Montgomery County Council

Committee: Joint
Committee Review: Completed
Staff: Susan J. Farag, Legislative Analyst
Nicole Rodriguez-Hernandez, Legislative Analyst
Purpose: Receive briefing and have discussion—no vote expected
Keywords: #MCPS #MCPD #CEO

AGENDA ITEM #8
April 26, 2022
Discussion

SUBJECT

Community Engagement Officers Memorandum of Understanding- Montgomery County Public Schools and County Police Departments

EXPECTED ATTENDEES

Brenda Wolff, President, Board of Education, Montgomery County Public Schools (MCPS)
Dr. Monifa McKnight, Superintendent, MCPS
Jimmy D'Andrea, Chief of Staff, MCPS
Ruschelle Reuben, Chief of Teaching, Learning, and Schools, MCPS
Marcus Jones, Chief, Montgomery County Police Department (MCPD)
Carmen Facciolo, Assistant Chief, Community Resources Bureau, MCPD
Captain Stacey Flynn, Director, Community Engagement Division, MCPD

DESCRIPTION/ISSUE

The Council will receive an update on the Community Engagement Officer (CEO) 2.0 program and the related Memorandum of Understanding between MCPS and local police departments—predominantly MCPD. The presentation will include 1) the key changes in the MOU; 2) updates from the Reimagining School Safety and Student Wellbeing (RSSSW) workgroup; 3) the public engagement process; and 4) the implementation plan for the CEO 2.0 program. Council Committees have met twice to discuss the CEO program: November 10, 2021 and February 9, 2022.

SUMMARY OF KEY DISCUSSION POINTS

- Maryland's *Safe to Learn Act of* 2018 mandates Counties to ensure "adequate law enforcement coverage at all schools." MCPS complied with the law through the School Resource Officer program (SROs). After student and community advocacy requesting the modification or end of the SRO program in 2020, the Board of Education launched a workgroup to "explore and benchmark alternative discipline program processes used to handle school-based incidents" in June 2020.
- Since then, multiple workgroups were composed to study this issue and to develop recommendations to improve school climate and the SRO program, including the Student Wellbeing Action Group (SWAG) and RSSSW.
- By the start of the 2021-2022 school year, the new Community Engagement Officer (CEO) program was implemented with a revised MOU between MCPS and local police which included following changes:

- SROs are now called community engagement officers (CEOs). They should not be stationed in school buildings or on school grounds. School requests for police service will not be made directly to the CEOs.
- MOU recommendations: "A critical incident where policy may (from shall) take the lead in investigating depending on the circumstances."
  - Move the following to the section highlighted above: arson, knowingly making false reports about a destructive device, and distribution or manufacture of a controlled drug substance.
  - Further review the following prior to moving it to the section highlighted above: hate crime and gang related incident/crime
  - Change the following under the section highlighted above:
    - "Physical attack on another that requires medical attention outside the health room": Change to "In the event of a 911 call regarding a physical attack on another that requires medical attention outside the health room.
    - "Theft (any single incident or series of incidents committed by the same perpetrator where the value of stolen property is $500 or more)": Change $500 to $1500.
    - Possession of a marijuana: Police will only confiscate the substance

- On November 10, 2021, the E&C and Health & Human Services (HHS) joint Committee held a briefing with RSSSW and SWAG to review each group's recommendations to improve 1) school curriculum & climate; 2) mental and behavioral health; and 3) restorative justice. The Nov. 10 staff report can be found on ©1.
- The RSSSW workgroup was tasked with completing a comprehensive review of the new MOU for potential additional changes. However, since the implementation of the CEO program recent school safety incidents prompted local leaders to reevaluate the model creating the CEO 2.0 program.
- For the first half of this school year, the Emergency Communications Center (ECC) processed 1,688 school service calls. Of these, 93% were dispatched to CEOs. Approximately 29% of the calls were traffic-related, and 35% of the calls resulted in formal reports. Of the 563 CEO reports, 11 resulted in arrests: five weapons offenses, one armed robbery, two aggravated assaults, one school threat, one ex-parte violation (parent), and one auto theft. And additional 39 students were referred to the State Department of Juvenile Services (DJS) and an additional five resulted in written citations for CDS.
- On February 9, the Education & Culture (E&C) and Public Safety joint Committee held a briefing with MCPS and MCPD on the CEO 2.0 program. The Feb. 9 staff report on ©X also includes a timeline of key local agency actions related to the County's former Student Resource Officer (SRO) program from 2020 to Feb. 2022. The staff report also summarizes the MOU recommendations from the Student Wellbeing Action Group (SWAG) and school encounter data.
- The CEO 2.0 program and fully revised MOU has not yet been implemented and will be discussed further in this briefing. A copy of the new MOU is attached at © and includes a chart delineating what CEOs will and will not do.

- While the new MOU is very similar to the one in place at the beginning of the 2021-2022 school year, there are some differences to note:
    - CEOs may be asked to participate in school-based events such as career days, assemblies, study circles, and other staff/student events;
    - CEOs will enhance the relationship and level of community engagement with the
      elementary and middle school communities;
    - School staff may contact the CEO or CED supervisor directly using the cell phone, except where there is a need for a response to an incident. Incident response requests still must go through 911 or the Police Non-Emergency number;
    - The MCPD CED Director or their designee will collaborate with school leaders to discuss school and community initiatives or concerns;
    - MCPS may designate an Administrator, Director, or designee to participate in an advisory capacity in the formal interview process. MCPS personnel will not access the position vacancy file or a CEO candidate's personnel file;
    - CEOs should also be invited to and encouraged to attend meetings with school-based counselors, social workers, and the MCPS Restorative Justice Coach;
    - CEOs will have a private, designated office near the Main Office to use, but will not permanently stationed there;
    - Clarifies certain critical incidents; and
    - MCPS will allow CEOs to view available security video footage related to a critical incident.

E&C/HHS COMMITTEE #1
November 10, 2021
Worksession
UPDATED

M E M O R A N D U M

November 9, 2021

TO: Education & Culture Committee
Health and Human Services Committee

FROM: Nicole Rodríguez-Hernández, Legislative Analyst

SUBJECT: Student Wellbeing Action Group (SWAG) and Reimagining School Safety and Student Wellbeing (RSSSW) Reports

PURPOSE: Receive briefing and have discussion, no action required

Expected Participants:
Montgomery County Public Schools (MCPS)

Jimmy D'Andrea, Chief of Staff
Niki Hazel, Associate Superintendent of Curriculum and Instructional Programs
Shauna-Kay Jorandby, Director of Student Engagement, Behavioral Health & Academics
Kyson Taylor, SWAG Co-chair & Student

Montgomery County Department of Health and Human Services (DHHS)

Dr. Rolando Santiago, Chief of Behavioral Health and Crisis Services
Monica Martin, Administrator, Child and Adolescent School and Community Based Services
JoAnn Barnes, Contractor

The Committee will receive a briefing and hold a discussion on the recommendations from the Student Wellbeing Action Group (SWAG) and Reimagining School Safety and Student Wellbeing (RSSSW) committee. Specifically, this worksession will focus on 1) requested curriculum changes; 2) restorative justice recommendations; 3) recommendations on mental health supports for students; and 4) MCPS' response to school specific recommendations.

A Public Safety and Education & Culture joint Committee meeting will be held on a future date to discuss the implementation and next steps for the Community Engagement Officer (CEO) program (formerly known as the Student Resource Officer (SRO) Program) and the changes to the Memorandum of Understanding (MOU) between MCPS and the Montgomery County Police Department (MCPD); Montgomery County Sheriff's Office; Rockville City Police Department; and the Montgomery County State's Attorney's Office.

This staff report provides: A) background on the creation of both groups; B) a summary of key recommendations for both groups; and C) known next steps, specifically for the RSSSW initiative.

A. The Creation of SWAG and RSSSW

In March 2021, County Executive Elrich announced the removal of police from all public high schools, specifically proposing the removal of 29 police positions (5 vacant) in the FY22 budget with the intent of implementing a community policing model. As Maryland law requires each local education agency to have "adequate law enforcement coverage at all schools," a new model had to be implemented by the start of the 2021-2022 school year. As a result, two workgroups were convened to study alternatives to the SRO program and propose additional recommendations.

SWAG. In April 2021, Councilmembers Jawando and Rice launched a student-led and focused workgroup to "develop a set of recommendations for the [Council] and [MCPS] that map out student supports to address inequities unsuccessfully addressed by the [SRO] program and to improve student wellbeing." The founding Councilmembers intent for the workgroup was to center and emphasize student voice and leadership roles.

The workgroup was chaired by a student and representatives from MCPS, DHHS, and the Montgomery County Collaboration Council; and consisted of 25 stakeholders representing students (8), parents, community organizations, and healthcare professionals. Most agency partners (e.g. County Council) served as listening-only participants. SWAG stakeholders were divided into three subgroups for concentrated discussions: 1) School Curriculum and Climate; 2) Mental and Behavioral Health in School; and 3) School Discipline and Police. In addition, the group provided MOU non-negotiables "as well as comments on future safety models for MCPS schools as part of a post-[SRO] conversation."

RSSSW. The County Executive announced the RSSSW interagency partnership to rethink public safety in schools and to provide the best social and mental health support for public school students in April 2021. In May 2021, a Steering Committee chaired by MCPS, DHHS, and MCPD with representatives from the chairing agencies in addition to the County Council and County Executive offices (totaling 32 stakeholders) was formed to "develop an implementation plan with timelines; identify the financial implications and needs to support programs; and create a communication plan that supports implementation timelines" related to the goals of the RSSSW initiative. The Steering Committee formed three subcommittees for focused efforts: 1) the MOU; 2) mental health; and 3) restorative justice.

As both groups were developed with similar purposes, the RSSSW Steering Committee committed to incorporating relevant SWAG recommendations into their own discussions, recommendations, and timelines as well. SWAG completed their reports prior to RSSSW's report release.

B. Summary of Key Recommendations: SWAG and RSSSW

As of today's meeting, the SWAG workgroup has released their preliminary report on July 16 ©1 and final report on October 12 ©7. The RSSSW Steering Committee completed their preliminary

report on August 25 and was officially released on October 13 ©12. A summary of key recommendations can be found below, however, today's briefing will focus on curriculum changes, mental health, and restorative justice.

Overall, both groups generally recommend enhancement of mental health supports and a more robust restorative justice presence. The SWAG workgroup included the elimination of police presence on school grounds, and the RSSSW Steering Committee concurred and transitioned SROs to Community Engagement Officers (CEOs). As noted previously, the joint Public Safety and Education & Culture Committee will meet at a future date to further discuss the MOU and CEO program.

SWAG Final Recommendations.

School Curriculum & Climate

1. Create a number of cultural centers/educational enrichment hubs to promote cultural experiences and programs to transform school climate.

2. Create a committee (student, guardian, and other relevant stakeholders) within MCPS to use the results of MCPS' anti-racism audit to transform school climate and curriculum.

Mental and Behavioral Health in Schools

1. Add school staff and school-based mental health providers with specific increased support for undocumented students. Consider culturally competent and trauma informed social workers and social workers of color to lead programs that involve social workers.

2. Ensure schools have mental health teams and students are aware of the resources available.

3. Include mental health first aid for students to SOS (signs of suicide)

4. Ensure all, but especially student feedback, is regularly sought out and considered through quarterly meetings and student engagement groups.

Discipline and Police in Schools

1. Allocate funding for restorative justice in all MCPS schools: hire restorative justice practitioners and expand the existing unit; provide training to all MCPS staff; review and incorporate restorative justice into the MCPS code of conduct; involve students in the implementation and oversight of restorative justice goals. Police officers should not be restorative justice practitioners.

2. Eliminate police presence from school campuses.

MOU Non-Negotiables

1. Eliminate police presence on school campuses.

2. Emergency response must use mobile crisis teams and only involve police in violent crime cases.

3. If a student must interact with the police, a clear plan must be given with the aid of a clinical social worker. The approach must center the student's wellbeing and safety.

RSSSW Preliminary Recommendations. The RSSSW Steering Committee's preliminary report also categorizes the recommendations into draft immediate, 6 months, and 1-year timeframes. RSSSW is also expected to release a final report by December 31, 2021.

Mental Health Subcommittee

1. Look at root causes of behavior with funding for mental health supports rather than police presence.

2. Create/enhance systems of support to respond to student mental health crises in school: increase verbal de-escalation training for all MCPS staff; create comprehensive and integrated crisis intervention decision tree and intervention guidelines; support School Wellbeing Teams in addressing/preventing crises.

3. Assess if there are sufficient mental health professionals available to students for proactive engagement: school counselors and resource specialists.

Restorative Justice Subcommittee

1. Rewrite the MCPS Student Code of Conduct to elevate restorative practices within each level.

2. Hire a full-time restorative justice lead teacher at every school and establish a learning community for them.

3. Create a restorative justice team at every school with a variety of representatives. Establish monitoring and accountability tools to elevate disparities among students.

4. Implement cluster trainings on restorative practices and more.

MOU Subcommittee

1. SROs are now called community engagement officers (CEOs). They should not be stationed in school buildings or on school grounds. School requests for police service will not be made directly to the CEOs.

2. MOU recommendations: "A critical incident where policy may (from shall) take the lead in investigating depending on the circumstances."

a. Move the following to the section highlighted above: arson, knowingly making false reports about a destructive device, and distribution or manufacture of a controlled drug substance.

b. Further review the following prior to moving it to the section highlighted above: hate crime and gang related incident/crime

c. Change the following under the section highlighted above:

   i. "Physical attack on another that requires medical attention outside the health room": Change to "In the event of a 911 call regarding a physical attack on another that requires medical attention outside the health room.

   ii. "Theft (any single incident or series of incidents committed by the same perpetrator where the value of stolen property is $500 or more)": Change $500 to $1500.

   iii. Possession of a marijuana: Police will only confiscate the substance

C. Next Steps for SWAG and RSSSW

SWAG. While the SWAG workgroup has completed their meetings and finalized their recommendations, the report notes SWAG's offer to assist in future collaborative efforts on school discipline and student wellbeing. In addition, SWAG notes they "[hope] to become a permanent body of students and community members that make yearly recommendations to improve student wellbeing in Montgomery County."

RSSSW. The RSSSW Steering Committee will continue their subcommittee work that will include a specific timeline for each recommendation and a comprehensive review of the MOU. Based on the preliminary report, additional stakeholders (e.g. students) are being included for the current discussions. The final report is expected by December 31, 2021.

STUDENT WELLBEING ACTION GROUP (SWAG)

Progress Report, Preliminary Recommendations, & Timeline

July 16, 2021

INTRODUCTION

Summary

Since its start, the Student Wellbeing Action Group (SWAG) has met 5 times for an hour and 30 minutes biweekly. We split into 3 subgroups, each focusing on one of the following topics:

1. *School Curriculum and Climate*
2. *Mental and Behavioral Health in Schools*
3. *School Discipline and Police*

We've chosen to share MOU non-negotiables as well as comment on future safety models for MCPS schools as part of a post-School Resource Officer (SRO) conversation. Our workgroup has 25 members (8 of which are students) as well as 4 co-chairs (one of which is a student). SWAG has effectively centered the student voice, ensuring that students speak before other participants and take a clear leadership role.

As of July 16th, SWAG has mapped out 6 priorities (2 from each group), which have been converted into preliminary recommendations, as well as 3 non-negotiables for the Memorandum of Understanding between the Montgomery County Police Department and MCPS. Going forward, SWAG will be seeking feedback from the students of MCPS, as well as consulting with a variety of professionals to receive and provide feedback about our recommendations.

After giving our final recommendations, SWAG hopes to become a permanent body of students and community members that make yearly recommendations to improve student wellbeing in Montgomery County.

Intentions:

Our end goal is to develop a set of recommendations for the Montgomery County Council and Montgomery County Public Schools that map out student supports to address inequities unsuccessfully addressed by the School Resource Officer Program and to improve student wellbeing.

Purpose of Progress Report:

SWAG recognizes the urgency of this issue and is releasing this progress report containing our preliminary recommendations at the request of the council. The purpose of this release is to alert all invested parties to SWAG's progress and allow for the council to make use of its remaining 2

weeks in session to act accordingly. Please note that these are NOT our final recommendations. SWAG's final recommendations will be released in mid August.

SUBGROUP REPORTS & PRELIMINARY RECOMMENDATIONS

Subgroup 1: School Curriculum and Climate

The subgroup on School Curriculum and Climate has chosen to focus on improving school climate by uprooting racism from within the curriculum and centering cultural awareness and unity.

Preliminary Recommendations

1. Creation of a number of cultural centers/educational enrichment hubs to provide MCPS schools with cultural experiences and programs in and outside of schools to engage youth and transform school climate with partnerships from community organizations.
2. Creation of a committee within MCPS to use the results of the anti-racism audit to transform school climate and curriculum in a proactive and inclusive way.

End Goals

- By the end of these meetings, we hope to create a recommendation that is engaging and maintains high-standards and diversity while allowing for discussion-based learning and building opportunities for all students to learn from authentic experiences (speakers from various fields, field trips, etc).

Requests to further Subgroup 1 goals:

A. **Subgroup 1 requests the following from the Montgomery County Public Schools**:
    i. Updates on the MCPS anti-racism audit and its results.
    ii. Information on StudySync.
    iii. All of the texts and resources used in ALL classes that MCPS uses in schools to analyze for diversity.

B. Subgroup 1 requests the following from the Montgomery County Council
    i. Funding for the creation of cultural centers.

Next Steps

1. Create a phase plan mapping out the different changes that could be made to the curriculum at different grade levels, and what those changes would look like in the classroom.
2. Looking at the inclusivity of the educational tools provided by MCPS
3. Create a diverse author's list to share to get feedback. Include texts that celebrate diverse voices. This can be connected to the things taught in the past to StudySync.
4. List and create community partnerships to prevent crime and proactively support students (Street Outreach network and Educational Equity & Enrichment Hubs (List of demands)

5. List out celebrations and important holidays (AAPI, Pride, BHM, LHM, etc) to be acknowledged in classes and school
6. Lay out the racial biases of StudySync and where there is area for growth.

Subgroup 2: Mental and Behavioral Health in Schools

The subgroup on Mental and Behavioral Health in Schools has chosen to focus on expanding access to school based mental health supports who can provide therapeutic services to the students of MCPS, as well as developing processes for the student oversight on and engagement in mental health practices.

Preliminary Recommendations

1. Increase student access to mental health/wellbeing resources needed for success:
    a. Add school staff and also school based (nonMCPS) providers: school psychologists, school counselors, licensed clinical social workers (outside of the Social and Emotional Special Education Services (SESES) program). Specifically increase support for undocumented students and consider Black and other social workers of color who can work with the county to lead any program that would involve Social Workers.
    b. Ensure that students have a strong relationship with their counselors and work to re-imagine the role of counselors so that we move away from such an academic/scheduling role. Ensure that schools have mental health teams - counselors, psychologists, and social workers working together in order to support students. Students need to know what resources are available.
    c. Mental health first aid for students is added to SOS (signs of suicide)
2. Ensure sure everyone especially students have a voice:
    a. Quarterly meetings to gather student feedback to ensure well being needs are met; include opportunities for peer support and representation.
    b. Student Engagement Groups - those 20-30 groups identified by students that may support identity development within the school to allow students the opportunity to support one another through more intentional engagement and interactions perhaps guided by Social Workers, making sure every student feels comfortable coming back to school and talking with counselors and administration.

End Goals

- To be part of the change in society as it approaches mental health as a normal, daily need. We wish to shift from a reactionary approach to a more proactive method of teaching mental health skills as we do others skills.
- Ensure every student feels comfortable coming back to school and talking with counselors and administration. Ensure students who need mental health support know what resources are available.

- Ensure everyone, especially students, have a voice in matters surrounding student mental health.
- Develop a plan for a MCPS mobile crisis team of professionals who can attend to crisis - to address all youth.

Requests to further Subgroup 2 goals

A. **Subgroup 2 requests the following from MCPS and the County Council**:
   ii. To incorporate our goals in all schools from the elementary to the highschool level.
   iii. To make sure that hiring new, culturally competent professional staff is a priority as defined in 1a with the goal of decreasing student-counselor/psychologist/school social worker.
   iv. As this is one of our more urgent priorities, to ensure that funding is available for the hiring for mental health professionals and distribute new resources equitably.
   v. Determine ways to reduce academic duties for school counselors and allow for an increase in time allocated for student counseling and support.

Next Steps

1. Discussing whether we want to keep 1a broad or if to make a specific ask for hiring of staff.
2. Collaborating with the Climate and Curriculum Subgroup to brainstorm how to create student peer teams within the schools.

Subgroup 3: Discipline and Police in Schools

The subgroup on Discipline and Police in schools has chosen to focus on uprooting the current school discipline system and replacing it with a thorough restorative justice model in an effort to radically transform school culture. Additionally, the subgroup has chosen to lay out a set of criteria for future school safety models that may involve police in the form of MOU non-negotiables.

