

THE SCHOOL DISTRICT OF PHILADELPHIA

No. 805.1

Section: **800**
OPERATIONS

Title: Relations with Law
Enforcement Agencies

Adopted: January 19, 2017

Revised:

805.1 RELATIONS WITH LAW ENFORCEMENT AGENCIES

Purpose

The ~~School Reform Commission~~ **Board of Education (“Board”)** recognizes that cooperation with law enforcement agencies is ~~considered essential~~ **a layer of support** for protecting students and staff, **and maintaining a safe and welcoming environments in School District of Philadelphia (“District”) schools** ~~environment in schools, and safeguarding district property.~~

Authority

As required by the Pennsylvania Public School Code, the Board shall ~~It shall be the policy of the SRC to establish and maintain a cooperative relationship between the school and~~ District and local 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 SRC directs the Superintendent to execute and update, on a biennial basis, a memorandum of understanding with each local 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]

Delegation of Responsibility

The Board directs the Superintendent or their designee, through the Office of School Safety, to execute and maintain a memorandum of understanding with the City of

Philadelphia's Police Department (PPD) in accordance with state law and regulations.[1][3] The Office of School Safety shall also coordinate the reporting to the Philadelphia Police Department and Pennsylvania Department of Education as required by law.[1] School employees are required to report incidents to the Office of School Safety in conformity with School Safety Directives.

The Board also directs the Superintendent or their designee, through the Office of School Safety, to develop Administrative Procedures that outline how the Office of School Safety works with the PPD to maintain safe and welcoming environments in District schools.

Guidelines

Mandatory Regulatory Procedures

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 local police department that has jurisdiction over school property. The memorandum of understanding shall be signed by the Superintendent, Chief of Police of the police department with jurisdiction over the relevant school property, and principals of each school building of the school entity, and be filed with the Office of 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 local 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 **with the PPD** 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.~~ [4][5][8][9][10][6] **In developing and updating the MOU, the District shall consult and consider the State Board of Education model memorandum of understanding.**[3]

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

Students with Disabilities

~~The district shall provide a copy of its administrative procedures for behavior support, developed in accordance with the Special Education Plan, to each local police department that has jurisdiction over school property. Updated copies shall be provided each time the administrative procedures for behavior support are revised by the district. [1][12][13][14]~~

~~The district shall invite representatives of each local 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, Office of School Safety, 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 local 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 local law enforcement and SRC policies.~~^{[16][1][4][17][18][19][20][14][6][7][8][9][10][21][22][23]}

Safe Schools Report

Annually, by July 31, the Superintendent shall report on the designated form, to the Office for Safe Schools **at the Pennsylvania Department of Education**, 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.~~

Legal References:

1. 24 P.S. 1303-A

2. 22 PA Code 10.1
3. 22 PA Code 10.11
4. ~~22 PA Code 10.2~~
5. ~~35 P.S. 780-102~~
6. Policy 218 - **Student Conduct and Discipline**
7. Policy 218.1 - **Weapons**
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
17. ~~22 PA Code 10.21~~
18. ~~22 PA Code 10.22~~
19. ~~Pol. 103.1~~
20. ~~Pol. 113.1~~
21. ~~Pol. 323~~
22. ~~Pol. 351~~
23. ~~Pol. 904~~

22 PA Code 10.24
Pol. 805
Pol. 909