MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MEDFIELD PUBLIC SCHOOLS AND
THE MEDFIELD POLICE DEPARTMENT

Purpose

This Memorandum of Understanding is between the Medfield Police Department (MPD) and the Medfield Public Schools (MPS). Heretofore referenced as "the Parties," is intended to establish a unified strategy in order to facilitate a safe and secure environment for students, faculty, staff and the entire school community in the Town of Medfield.

Philosophy

It is the shared goal of the Parties to promote a healthy and nurturing atmosphere within the school community. To this end, the Parties share the belief that the proactive, collaborative engagement of students, faculty and staff will establish and maintain healthy relationships and that disciplinary procedures will serve to build the capacity of students to understand the consequences of their actions and make productive choices in the future.

The Parties agree to coordinate their efforts to prevent illegal and criminal behavior, including but not limited to, incidents of verbal and physical assault, intimidation, bullying, threats, harassment, hate crimes, sex crimes, possession of weapons and the use, abuse, possession and/or distribution of drugs and alcohol. Additionally, the Superintendent of Schools and the Chief of Police agree to respond effectively and cooperatively to incidents of school delinquency and truancy.

This joint effort and cooperative response will focus on incidents that take place on school grounds and/or within 1000 foot radius of school property, within school property, and at school sponsored events, and other locations in which students of the Medfield Public Schools are involved in school-sponsored activities.

This agreement is entered into pursuant to the laws of the Commonwealth of Massachusetts and deals with any incidents that would require:

1. A law enforcement response in a school setting;

2. A law enforcement response during any school-sponsored activity, even if the event is off school grounds; or

3. A law enforcement response in the community involving students of the Medfield Public Schools.

It is understood that it will be the sole prerogative of school officials to impose discipline for infractions of school rules and policies that are not criminal in nature.

All information disclosed pursuant to M.G.L. Ch. 12 § 32; M.G.L. Ch. 71 § 37H1/2; M.G.L. Ch. 71 § 37L; 603 CMR 23; and 20 U.S.C. § 1232g, shall be kept from public dissemination in accordance with state and federal law.

Designated Liaisons and Communication

In order to facilitate prompt and clear communications between the school and police personnel, the parties agree to identify positions on their respective staffs that will function as designated liaisons. The Chief of Police and the Superintendent of Schools are the lead liaisons when there is any question in regards to interpreting the MOU.

- The Medfield Public Schools designated liaison positions are: *Superintendent, Director of Operations, Director of Student Services, Principal, Assistant Principal, School Psychologist, Guidance Counselor, and any other faculty member designated by the School Principal or Superintendent.*

- The Medfield Police Department designated liaison positions are: *Chief of Police, Deputy Chief of Police, School Resource Officer, Officer in Charge (OIC), and any other Police Official designated by the Chief of Police.*

The Medfield Police Department is considered the Medfield Public School's [11] Law Enforcement Unit" as defined in the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. -1232g and 34 CFR § 99) for purposes of sharing information regarding students. The Medfield Police Department's School Resource Officer, who is a professional employed by Medfield Police Department will perform numerous other duties within the Medfield Public Schools, and shall be considered authorized school personnel" as defined in 603 C.M.R. 23.00 and eligible for access to the records of students to whom he/she provides services.

In addition, the Superintendent of Schools and the Chief of Police agree to maintain regular and consistent communication between their offices, designated liaisons, and departments. The Superintendent and Chief of Police will communicate regularly to share appropriate information pertinent to the health, safety, and wellbeing of students and members of the community. From time to time, as necessary, the Superintendent and Police Chief may issue joint reports, press releases, or statements to the community and public regarding the security, and wellbeing of students and staff, and to share other information that will benefit the school and the community.

Nothing in this MOU is intended to deter the immediate reporting of an emergency situation to the Medfield Police Department via the 9-1-1 system. In the event of an emergency situation that poses a threat to human health or safety, or may result in serious property damage, the Medfield Police Department should be notified immediately via the 9-1-1 system in addition to any notifications required under Medfield Public School policy. In addition, where an emergency exists, all necessary information will be provided to law enforcement personnel regarding the student(s) at issue. (FERPA- 34 CFR § 99.31)

School Department Notification Procedures

A designated school liaison from the Medfield Public Schools will share information with a designated liaison from the Medfield Police Department, typically the School Resource Officer, without delay, in regards to any criminal incidents.

For day-to-day communication and general information sharing the School Resource Liaison Officer should be the primary point of contact. Matters requiring an immediate police response outside of normal communication with the School Resource Liaison Officer should be directed to the Medfield Police Department via the Emergency Communications Center at (508) 359-2315.

Behaviors that will lead to notification of the MPD:

1. The possession and/or use of alcohol by a student;

2. The possession and/or use of an inhalant or any controlled substance, as defined in M.G.L. Ch. 94C;

3. Any incident in which any individual is reasonably believed to be selling or distributing alcohol or any controlled substance, as defined in M.G.L. Ch. 94C;

4. Any legitimate threat of violence, direct or indirect, past or future, against a student or school employee;

5. Any incident involving intentional assaultive behavior and/or reckless behavior that results in personal injury;

6. The possession of a weapon, as defined in M.G.L. Ch. 269 § 10, or G.L. Ch. 71 § 37H (a), and/or the Student Handbook.

7. Any incident involving stalking or harassment in violation G.L. 265 §43 and 43A, including but not limited to annoying phone calls, domestic abuse, dating violence, or a violation of abuse prevention or harassment order.