Preliminary Recommendations

1. Allocate funding for restorative justice in all MCPS schools. This includes:
   a. Hiring Restorative Justice Practitioners in all schools. Expanding the existing MCPS Restorative Justice Unit. Police should not be practitioners.
   b. Providing Restorative Justice Training for all MCPS staff (including administrators, security, and teachers). Retraining those who are responsible for school discipline to approach harm created in the school environment using restorative justice and NOT punitive measures. Creating methods for teacher and staff accountability when punitive punishment is implemented (ie: calling

security).
    c. Reviewing the MCPS code of conduct considering restorative justice; codification of when and how to use RJ, with due school flexibility.
    d. Community and student involved in the practice of planning and performing RJ; exploration of student role in disciplinary action (possibly through a pilot honor board/council)
    e. Student representation for community oversight
2. Eliminate police presence on school campuses, meaning no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools) as it would hinder our ability to move away from punitive punishment and subject students of color to the school to prison pipeline.

<u>End Goals</u>

- Hire professionals within MCPS that can effectively guide restorative justice programs in each high school, middle school, and elementary schools.
- Implement a train the trainer model related to RJ practices (a part of teacher training and repeated emphasis)
- Create a set of criteria for police presence in schools
- Creating a document of resources for the use of the Council and MCPS
- Education and awareness surrounding the MCPS code of conduct and channels for student input.
- Create a body for oversight on school discipline that is composed of students.

<u>MOU Non Negotiables</u>

1. Eliminate police presence on school campuses meaning, no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools).
2. Emergency response must use mobile crisis response teams and only involve police in cases involving violent crime as defined by the Maryland Safe to Learn Act. Culturally competent and trauma-informed social workers will be supporting the student during police involvement.
3. In the rare circumstance in which students encounter police (in relation to an MCPS referral/event) after all RJ practices have been unsuccessful, a clear plan be given to the student of whom they will be interacting (who would see a report they file, etc.), and what possible consequences and steps would be followed regarding the incident, with the aid of a clinical social worker. This approach must center the student's wellbeing and safety.

<u>Requests to further Subgroup 3 goals</u>

A. **Subgroup 3 requests the following from MCPS**:
    i. How is the allocation of school security staff determined?

ii. What are the duties of MCPS security currently? They should have a clear role that works in tandem with administrators to execute RJ practices.
iii. To finalize our recommendations, budgetary guidance from the BOE/County Council would be useful, should SWAG need to give feedback regarding funding for mobile crisis teams or restorative justice coordinators/the feasibility of such.
iv. Ensure transparent, accessible, plans for administration of when to involve different justice practices; for students, a clear plan of when they will be interacting with MCPS security, police, or MCPS guidelines; codification of RJ in code of conduct and publicity of that for school communities; involve students; in school discipline and RJ processes; when students are being discussed, invite students from diverse working groups and organizations.

B. **Subgroup 3 requests the following from the County Council**
i. Support the limited role of police through funding for social work; when students are being discussed, invite students from diverse working groups and organizations.
ii. To finalize our recommendations, budgetary guidance from the BOE/County Council would be useful, should SWAG need to give feedback regarding funding for mobile crisis teams or restorative justice coordinators/the feasibility of such.

Next Steps

1. Writing up for a full report on how our plans should be implemented by MCPS and the County Council.
2. Considering funding for our recommendations and how students and community will oversee the successful implementation of RJ and police presence being eliminated from schools.

RECOMMENDATIONS TIMELINE

1. **July 16th**: Share progress report containing preliminary recommendations, priorities/goals, expectations, and next steps with the Council and MCPS.
2. **July 21st**: Start process of obtaining public (student) input on possible recommendations.
3. **END OF JULY: *We hope to have feedback on SWAG's progress from the Council and MCPS as well as answers to any questions posed in the subgroup requests section of the report by the end of July. In this feedback we welcome any and all guidance.***
4. **In Mid August**: Final recommendations sent to the County Council and MCPS, explaining how they should be used and by whom.

STUDENT WELLBEING ACTION GROUP (SWAG)

Report and Final 2021 Recommendations

October 12, 2021

INTRODUCTION

Summary

Since its start, the Student Wellbeing Action Group (SWAG) met 7 times for an hour and 30 minutes biweekly. We split into 3 subgroups, each focusing on one of the following topics:

1. *School Curriculum and Climate*
2. *Mental and Behavioral Health in Schools*
3. *School Discipline and Police*

Our workgroup has 25 members (8 of which are students) as well as 4 co-chairs (one of which is a student). SWAG has effectively centered the student voice, ensuring that students speak before other participants and take a clear leadership role. We hope to serve as an example for future county initiatives as youth voice is always necessary.

Though these recommendations include both individual funding requests for the County Council and policy changes for MCPS, we emphasize that the two bodies must collaborate in order to fulfill our county's commitment to student wellbeing. Students hope to avoid last year's unproductive and oscillating shift in responsibility between the Council and Board of Education that led to so much inaction on the issues of police in schools and mental health supports. With due support from both bodies, SWAG offers to aid and/or lead this collaboration.

We recognize that these recommendations are by no means comprehensive and are enthusiastically willing to provide additional clarification. Student wellbeing remains a top priority of this county and students will continue to work to address systemic issues that hinder students' ability to thrive.

After giving these final recommendations, SWAG hopes to become a permanent body of students and community members that make yearly recommendations to improve student wellbeing in Montgomery County.

Intentions:

Our end goal was to develop a set of recommendations for the Montgomery County Council and Montgomery County Public Schools that map out student supports to address inequities unsuccessfully addressed by the School Resource Officer Program and to improve student wellbeing.

SUBGROUP REPORTS & FINAL RECOMMENDATIONS

<u>Subgroup 1:</u> School Curriculum and Climate

The subgroup on School Curriculum and Climate focused on improving school climate by uprooting racism from within the curriculum and centering cultural awareness and unity.

<u>FINAL RECOMMENDATIONS</u>

1. Creation of a number of cultural centers/educational enrichment hubs to provide MCPS schools with cultural experiences and programs in and outside of schools to engage youth and transform school climate with partnerships from community organizations. This requires funding from the Council.
2. Creation of a committee within MCPS to use the results of the anti-racism audit to transform school climate and curriculum in a proactive and inclusive way.

SWAG recognizes that these recommendations are broad and lack detail. Our intention is that these two recommendations guide Montgomery County toward taking action on its anti-racist efforts by creating tangible entities and tools that can turn our audits into action.

We believe that a number of Cultural Centers, in conjunction with partnerships with community organizations, located throughout the county would be able to effectively provide MCPS schools with cultural experiences and programs to engage youth and transform school climate. MCPS's celebration of diversity cannot end at "International Night". We must celebrate diversity everyday in our schools, from in our curriculum to our teaching practices.

We also believe that the creation of a committee within MCPS (composed primarily of students of color, parents of color, and other relevant stakeholders) to use the results of the anti-racist audit is one of many ways to surmount our county's tendency toward inaction, again allowing us to turn audit into change.

<u>Possible Next Steps</u>

1. Create a phase plan mapping out the different changes that could be made to the curriculum at different grade levels, and what those changes would look like in the classroom.
2. Looking at the inclusivity of the educational tools provided by MCPS
3. Create a diverse author's list to share to get feedback. Include texts that celebrate diverse voices. This can be connected to the things taught in the past to StudySync.
4. List and create community partnerships to prevent crime and proactively support students (Street Outreach Network and Educational Equity & Enrichment Hubs)

5. List out celebrations and important holidays (AAPI, Pride, BHM, LHM, etc) to be acknowledged in classes and school
6. Lay out the racial biases of StudySync and where there is area for growth.

Subgroup 2: Mental and Behavioral Health in Schools

The subgroup on Mental and Behavioral Health in Schools chose to focus on expanding access to school based mental health supports who can provide therapeutic services to the students of MCPS, as well as developing processes for the student oversight on and engagement in mental health practices.

FINAL RECOMMENDATIONS

1. Increase student access to mental health/wellbeing resources needed for success:
    a. Add school staff and also school based providers through the Department of Health and Human Services (DHHS):
        i. **Culturally Competent and Trauma Informed Licensed Clinical Social Workers** (outside of the Social and Emotional Special Education Services program) and School Psychologists. Funding from the Council is required.
        ii. Specifically increase support for undocumented students and consider Black and other social workers of color who can work with the county to lead any program that would involve Social Workers.
    b. Ensure that schools have mental health teams - counselors, psychologists, and social workers working together in order to support students. Students need to know what resources are available.
    c. Mental health first aid for students is added to SOS (signs of suicide)
2. Ensure sure everyone especially students have a voice:
    a. Quarterly meetings to gather student feedback to ensure well being needs are met; include opportunities for peer support and representation.
    b. Student Engagement Groups - those 20-30 groups identified by students that may support identity development within the school to allow students the opportunity to support one another through more intentional engagement and interactions perhaps guided by Social Workers, making sure every student feels comfortable coming back to school and talking with counselors and administration.

SWAG wants MCPS to be part of the change in society as it approaches mental health as a normal, daily need. We wish to shift from a reactionary approach to a more proactive method of teaching mental health skills as we do others skills. We want to ensure every student feels comfortable coming back to school and talking with counselors and administration. We want to ensure students who need mental health support know what resources are available. We want to ensure everyone, especially students, have a voice in matters surrounding student mental health.

Using the supports we have recommended, we believe MCPS should develop a plan for a mobile crisis team of professionals (not including law enforcement) who can attend to crises - to address all youth.

Subgroup 3: Discipline and Police in Schools

The subgroup on Discipline and Police in schools chose to focus on uprooting the current school discipline system and replacing it with a thorough restorative justice model in an effort to radically transform school culture. Additionally, the subgroup chose to lay out a set of criteria for future school safety models that may involve police in the form of MOU non-negotiables.

FINAL RECOMMENDATIONS

1. Allocate funding for restorative justice in all MCPS schools. This includes:
    a. Hiring Restorative Justice Practitioners in all schools. Expanding the existing MCPS Restorative Justice Unit. Police should not be practitioners.
    b. Providing Restorative Justice Training for all MCPS staff (including administrators, security, and teachers). Retraining those who are responsible for school discipline to approach harm created in the school environment using restorative justice and NOT punitive measures. Creating methods for teacher and staff accountability when punitive punishment is implemented (ie: calling security).
    c. Reviewing the MCPS code of conduct considering restorative justice; codification of when and how to use Restorative Justice, with due school flexibility.
    d. Community and student involvement in the practice of planning and performing Restorative Justice; exploration of student role in disciplinary action (possibly through a pilot honor board/council). Students must have a right to restorative justice.
    e. Student representation for community oversight
2. Eliminate police presence on school campuses, meaning no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools) as it would hinder our ability to move away from punitive punishment and subject students of color to the school to prison pipeline.

MOU Non Negotiables

1. Eliminate police presence on school campuses meaning, no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools).
2. Emergency response must use mobile crisis response teams and only involve police in cases involving violent crime as defined by the Maryland Safe to Learn Act. Culturally

competent and trauma-informed social workers will be supporting the student during police involvement.

3. In the rare circumstance in which students encounter police (in relation to an MCPS referral/event) after all RJ practices have been unsuccessful, a clear plan be given to the student of whom they will be interacting (who would see a report they file, etc.), and what possible consequences and steps would be followed regarding the incident, with the aid of a clinical social worker. This approach must center the student's wellbeing and safety.

We urge that MCPS ensures transparent, accessible, plans for administration of when to involve different justice practices; provides a clear plan of when they will be interacting with MCPS security, police, or MCPS guidelines for students; codifies restorative justice in code of conduct and publicizes that for school communities; involves students in school discipline and RJ processes; and when students are being discussed, invites students from diverse working groups and organizations to participate.

We would also like to clarify that we do NOT want police or law enforcement involved in restorative justice and school discipline practices moving forward. All processes must center students of color (especially black and brown students) who remain those most impacted by school discipline. We want to emphasize that a shift to a culture of restorative justice in our schools is meant to deconstruct the power dynamic between student and teacher, allowing students to share equal responsibility in managing school climate. Restorative justice must NOT replace punitive discipline as a means of controlling students.

We thank all of you for your commitment to student wellbeing.

Reimagining School Safety and Student Well-being

Preliminary Report as of August 30, 2021

Background

On May 12, 2021, County Executive Marc Elrich announced the creation of the Reimagining School Safety and Student Well-Being (RSSSW) Committee. The Committee contains 32 stakeholders, including students; representatives from the Department of Health and Human Services, the Montgomery County Department of Police, and Montgomery County Public Schools; and staff members from the Offices of the County Executive and County Council.

In order to more effectively address the responsibilities of the steering committee, three subcommittees were formed in June: Mental Health, Restorative Justice, and one focused on the Memorandum of Understanding (MOU) signed October 17, 2017, between Montgomery County Public Schools; Montgomery County Department of Police; Montgomery County Sheriff's Office; Rockville City Police Department; Gaithersburg City Police Department; Takoma Park Police Department; and the Montgomery County State's Attorney's Office. Given the timeline dictated by the start of the 2021-2020 school year, a majority of the Reimagining School Safety and Student Wellbeing Steering Committee members and work efforts this summer focused on the MOU subcommittee and deadlines related to the reopening of school.

This preliminary report outlines the RSSSW Committee areas of focus, initial recommendations, timelines and actions taken to date.

Recommendations as of August 30, 2021

Mental Health Subcommittee

Areas of focus for the Mental Health Subcommittee identified by the entire Reimagining School Safety and Student Wellbeing committee:

1. Look at root causes of behavior (from a Mental Health vs delinquency lens) with funding for mental health supports rather than police response as a solution,
2. Create systems of support to respond to student mental health crises in school, and
3. Assess if there are sufficient mental health professionals available to students for proactive engagement

Recommendations to date:

1. Look at root causes of behavior (from a Mental Health vs delinquency lens) with funding for mental health supports rather than police response as a solution (*referred to Restorative Justice (RJ) subcommittee as it speaks to a shift in school culture that can be addressed through RJ training)*
2. Create/enhance systems of support to respond to student mental health crises in school
    a. Increase training for all MCPS staff on verbal de-escalation skills and increase the number of staff in each school building trained in all levels of de-escalation (verbal and physical) in an effort to reduce the number/frequency of crisis incidents in the school
        i. Invest in "train the trainer" model so that MCPS employees can provide the de-escalation training to school staff, reducing the cost of hiring outside trainers
    b. Create a comprehensive and integrated crisis intervention decision tree and intervention guidelines
        i. Define types of crises, including mental health crises, suicidal ideation, aggression, and physical threat, to increase connection of potential underlying mental health issues in acting out behavior
        ii. Clearly define the role of those intervening in the crisis including school personnel, such as administrators, counselors, teachers, school security, and external support systems, such as the Crisis Center, the Mobile Crisis Response Team, and on-site contracted mental health professionals
    c. Support School Wellbeing Teams' (SWBT) effectiveness in addressing and preventing crises by designating or funding a SWBT leader who has knowledge of available resources, de-escalation and intervention strategies, and who has sufficient time to dedicate to these responsibilities
3. Assess if there are sufficient mental health professionals available to students for proactive engagement
    a. Increase School Counselors' availability to support student's social/emotional needs
        i. Complete a job class study assessing current job responsibilities
            1. Explore separation of academic counseling and social/emotional counseling duties
        ii. Assess effectiveness of 1:250 counselor to student ratio in meeting the social/emotional needs of students, factoring available mental health supports at the school and level of need
            1. Hire more school counselors to lower the student/counselor ratio
    b. Explore use of/increase in mental health navigators/behavioral health resource specialists to link students/families with available mental health providers, maximizing use of existing resources

The timeline for implementation of these initial Mental Health recommendations is outlined below, and presumes that more specific operational metrics will be added in phase two of this work as the school year begins. Subject matter experts from MCPS in the arena of student mental health supports will have the opportunity to contribute to this subcommittee in phase two as many were 10 month employees with limited availability over the summer. The Mental Health and Restorative Justice subcommittees chairs have met and plan for the subcommittees to work together more closely moving forward in order to expand cross-sector participation in both and further align or integrate recommendations wherever possible.

Immediate Recommendation	Resources Needed
● Create a comprehensive and integrated crisis intervention decision tree and intervention guidelines ○ Define types of crises ○ Clearly define the role of those intervening in the crisis ○ Update and integrate existing policies and procedures ● Support School Wellbeing Teams' (SWBT) effectiveness in addressing and preventing crises by designating or funding a SWBT leader who has knowledge of available resources, de-escalation and intervention strategies, and who has sufficient time to dedicate to these responsibilities	● Collaboration with MCPS, Crisis Center, DHHS ● Funding for additional staff to run SWBT teams or remove staff responsibilities to increase ability to focus on SWBT

Recommendations Within 6 months	Resources Needed
● Assess effectiveness of 1:250 counselor to student ratio in meeting the social/emotional needs of students, factoring available mental health supports at the school and level of need ● Invest in "train the trainer" model so that MCPS employees can provide the de-escalation training to school staff (verbal to all staff and more extensive training to limited number of staff), reducing the cost of hiring outside trainers ● Explore use of/increase in mental	● Input from MCPS, students, parents, MCCPTA, on site behavioral health providers ● MCPS staff who can be designated as trainers ● Cost to train MCPS trainers on de-escalation model

health navigators/behavioral health resource specialists to link students/families with available mental health providers, maximizing use of existing resources	

Recommendations Within 1 Year	Funding Resources Needed
● Increase School Counselors' availability to support student's social/emotional needs ○ Complete a job class study assessing current job responsibilities ○ Explore separation of academic counseling and social/emotional counseling duties ○ Hire more school counselors to lower the student/counselor ratio	● MCPS OHR staff time to complete a job class study ● Funding for additional school counselors

Restorative Justice Subcommittee

Recommendations:

1. A rewrite of the MCPS Student Code of Conduct to elevate the full continuum of restorative practices that outline specific restorative practices for each level within the Code of Conduct
2. Hire a full-time, salaried, fully-released Restorative Justice (RJ) lead teacher at every school
    a. Actualize a monthly RJ Lead Teacher Professional Learning Community (PLC) to encompass:
        i. Professional Learning for the RJ Lead Teachers self-work
        ii. Professional Learning for RJ Lead Teachers to take back to their respective schools
        iii. Regular, consistent support provided to RJ Lead Teachers and schools throughout the year by the Restorative Justice Unit
3. A Restorative Justice Team at every school, led by the Restorative Justice Lead Teacher, with MCPS staff receiving the after-school stipend to engage in the development and implementation of monitoring and accountability models to actualize a restorative school.

a. The team members would include, administrator(s), caregivers, students, teachers, school counselor(s), pupil personnel worker(s), and school security personnel (for middle and high school)
b. Monitoring and accountability tools would include the following to elevate disparities among student populations and engage in professional learning to dismantle the disparities elevated:
    i. Student and Family voice data
    ii. Referral data
    iii. Suspension/Expulsion data
    iv. Arrest data

4. Cluster trainings with Office of Teaching, Learning, and Schools – School Support and Improvement (OTLS-SSI) Directors, Administrators, Community Engagement Officers (CEOs), School Security Personnel, RJ Lead Teachers, and RJ team members to encompass:
    a. The full continuum of restorative practices, emphasizing the preventative before the responsive side of the continuum
    b. Develop shared understanding in approaches
    c. Seek to dismantle discrepancies within and across clusters as well as the school district
    d. Unpacking the MOU between MCPS and MCPD
    e. Scenario walkthroughs through a restorative lens
    f. Scenarios that outline when to contact CEO
    g. Mediation scenarios

Additionally, we elevate the listed items below to coincide with the funding asks outlined in the table below:

- Fully staffing the Restorative Justice Unit with 6 instructional specialists to support the implementation of Restorative Justice across the school district
- Funding to support the implementation and data analysis of Restorative Justice across the district for 10 years to allow for the full cycle of change and implementation theory to actualize
- Funding stipends and substitutes for all MCPS staff to stay within intentional and impactful cycles of professional learning and implementation

Immediate Recommendation	Human Resources Needed
● A rewrite of the MCPS Student Code of Conduct to elevate the full continuum of restorative practices ○ Outline specific restorative practices for each level within	● Collaboration with MSDE, MCPS cross-office collaboration led by the MCPS Restorative Justice Unit, MCPS Office of the General Council

the Code of Conduct ○ RJ Team supports the gradual and intentional shift from punitive to restorative measures within schools	

