coordinated by the office of the Police Chief, the County Attorney, and the School Board Attorney.

11.0 Sharing Information

11.1. Consistent with the basic tenets of the relationship between the school principal and the SRO described in this Memorandum of Understanding, open communication is essential to effectiveness. SROs should exchange information with the school principal regarding students' involvement in criminal activity when the safety of any students and/or staff is at risk in and around the school. This may be limited to that which relates to and contributes to the safety of the school and/or the community in which they serve.

11.2 The school should confer with the police department prior to their release of any shared police information.

11.3 The SRO shall provide police department documents and juvenile records pursuant to department policy and state law.

12. Confidentiality of Student Information and Records:

12.1. School administrators may release personally identifiable student information contained in education records to SROs and other law enforcement authorities in accordance with the requirements of the federal Family Educational Rights and Privacy Act and other applicable laws.

12.2. SROs are considered to be school officials with legitimate educational interests in reviewing educational records in order to perform their professional responsibilities.

12.3. SROs are expected to maintain confidentiality of personally identifiable student information in accordance with applicable laws, Board policies and school rules.

13.0 Equipment

13.1. Whenever practicable, the School should provide an office with adequate work and storage space for the SRO's materials and personal effects. The space should include an area which is sufficient for him/her to meet with students, parents, and/or school staff/administrators. Additionally, the School should provide a computer for the SRO to utilize in order to access school databases, security cameras, and the email system.

13.2. Whenever practicable, possible the ROCHESTER School District should authorize access of video surveillance systems inside the school district to the ROCHESTER Police Department and the ROCHESTER Communications Center. The scope of access will be limited to emergency situations - if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

13.3 Whenever practicable, the School District should authorize access of video surveillance systems inside the school district to the Police Department. The access will allow the SRO to monitor activity within the school for security and investigative purposes. The SRO should be

allowed to make copies of any videos for security, investigative and for evidentiary purposes as allowed by law.

14.0 Conclusion

14.1. This policy represents mutually agreed upon goals and objectives of the ROCHESTER Police Department and the ROCHESTER School district for the School Resource Officer Program.

14.2. This endeavor is a partnership between education and law enforcement to support a collaborative multi-faceted approach to prevent crime and to intervene in the acts of such in schools as well as provide more security and safety to both students and staff. Regular meetings shall be conducted between the Police Department and School Officials to support this partnership.

14.3. This agreement may be terminated without cause by either party upon 30 days prior written notice to the other party. It shall be reviewed annually and amended as necessary to meet the needs of the signatory agencies.

14.4. This Memorandum of Understanding shall not be construed to create or substantiate any right or claim on the part of any person or entity, which is not party hereto.

14.5. The cost of the School Resource Officer will be as agreed upon by the School District and the Police Department.

This memorandum as amended is effective from the date of signature through at minimum, June 30, 2026, at which time the MOU will be reviewed and further amended if necessary.

Dated this 4th day of March 2025.



Gary M. Boudreau, Chief of Police
Rochester Police Department

 3/13/2025

Dr. Alison Bryant, Assistant Superintendent of Schools
Rochester School Department - SAU #54

 3/13/2025
Chair, Rochester School Board
SAU #54