8. Any incident involving a child suffering an injury resulting from physical, psychological, and/or sexual abuse which causes substantial risk of harm to the

child's health or welfare, to include neglect (in addition a report shall be filed with Department of Children and Families);

9. Any creation or possession of a document, whether computer or manually generated, handwritten or electronic (e.g. text) that identifies any individual targeted for violence or death;

10. Any incident involving an actual or suspected hate crime or violation of civil rights under M.G.L. 265 §37 and §39 or 18 U.S.C. §249;

11. Any incident resulting in significant damage to municipal or private property;

12. Any bomb threat, fire, threatened or attempted fire setting, threatened or attempted use of an explosive device or hoax device;

13. Any incident of hazing as defined by M.G.L. 269 § 17;

14. Any incident of bullying or cyber-bullying as defined by G.L. c 71 § 370, where the school believes that the incident may have involved criminal conduct or involves any other reportable acts outlined in this memorandum; and

15. Any sexual assault, including but not limited to rape, assault with intent to rape, indecent assault and battery, as well as any lewd and lascivious behavior, open and gross lewdness, indecent exposure, or incident of gender-based harassment, "sexting", "sextortion" or possession or dissemination of sexually explicit photographs of a student or a child under the age of eighteen.

Once a designated MPS Liaison has been made aware any of the aforementioned behaviors, it is their responsibility to:

1. Ensure that an appropriate designated police liaison is notified;

2. Ensure the existence of any potential physical evidence (e.g., weapon, illicit drugs, photographs) is made known to the police department and reasonable steps are taken to secure and maintain such evidence until it can be turned over to the police department; and

3. Ensure that any reports or documents related to the incident are forwarded to the police department.

Even when not defined above, the designated liaisons from the Medfield Public Schools may report any other incident or pass on any other information that could affect the safety or well- being of students, faculty, or administrative personnel at the school.

Police Department Reporting Procedures

Once a designated police liaison has been made aware of the arrest of any student, or that a complaint application has been filed against any student, regardless of the jurisdiction of the incident, they are to ensure that the information concerning the matter shall be shared with the appropriate designated school liaison, subject to applicable statutes and regulations governing confidentiality.

Once the principal of a school has been notified that a felony complaint has been issued against a student, the principal is required to consider suspending such student under M.G.L. 71, §37H1/2. In order to facilitate the process of considering such a suspension, and any subsequent hearing on the matter, the principal shall make a formal request in writing for the police report involving the felony complaint. The police report related to such charge will be provided in response to this request in accordance with the authority granted to the principal under M.G.L. 71, §37H1/2.

A police liaison may also share information about any non-criminal activity involving a student if the officer believes that the activity:

1. Involves actual or potential truancy;

2. Poses a serious and imminent threat to the student's safety;

3. Poses a threat to the safety of other students, and/or faculty or school employees; or

4. By making such a report the officer would facilitate supportive intervention by school personnel on behalf of the student.

Medfield Public School employees and Medfield Police Department employees who are not "Designated Liaisons" within this agreement, shall be made familiar with the types of incidents that are referred to in this agreement and shall act to make facts of any reportable incident known to a designated liaison of their respective department.

School Security Cameras

Surveillance cameras are in use in some school facilities to promote safety and to encourage reasonable orderliness in school, on school property and at school functions. Surveillance cameras are not used in areas where there is a reasonable expectation of privacy.

Recorded Video Footage

Surveillance video footage is maintained in compliance with public records laws, and on MPS servers. While there may be times when designated MPS staff monitor live video feeds, footage will typically be used after-the-fact as part of routine investigatory efforts that may not involve the MPD.

Recorded surveillance video shall be available to the Medfield Police Department for any criminal investigation or any incident involving the safety and/or security of Medfield Public School facilities, grounds, students, faculty, or staff.

Live Video Monitoring

Live monitoring of surveillance cameras by the MPD on site is prohibited except in cases when there is a serious threat to the-safety and/or security of Medfield Public School facilities, grounds, students, faculty, or staff. In all cases, this will be approved and coordinated by the MPS in collaboration with the MPD.

Prevention Strategies

In addition to the above responsibility, a designated liaison from the Medfield Public Schools, the Medfield Police Department and the Norfolk District Attorney's Office will meet periodically for the following purposes:

1. To discuss any use, abuse or distribution of alcohol and/or other controlled substances, incidents of violence, incidents of bullying in school or outside of school, or any other criminal activity affecting students;

2. To identify strategies and community services available to reduce such activities and to promote a safe and nurturing school environment;

3. To develop violence prevention and intervention programs, identification, protocol and curricula as required by G.L. c. 12 § 32; and

4. To outline the necessary action plan for implementation of such strategies.

Implementation and Duration

The Medfield Public Schools and the Medfield Police Department agree to provide agency- wide training to their respective staffs to inform them of their respective roles and responsibilities under this agreement. On an on-going basis, the same training will be provided to new staff members.

The provisions of this Memorandum of Understanding shall be effective once signed by both parties and will remain in full force and effect until amended or rescinded by the Parties.

Jeffrey J. Marsden
Superintendent of Schools

Chief of Police
Town of Medfield