Recommendations Within 6 months	Funding Resources Needed
● Identify a Restorative Justice lead teacher at every school, receiving the after-school stipend to engage in work before and after the duty day ● RJ Team created at every school, led by the RJ Lead Teacher made up of the following members, with MCPS staff receiving the after-school stipend to engage in work before and after the duty day: ○ Administrator(s) ○ Caregivers ○ Teachers ○ Students ○ School Security Personnel (for middle and high schools) ○ School Counselor(s) and/or PPW ● Monthly RJ Lead Teacher PLC ○ Professional Learning for RJ Lead Teachers themselves ○ Professional Learning to take back to their respective schools ○ RJ Unit provides regular, consistent support to schools throughout the year ● RJ Team trained on the full continuum of preventative restorative practices ● Training with administrators, CEOs, School Security, RJ Lead Teacher, and additional RJ team members to envelop ○ MOU ○ Scenario walkthroughs through a restorative lens ○ Scenarios that outline when to contact CEO	● MCPS after duty day stipend amount ● Stipend and/or substitute funding for RJ Lead teachers and MCEA and SEIU RJ Team members

○ Mediation scenarios ● Cluster trainings with OTLS-SSI Directors, Administrators, CEOs, School Security Personnel, RJ Lead Teachers, and RJ team members ○ Focus on the why of the full continuum of restorative practices ○ Develop shared understanding in approaches ○ Seek to dismantle discrepancies within and across clusters as well as the school district	

Recommendations Within 1 Year	Funding Resources Needed
● Identify a Restorative Justice lead teacher with the maximum stipend allowable at every school ● RJ Team created at every school, led by the RJ Lead Teacher made up of the following members: ○ Administrator(s) ○ Caregivers ○ Teachers ○ Students ○ School Security Personnel (for middle and high schools) ○ School Counselor(s) and/or PPW ● Monthly RJ Lead Teacher PLC led MCPS RJ Unit ○ Professional Learning for RJ Lead Teachers themselves ○ Professional Learning to take back to their respective schools ○ RJ Unit provides regular, consistent support to schools throughout the year ● Monitoring and accountability models implemented to actualize a restorative school district ● School RJ Team trained on the full continuum of preventative restorative	● Maximum Resource Teacher stipend amount ● Funding for RJ Lead teachers to receive the maximum resource teacher stipend amount ● Stipend and/or substitute funding for RJ Lead teachers and MCEA and SEIU RJ Team members

practices
● Training with administrators, CEOs, School Security, RJ Lead Teacher, and additional RJ team members to envelop
  ○ MOU
  ○ Scenario walkthroughs through a restorative lens
  ○ Scenarios that outline when to contact CEO
  ○ Mediation scenarios
● Cluster trainings with OTLS-SSI Directors, Administrators, CEOs, School Security Personnel, RJ Lead Teachers, and RJ team members
  ○ Focus on the why of the full continuum of restorative practices
  ○ Develop shared understanding in approaches
  ○ Seek to dismantle discrepancies within and across clusters as well as the school district
● RJ School teams develop the RJ professional learning and implementation plan (sample)
● Actualize the implementation cycle with specific monitoring tools
  ○ kid/caregiver voice data
  ○ Referral data
  ○ Suspension/Expulsion data
  ○ Arrest data
  ○ Analyze monitoring tools for disparities within data
  ■ Professional learning to dismantle disparities that have been elevated	

Recommendations Within 2 Years	Funding Resources Needed
● Identify a full-time, salaried, fully released Restorative Justice lead teacher at every school ● Monitoring and accountability models	● Funding for a full-time, fully released RJ Lead Teacher at every school

implemented to actualize a restorative school district ● Specific outlining of restorative vs punitive measures within the MCPS Student Code of Conduct ○ RJ Team supports the gradual and intentional shift from punitive to restorative measures within schools ● Cluster trainings with OTLS-SSI Directors, Administrators, CEOs, School Security Personnel, RJ Lead Teachers, and RJ team members ○ Focus on the why of the full continuum of restorative practices ○ Develop shared understanding in approaches ○ Seek to dismantle discrepancies within and across clusters as well as the school district ● RJ School teams refine the RJ professional learning and implementation plan ● Analyze monitoring tools for disparities within data ○ Professional learning to dismantle disparities that have been elevated and implemented ● Monthly RJ Lead Teacher PLC led MCPS RJ Unit ○ Professional Learning for RJ Lead Teachers themselves ○ Professional Learning to take back to their respective schools ○ RJ Unit provides regular, consistent support to schools throughout the year	

MOU Subcommittee

The MOU Subcommittee is committed to undertaking a comprehensive review and revision of the current MOU, beginning in September 2021 and concluding by December 2021. The subcommittee identified the following topics to be included in his comprehensive review:

- All components of the current MOU
- Incorporation of the Montgomery County Department of Health and Human Services into a new MOU
- Focus on supporting students vs. only police responses
- Mobile crisis response
- Restorative justice
- Data collection and accountability
- Training for MCPS administrators and MCPD
- County community outreach workers
- Specific situations where there should be mental health professionals to respond vs. police

The subcommittee identified the following stakeholders be included in his comprehensive review:

- Students, including SGA representatives
- Educators
- Parents, including PTA representatives
- County council staff
- Principals
- DHHS
- Mental health professionals
- MCPD & municipal law enforcement agencies
- Community stakeholders
- State's attorney's office

In an effort to take some steps to reduce student and police interactions for the start of the 2021-22 school year, and prior to the comprehensive review and revision of the current MOU, the subcommittee extensively reviewed two sections of the current MOU: the duties of school resource officers (pages 1-3) and the lists of critical incidents in which schools are required to contact the police (pages 8-9). Based on these recommendations, it is expected that a new, signed MOU will be released by early September.

MCPD announced in late August that SROs will now be called community engagement officers (CEOs). The subcommittee recommends that they not be stationed in school buildings or on school grounds, and that school requests for police service not be made directly to the CEOs. (Instead, schools would call 911 for emergencies and 301-279-8000 for non-emergencies.)

On pages 8-9 of the current MOU, there are lists of critical incidents "where police shall take the lead in investigating" and "where police may take the lead in investigating depending on the circumstances. The subcommittee would like to review and revise this language around critical incidents in the comprehensive review and revision of the MOU beginning in September. However, working within the current framework, the subcommittee made the recommendations below. The police would still be contacted when these incidents occur.

Recommendations (Part 1): In the list of critical incidents on page 8 of the MOU, the subcommittee recommends moving the following incidents from "critical incident where police shall take the lead in investigating" to "critical incident where police may take the lead in investigating depending on the circumstances":

- Arson (willful and maliciously set fire) or verbal or written threat of arson
- Knowingly making false reports about the location or detonation of a destructive device
- Distribution or manufacture of a controlled dangerous substance

Recommendations (Part 2): The subcommittee also recommended that the following incidents (pages 8-9) move from "critical incident where police shall take the lead in investigating" to "critical incident where police may take the lead in investigating depending on the circumstances." However, in order to provide time for further legal review, these recommendations have been deferred to the comprehensive review/revision of the MOU:

- Hate crime (harassing a person or damaging property of a person because of their race, color, religious beliefs, sexual orientation or national origin)
- Gang related incident/crime

Recommendations (Part 3): In the section of the MOU (page 9) that lists "critical incidents where police may take the lead in investigating depending on the circumstances," the subcommittee recommends the following:

- "Physical attack on another that requires medical attention outside the health room": Change to "In the event of a 911 call regarding a physical attack on another that requires medical attention outside the health room.
- "Theft (any single incident or series of incidents committed by the same perpetrator where the value of stolen property is $500 or more)": Change $500 to $1500.
- Possession of a marijuana: Police will only confiscate the substance.

Next Steps

Reimagining School Safety and Student Well-Being (RSSSW) Committee work, through its subcommittees, will continue to focus on these recommendations regarding supports for students and will expand to include appropriate stakeholders as we move forward. Members of the various subcommittees will work jointly to finalize recommendations that overlap and we will engage the members of the County Council's Student Wellbeing Advisory Committee as our recommendations also have significant overlap. The next report of recommendations and implementation steps is scheduled for December 31, 2021. If you have any questions, please feel free to contact any of the co-chairs.

Reimagining School Safety and Student Well-Being (RSSSW) Committee Co-Chairs

JoAnn Barnes, Montgomery County Department of Health and Human Services
Jimmy D'Andrea, Montgomery County Public Schools
Willie Parker-Loan, Montgomery County Department of Police

MEMORANDUM

TO: MONIFA MCKNIGHT, ACTING SUPERINTENDENT, MCPS
MARCUS JONES, CHIEF, MCPD
RAYMOND CROWEL, DIRECTOR, DHHS

FROM: REIMAGINING SCHOOL SAFETY AND STUDENT WELLBEING (RSSSW) CO-CHAIRS: JOANN BARNES, DHHS; JAMES D'ANDREA, MCPS AND WILLIE PARKER-LOAN, MCPD

SUBJECT: EXECUTIVE SUMMARY OF CURRENT RSSSW ACTIVITIES/DELIVERABLES

DATE: August 25, 2021

Introduction:

On May 12, 2021, County Executive Marc Elrich announced the creation of the Reimagining School Safety and Student Well-Being (RSSSW) Steering Committee. The steering committee contains 32 stakeholders, including students; representatives from the Department of Health and Human Services, the Montgomery County Department of Police, and Montgomery County Public Schools; and staff members from the Offices of the County Executive and County Council.

In order to more effectively address the responsibilities of the steering committee, three subcommittees were formed in June: one focused on mental health, one focused on restorative justice, and one focused on the Memorandum of Understanding (MOU) signed October 17, 2017, between Montgomery County Public Schools; Montgomery County Department of Police; Montgomery County Sheriff's Office; Rockville City Police Department; Gaithersburg City Police Department; Takoma Park Police Department; and the Montgomery County State's Attorney's Office.

Committees Three Priority Areas Summary:

MOU

The MOU subcommittee divided its work into two phases. The first phase of the work was a focused review of two key sections of the MOU : the duties of school resource officers, as outlined on pages 1-3, and the list of incidents requiring schools to contact the police, as outlined on pages 8-9. The first phase was completed over the summer, so that adjustments could be in place for the start of the school year on August 30, 2021.

The second phase of the work will begin in September and is designed to be a comprehensive review of the current MOU. The subcommittee plans to include additional stakeholders in the work and examine the current MOU through the lens of how it can be reframed to focus broadly

on supporting students. To that end, the subcommittee is planning to add the Montgomery County Department of Health and Human Services (DHHS) as a party to the MOU and include topics such as restorative justice, mobile crisis support, etc.

Some highlights of the work that occurred in the first phase include:

- Clarification of the role of community resource officers (CROs): They will be assigned to specific schools, and they will be based in the community, not stationed in schools or on school grounds. They will not enforce MCPS policies, rules, regulations or procedures. Schools needing a police response will contact either 911 or the police non-emergency number depending on the circumstances, and then a police officer (or officers) will be dispatched to the school; the CRO will be part of this response if available.
- Recommendations to adjust when police are called to the school for specific incidents: The current MOU requires that police be contacted for "theft (any single incident or series of incidents where the value of stolen property is $500 or more)." The subcommittee recommends that the threshold be changed to $1500 and that all thefts below that amount be handled as school discipline issues. In addition, the subcommittee recommends that simple possession of marijuana be handled as a school discipline issue and that police respond to the school only to confiscate the marijuana.

Mental Health

Areas of Focus (initially identified by RSSSW Steering Committee) & Related Recommendations:

1. Create systems of support to respond to student mental health crises in school
    - Recommendation #1: Increase training for all MCPS staff and other community partners in the building on verbal de-escalation skills by investing in more staff becoming certified Crisis Prevention Institute trainers
    - Recommendation #2: Increase the number of staff in each school building trained in all levels of de-escalation (verbal and physical) to reduce the number/frequency of crisis incidents in the school
    - Recommendation #3: Create a comprehensive and integrated crisis intervention decision tree and intervention guidelines
    - Recommendation #4: Support SWAG recommendations on peer support
    - Recommendation #5: Support School Wellbeing Teams' (SWBT) effectiveness in addressing and preventing crises by designating a SWBT leader who has knowledge of available resources, de-escalation and intervention strategies, and who has sufficient time to dedicate to these responsibilities

2. Assess if there are sufficient mental health professionals available to students for proactive engagement
    - Recommendation #1: Increase School Counselors availability to support student's social/emotional needs
    - Recommendation #2: Explore use of mental health navigators to link students with available mental health providers, maximizing the use of existing resources

3. Look at root causes of behavior (from a Mental Health vs delinquency lens) with funding for mental health supports rather than police as a solution. This area of focus has been referred to the Restorative Justice (RJ) subcommittee as it speaks to a shift in school culture in understanding that behavior is a form of communication and addressing that behavior from a restorative lens vs delinquency lens

Restorative Justice

Recommendations:

1. A rewrite of the MCPS Student Code of Conduct to elevate the full continuum of restorative practices that outline specific restorative practices for each level within the Code of Conduct
2. Hire a full-time, salaried, fully-released Restorative Justice (RJ) lead teacher at every school
    a. Actualize a monthly RJ Lead Teacher PLC to encompass:
        i. Professional Learning for the RJ Lead Teachers self-work
        ii. Professional Learning for RJ Lead Teachers to take back to their respective schools
        iii. Regular, consistent support provided to RJ Lead Teachers and schools throughout the year by the Restorative Justice Unit
3. A Restorative Justice Team created at every school, led by the Restorative Justice Lead Teacher, with MCPS staff receiving the after-school stipend to engage in the development and implementation of monitoring and accountability models to actualize a restorative school.
    a. The team members would include, administrator(s), caregivers, students, teachers, school counselor(s), pupil personnel worker(s), and school security personnel (for middle and high school)
    b. Monitoring and accountability tools would include the following to elevate disparities among student populations and engage in professional learning to dismantle the disparities elevated:
        i. Student and Family voice data
        ii. Referral data
        iii. Suspension/Expulsion data
        iv. Arrest data
4. Cluster trainings with OTLS-SSI Directors, Administrators, CROs, School Security Personnel, RJ Lead Teachers, and RJ team members to encompass:
    a. The full continuum of restorative practices, emphasizing the preventative before the responsive side of the continuum
    b. Develop shared understanding in approaches
    c. Seek to dismantle discrepancies within and across clusters as well as the school district
    d. Unpacking the MOU between MCPS and MCPD
    e. Scenario walkthroughs through a restorative lens
    f. Scenarios that outline when to contact CRO
    g. Mediation scenarios

Moving Forward

Work in the subcommittees will continue and our next update will include a specific timeline for each recommendation. While the MOU committee moves on to other areas of the original MOU, HHS and other partners will be involved as it addresses other supports for students.

The RJ and Mental Health subcommittees will have some joint meetings to address the overlap between the two bodies of work. Additionally, the membership of these two subcommittees may increase to be sure that the perspectives of all stakeholder departments are represented.

If you have any questions, please feel free to contact any of the co-chairs. Thank you.

MONTGOMERY COUNTY COUNCIL

ROCKVILLE, MARYLAND

COUNCILMEMBER NANCY NAVARRO
DISTRICT 4

CHAIR, GOVERNMENT OPERATIONS AND FISCAL POLICY COMMITTEE

EDUCATION AND CULTURE COMMITTEE

M E M O R A N D U M

February 5, 2021

TO: Marc Elrich, County Executive

FROM: Nancy Navarro, Chair, Government Operations & Fiscal Policy Committee

SUBJECT: On School Resource Officers: A way forward

It was great speaking to you about an alternative approach to the current School Resources Officer (SRO) model. The model I envision would be consistent with state law, by assigning police officers to different geographic beats or clusters and creating teams that include mental health professionals and counselors. We would create a memorandum of understanding that would clearly define which type of issues would qualify for calls for assistance, thus eliminating the practice of calling law enforcement personnel for what should be disciplinary issues.

Like you and my colleagues on the Council, I am committed to a re-imagining of our county's public safety resources that dismantles racial inequities, is holistic and humanizes both our residents and members of our police force. I am eager to adopt a program for our children that incorporates positive youth development principles (counselors, nurses, parent community coordinators, youth outreach workers, pupil personnel workers, etc.), while prioritizing safety in our schools. We need resources for the emotional and social well-being of our students that are comprehensive and culturally appropriate.

The Montgomery County Board of Education is currently reviewing the issue of School Resource Officers (SROs) in school facilities and I had hoped they would have recommendations this past January. As a

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former member of the Board of Education, I was willing to respect the process and weigh in after hearing from the school board. They have since postponed their decision and at this point, I believe we need to move ahead and craft an alternative approach to the current School Resources Officer (SRO) model.

Listening to the community, studying the bills on SROs before the council and the state legislature, and the preliminary reports of the reimagining safety workgroup and the school system's workgroup on SROs, I am struck by how everyone seems genuinely focused on change in how Public Safety and the wellbeing of our students should be prioritized. Out of respect for all the work that has been done, I believe that in your administrative capacity, you can take all the input into consideration to design and propose a brand new model that de-emphasizes a law enforcement focus within our schools and instead focuses on the mentoring and mental health needs of our students. Our County has invested in Positive Youth Development Initiatives (PYD) that should be incorporated, and we can strengthen these with nationally recognized programs like CAHOOTS and The SANTE group models. This new approach would come with appropriate staffing and resources. The timing is perfect, now that the budget cycle is upon us.

Since school will be virtual for a while, we have the time we need as a team to work together and come up with the ideal model. I look forward to hearing from you on my proposal.

CC: Members of the County Council
Members of the Montgomery County Board of Education
Dr. Jack Smith, Superintendent of Schools
Chiefs of Staff
Rich Madaleno, Chief Administrative Officer (Acting)
Marlene Michaelson, Executive Director, County Council
Caroline Sturgis, Assistant Chief Administrative Officer

MONTGOMERY COUNTY COUNCIL

ROCKVILLE, MARYLAND

COUNCILMEMBER NANCY NAVARRO
DISTRICT 4

CHAIR, GOVERNMENT OPERATIONS AND FISCAL POLICY COMMITTEE

EDUCATION AND CULTURE COMMITTEE

M E M O R A N D U M

Mar 3, 21, 9:02 AM

TO: Sidney Katz, Chair, Public Safety Committee
Craig Rice, Chair, Education and Culture Committee

FROM: Nancy Navarro, Chair, Government Operations & Fiscal Policy Committee

SUBJECT: Proposed amendment to bills on School Resource Officers

The Public Safety (PS) Committee and the Education (E&S) Committee will be holding a joint session on two bills that address the future of School Resource Officers (SROs) in Montgomery County Public Schools (MCPS). Bill 46-20, *School Resources Officers – Prohibited* (introduced by lead sponsors Will Jawando and Hans Riemer on November 17, 2020, with a public hearing held on February 4, 2021), would prohibit the Montgomery County Police Department from deploying school resource officers in schools. Bill 7-21, Police – *School Resource Officer – Building Positive Law Enforcement Relationships Within Schools* (introduced by lead sponsors Craig Rice and Sidney Katz on February 2, 2021, with public hearing scheduled for March 4, 2021), would authorize the Chief of Police to assign a law enforcement officer to work as a school resource officer in a County school upon the request of the Superintendent of Schools, with a requirement for enhanced training for a school resource officer.

It is appropriate that the PS/EC joint committee session is taking up both bills at the same time. This approach allows the Council ultimately to take a holistic approach. It affirms the fact that we all have a shared interest – how to focus on our students' mental and emotional well-being without compromising their physical safety as our parents and students expect, and as mandated by state law.

After listening to the community, especially our youth, studying both bills and related proposals in the General Assembly, the reports of the Reimagining Safety Task Force workgroup as well as the school system's workgroup, I am proposing a model that eliminates the current SRO model, de-emphasizes a law enforcement focus within our schools and instead focuses on the mentoring and mental health needs

of students. However, it includes a Public Safety cluster model comprised of Police Officers, mental health professionals and Positive Youth Development staff. This approach Patterned after the Kennedy Cluster model which I worked on and helped implement in 2007 when I was President of the Board of Education, this model would incorporate multi-agency and interdepartmental collaboration, Positive Youth Development (PYD) initiatives, and mental health support that our County has previously invested in, and that can be strengthened with nationally recognized programs.

On February 5th, I sent a memorandum to County Executive Marc Elrich, outlining my alternative option to the physical presence of SROs in schools (attached). I have since met with the County Executive, the Police Chief, the leadership of the department of Health and Human Services, and MCPS to make sure that this approach can be implemented. I am pleased with their feedback and their proactive work in this space. The County Executive has shared his proposed cluster model with me, and I look forward to us working with him as a team to stand up a policy and an instrument that have the teeth and compassion to support and protect our students.

My amendment to the proposed bills is attached. For purposes of the joint committee's work, I have chosen to amend Bill 46-20 with this team model and incorporate training for the team members with the requirements in Bill 7-21. The result is a new structure that addresses all the concerns I have heard, and that is also consistent with the research findings and recommendations of the Office of Legislative Oversight. In summary, under the umbrella of Racial Equity and Social Justice, my proposed amendment:

- Creates a team that resides outside the schools and moves SROs out of school facilities and into a "cluster" model.
- Includes PYD initiatives and mental health supports in the "cluster" model with appropriate training for team members.
- Defines and restricts the offenses for which school personnel can call the law enforcement team.
- Enhances school-based services and student-centered supports (pupil personnel workers, counselors, Parent Community Coordinators, Street Outreach Network, Wellness centers, Linkages to Learning, and other student-centered programs). In addition, there should be an awareness program for school personnel to make sure they are informed of the availability of student support services, so they may promote prevention.

In closing I would like to sincerely thank Councilmembers Jawando, Rice, Riemer, Katz and County Executive Elrich for all their work on this issue. I appreciate their commitment to racial equity and social justice, and a truly re-imagined public safety structure. We have an opportunity here to provide the appropriate leadership as a team and rally behind the joint committee as it puts forward a recommendation to the full council.

Copy to:
Members of the County Council
Marc Elrich, County Executive
Brenda Wolff, President, Montgomery County Board of Education
Jack Smith, Superintendent of Schools
Raymond Crowel, Director, Health and Human Services
Marcus Jones, Chief of Police

Attachment

Bill 46-20 - Navarro Amendment 1

Amend lines 23-30 as follows:

(8) Montgomery County Public Schools fall well short of the student to mental health and counseling staff ratios recommended by the National Association of School Psychologists and the American School Counselor Association; **[[**and**]]**

(9) students of color would benefit from more opportunity to speak with therapists, nurses, and school psychologists with diverse backgrounds who can speak to the challenges they are facing; and

(10) Montgomery County Public Schools must enhance mental health and counseling support for students.

Add the following after line 40:

(d) *Local law enforcement coverage program for public schools*. The Executive must establish a local law enforcement coverage program for each public school that incorporates positive youth development principles while prioritizing safety through the use of multidisciplinary school teams that are not based in a school. The Chief of Police must assign police officers to different geographic areas to work on a school team with mental health professionals and counselors assigned by the Director of Health and Human Services. Each member of the school team must receive training on:

(1) de-escalation techniques;

(2) mediation and conflict resolution;

(3) childhood and adolescent development;

(4) alcohol/drug response;

(5) gang prevention and response;

(6) truancy prevention;

(7) child abuse and neglect;

(8) culturally competent community engagement and outreach;

(9) emergency preparedness and response to critical incidents;

(10) threat assessment;

(11) mental health triage and crisis intervention;

(12) trauma-informed response practices;

(13) restorative justice;

(14) physical and developmental disability awareness; and

(16) mentoring.

(e) *Memorandum of Understanding*. The Executive must negotiate a memorandum of understanding (MOU) with the Superintendent of Schools establishing guidelines for the operation of the school teams established under subsection (d). The MOU must:

(1) include a comprehensive data sharing agreement between the Police Department and the Montgomery County Public Schools; and

(2) define the type of issues that:

(A) should result in a call for law enforcement assistance; and

(B) should be handled as a school discipline matter instead of a call for law enforcement assistance.

(f) *Reporting*. The Chief of Police, after consulting with the Superintendent of Schools, must submit an annual written report to the Executive and the Council on or about July 15 of each year that includes:

(1) the number and discipline of personnel assigned to each school team during the school year;

(2) the number of calls for law enforcement assistance for each school during the school year;

(3) the number of arrests of a student at each school broken down by race, gender, ethnicity, and disability during the school year;

(4) a description of each incident that resulted in an arrest of a student;

(5) recommendations for improvements in the program; and

(6) any other metrics that can be used to measure success of the program.

F:\LAW\BILLS\2046 Police - School Resource Officers - Prohibited\Navarro Amendment 1 For Bill 46-20 V3.Docx

Student Wellbeing Action Group

Final Report and Recommendations

Intro to SWAG

25 members 8 of which are students

4 co-chairs one of which is a student

SWAG has effectively centered the student voice, ensuring that students speak before other participants and take a clear leadership role.

SWAG hopes to become a permanent body of students and community members that make yearly recommendations to improve student wellbeing in Montgomery County.

To develop a set of recommendations for the Montgomery County Council and Montgomery County Public Schools that map out student supports to address inequities unsuccessfully addressed by the School Resource Officer Program and to improve student wellbeing.

Subgroup Reports

Subgroup 1: School Curriculum and Climate

Focused on improving school climate by uprooting racism from within the curriculum and centering cultural awareness and unity.

Recommendations:

1. Creation of a number of cultural centers/educational enrichment hubs to provide MCPS schools with cultural experiences and programs in and outside of schools to engage youth and transform school climate with partnerships from community organizations. This requires funding from the Council.
2. Creation of a committee within MCPS to use the results of the anti-racism audit to transform school climate and curriculum in a proactive and inclusive way.

Subgroup 1: School Curriculum and Climate

- The curriculum and climate group was not able to meet as many times as possible or the period of time SWAG worked on the recommendations. I am unable to provide any details on these recommendations as a result.
- SWAG is willing to reconvene to flesh these recommendations out with appropriate buy-in and assistance from relevant entities.
- The recommendations from this group represent the sentiment that the students of MCPS want to Montgomery County to take steps toward taking action on its anti-racist efforts by creating tangible entities and tools that can turn our audits into action.

Subgroup 2: Mental and Behavioral Health in Schools

Focused on expanding access to school based mental health supports who can provide therapeutic services to the students of MCPS, as well as developing processes for the student oversight on and engagement in mental health practices.

Subgroup 2: Recommendations

1. <u>Increase student access to mental health/wellbeing resources needed for success:</u>
    a. Add school staff and also school based providers through the Department of Health and Human Services (DHHS):
        i. **<u>Culturally Competent and Trauma Informed</u> Licensed Clinical Social Workers** (outside of the Social and Emotional Special Education Services program) and School Psychologists. Funding from the Council is required.
        ii. Specifically increase support for undocumented students and consider Black and other social workers of color who can work with the county to lead any program that would involve Social Workers.
    b. Ensure that schools have mental health teams - counselors, psychologists, and social workers working together in order to support students. Students need to know what resources are available.
    c. Mental health first aid for students is added to SOS (signs of suicide)

Subgroup 2: Recommendations

2. <u>Ensure sure everyone especially students have a voice:</u>
    a. Quarterly meetings to gather student feedback to ensure well being needs are met; include opportunities for peer support and representation.
    b. **Student Engagement Groups**: 20-30 groups identified by students that may support identity development within the school to allow students the opportunity to support one another through more intentional engagement and interactions perhaps guided by Social Workers, making sure every student feels comfortable coming back to school and talking with counselors and administration.

Subgroup 2: Mental and Behavioral Health in Schools

- SWAG wants MCPS to be part of the change in society as it approaches mental health as a normal, daily need.
- We wish to shift from a reactionary approach to a more proactive method of teaching mental health skills as we do others skills.
- We want to ensure every student feels comfortable coming back to school and talking with counselors and administration.
- We want to ensure students who need mental health support know what resources are available.
- We want to ensure everyone, especially students, have a voice in matters surrounding student mental health.
- Using the supports we have recommended, we believe MCPS should develop a plan for a mobile crisis team of professionals (not including law enforcement) who can attend to crises - to address all youth.

Subgroup 3: Discipline and Police in Schools

The subgroup on Discipline and Police in schools chose to focus on uprooting the current school discipline system and replacing it with a thorough restorative justice model in an effort to radically transform school culture. Additionally, the subgroup chose to lay out a set of criteria for future school safety models that may involve police in the form of MOU non-negotiables.

Subgroup 3: Recommendations

1. Allocate funding for restorative justice in all MCPS schools. This includes:
    a. Hiring Restorative Justice Practitioners in all schools. Expanding the existing MCPS Restorative Justice Unit. Police should not be practitioners.
    b. Providing Restorative Justice Training for all MCPS staff (including administrators, security, and teachers). Retraining those who are responsible for school discipline to approach harm created in the school environment using restorative justice and NOT punitive measures. Creating methods for teacher and staff accountability when punitive punishment is implemented (ie: calling security).
    c. Reviewing the MCPS code of conduct considering restorative justice; codification of when and how to use Restorative Justice, with due school flexibility.
    d. Community and student involvement in the practice of planning and performing Restorative Justice; exploration of student role in disciplinary action (possibly through a pilot honor board/council). Students must have a right to restorative justice.
    e. Student representation for community oversight

Subgroup 3: Recommendations

2. Eliminate police presence on school campuses, meaning no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools) as it would hinder our ability to move away from punitive punishment and subject students of color to the school to prison pipeline.

Subgroup 3: MOU Non-Negotiables

1. Eliminate police presence on school campuses meaning, no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools).
2. Emergency response must use mobile crisis response teams and only involve police in cases involving violent crime as defined by the Maryland Safe to Learn Act. Culturally competent and trauma-informed social workers will be supporting the student during police involvement.
3. In the rare circumstance in which students encounter police (in relation to an MCPS referral/event) after all RJ practices have been unsuccessful, a clear plan be given to the student of whom they will be interacting (who would see a report they file, etc.), and what possible consequences and steps would be followed regarding the incident, with the aid of a clinical social worker. This approach must center the student's wellbeing and safety.

Subgroup 3: Discipline and Police in Schools

- We urge that MCPS ensures transparent, accessible, plans for administration of when to involve different justice practices;
- Provides a clear plan of when they will be interacting with MCPS security, police, or MCPS guidelines for students;
- Codifies restorative justice in code of conduct and publicizes that for school communities;
- Involves students in school discipline and RJ processes; and when students are being discussed, inviting students from diverse working groups and organizations to participate.

We do NOT want police or law enforcement involved in restorative justice and school discipline practices moving forward. All processes must center students of color (especially black and brown students) who remain those most impacted by school discipline

Restorative justice must NOT replace punitive discipline as a means of controlling students as it has in the past.

Montgomery County Council
November 10, 2021

Mental Health Subcommittee

Create/enhance systems of support to respond to student mental health crises in school

1. Increase training for all MCPS staff and other community partners in the building on verbal de-escalation skills by investing in more staff becoming certified Crisis Prevention Institute trainers
2. Increase the number of staff in each school building trained in all levels of de-escalation (verbal and physical) to reduce the number/frequency of crisis incidents in the school
3. Create a comprehensive and integrated crisis intervention decision tree and intervention guidelines
4. Support SWAG recommendations on peer support
5. Support School Wellbeing Teams' (SWBT) effectiveness in addressing and preventing crises by designating a SWBT leader who has knowledge of available resources, de-escalation and intervention strategies, and sufficient time to dedicate to these responsibilities

Assess if sufficient mental health professionals are available to students for *pro*active engagement

1. Increase School Counselors availability to support student's social/emotional needs
2. Explore/increase use of mental health navigators/behavioral health resource specialists to link students with available mental health providers, maximizing the use of existing resources

Restorative Justice Subcommittee

1. A rewrite of the MCPS Student Code of Conduct to elevate the full continuum of restorative practices for each level within the Code of Conduct.
2. Hire a full-time, salaried, fully-released Restorative Justice (RJ) lead teacher at every school.
3. A restorative justice team at every school, led by the Restorative Justice Lead Teacher, with MCPS staff receiving the after-school stipend to engage in the development and implementation of monitoring and accountability models to actualize a restorative school.
4. Cluster trainings with Office of Teaching, Learning, and Schools

Curriculum

Social Studies

- Developed courses reflecting antiracist content
- Provided professional learning on creating a classroom culture, planning and implementing instruction from an anti-bias, antiracism lens.
- Partner with scholars and organizations to provide professional learning to broaden content knowledge to ensure inclusivity in instruction.

Secondary English

- Ongoing work with StudySync to add more diverse texts.
- Eliminated assessment items that are not culturally responsive and expanded diversity of voices in MCPS curriculum texts.
- Provided professional learning on antiracist ELA instruction

All content areas will evaluate and revise efforts using the recommendations of the anti-racist audit.

Restorative Justice

- Restorative Justice Coaches have been identified and trained in all middle and high schools. Coaches are teacher staff members who receive stipends and are already a part of the school community.
- Coaches serve on school leadership teams and also engage in a monthly restorative justice professional learning community (PLC) where they share ideas, strategies, and learn and plan together.
- Over 11,000 teachers, security officers, and staff completed the *Fundamentals of Restorative Justice Training* this summer.
- Schools leaders and school teams also completed the Restorative Justice Designated Team Training together.
- Selected elementary schools (24) allocated a Restorative Justice Team Leader or Mindfulness Team Leader.
- Selected school-level coaches are hosting student and parent learning and planning sessions to continue to engage their communities in conversations about restorative justice.

Restorative Justice

- Increased partnership with Appeals and Transfers and a developing framework that includes greater multi-office consideration when recommending 10 day suspension with recommendation for expulsion
- Advocacy for policy changes to the MCPS Discipline Policy and subsequently the Code of Conduct
- MOU changes that align with non-negotiables, including officers not stationed in schools
- Mobilization of the Restorative Justice Unit for direct support and consultation to schools
- Increased collaboration efforts across offices in student behavior interventions and discipline processes
- Implementation of programs and resources such as SUPRE that address root causes of behavior in lieu of exclusionary practices
- MCCPTA Restorative Justice group under the Diversity, Equity, and Inclusion Committee

Restorative Justice

- Continuity - Funding and expanding the current Restorative Justice Unit. This small but mighty team is partially staffed on a grant that will end after this school year. As the team increases direct services and support to schools and families, they will need to expand beyond five specialists and a clinical social worker.
- Increased support and stipends to elementary schools. Secondary schools have coaches who put in 240 hours ($6,000) of work in each school. There are 135 elementary schools and only 24 have an RJ/ Mindfulness Team Leader. Elementary RJ leaders are paid a one time amount of $300 for their afterschool time and efforts.
- More direct support and implementation of restorative justice for the Virtual Academy
- Training for new staff and refresher training for existing staff (Summer 2022)
- Formal creation of a central student review or honor board

E&C/PS COMMITTEE #1
February 9, 2022
Worksession

M E M O R A N D U M

February 7, 2022

TO: Education & Culture Committee and Public Safety Committee

FROM: Susan Farag, Legislative Analyst
Nicole Rodríguez-Hernández, Legislative Analyst

SUBJECT: Community Engagement Officers Program and Updated Memorandum of Understanding

PURPOSE: Receive briefing and have discussion, no action required

Expected Participants:
Chief Marcus Jones, Montgomery County Police Department (MCPD)
Assistant Chief Carmen Facciolo, Community Resources, MCPD
Captain Stacey Flynn, Community Engagement Division, MCPD
Dr. Monifa McKnight, Superintendent of Schools, Montgomery County Public Schools (MCPS)
Jimmy D'Andrea, Chief of Staff, MCPS
Ruschelle Reuben, Chief of Teaching, Learning and Schools, MCPS
Ed Clarke, Chief of School Security, MCPS
Linda Ferrell, Special Assistant to the Superintendent, MCPS

The joint Committee will receive a briefing and hold a discussion on the three major topics:

1. The Executive's Reimagining School Safety and Student Wellbeing (RSSSW) committee's preliminary and updated recommendations and actions relating to the Community Enforcement Officer (CEO) program (formerly known as the Student Resource Officer (SRO) Program) and the changes to the Memorandum of Understanding (MOU). The MOU is between MCPS and the Montgomery County Police Department (MCPD); Montgomery County Sheriff's Office; Rockville City Police Department; and the Montgomery County State's Attorney's Office.

2. The impacts-to-date of the MOU's new policies and the CEO program which were both implemented at the start of the 2021-2022 school year.

3. Potential next steps related to the MOU and CEO program to address recent school safety incidents.

An Education & Culture and Health & Human Services joint Committee meeting was held on November 10, 2021, to discuss the recommendations (not included in today's discussion) from the Student Wellbeing Action Group (SWAG) and the RSSSW committee. Specifically, co-chairs from the two groups presented on 1) requested curriculum changes; 2) restorative justice

recommendations; 3) recommendations on mental health supports for students; and 4) MCPS' response to school specific recommendations. SWAG student co-chair Kyson Taylor also presented on the MOU related recommendations. The staff packet for this joint committee session can be found here.

This staff report provides: A) a timeline of key actions related to the former SRO program; B) RSSSW's and SWAG's recommendations related to the MOU; and C) a more detailed review of the 2021 MOU and school encounter data.

A. 2020-2022 Student Resource Officer Program & Related Actions Timeline

Council staff has prepared a timeline of key local agency actions related to the County's former SRO program from 2020 to present. It begins with the Board of Education's (BOE) June 2020 charge to MCPS to "explore and benchmark alternative discipline program processes used to handle school-based incidents similar to the existing School Resource Officer (SRO) program" and highlights Council, Executive, and workgroup actions between then and today's joint Committee session.

The timeline can be found on ©1-5.

B. Summary of Key Recommendations: SWAG and RSSSW

The SWAG workgroup released their preliminary report on July 16 ©6-11 and final report on October 12 ©12-16. The RSSSW Steering Committee completed their preliminary report on August 25 and officially released it on October 13 ©17-27. A summary of known key recommendations to date related to the MOU and school discipline policies can be found below. The November 10, 2021 SWAG and RSSSW presentations on the recommendations focused on curriculum changes, mental health, and restorative justice can be found on ©32 and ©46, respectively.

The SWAG workgroup included the elimination of police presence on school grounds in their final report, and the RSSSW Steering Committee concurred and transitioned SROs to CEOs (as stated in the preliminary report). RSSSW also changed police response protocols for certain incidents, as highlighted below. Section C provides a more detailed review of the new 2021 MOU.

As part of their final report (not yet released), RSSSW has continued a comprehensive review of the MOU and tentatively expects to include appropriate mental health and restorative justice recommendations within the final MOU. While these changes are not yet finalized, MCPD and MCPS can provide additional information on expected updates to the MOU. In addition, MCPS and MCPD will present on potential next steps for the CEO program.

SWAG Final Recommendations: School Discipline and MOU.

Discipline and Police in Schools

1. Allocate funding for restorative justice in all MCPS schools: hire restorative justice practitioners and expand the existing unit; provide training to all MCPS staff; review and incorporate restorative justice into the MCPS code of conduct; involve students in the implementation and oversight of restorative justice goals. Police officers should not be restorative justice practitioners.

2. Eliminate police presence from school campuses.

MOU Non-Negotiables

1. Eliminate police presence on school campuses.

2. Emergency response must use mobile crisis teams and only involve police in violent crime cases.

3. If a student must interact with the police, a clear plan must be given with the aid of a clinical social worker. The approach must center the student's wellbeing and safety.

RSSSW Preliminary Recommendations: MOU. The RSSSW Steering Committee's preliminary report also categorizes the recommendations into draft immediate, 6 months, and 1-year timeframes. RSSSW is also expected to release a final report at a future date.

MOU Subcommittee

1. SROs are now called community engagement officers (CEOs). They should not be stationed in school buildings or on school grounds. School requests for police service will not be made directly to the CEOs.

2. MOU recommendations: "A critical incident where policy may (from shall) take the lead in investigating depending on the circumstances."

    a. Move the following to the section highlighted above: arson, knowingly making false reports about a destructive device, and distribution or manufacture of a controlled drug substance.

    b. Further review the following prior to moving it to the section highlighted above: hate crime and gang related incident/crime

    c. Change the following under the section highlighted above:

        i. "Physical attack on another that requires medical attention outside the health room": Change to "In the event of a 911 call regarding a physical attack on another that requires medical attention outside the health room.

ii. "Theft (any single incident or series of incidents committed by the same perpetrator where the value of stolen property is $500 or more)": Change $500 to $1500.

iii. Possession of a marijuana: Police will only confiscate the substance

C. 2021 MOU and School Year Encounter Data

Based on RSSSW and SWAG recommendations, several significant elements of the MOU ©55-85) were revised. Major changes for 2021 include:

- Adding language that specifies that "*absent exigent circumstances, law enforcement and MCPS will collaborate to determine the best course of action when handling school-based events; the vast majority of incidents can be managed to utilize existing wrap-around school resources. For incidents not covered by the MOU, the school is expected to use applicable, existing, wrap-around school services prior to contacting the police*."

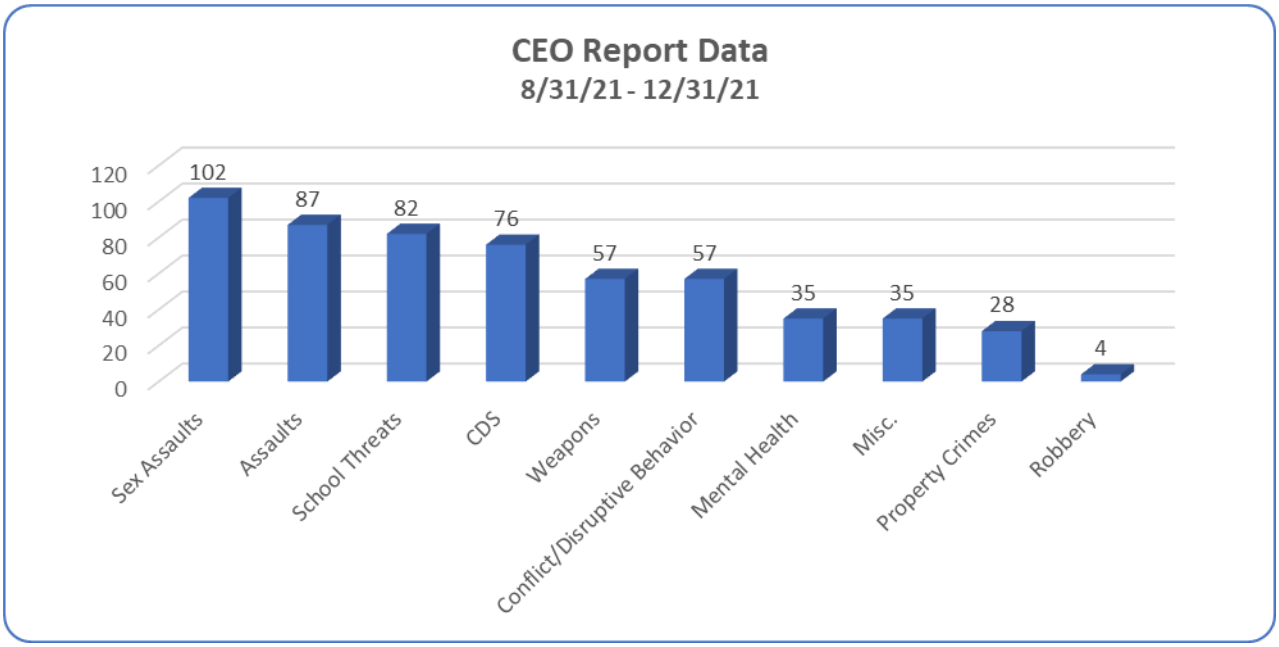
- Instead of being on site, CEOs will handle "school service calls." These calls must go through 911 or the Police non-emergency number (301) 279-8000. CEOs may not be contacted directly for any request.

- Removing principal input to the CEO selection process.

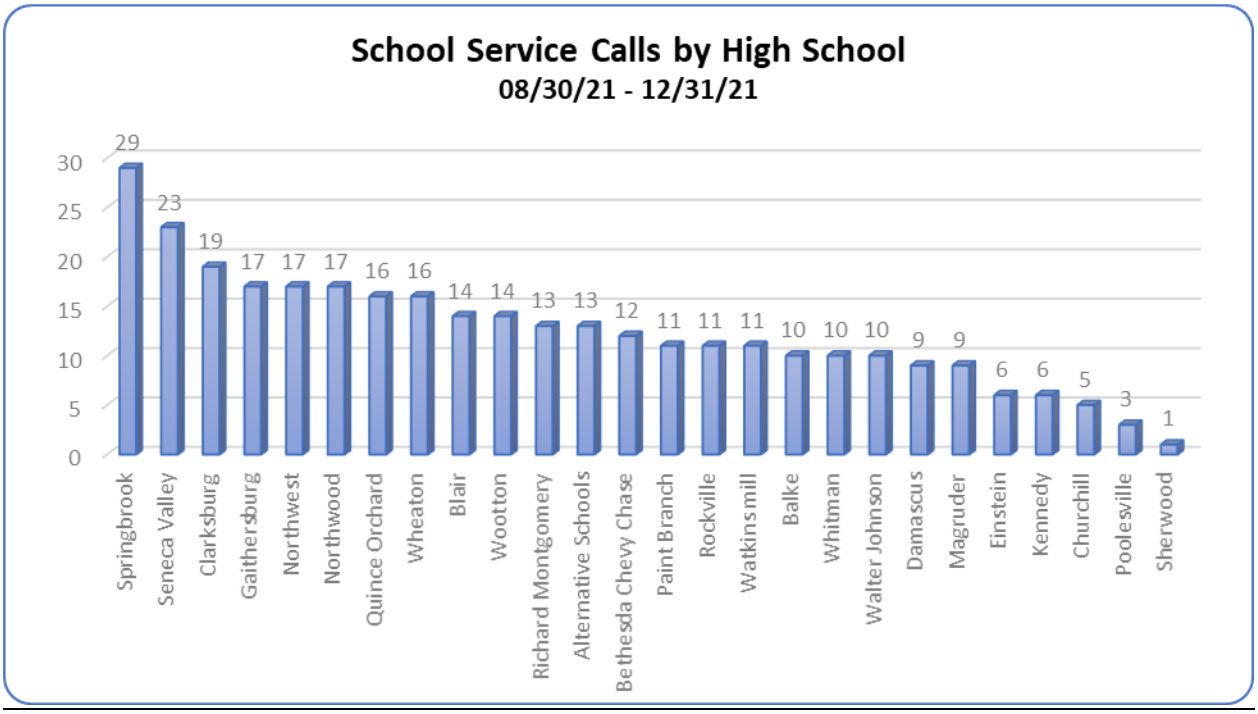
- Removing specified critical incidents from the list that requires that Police *must* take the investigative lead to Police *may* take the investigative lead.
  - Arson;
  - Manufacture or possession of a destructive device;
  - Knowingly make false reports about the location or detonation of a destructive device; and
  - Distribution or manufacture of a controlled dangerous substance (CDS).
  - While theft incidents were already designated as an incident where Police may take the lead, the value of the stolen items was changed from Theft over $500 to Theft over $1,500.

MCPD has provided calls for service and other Police encounter data for the first half of the 2021-2022 school year (attached at ©85-99). The data provided today should not be compared year-to-year, due to in-school learning disruptions caused by COVID in the 2019-2020 and 2020-2021 school years, as well as the modification of the CEO program beginning in the 2021-2022 school year, both of which significantly impact the calls for service.

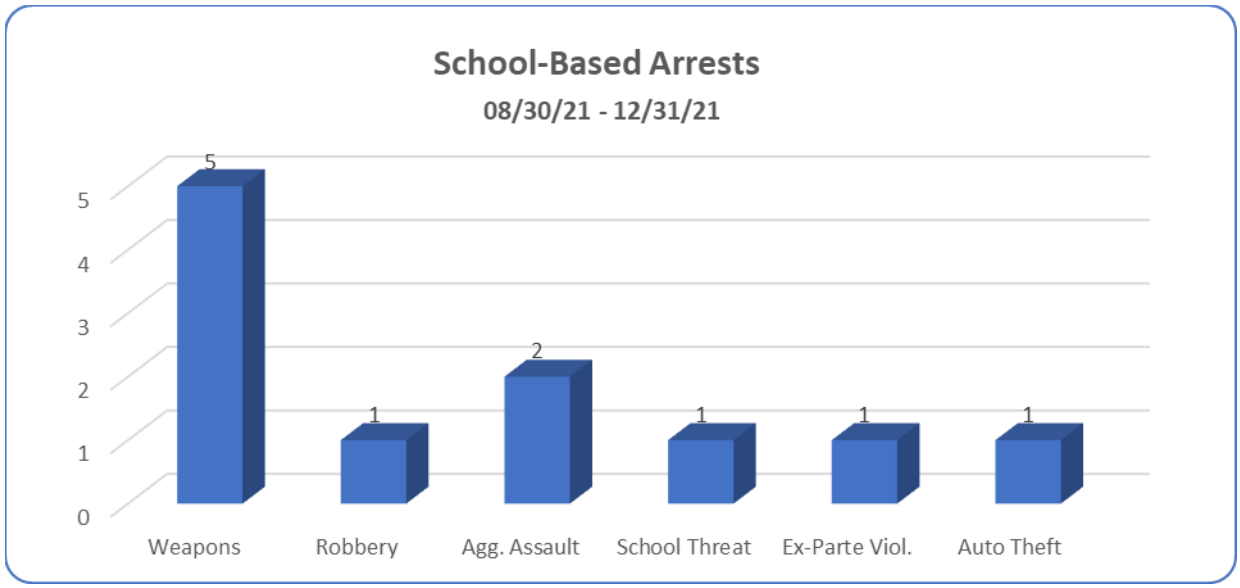
For the first half of this school year, the Emergency Communications Center (ECC) processed 1,688 school service calls. Of these 93% were dispatched to CEOs. Approximately 29% of the calls were traffic-related, and 35% of the calls resulted in formal reports. The chart below illustrates the types of incidents that resulted in CEO reports.



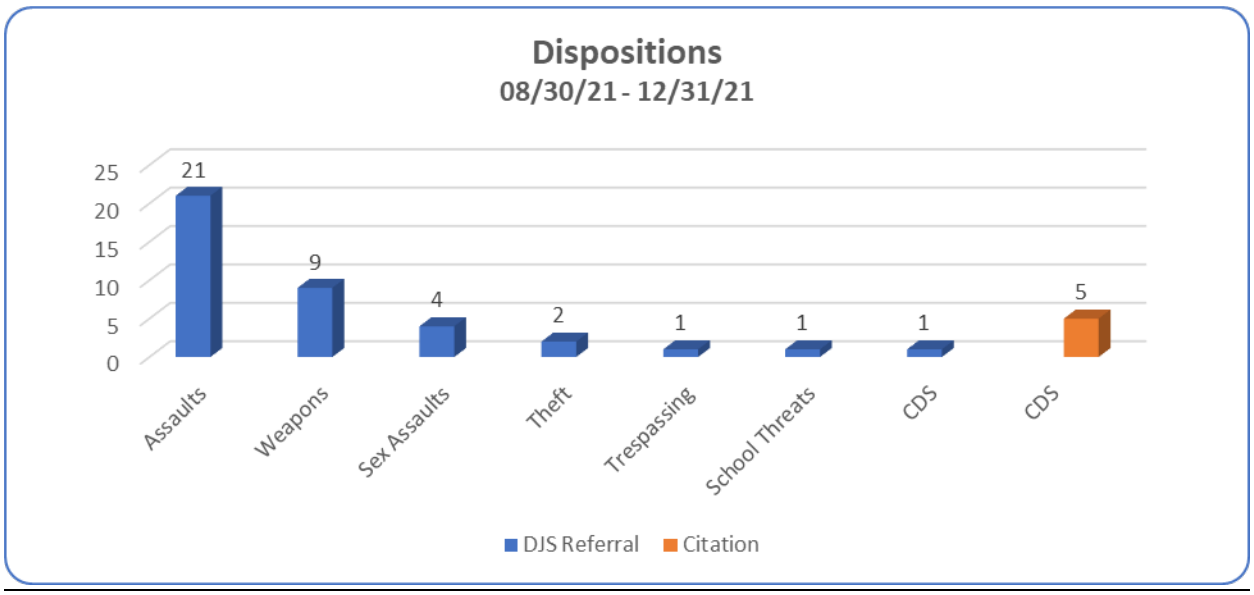
The following chart shows the number of calls to teach high school.



Of the 563 CEO reports, 11 resulted in arrests: five weapons offenses, one armed robbery, two aggravated assaults, one school threat, one ex-parte violation (parent), and one auto theft.



Thirty-nine other cases were referred to the State Department of Juvenile Services (DJS) and an additional five resulted in written citations for CDS.



Response Times. There has been some concern about how the removal of CEOs from school property has impacted response times for critical incidents. MCPD advises that for an emergency call for service, the total response time averages 15:45. Much of this is ECC call processing time, but the portion that involves officer response time is 09:26. For a routine call for service, response times are much greater, averaging about 45:11, of which Officer response time is 24:41.

CEO Staffing. MCPD has 23 authorized CEO positions, although only 21 are currently filled. Three other law enforcement agencies – Sheriff, Gaithersburg City Police, and Rockville City Police – also provide CEOs to the program. CEOs work Monday through Friday, 7am – 3:00pm. Nineteen of MCPD's current CEOs are former SROs. There have been past concerns about school

coverage when CEOs are on leave. The current program has CEOs working in teams, with several Officers covering multiple Police districts. When a CEO is absent, other CEOs can assist. When necessary, MCPD's Patrol Officers also provide coverage.

CEOs still get the standard 40 hours of SRO training each year, which includes de-escalation, mental health, crisis intervention training, and other training specific to working with youth.

Program Oversight. MCPD is conducting quality assurance reviews of the 563 CEO reports generated this year. CEO supervisors also monitor calls for service and CEO responses to ensure that best practices are being followed, and that both Officers and MCPS are abiding by the terms of the MOU. MCPD is developing processes to create efficiency given their limited supervisory staff.

Potential Discussion Questions.

1) There have been several major fights at school sports events. How do MCPS and MCPD coordinate to both prevent and respond to those incidents?

2) Response times to schools are a little longer than average response times for all Police incidents in 2020 (8:40). Is that specific to school responses, or does this reflect any impact of Police staffing shortages on responses to calls for service?

3) How does MCPS ensure school compliance with the new MOU?

4) While there were 1,688 school services calls to 911 during the first half of the school year, there were 3,103 total calls for service to schools during the same time period. What are the other calls for service – after hours incidents, other people at school calling 911, the larger scope of types of calls?

5) What types of assaults on school property are not designated as critical incidents? Are they accounted for in other reporting mechanisms? If so, how many have there been this year?

2020-2022 Student Resource Officer Program & Related Actions Timeline

BOE Approves Alternative Discipline Program Review
June 11, 2020

The Charge: The Board of Education (BOE) charge Montgomery County Public School (MCPS) leaders to "explore and benchmark alternative discipline program processes used to handle school-based incidents "similar to the existing School Resource Officer (SRO) program."
State Mandate: The SRO program satisfies the state mandate to maintain "adequate law enforcement coverage" within the school system.
Workgroup: A workgroup was convened consisting of students, parents/guardians, community organizations, the Montgomery County Police Department (MCPD), the Montgomery County Juvenile Services Department, the Montgomery County State's Attorney's Office, and state and local officials.

CMs Jawando & Riemer Introduce Bill to Remove SROs Bill 46-20
Nov. 17, 2020

Bill 46-20: Councilmembers Jawando and Riemer introduce Bill 46-20 which would prohibit the MCPD from deploying SROs in schools. In a letter to their colleagues, the lead sponsors note that the removal of the SROs would result in $3 million in annual cost savings. They recommend allocating it towards three separate programs to address the needs of students. *Note: The $3 million remains in MCPD's budget, but the Council did separately approve additional funding for the three programs highlighted in their letter.*

Council Approves Funding for Support Hubs & Therapeutic Rec Services
Dec. 8, 2020

Supplemental Appropriation: Dept. of Recreation of $406,000 for Youth Development- After School Youth Support and Engagement Hubs.
Supplemental Appropriation: Dept. of Health & Human Services of $312,455 for therapeutic recreation services for school-age youth.
These appropriations are two of the three programs highlighted by Councilmembers Jawando & Riemer in their November 2020 letter.

BOE Reviews SRO School Data & Research from Workgroup

Jan. 12, 2021

Extend SRO Program Review: The BOE receives a presentation on the workgroup's findings and voted to extend the review of the SRO program through May 2021.

CMs Katz & Rice Introduce Bill to Amend SRO Program

Feb. 2, 2021

Bill 7-21: Councilmembers Katz and Rice introduce Bill 7-21 which would authorize the Chief of Police to assign a law enforcement officer to work as a school resource officer upon the request of the Superintendent; require enhanced training for a SRO; and require the County to enter into a memorandum of understanding (MOU) with MCPS governing the assignment of a SRO.

Council Approves Funding for MCPS Restorative Justice Training

Feb. 23, 2021

Restorative Justice Training: The Council approves a special appropriation to MCPS of $750,000 for restorative justice training for school staff.
This appropriation is the final program highlighted by Councilmembers Jawando & Riemer in their November 2020 letter.

CM Glass Transmits Memo to CE Requesting Police Free Schools & Increased Mental Health Services

March 2, 2021

FY22 Budget Recommendation: Councilmember Evan Glass transmits a memorandum to County Executive Elrich and requests that his budget recommendation eliminates funding for police officers in schools (SROs) and increases funding for holistic mental health services for students and their families.

CM Navarro Proposes Public Safety Cluster Model

March 5, 2021

Public Safety Cluster Model Proposal: Councilmember Navarro proposes a public safety cluster model comprised of police officers, mental health professionals, and positive youth development staff. The proposal eliminates the current SRO model and de-emphasizes a law enforcement focus for a focus on mentoring and mental health.

Executive Announces Removal of Police from MCPS Schools via FY22 Budget

March 15, 2021

CE Removes SROs in FY22 Budget: County Executive Elrich announces the removal of police from all public high schools, specifically proposing the removal of 29 police positions (5 vacant) in the FY22 budget with the intent of implementing a community policing model. As Maryland law requires each local education agency to have "adequate law enforcement coverage at all schools," a new model has to be implemented by the start of the 2021-2022 school year.

CMs Jawando & Rice Announce Student Wellbeing Action Group

April 12, 2021

Launch of SWAG: Councilmembers Jawando and Rice launch a student-led and focused workgroup (Student Wellbeing Action Group or SWAG) to "develop a set of recommendations for the [Council] and [MCPS] that map out student supports to address inequities unsuccessfully addressed by the [SRO] program and to improve student wellbeing." The founding Councilmembers intent for the workgroup was to center and emphasize student voice and leadership roles.

Members: SWAG was chaired by a student and representatives from MCPS, DHHS, and the Montgomery County Collaboration Council; and consisted of 25 stakeholders representing students (8), parents, community organizations, and healthcare professionals.

Executive Launches RSSSW

May 12, 2021

RSSSW: The County Executive launches the Reimagining School Safety and Student Wellbeing Steering Committee chaired by MCPS, DHHS, and MCPD with representatives from the chairing agencies in addition to the County Council and County Executive offices (totaling 32 stakeholders). It was formed to "develop an implementation plan with timelines; identify the financial implications and needs to support programs; and create a communication plan that supports implementation timelines" related to the goals of the RSSSW initiative: to rethink public safety in schools and to provide the best social and mental health support for public school students.

Council Mandates Reports on Executive SRO alternative & MOU

May 27, 2021

FY22 Budget: The Council approves the FY22 budget including the Executive's recommendation to end the SRO program. The Executive proposes a community resources officer model. As part of the County Government Operating Budget Resolution, the Executive must transmit a report on the community resource officer program by August 1, 2021. In addition, the Executive must transmit the new Memorandum of Understanding between MCPS and MCPD no later than the 2021-2022 school year.

SWAG Transmits Preliminary Report

July 16, 2021

SWAG Preliminary Report: SWAG submits their preliminary recommendations report. The report focuses on school curriculum and climate; mental and behavioral health in schools; discipline and police in schools; and MOU non-negotiables.

Approved MOU (part 1) and RSSSW Preliminary Report Transmittal
Aug. 2021

RSSSW Report: RSSSW completes their preliminary report with recommendation on mental health; restorative justice, and the MOU. However, the final report is not officially transmitted.
MOU Changes: The County approves changes to the MOU that modifies the role of police in schools in time for the start of the 2021-2022 school year.
Significant MOU changes include: SROs are now called Community Engagement Officers (CEOs); they will not be stationed in school buildings/grounds; and school requests for police will not be made directly through to the CEOs. It also modifies the role of police in certain incidents.

SWAG & RSSSW Transmit Final Reports

Oct. 12 & 13, 2021

SWAG releases their final report with minor additions to the preliminary report on October 12.

RSSSW officially transmits their preliminary report on October 13 (originally completed in August).

E&C/HHS Receive SWAG & RSSSW Briefing

Nov. 10, 2021

Briefing: The joint E&C/HHS Committee receives a briefing on the SWAG and RSSSW recommendations for school climate & curriculum; mental health, and restorative justice.

Future Actions

2022

Future Actions: The joint E&C/PS Committee will receive a briefing on the SWAG and RSSSW recommendations for the MOU as well as receive an update on the implementation of the CEO program to date.
RSSSW is expected to transmit their final report. Future discussions surrounding student wellbeing and safety is expected to continue.

STUDENT WELLBEING ACTION GROUP (SWAG)

Progress Report, Preliminary Recommendations, & Timeline

July 16, 2021

INTRODUCTION

Summary

Since its start, the Student Wellbeing Action Group (SWAG) has met 5 times for an hour and 30 minutes biweekly. We split into 3 subgroups, each focusing on one of the following topics:

1. *School Curriculum and Climate*
2. *Mental and Behavioral Health in Schools*
3. *School Discipline and Police*

We've chosen to share MOU non-negotiables as well as comment on future safety models for MCPS schools as part of a post-School Resource Officer (SRO) conversation. Our workgroup has 25 members (8 of which are students) as well as 4 co-chairs (one of which is a student). SWAG has effectively centered the student voice, ensuring that students speak before other participants and take a clear leadership role.

As of July 16th, SWAG has mapped out 6 priorities (2 from each group), which have been converted into preliminary recommendations, as well as 3 non-negotiables for the Memorandum of Understanding between the Montgomery County Police Department and MCPS. Going forward, SWAG will be seeking feedback from the students of MCPS, as well as consulting with a variety of professionals to receive and provide feedback about our recommendations.

After giving our final recommendations, SWAG hopes to become a permanent body of students and community members that make yearly recommendations to improve student wellbeing in Montgomery County.

Intentions:

Our end goal is to develop a set of recommendations for the Montgomery County Council and Montgomery County Public Schools that map out student supports to address inequities unsuccessfully addressed by the School Resource Officer Program and to improve student wellbeing.

Purpose of Progress Report:

SWAG recognizes the urgency of this issue and is releasing this progress report containing our preliminary recommendations at the request of the council. The purpose of this release is to alert all invested parties to SWAG's progress and allow for the council to make use of its remaining 2

weeks in session to act accordingly. Please note that these are NOT our final recommendations. SWAG's final recommendations will be released in mid August.

SUBGROUP REPORTS & PRELIMINARY RECOMMENDATIONS

Subgroup 1: School Curriculum and Climate

The subgroup on School Curriculum and Climate has chosen to focus on improving school climate by uprooting racism from within the curriculum and centering cultural awareness and unity.

Preliminary Recommendations

1. Creation of a number of cultural centers/educational enrichment hubs to provide MCPS schools with cultural experiences and programs in and outside of schools to engage youth and transform school climate with partnerships from community organizations.
2. Creation of a committee within MCPS to use the results of the anti-racism audit to transform school climate and curriculum in a proactive and inclusive way.

End Goals

- By the end of these meetings, we hope to create a recommendation that is engaging and maintains high-standards and diversity while allowing for discussion-based learning and building opportunities for all students to learn from authentic experiences (speakers from various fields, field trips, etc).

Requests to further Subgroup 1 goals:

A. **Subgroup 1 requests the following from the Montgomery County Public Schools**:
    i. Updates on the MCPS anti-racism audit and its results.
    ii. Information on StudySync.
    iii. All of the texts and resources used in ALL classes that MCPS uses in schools to analyze for diversity.

B. Subgroup 1 requests the following from the Montgomery County Council
    i. Funding for the creation of cultural centers.

Next Steps

1. Create a phase plan mapping out the different changes that could be made to the curriculum at different grade levels, and what those changes would look like in the classroom.
2. Looking at the inclusivity of the educational tools provided by MCPS
3. Create a diverse author's list to share to get feedback. Include texts that celebrate diverse voices. This can be connected to the things taught in the past to StudySync.
4. List and create community partnerships to prevent crime and proactively support students (Street Outreach network and Educational Equity & Enrichment Hubs (List of demands)

5. List out celebrations and important holidays (AAPI, Pride, BHM, LHM, etc) to be acknowledged in classes and school
6. Lay out the racial biases of StudySync and where there is area for growth.

Subgroup 2: Mental and Behavioral Health in Schools

The subgroup on Mental and Behavioral Health in Schools has chosen to focus on expanding access to school based mental health supports who can provide therapeutic services to the students of MCPS, as well as developing processes for the student oversight on and engagement in mental health practices.

Preliminary Recommendations

1. Increase student access to mental health/wellbeing resources needed for success:
    a. Add school staff and also school based (nonMCPS) providers: school psychologists, school counselors, licensed clinical social workers (outside of the Social and Emotional Special Education Services (SESES) program). Specifically increase support for undocumented students and consider Black and other social workers of color who can work with the county to lead any program that would involve Social Workers.
    b. Ensure that students have a strong relationship with their counselors and work to re-imagine the role of counselors so that we move away from such an academic/scheduling role. Ensure that schools have mental health teams - counselors, psychologists, and social workers working together in order to support students. Students need to know what resources are available.
    c. Mental health first aid for students is added to SOS (signs of suicide)
2. Ensure sure everyone especially students have a voice:
    a. Quarterly meetings to gather student feedback to ensure well being needs are met; include opportunities for peer support and representation.
    b. Student Engagement Groups - those 20-30 groups identified by students that may support identity development within the school to allow students the opportunity to support one another through more intentional engagement and interactions perhaps guided by Social Workers, making sure every student feels comfortable coming back to school and talking with counselors and administration.

End Goals

- To be part of the change in society as it approaches mental health as a normal, daily need. We wish to shift from a reactionary approach to a more proactive method of teaching mental health skills as we do others skills.
- Ensure every student feels comfortable coming back to school and talking with counselors and administration. Ensure students who need mental health support know what resources are available.

- Ensure everyone, especially students, have a voice in matters surrounding student mental health.
- Develop a plan for a MCPS mobile crisis team of professionals who can attend to crisis - to address all youth.

Requests to further Subgroup 2 goals

A. **Subgroup 2 requests the following from MCPS and the County Council**:
   ii. To incorporate our goals in all schools from the elementary to the highschool level.
   iii. To make sure that hiring new, culturally competent professional staff is a priority as defined in 1a with the goal of decreasing student-counselor/psychologist/school social worker.
   iv. As this is one of our more urgent priorities, to ensure that funding is available for the hiring for mental health professionals and distribute new resources equitably.
   v. Determine ways to reduce academic duties for school counselors and allow for an increase in time allocated for student counseling and support.

Next Steps

1. Discussing whether we want to keep 1a broad or if to make a specific ask for hiring of staff.
2. Collaborating with the Climate and Curriculum Subgroup to brainstorm how to create student peer teams within the schools.

Subgroup 3: Discipline and Police in Schools

The subgroup on Discipline and Police in schools has chosen to focus on uprooting the current school discipline system and replacing it with a thorough restorative justice model in an effort to radically transform school culture. Additionally, the subgroup has chosen to lay out a set of criteria for future school safety models that may involve police in the form of MOU non-negotiables.

Preliminary Recommendations

1. Allocate funding for restorative justice in all MCPS schools. This includes:
   a. Hiring Restorative Justice Practitioners in all schools. Expanding the existing MCPS Restorative Justice Unit. Police should not be practitioners.
   b. Providing Restorative Justice Training for all MCPS staff (including administrators, security, and teachers). Retraining those who are responsible for school discipline to approach harm created in the school environment using restorative justice and NOT punitive measures. Creating methods for teacher and staff accountability when punitive punishment is implemented (ie: calling

security).
    c. Reviewing the MCPS code of conduct considering restorative justice; codification of when and how to use RJ, with due school flexibility.
    d. Community and student involved in the practice of planning and performing RJ; exploration of student role in disciplinary action (possibly through a pilot honor board/council)
    e. Student representation for community oversight
2. Eliminate police presence on school campuses, meaning no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools) as it would hinder our ability to move away from punitive punishment and subject students of color to the school to prison pipeline.

<u>End Goals</u>

- Hire professionals within MCPS that can effectively guide restorative justice programs in each high school, middle school, and elementary schools.
- Implement a train the trainer model related to RJ practices (a part of teacher training and repeated emphasis)
- Create a set of criteria for police presence in schools
- Creating a document of resources for the use of the Council and MCPS
- Education and awareness surrounding the MCPS code of conduct and channels for student input.
- Create a body for oversight on school discipline that is composed of students.

<u>MOU Non Negotiables</u>

1. Eliminate police presence on school campuses meaning, no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools).
2. Emergency response must use mobile crisis response teams and only involve police in cases involving violent crime as defined by the Maryland Safe to Learn Act. Culturally competent and trauma-informed social workers will be supporting the student during police involvement.
3. In the rare circumstance in which students encounter police (in relation to an MCPS referral/event) after all RJ practices have been unsuccessful, a clear plan be given to the student of whom they will be interacting (who would see a report they file, etc.), and what possible consequences and steps would be followed regarding the incident, with the aid of a clinical social worker. This approach must center the student's wellbeing and safety.

<u>Requests to further Subgroup 3 goals</u>

A. **Subgroup 3 requests the following from MCPS**:
    i. How is the allocation of school security staff determined?

ii. What are the duties of MCPS security currently? They should have a clear role that works in tandem with administrators to execute RJ practices.
iii. To finalize our recommendations, budgetary guidance from the BOE/County Council would be useful, should SWAG need to give feedback regarding funding for mobile crisis teams or restorative justice coordinators/the feasibility of such.
iv. Ensure transparent, accessible, plans for administration of when to involve different justice practices; for students, a clear plan of when they will be interacting with MCPS security, police, or MCPS guidelines; codification of RJ in code of conduct and publicity of that for school communities; involve students; in school discipline and RJ processes; when students are being discussed, invite students from diverse working groups and organizations.

B. **Subgroup 3 requests the following from the County Council**
i. Support the limited role of police through funding for social work; when students are being discussed, invite students from diverse working groups and organizations.
ii. To finalize our recommendations, budgetary guidance from the BOE/County Council would be useful, should SWAG need to give feedback regarding funding for mobile crisis teams or restorative justice coordinators/the feasibility of such.

<u>Next Steps</u>

1. Writing up for a full report on how our plans should be implemented by MCPS and the County Council.
2. Considering funding for our recommendations and how students and community will oversee the successful implementation of RJ and police presence being eliminated from schools.

RECOMMENDATIONS TIMELINE

1. **July 16th**: Share progress report containing preliminary recommendations, priorities/goals, expectations, and next steps with the Council and MCPS.
2. **July 21st**: Start process of obtaining public (student) input on possible recommendations.
3. **<u>END OF JULY</u>:** ***We hope to have feedback on SWAG's progress from the Council and MCPS as well as answers to any questions posed in the subgroup requests section of the report by the end of July. In this feedback we welcome any and all guidance.***
4. **In Mid August**: Final recommendations sent to the County Council and MCPS, explaining how they should be used and by whom.

STUDENT WELLBEING ACTION GROUP (SWAG)

Report and Final 2021 Recommendations

October 12, 2021

INTRODUCTION

Summary

Since its start, the Student Wellbeing Action Group (SWAG) met 7 times for an hour and 30 minutes biweekly. We split into 3 subgroups, each focusing on one of the following topics:

1. *School Curriculum and Climate*
2. *Mental and Behavioral Health in Schools*
3. *School Discipline and Police*

Our workgroup has 25 members (8 of which are students) as well as 4 co-chairs (one of which is a student). SWAG has effectively centered the student voice, ensuring that students speak before other participants and take a clear leadership role. We hope to serve as an example for future county initiatives as youth voice is always necessary.

Though these recommendations include both individual funding requests for the County Council and policy changes for MCPS, we emphasize that the two bodies must collaborate in order to fulfill our county's commitment to student wellbeing. Students hope to avoid last year's unproductive and oscillating shift in responsibility between the Council and Board of Education that led to so much inaction on the issues of police in schools and mental health supports. With due support from both bodies, SWAG offers to aid and/or lead this collaboration.

We recognize that these recommendations are by no means comprehensive and are enthusiastically willing to provide additional clarification. Student wellbeing remains a top priority of this county and students will continue to work to address systemic issues that hinder students' ability to thrive.

After giving these final recommendations, SWAG hopes to become a permanent body of students and community members that make yearly recommendations to improve student wellbeing in Montgomery County.

Intentions:

Our end goal was to develop a set of recommendations for the Montgomery County Council and Montgomery County Public Schools that map out student supports to address inequities unsuccessfully addressed by the School Resource Officer Program and to improve student wellbeing.

SUBGROUP REPORTS & FINAL RECOMMENDATIONS

<u>Subgroup 1:</u> School Curriculum and Climate

The subgroup on School Curriculum and Climate focused on improving school climate by uprooting racism from within the curriculum and centering cultural awareness and unity.

<u>FINAL RECOMMENDATIONS</u>

1. Creation of a number of cultural centers/educational enrichment hubs to provide MCPS schools with cultural experiences and programs in and outside of schools to engage youth and transform school climate with partnerships from community organizations. This requires funding from the Council.
2. Creation of a committee within MCPS to use the results of the anti-racism audit to transform school climate and curriculum in a proactive and inclusive way.

SWAG recognizes that these recommendations are broad and lack detail. Our intention is that these two recommendations guide Montgomery County toward taking action on its anti-racist efforts by creating tangible entities and tools that can turn our audits into action.

We believe that a number of Cultural Centers, in conjunction with partnerships with community organizations, located throughout the county would be able to effectively provide MCPS schools with cultural experiences and programs to engage youth and transform school climate. MCPS's celebration of diversity cannot end at "International Night". We must celebrate diversity everyday in our schools, from in our curriculum to our teaching practices.

We also believe that the creation of a committee within MCPS (composed primarily of students of color, parents of color, and other relevant stakeholders) to use the results of the anti-racist audit is one of many ways to surmount our county's tendency toward inaction, again allowing us to turn audit into change.

<u>Possible Next Steps</u>

1. Create a phase plan mapping out the different changes that could be made to the curriculum at different grade levels, and what those changes would look like in the classroom.
2. Looking at the inclusivity of the educational tools provided by MCPS
3. Create a diverse author's list to share to get feedback. Include texts that celebrate diverse voices. This can be connected to the things taught in the past to StudySync.
4. List and create community partnerships to prevent crime and proactively support students (Street Outreach Network and Educational Equity & Enrichment Hubs)

5. List out celebrations and important holidays (AAPI, Pride, BHM, LHM, etc) to be acknowledged in classes and school
6. Lay out the racial biases of StudySync and where there is area for growth.

Subgroup 2: Mental and Behavioral Health in Schools

The subgroup on Mental and Behavioral Health in Schools chose to focus on expanding access to school based mental health supports who can provide therapeutic services to the students of MCPS, as well as developing processes for the student oversight on and engagement in mental health practices.

FINAL RECOMMENDATIONS

1. Increase student access to mental health/wellbeing resources needed for success:
    a. Add school staff and also school based providers through the Department of Health and Human Services (DHHS):
        i. **Culturally Competent and Trauma Informed Licensed Clinical Social Workers** (outside of the Social and Emotional Special Education Services program) and School Psychologists. Funding from the Council is required.
        ii. Specifically increase support for undocumented students and consider Black and other social workers of color who can work with the county to lead any program that would involve Social Workers.
    b. Ensure that schools have mental health teams - counselors, psychologists, and social workers working together in order to support students. Students need to know what resources are available.
    c. Mental health first aid for students is added to SOS (signs of suicide)
2. Ensure sure everyone especially students have a voice:
    a. Quarterly meetings to gather student feedback to ensure well being needs are met; include opportunities for peer support and representation.
    b. Student Engagement Groups - those 20-30 groups identified by students that may support identity development within the school to allow students the opportunity to support one another through more intentional engagement and interactions perhaps guided by Social Workers, making sure every student feels comfortable coming back to school and talking with counselors and administration.

SWAG wants MCPS to be part of the change in society as it approaches mental health as a normal, daily need. We wish to shift from a reactionary approach to a more proactive method of teaching mental health skills as we do others skills. We want to ensure every student feels comfortable coming back to school and talking with counselors and administration. We want to ensure students who need mental health support know what resources are available. We want to ensure everyone, especially students, have a voice in matters surrounding student mental health.

Using the supports we have recommended, we believe MCPS should develop a plan for a mobile crisis team of professionals (not including law enforcement) who can attend to crises - to address all youth.

Subgroup 3: Discipline and Police in Schools

The subgroup on Discipline and Police in schools chose to focus on uprooting the current school discipline system and replacing it with a thorough restorative justice model in an effort to radically transform school culture. Additionally, the subgroup chose to lay out a set of criteria for future school safety models that may involve police in the form of MOU non-negotiables.

FINAL RECOMMENDATIONS

1. Allocate funding for restorative justice in all MCPS schools. This includes:
    a. Hiring Restorative Justice Practitioners in all schools. Expanding the existing MCPS Restorative Justice Unit. Police should not be practitioners.
    b. Providing Restorative Justice Training for all MCPS staff (including administrators, security, and teachers). Retraining those who are responsible for school discipline to approach harm created in the school environment using restorative justice and NOT punitive measures. Creating methods for teacher and staff accountability when punitive punishment is implemented (ie: calling security).
    c. Reviewing the MCPS code of conduct considering restorative justice; codification of when and how to use Restorative Justice, with due school flexibility.
    d. Community and student involvement in the practice of planning and performing Restorative Justice; exploration of student role in disciplinary action (possibly through a pilot honor board/council). Students must have a right to restorative justice.
    e. Student representation for community oversight
2. Eliminate police presence on school campuses, meaning no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools) as it would hinder our ability to move away from punitive punishment and subject students of color to the school to prison pipeline.

MOU Non Negotiables

1. Eliminate police presence on school campuses meaning, no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools).
2. Emergency response must use mobile crisis response teams and only involve police in cases involving violent crime as defined by the Maryland Safe to Learn Act. Culturally

competent and trauma-informed social workers will be supporting the student during police involvement.

3. In the rare circumstance in which students encounter police (in relation to an MCPS referral/event) after all RJ practices have been unsuccessful, a clear plan be given to the student of whom they will be interacting (who would see a report they file, etc.), and what possible consequences and steps would be followed regarding the incident, with the aid of a clinical social worker. This approach must center the student's wellbeing and safety.

We urge that MCPS ensures transparent, accessible, plans for administration of when to involve different justice practices; provides a clear plan of when they will be interacting with MCPS security, police, or MCPS guidelines for students; codifies restorative justice in code of conduct and publicizes that for school communities; involves students in school discipline and RJ processes; and when students are being discussed, invites students from diverse working groups and organizations to participate.

We would also like to clarify that we do NOT want police or law enforcement involved in restorative justice and school discipline practices moving forward. All processes must center students of color (especially black and brown students) who remain those most impacted by school discipline. We want to emphasize that a shift to a culture of restorative justice in our schools is meant to deconstruct the power dynamic between student and teacher, allowing students to share equal responsibility in managing school climate. Restorative justice must NOT replace punitive discipline as a means of controlling students.

We thank all of you for your commitment to student wellbeing.

Reimagining School Safety and Student Well-being

Preliminary Report as of August 30, 2021

Background

On May 12, 2021, County Executive Marc Elrich announced the creation of the Reimagining School Safety and Student Well-Being (RSSSW) Committee. The Committee contains 32 stakeholders, including students; representatives from the Department of Health and Human Services, the Montgomery County Department of Police, and Montgomery County Public Schools; and staff members from the Offices of the County Executive and County Council.

In order to more effectively address the responsibilities of the steering committee, three subcommittees were formed in June: Mental Health, Restorative Justice, and one focused on the Memorandum of Understanding (MOU) signed October 17, 2017, between Montgomery County Public Schools; Montgomery County Department of Police; Montgomery County Sheriff's Office; Rockville City Police Department; Gaithersburg City Police Department; Takoma Park Police Department; and the Montgomery County State's Attorney's Office. Given the timeline dictated by the start of the 2021-2020 school year, a majority of the Reimagining School Safety and Student Wellbeing Steering Committee members and work efforts this summer focused on the MOU subcommittee and deadlines related to the reopening of school.

This preliminary report outlines the RSSSW Committee areas of focus, initial recommendations, timelines and actions taken to date.

Recommendations as of August 30, 2021

Mental Health Subcommittee

Areas of focus for the Mental Health Subcommittee identified by the entire Reimagining School Safety and Student Wellbeing committee:

1. Look at root causes of behavior (from a Mental Health vs delinquency lens) with funding for mental health supports rather than police response as a solution,
2. Create systems of support to respond to student mental health crises in school, and
3. Assess if there are sufficient mental health professionals available to students for proactive engagement

Recommendations to date:

1. Look at root causes of behavior (from a Mental Health vs delinquency lens) with funding for mental health supports rather than police response as a solution (*referred to Restorative Justice (RJ) subcommittee as it speaks to a shift in school culture that can be addressed through RJ training)*
2. Create/enhance systems of support to respond to student mental health crises in school
    a. Increase training for all MCPS staff on verbal de-escalation skills and increase the number of staff in each school building trained in all levels of de-escalation (verbal and physical) in an effort to reduce the number/frequency of crisis incidents in the school
        i. Invest in "train the trainer" model so that MCPS employees can provide the de-escalation training to school staff, reducing the cost of hiring outside trainers
    b. Create a comprehensive and integrated crisis intervention decision tree and intervention guidelines
        i. Define types of crises, including mental health crises, suicidal ideation, aggression, and physical threat, to increase connection of potential underlying mental health issues in acting out behavior
        ii. Clearly define the role of those intervening in the crisis including school personnel, such as administrators, counselors, teachers, school security, and external support systems, such as the Crisis Center, the Mobile Crisis Response Team, and on-site contracted mental health professionals
    c. Support School Wellbeing Teams' (SWBT) effectiveness in addressing and preventing crises by designating or funding a SWBT leader who has knowledge of available resources, de-escalation and intervention strategies, and who has sufficient time to dedicate to these responsibilities
3. Assess if there are sufficient mental health professionals available to students for proactive engagement
    a. Increase School Counselors' availability to support student's social/emotional needs
        i. Complete a job class study assessing current job responsibilities
            1. Explore separation of academic counseling and social/emotional counseling duties
        ii. Assess effectiveness of 1:250 counselor to student ratio in meeting the social/emotional needs of students, factoring available mental health supports at the school and level of need
            1. Hire more school counselors to lower the student/counselor ratio
    b. Explore use of/increase in mental health navigators/behavioral health resource specialists to link students/families with available mental health providers, maximizing use of existing resources

The timeline for implementation of these initial Mental Health recommendations is outlined below, and presumes that more specific operational metrics will be added in phase two of this work as the school year begins. Subject matter experts from MCPS in the arena of student mental health supports will have the opportunity to contribute to this subcommittee in phase two as many were 10 month employees with limited availability over the summer. The Mental Health and Restorative Justice subcommittees chairs have met and plan for the subcommittees to work together more closely moving forward in order to expand cross-sector participation in both and further align or integrate recommendations wherever possible.

Immediate Recommendation	Resources Needed
● Create a comprehensive and integrated crisis intervention decision tree and intervention guidelines ○ Define types of crises ○ Clearly define the role of those intervening in the crisis ○ Update and integrate existing policies and procedures ● Support School Wellbeing Teams' (SWBT) effectiveness in addressing and preventing crises by designating or funding a SWBT leader who has knowledge of available resources, de-escalation and intervention strategies, and who has sufficient time to dedicate to these responsibilities	● Collaboration with MCPS, Crisis Center, DHHS ● Funding for additional staff to run SWBT teams or remove staff responsibilities to increase ability to focus on SWBT

Recommendations Within 6 months	Resources Needed
● Assess effectiveness of 1:250 counselor to student ratio in meeting the social/emotional needs of students, factoring available mental health supports at the school and level of need ● Invest in "train the trainer" model so that MCPS employees can provide the de-escalation training to school staff (verbal to all staff and more extensive training to limited number of staff), reducing the cost of hiring outside trainers ● Explore use of/increase in mental	● Input from MCPS, students, parents, MCCPTA, on site behavioral health providers ● MCPS staff who can be designated as trainers ● Cost to train MCPS trainers on de-escalation model

health navigators/behavioral health resource specialists to link students/families with available mental health providers, maximizing use of existing resources	

Recommendations Within 1 Year	Funding Resources Needed
● Increase School Counselors' availability to support student's social/emotional needs ○ Complete a job class study assessing current job responsibilities ○ Explore separation of academic counseling and social/emotional counseling duties ○ Hire more school counselors to lower the student/counselor ratio	● MCPS OHR staff time to complete a job class study ● Funding for additional school counselors

Restorative Justice Subcommittee

Recommendations:

1. A rewrite of the MCPS Student Code of Conduct to elevate the full continuum of restorative practices that outline specific restorative practices for each level within the Code of Conduct
2. Hire a full-time, salaried, fully-released Restorative Justice (RJ) lead teacher at every school
    a. Actualize a monthly RJ Lead Teacher Professional Learning Community (PLC) to encompass:
        i. Professional Learning for the RJ Lead Teachers self-work
        ii. Professional Learning for RJ Lead Teachers to take back to their respective schools
        iii. Regular, consistent support provided to RJ Lead Teachers and schools throughout the year by the Restorative Justice Unit
3. A Restorative Justice Team at every school, led by the Restorative Justice Lead Teacher, with MCPS staff receiving the after-school stipend to engage in the development and implementation of monitoring and accountability models to actualize a restorative school.

a. The team members would include, administrator(s), caregivers, students, teachers, school counselor(s), pupil personnel worker(s), and school security personnel (for middle and high school)
b. Monitoring and accountability tools would include the following to elevate disparities among student populations and engage in professional learning to dismantle the disparities elevated:
    i. Student and Family voice data
    ii. Referral data
    iii. Suspension/Expulsion data
    iv. Arrest data

4. Cluster trainings with Office of Teaching, Learning, and Schools – School Support and Improvement (OTLS-SSI) Directors, Administrators, Community Engagement Officers (CEOs), School Security Personnel, RJ Lead Teachers, and RJ team members to encompass:
    a. The full continuum of restorative practices, emphasizing the preventative before the responsive side of the continuum
    b. Develop shared understanding in approaches
    c. Seek to dismantle discrepancies within and across clusters as well as the school district
    d. Unpacking the MOU between MCPS and MCPD
    e. Scenario walkthroughs through a restorative lens
    f. Scenarios that outline when to contact CEO
    g. Mediation scenarios

Additionally, we elevate the listed items below to coincide with the funding asks outlined in the table below:

- Fully staffing the Restorative Justice Unit with 6 instructional specialists to support the implementation of Restorative Justice across the school district
- Funding to support the implementation and data analysis of Restorative Justice across the district for 10 years to allow for the full cycle of change and implementation theory to actualize
- Funding stipends and substitutes for all MCPS staff to stay within intentional and impactful cycles of professional learning and implementation

Immediate Recommendation	Human Resources Needed
● A rewrite of the MCPS Student Code of Conduct to elevate the full continuum of restorative practices ○ Outline specific restorative practices for each level within	● Collaboration with MSDE, MCPS cross-office collaboration led by the MCPS Restorative Justice Unit, MCPS Office of the General Council

the Code of Conduct ○ RJ Team supports the gradual and intentional shift from punitive to restorative measures within schools	

Recommendations Within 6 months	Funding Resources Needed
● Identify a Restorative Justice lead teacher at every school, receiving the after-school stipend to engage in work before and after the duty day ● RJ Team created at every school, led by the RJ Lead Teacher made up of the following members, with MCPS staff receiving the after-school stipend to engage in work before and after the duty day: ○ Administrator(s) ○ Caregivers ○ Teachers ○ Students ○ School Security Personnel (for middle and high schools) ○ School Counselor(s) and/or PPW ● Monthly RJ Lead Teacher PLC ○ Professional Learning for RJ Lead Teachers themselves ○ Professional Learning to take back to their respective schools ○ RJ Unit provides regular, consistent support to schools throughout the year ● RJ Team trained on the full continuum of preventative restorative practices ● Training with administrators, CEOs, School Security, RJ Lead Teacher, and additional RJ team members to envelop ○ MOU ○ Scenario walkthroughs through a restorative lens ○ Scenarios that outline when to contact CEO	● MCPS after duty day stipend amount ● Stipend and/or substitute funding for RJ Lead teachers and MCEA and SEIU RJ Team members

○ Mediation scenarios ● Cluster trainings with OTLS-SSI Directors, Administrators, CEOs, School Security Personnel, RJ Lead Teachers, and RJ team members ○ Focus on the why of the full continuum of restorative practices ○ Develop shared understanding in approaches ○ Seek to dismantle discrepancies within and across clusters as well as the school district	

Recommendations Within 1 Year	Funding Resources Needed
● Identify a Restorative Justice lead teacher with the maximum stipend allowable at every school ● RJ Team created at every school, led by the RJ Lead Teacher made up of the following members: ○ Administrator(s) ○ Caregivers ○ Teachers ○ Students ○ School Security Personnel (for middle and high schools) ○ School Counselor(s) and/or PPW ● Monthly RJ Lead Teacher PLC led MCPS RJ Unit ○ Professional Learning for RJ Lead Teachers themselves ○ Professional Learning to take back to their respective schools ○ RJ Unit provides regular, consistent support to schools throughout the year ● Monitoring and accountability models implemented to actualize a restorative school district ● School RJ Team trained on the full continuum of preventative restorative	● Maximum Resource Teacher stipend amount ● Funding for RJ Lead teachers to receive the maximum resource teacher stipend amount ● Stipend and/or substitute funding for RJ Lead teachers and MCEA and SEIU RJ Team members

practices
● Training with administrators, CEOs, School Security, RJ Lead Teacher, and additional RJ team members to envelop
  ○ MOU
  ○ Scenario walkthroughs through a restorative lens
  ○ Scenarios that outline when to contact CEO
  ○ Mediation scenarios
● Cluster trainings with OTLS-SSI Directors, Administrators, CEOs, School Security Personnel, RJ Lead Teachers, and RJ team members
  ○ Focus on the why of the full continuum of restorative practices
  ○ Develop shared understanding in approaches
  ○ Seek to dismantle discrepancies within and across clusters as well as the school district
● RJ School teams develop the RJ professional learning and implementation plan (sample)
● Actualize the implementation cycle with specific monitoring tools
  ○ kid/caregiver voice data
  ○ Referral data
  ○ Suspension/Expulsion data
  ○ Arrest data
  ○ Analyze monitoring tools for disparities within data
  ■ Professional learning to dismantle disparities that have been elevated	

Recommendations Within 2 Years	Funding Resources Needed
● Identify a full-time, salaried, fully released Restorative Justice lead teacher at every school ● Monitoring and accountability models	● Funding for a full-time, fully released RJ Lead Teacher at every school

implemented to actualize a restorative school district ● Specific outlining of restorative vs punitive measures within the MCPS Student Code of Conduct ○ RJ Team supports the gradual and intentional shift from punitive to restorative measures within schools ● Cluster trainings with OTLS-SSI Directors, Administrators, CEOs, School Security Personnel, RJ Lead Teachers, and RJ team members ○ Focus on the why of the full continuum of restorative practices ○ Develop shared understanding in approaches ○ Seek to dismantle discrepancies within and across clusters as well as the school district ● RJ School teams refine the RJ professional learning and implementation plan ● Analyze monitoring tools for disparities within data ○ Professional learning to dismantle disparities that have been elevated and implemented ● Monthly RJ Lead Teacher PLC led MCPS RJ Unit ○ Professional Learning for RJ Lead Teachers themselves ○ Professional Learning to take back to their respective schools ○ RJ Unit provides regular, consistent support to schools throughout the year	

MOU Subcommittee

The MOU Subcommittee is committed to undertaking a comprehensive review and revision of the current MOU, beginning in September 2021 and concluding by December 2021. The subcommittee identified the following topics to be included in his comprehensive review:

- All components of the current MOU
- Incorporation of the Montgomery County Department of Health and Human Services into a new MOU
- Focus on supporting students vs. only police responses
- Mobile crisis response
- Restorative justice
- Data collection and accountability
- Training for MCPS administrators and MCPD
- County community outreach workers
- Specific situations where there should be mental health professionals to respond vs. police

The subcommittee identified the following stakeholders be included in his comprehensive review:

- Students, including SGA representatives
- Educators
- Parents, including PTA representatives
- County council staff
- Principals
- DHHS
- Mental health professionals
- MCPD & municipal law enforcement agencies
- Community stakeholders
- State's attorney's office

In an effort to take some steps to reduce student and police interactions for the start of the 2021-22 school year, and prior to the comprehensive review and revision of the current MOU, the subcommittee extensively reviewed two sections of the current MOU: the duties of school resource officers (pages 1-3) and the lists of critical incidents in which schools are required to contact the police (pages 8-9). Based on these recommendations, it is expected that a new, signed MOU will be released by early September.

MCPD announced in late August that SROs will now be called community engagement officers (CEOs). The subcommittee recommends that they not be stationed in school buildings or on school grounds, and that school requests for police service not be made directly to the CEOs. (Instead, schools would call 911 for emergencies and 301-279-8000 for non-emergencies.)

On pages 8-9 of the current MOU, there are lists of critical incidents "where police shall take the lead in investigating" and "where police may take the lead in investigating depending on the circumstances. The subcommittee would like to review and revise this language around critical incidents in the comprehensive review and revision of the MOU beginning in September. However, working within the current framework, the subcommittee made the recommendations below. The police would still be contacted when these incidents occur.

Recommendations (Part 1): In the list of critical incidents on page 8 of the MOU, the subcommittee recommends moving the following incidents from "critical incident where police shall take the lead in investigating" to "critical incident where police may take the lead in investigating depending on the circumstances":

- Arson (willful and maliciously set fire) or verbal or written threat of arson
- Knowingly making false reports about the location or detonation of a destructive device
- Distribution or manufacture of a controlled dangerous substance

Recommendations (Part 2): The subcommittee also recommended that the following incidents (pages 8-9) move from "critical incident where police shall take the lead in investigating" to "critical incident where police may take the lead in investigating depending on the circumstances." However, in order to provide time for further legal review, these recommendations have been deferred to the comprehensive review/revision of the MOU:

- Hate crime (harassing a person or damaging property of a person because of their race, color, religious beliefs, sexual orientation or national origin)
- Gang related incident/crime

Recommendations (Part 3): In the section of the MOU (page 9) that lists "critical incidents where police may take the lead in investigating depending on the circumstances," the subcommittee recommends the following:

- "Physical attack on another that requires medical attention outside the health room": Change to "In the event of a 911 call regarding a physical attack on another that requires medical attention outside the health room.
- "Theft (any single incident or series of incidents committed by the same perpetrator where the value of stolen property is $500 or more)": Change $500 to $1500.
- Possession of a marijuana: Police will only confiscate the substance.

Next Steps

Reimagining School Safety and Student Well-Being (RSSSW) Committee work, through its subcommittees, will continue to focus on these recommendations regarding supports for students and will expand to include appropriate stakeholders as we move forward. Members of the various subcommittees will work jointly to finalize recommendations that overlap and we will engage the members of the County Council's Student Wellbeing Advisory Committee as our recommendations also have significant overlap. The next report of recommendations and implementation steps is scheduled for December 31, 2021. If you have any questions, please feel free to contact any of the co-chairs.

Reimagining School Safety and Student Well-Being (RSSSW) Committee Co-Chairs

JoAnn Barnes, Montgomery County Department of Health and Human Services
Jimmy D'Andrea, Montgomery County Public Schools
Willie Parker-Loan, Montgomery County Department of Police

MEMORANDUM

TO: MONIFA MCKNIGHT, ACTING SUPERINTENDENT, MCPS
MARCUS JONES, CHIEF, MCPD
RAYMOND CROWEL, DIRECTOR, DHHS

FROM: REIMAGINING SCHOOL SAFETY AND STUDENT WELLBEING (RSSSW) CO-CHAIRS: JOANN BARNES, DHHS; JAMES D'ANDREA, MCPS AND WILLIE PARKER-LOAN, MCPD

SUBJECT: EXECUTIVE SUMMARY OF CURRENT RSSSW ACTIVITIES/DELIVERABLES

DATE: August 25, 2021

Introduction:

On May 12, 2021, County Executive Marc Elrich announced the creation of the Reimagining School Safety and Student Well-Being (RSSSW) Steering Committee. The steering committee contains 32 stakeholders, including students; representatives from the Department of Health and Human Services, the Montgomery County Department of Police, and Montgomery County Public Schools; and staff members from the Offices of the County Executive and County Council.

In order to more effectively address the responsibilities of the steering committee, three subcommittees were formed in June: one focused on mental health, one focused on restorative justice, and one focused on the Memorandum of Understanding (MOU) signed October 17, 2017, between Montgomery County Public Schools; Montgomery County Department of Police; Montgomery County Sheriff's Office; Rockville City Police Department; Gaithersburg City Police Department; Takoma Park Police Department; and the Montgomery County State's Attorney's Office.

Committees Three Priority Areas Summary:

MOU

The MOU subcommittee divided its work into two phases. The first phase of the work was a focused review of two key sections of the MOU : the duties of school resource officers, as outlined on pages 1-3, and the list of incidents requiring schools to contact the police, as outlined on pages 8-9. The first phase was completed over the summer, so that adjustments could be in place for the start of the school year on August 30, 2021.

The second phase of the work will begin in September and is designed to be a comprehensive review of the current MOU. The subcommittee plans to include additional stakeholders in the work and examine the current MOU through the lens of how it can be reframed to focus broadly

on supporting students. To that end, the subcommittee is planning to add the Montgomery County Department of Health and Human Services (DHHS) as a party to the MOU and include topics such as restorative justice, mobile crisis support, etc.

Some highlights of the work that occurred in the first phase include:

- Clarification of the role of community resource officers (CROs): They will be assigned to specific schools, and they will be based in the community, not stationed in schools or on school grounds. They will not enforce MCPS policies, rules, regulations or procedures. Schools needing a police response will contact either 911 or the police non-emergency number depending on the circumstances, and then a police officer (or officers) will be dispatched to the school; the CRO will be part of this response if available.
- Recommendations to adjust when police are called to the school for specific incidents: The current MOU requires that police be contacted for "theft (any single incident or series of incidents where the value of stolen property is $500 or more)." The subcommittee recommends that the threshold be changed to $1500 and that all thefts below that amount be handled as school discipline issues. In addition, the subcommittee recommends that simple possession of marijuana be handled as a school discipline issue and that police respond to the school only to confiscate the marijuana.

Mental Health

Areas of Focus (initially identified by RSSSW Steering Committee) & Related Recommendations:

1. Create systems of support to respond to student mental health crises in school
    - Recommendation #1: Increase training for all MCPS staff and other community partners in the building on verbal de-escalation skills by investing in more staff becoming certified Crisis Prevention Institute trainers
    - Recommendation #2: Increase the number of staff in each school building trained in all levels of de-escalation (verbal and physical) to reduce the number/frequency of crisis incidents in the school
    - Recommendation #3: Create a comprehensive and integrated crisis intervention decision tree and intervention guidelines
    - Recommendation #4: Support SWAG recommendations on peer support
    - Recommendation #5: Support School Wellbeing Teams' (SWBT) effectiveness in addressing and preventing crises by designating a SWBT leader who has knowledge of available resources, de-escalation and intervention strategies, and who has sufficient time to dedicate to these responsibilities

2. Assess if there are sufficient mental health professionals available to students for proactive engagement
    - Recommendation #1: Increase School Counselors availability to support student's social/emotional needs
    - Recommendation #2: Explore use of mental health navigators to link students with available mental health providers, maximizing the use of existing resources

3. Look at root causes of behavior (from a Mental Health vs delinquency lens) with funding for mental health supports rather than police as a solution. This area of focus has been referred to the Restorative Justice (RJ) subcommittee as it speaks to a shift in school culture in understanding that behavior is a form of communication and addressing that behavior from a restorative lens vs delinquency lens

Restorative Justice

Recommendations:

1. A rewrite of the MCPS Student Code of Conduct to elevate the full continuum of restorative practices that outline specific restorative practices for each level within the Code of Conduct
2. Hire a full-time, salaried, fully-released Restorative Justice (RJ) lead teacher at every school
    a. Actualize a monthly RJ Lead Teacher PLC to encompass:
        i. Professional Learning for the RJ Lead Teachers self-work
        ii. Professional Learning for RJ Lead Teachers to take back to their respective schools
        iii. Regular, consistent support provided to RJ Lead Teachers and schools throughout the year by the Restorative Justice Unit
3. A Restorative Justice Team created at every school, led by the Restorative Justice Lead Teacher, with MCPS staff receiving the after-school stipend to engage in the development and implementation of monitoring and accountability models to actualize a restorative school.
    a. The team members would include, administrator(s), caregivers, students, teachers, school counselor(s), pupil personnel worker(s), and school security personnel (for middle and high school)
    b. Monitoring and accountability tools would include the following to elevate disparities among student populations and engage in professional learning to dismantle the disparities elevated:
        i. Student and Family voice data
        ii. Referral data
        iii. Suspension/Expulsion data
        iv. Arrest data
4. Cluster trainings with OTLS-SSI Directors, Administrators, CROs, School Security Personnel, RJ Lead Teachers, and RJ team members to encompass:
    a. The full continuum of restorative practices, emphasizing the preventative before the responsive side of the continuum
    b. Develop shared understanding in approaches
    c. Seek to dismantle discrepancies within and across clusters as well as the school district
    d. Unpacking the MOU between MCPS and MCPD
    e. Scenario walkthroughs through a restorative lens
    f. Scenarios that outline when to contact CRO
    g. Mediation scenarios

Moving Forward

Work in the subcommittees will continue and our next update will include a specific timeline for each recommendation. While the MOU committee moves on to other areas of the original MOU, HHS and other partners will be involved as it addresses other supports for students.

The RJ and Mental Health subcommittees will have some joint meetings to address the overlap between the two bodies of work. Additionally, the membership of these two subcommittees may increase to be sure that the perspectives of all stakeholder departments are represented.

If you have any questions, please feel free to contact any of the co-chairs. Thank you.

Student Wellbeing Action Group

Final Report and Recommendations

Intro to SWAG

25 members 8 of which are students

4 co-chairs one of which is a student

SWAG has effectively centered the student voice, ensuring that students speak before other participants and take a clear leadership role.

SWAG hopes to become a permanent body of students and community members that make yearly recommendations to improve student wellbeing in Montgomery County.

To develop a set of recommendations for the Montgomery County Council and Montgomery County Public Schools that map out student supports to address inequities unsuccessfully addressed by the School Resource Officer Program and to improve student wellbeing.

Subgroup Reports

Subgroup 1: School Curriculum and Climate

Focused on improving school climate by uprooting racism from within the curriculum and centering cultural awareness and unity.

Recommendations:

1. Creation of a number of cultural centers/educational enrichment hubs to provide MCPS schools with cultural experiences and programs in and outside of schools to engage youth and transform school climate with partnerships from community organizations. This requires funding from the Council.
2. Creation of a committee within MCPS to use the results of the anti-racism audit to transform school climate and curriculum in a proactive and inclusive way.

Subgroup 1: School Curriculum and Climate

- The curriculum and climate group was not able to meet as many times as possible or the period of time SWAG worked on the recommendations. I am unable to provide any details on these recommendations as a result.
- SWAG is willing to reconvene to flesh these recommendations out with appropriate buy-in and assistance from relevant entities.
- The recommendations from this group represent the sentiment that the students of MCPS want to Montgomery County to take steps toward taking action on its anti-racist efforts by creating tangible entities and tools that can turn our audits into action.

Subgroup 2: Mental and Behavioral Health in Schools

Focused on expanding access to school based mental health supports who can provide therapeutic services to the students of MCPS, as well as developing processes for the student oversight on and engagement in mental health practices.

Subgroup 2: Recommendations

1. <u>Increase student access to mental health/wellbeing resources needed for success:</u>
    a. Add school staff and also school based providers through the Department of Health and Human Services (DHHS):
        i. **<u>Culturally Competent and Trauma Informed</u> Licensed Clinical Social Workers** (outside of the Social and Emotional Special Education Services program) and School Psychologists. Funding from the Council is required.
        ii. Specifically increase support for undocumented students and consider Black and other social workers of color who can work with the county to lead any program that would involve Social Workers.
    b. Ensure that schools have mental health teams - counselors, psychologists, and social workers working together in order to support students. Students need to know what resources are available.
    c. Mental health first aid for students is added to SOS (signs of suicide)

Subgroup 2: Recommendations

2. <u>Ensure sure everyone especially students have a voice:</u>
    a. Quarterly meetings to gather student feedback to ensure well being needs are met; include opportunities for peer support and representation.
    b. **Student Engagement Groups**: 20-30 groups identified by students that may support identity development within the school to allow students the opportunity to support one another through more intentional engagement and interactions perhaps guided by Social Workers, making sure every student feels comfortable coming back to school and talking with counselors and administration.

Subgroup 2: Mental and Behavioral Health in Schools

- SWAG wants MCPS to be part of the change in society as it approaches mental health as a normal, daily need.
- We wish to shift from a reactionary approach to a more proactive method of teaching mental health skills as we do others skills.
- We want to ensure every student feels comfortable coming back to school and talking with counselors and administration.
- We want to ensure students who need mental health support know what resources are available.
- We want to ensure everyone, especially students, have a voice in matters surrounding student mental health.
- Using the supports we have recommended, we believe MCPS should develop a plan for a mobile crisis team of professionals (not including law enforcement) who can attend to crises - to address all youth.

Subgroup 3: Discipline and Police in Schools

The subgroup on Discipline and Police in schools chose to focus on uprooting the current school discipline system and replacing it with a thorough restorative justice model in an effort to radically transform school culture. Additionally, the subgroup chose to lay out a set of criteria for future school safety models that may involve police in the form of MOU non-negotiables.

Subgroup 3: Recommendations

1. Allocate funding for restorative justice in all MCPS schools. This includes:
    a. Hiring Restorative Justice Practitioners in all schools. Expanding the existing MCPS Restorative Justice Unit. Police should not be practitioners.
    b. Providing Restorative Justice Training for all MCPS staff (including administrators, security, and teachers). Retraining those who are responsible for school discipline to approach harm created in the school environment using restorative justice and NOT punitive measures. Creating methods for teacher and staff accountability when punitive punishment is implemented (ie: calling security).
    c. Reviewing the MCPS code of conduct considering restorative justice; codification of when and how to use Restorative Justice, with due school flexibility.
    d. Community and student involvement in the practice of planning and performing Restorative Justice; exploration of student role in disciplinary action (possibly through a pilot honor board/council). Students must have a right to restorative justice.
    e. Student representation for community oversight

Subgroup 3: Recommendations

2. Eliminate police presence on school campuses, meaning no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools) as it would hinder our ability to move away from punitive punishment and subject students of color to the school to prison pipeline.

Subgroup 3: MOU Non-Negotiables

1. Eliminate police presence on school campuses meaning, no consistent law enforcement presence on school campuses (police cannot be stationed inside, outside, or immediately around schools).
2. Emergency response must use mobile crisis response teams and only involve police in cases involving violent crime as defined by the Maryland Safe to Learn Act. Culturally competent and trauma-informed social workers will be supporting the student during police involvement.
3. In the rare circumstance in which students encounter police (in relation to an MCPS referral/event) after all RJ practices have been unsuccessful, a clear plan be given to the student of whom they will be interacting (who would see a report they file, etc.), and what possible consequences and steps would be followed regarding the incident, with the aid of a clinical social worker. This approach must center the student's wellbeing and safety.

Subgroup 3: Discipline and Police in Schools

- We urge that MCPS ensures transparent, accessible, plans for administration of when to involve different justice practices;
- Provides a clear plan of when they will be interacting with MCPS security, police, or MCPS guidelines for students;
- Codifies restorative justice in code of conduct and publicizes that for school communities;
- Involves students in school discipline and RJ processes; and when students are being discussed, inviting students from diverse working groups and organizations to participate.

We do NOT want police or law enforcement involved in restorative justice and school discipline practices moving forward. All processes must center students of color (especially black and brown students) who remain those most impacted by school discipline

Restorative justice must NOT replace punitive discipline as a means of controlling students as it has in the past.

Reimagining School Safety and Student Well-being Preliminary Recommendations

Montgomery County Council
November 10, 2021

Mental Health Subcommittee

Create/enhance systems of support to respond to student mental health crises in school

1. Increase training for all MCPS staff and other community partners in the building on verbal de-escalation skills by investing in more staff becoming certified Crisis Prevention Institute trainers
2. Increase the number of staff in each school building trained in all levels of de-escalation (verbal and physical) to reduce the number/frequency of crisis incidents in the school
3. Create a comprehensive and integrated crisis intervention decision tree and intervention guidelines
4. Support SWAG recommendations on peer support
5. Support School Wellbeing Teams' (SWBT) effectiveness in addressing and preventing crises by designating a SWBT leader who has knowledge of available resources, de-escalation and intervention strategies, and sufficient time to dedicate to these responsibilities

Assess if sufficient mental health professionals are available to students for *pro*active engagement

1. Increase School Counselors availability to support student's social/emotional needs
2. Explore/increase use of mental health navigators/behavioral health resource specialists to link students with available mental health providers, maximizing the use of existing resources

Restorative Justice Subcommittee

1. A rewrite of the MCPS Student Code of Conduct to elevate the full continuum of restorative practices for each level within the Code of Conduct.
2. Hire a full-time, salaried, fully-released Restorative Justice (RJ) lead teacher at every school.
3. A restorative justice team at every school, led by the Restorative Justice Lead Teacher, with MCPS staff receiving the after-school stipend to engage in the development and implementation of monitoring and accountability models to actualize a restorative school.
4. Cluster trainings with Office of Teaching, Learning, and Schools

MCPS Updates

Curriculum

Social Studies

- Developed courses reflecting antiracist content
- Provided professional learning on creating a classroom culture, planning and implementing instruction from an anti-bias, antiracism lens.
- Partner with scholars and organizations to provide professional learning to broaden content knowledge to ensure inclusivity in instruction.

Secondary English

- Ongoing work with StudySync to add more diverse texts.
- Eliminated assessment items that are not culturally responsive and expanded diversity of voices in MCPS curriculum texts.
- Provided professional learning on antiracist ELA instruction

All content areas will evaluate and revise efforts using the recommendations of the anti-racist audit.

Restorative Justice

- Restorative Justice Coaches have been identified and trained in all middle and high schools. Coaches are teacher staff members who receive stipends and are already a part of the school community.
- Coaches serve on school leadership teams and also engage in a monthly restorative justice professional learning community (PLC) where they share ideas, strategies, and learn and plan together.
- Over 11,000 teachers, security officers, and staff completed the *Fundamentals of Restorative Justice Training* this summer.
- Schools leaders and school teams also completed the Restorative Justice Designated Team Training together.
- Selected elementary schools (24) allocated a Restorative Justice Team Leader or Mindfulness Team Leader.
- Selected school-level coaches are hosting student and parent learning and planning sessions to continue to engage their communities in conversations about restorative justice.

Restorative Justice

- Increased partnership with Appeals and Transfers and a developing framework that includes greater multi-office consideration when recommending 10 day suspension with recommendation for expulsion
- Advocacy for policy changes to the MCPS Discipline Policy and subsequently the Code of Conduct
- MOU changes that align with non-negotiables, including officers not stationed in schools
- Mobilization of the Restorative Justice Unit for direct support and consultation to schools
- Increased collaboration efforts across offices in student behavior interventions and discipline processes
- Implementation of programs and resources such as SUPRE that address root causes of behavior in lieu of exclusionary practices
- MCCPTA Restorative Justice group under the Diversity, Equity, and Inclusion Committee

Restorative Justice

- Continuity - Funding and expanding the current Restorative Justice Unit. This small but mighty team is partially staffed on a grant that will end after this school year. As the team increases direct services and support to schools and families, they will need to expand beyond five specialists and a clinical social worker.
- Increased support and stipends to elementary schools. Secondary schools have coaches who put in 240 hours ($6,000) of work in each school. There are 135 elementary schools and only 24 have an RJ/ Mindfulness Team Leader. Elementary RJ leaders are paid a one time amount of $300 for their afterschool time and efforts.
- More direct support and implementation of restorative justice for the Virtual Academy
- Training for new staff and refresher training for existing staff (Summer 2022)
- Formal creation of a central student review or honor board

Discussion

MEMORANDUM OF UNDERSTANDING
BETWEEN
MONTGOMERY COUNTY PUBLIC SCHOOLS
AND
MONTGOMERY COUNTY DEPARTMENT OF POLICE
AND
MONTGOMERY COUNTY SHERIFF'S OFFICE
AND
ROCKVILLE CITY POLICE DEPARTMENT
AND
GAITHERSBURG CITY POLICE DEPARTMENT
AND
TAKOMA PARK POLICE DEPARTMENT
AND
MONTGOMERY COUNTY STATE'S ATTORNEY'S OFFICE

School Resource Officer Program &
Other Law Enforcement Responses to School-Based Incidents

A. MISSION

The above law enforcement agencies, Montgomery County Public Schools (MCPS), and the Montgomery County State's Attorney's Office (SAO) enter into this Memorandum of Understanding for the purpose of establishing and improving the School Resource Officer Program, defining specific duties and responsibilities, and establishing a working protocol for exchanging information and addressing matters of concern cooperatively with the goal of maintaining and enhancing a safe and secure learning environment for students, staff, and the MCPS school community within Montgomery County, Maryland. The parties agree that:

- The vast majority of student misconduct is best addressed through classroom and in-school strategies that maintain a positive learning environment and afford students opportunities to learn from their mistakes, correct any harm that results from their behavior, and restore relationships that are disrupted by their conduct.

- The parties will work together to promote safe, inclusive, and positive learning environments and exercise discretion and judgment in responding to MCPS school-based incidents.

B. DELINEATION OF DUTIES

I. Involved Law Enforcement Agencies Duties and Responsibilities

School Resource Officer:

A **School Resource Officer (SRO)** is a sworn uniformed law enforcement officer trained in emergency preparedness, crisis management, community policing concepts, and

problem solving who is assigned to work as a liaison to MCPS.

Duties:

- The SROs will assist school staff in enhancing safety within their assigned schools and serve as a liaison between his/her agency and MCPS officials for school and police-related concerns and incidents.

- The SROs will assist in calls for service at their assigned schools and incidents occurring around their schools when they are available to respond. The responding SRO and/or the appropriate police department's unit having follow-up responsibility will investigate these calls for service at the direction of the patrol supervisor(s) in a way that, to the greatest extent possible, minimizes disruption to the school day and classroom instruction.

- The SROs will meet regularly with parents, teachers, principals, other school administrators, and students to discuss issues of concern.

- The SROs will act as a resource and assist with emergency preparedness, to include participating in lock-down, shelter in place, and evacuation drills, as well as safety awareness education to the high school population age groups.

- The SROs will serve as a point of contact to deliver law enforcement programs such as crime prevention, conflict resolution and mediation, drug and alcohol awareness, anti-bullying, violence prevention, gang awareness, and community relations and outreach.

- The SROs will maintain contact with beat officers who patrol the area around their schools for the purpose of sharing information and generating discussions pertaining to community concerns.

- The SROs will maintain contact with members of their agency's gang units in order to stay informed regarding current gang trends, share information, coordinate interventions, and support gang investigations.

- When possible, SROs, in coordination with school administrative staff, will provide training and presentations about law enforcement or school-related topics useful for students, staff, school administrators, school security, parents and other law enforcement agency personnel to aid efforts to enhance the safety of the school environment.

- SROs will assist with traffic safety and enforcement activities in and around their assigned school areas.

- When needed, the SROs will coordinate assistance at major school events such as athletic events, large dances, or other activities.

- SROs will coordinate familiarization training ("walkthroughs"), to include review of the schools' emergency response plan/procedures, for responding officers within their district. These walkthrough trainings will be coordinated with school administration.

- SROs will provide advance notice to and obtain approval from the principal or the principal's designee prior to conducting any "ride-along" visits on school premises, including with parents or community members. SROs will ensure that visitors respect student privacy and minimize disruption to the school day and classroom instruction.

- SROs will inform the principal or the principal's designee of their duty schedule on a weekly basis, including, whenever possible, any obligations that require them to leave school premises.

- SROs will not be used to enforce MCPS policies, rules, regulations, and/or procedures.

- The SROs will have no special law enforcement emphasis while performing their duties and responsibilities. While on MCPS property, the SROs have full authority as sworn police officers. All enforcement actions will be taken in accordance with appropriate Federal, State, County and Local laws, and involved law enforcement agency policies and procedures. MCPS and the appropriate school staff will be notified of any actions taken in accordance with normal practice and any appropriate agreements between the involved law enforcement agencies and MCPS.

- SROs will acknowledge the authority of the principal, as the administrator of the school, at all times as to matters within the scope of his/her authority.

SRO Supervisors:

Each involved law enforcement agency will appoint a designated supervisor for its respective SROs. An SRO roster, including supervisor(s), shall be provided to MCPS on an annual basis, preferably before the start of each school calendar year, or as needed if personnel should change. This list should include current contact information; i.e., work cell/office telephone numbers and an e-mail address for each SRO and supervisor.

The Montgomery County Police Department Patrol Services Bureau (PSB) Lieutenant and Sergeant will coordinate training within the SRO Program, attend meetings with MCPS principals and/or administrators, and act as the point of contact for the Montgomery County Police Department (MCPD) and MCPS to assist with resolving any conflicts or matters of concern.

The MCPD PSB Lieutenant and/or PSB Sergeant will be notified by a MCPD officer's supervisor of any incidents involving any use of force on school property, and notify the MCPD PSB Chief.

Principals also should meet on a quarterly basis with their district commander to provide feedback on their SROs.

II. Montgomery County Public Schools (MCPS) – Duties and Responsibilities

MCPS Security Personnel:

A **Security Team Leader (STL)** is assigned to the high school to assist the school administration in maintaining a safe and secure learning atmosphere for staff and students. Major job responsibilities include supervision and leadership of the security team and investigation of incidents on school property. Under supervision of the principal or designee, the STL assists in controlling access to buildings and grounds by unauthorized persons and in assuring that students report to their assigned instructional areas.

Duties of the STL:

- Investigates incidents on school property and prepares a written report for administrative purposes.
- Advises the principal on all school security-related matters.
- Maintains a high profile to discourage disruptive acts.
- Provides surveillance of suspected problem areas.
- Provides day-to-day supervision and leadership of the security assistant(s) and provides guidance and assistance to them in the more difficult situations.
- Assists the administration with staff and student awareness programs.
- Acts as a liaison between the school administration and emergency service agencies.
- Represents the school in criminal cases.
- Assists feeder schools with security problems
- Communicates, under the direction of the principal, with the school SRO about safety issues. Whenever practicable, the STL shall consult with the principal or a principal's designee to determine whether a school-based incident necessitates a call for service to an SRO or other law enforcement officer as dictated by this MOU.

A **Security Assistant (SA)** is assigned to the local school to assist the school administration in maintaining a safe and secure learning environment for the school community. Under the general supervision of the STL, the SA assists in screening visitor access to school facilities, maintains student class attendance and carries out other responsibilities related to school security operations. The SA receives guidance and assistance from the STL on the more difficult or unusual situations.

Duties of the SA:

- Patrols school buildings and grounds to prevent loitering and to ensure compliance with school regulations and local laws.
- Checks parking areas and entrances to school.
- Queries visitors on the school premises and assures that such persons report to the school office or leave the buildings or grounds.
- Reports unusual incidents and observations to the STL or appropriate school or law enforcement personnel in accordance with procedures established by principals.
- Checks hallways, restrooms, cafeterias, and remote areas of the facility.
- Investigates incidents on school property and prepares written reports for administrative purposes.
- Confers with students regarding improper behavior and attempts to obtain voluntary compliance with school standards.
- Reports to the STL or principal/designee regarding building conditions or practices which interfere with maintenance of building security or the welfare and safety of students.

MCPS Principals/Senior Administrators:

The principal is responsible for administering and supervising the total school program, including the safety and security for students and staff and providing educational leadership for the students and staff consistent with the educational goals of the community.

In the event that a student misbehaves, the principal or his/her designee will be the primary source of administrative disciplinary consequences and interventions. The MCPS *Code of Conduct* provides detailed information on administrative disciplinary consequences and interventions and shall guide the school-based responses to particular types of misbehavior.

Whenever possible, the SRO and other law enforcement agencies will work with the principal when responding to school-based incidents involving students, and will work

together with MCPS staff to de-escalate those incidents. Principals or their designees will make every effort to notify the SRO and/or any other law enforcement officer who responds to a school-based incident if any student involved is a student with disabilities, limited English proficiency, or other special needs and therefore may require special treatment and accommodation in addressing the incident at issue.

C. SELECTION PROCESS FOR SROs

SRO positions will be formally announced by involved law enforcement agencies. The selection process will include the submission of a memorandum of interest from officer(s), review of personnel files, and a formal interview that includes the participation of an MCPS high school principal and the MCPS Director of School Safety and Security or his/her designee.

D. TRAINING

Officers who are selected to join the program will be required to attend and successfully complete 40 hours of training provided by MCPD within three months of being selected. Training should be specific to the following areas: role of the SRO, review of the current SRO MOU, SRO's specific agency's policies/procedures involving juvenile arrests/investigations, legal updates, review of the MCPS *Code of Conduct* and applicable security policies, emergency preparedness and responses to critical incidents (criminal, weather, national disasters), threat assessment training, mediation and conflict resolution, childhood and adolescent development, alcohol/drug awareness, gang awareness, truancy, child abuse and neglect, and county/community-based supports and outreach resources. MCPD and MCPS will work together each year to assess the current level of training and new proposals. MCPS will provide additional specialty training that the parties agree is in the best interest of the SRO program.

SRO Biannual Training During the School Year

On a biannual basis, the SROs, MCPS administrators, and/or MCPS security staff will participate in joint training opportunities on matters that are the subject of this MOU, current trends or issues within the school communities, and other topics of mutual interest.

This training will be conducted by the MCPD PSB Administrative Lieutenant, PSB Administrative Sergeant, MCPS representatives, and involved agencies. Ongoing training on the topics included in the initial 40 hours of training will be conducted as appropriate.

SROs will maintain familiarity with, and be respectful of, the current version of the MCPS *Code of Conduct* and the Montgomery County Board of Education's policies, rules, regulations, and procedures regarding student discipline and other school norms.

E. MEETINGS

Annual Meetings

On an annual basis (preferably the first meeting should be held before the start of the school year), MCPD PSB and participating agency supervisors will meet with MCPS leadership and community stakeholders to discuss current matters of mutual interest, including MOU implementation issues and joint training opportunities.

School-Based Meetings

It is highly recommended that SROs be invited to school administrative and security meetings within their assigned schools, and they should be encouraged to attend.

Monthly Data Review

On a monthly basis, the MCPS Department of School Safety and Security shall consult with the PSB Lieutenant to review data on SRO reports of arrests and other interventions during the prior month. At the earliest opportunity, the parties will address and debrief specific cases of interest with the intent to enhance the quality of the program.

F. SCHOOL ASSIGNMENT CRITERIA

Although these are guidelines, every situation should be considered under the totality of the circumstances. At a minimum, the final decisions should be made between the MCPD Chief of Patrol Services Bureau and a designated senior MCPS administrator. The following criteria should be considered during this decision process: school enrollment, calls for service, anticipated number of after-school events both sponsored by the school and/or parents, and traffic challenges (e.g., urban location and number of egress and ingress options).

G. ON-SITE ACCOMMODATIONS FOR SROs

It is recommended that the SROs be provided a designated space/office with access to a telephone and a computer at their assigned school locations.

H. INFORMATION SHARING AND INVESTIGATIONS

The sharing of appropriate and timely information between the law enforcement agencies and MCPS is critical to the mission of maintaining and enhancing a safe and secure learning environment. Within the context of the SRO Program, the sharing of information will follow the protocols below between the law enforcement agencies and MCPS in accordance with applicable federal, state, and local laws.

1. **Reporting Critical Incidents Involving Students or Others on School Property.** The parties agree that the offenses set forth in Sections H(1)(a) and H(1)(b), termed "critical incidents," that occur on MCPS property (e.g., school buses, MCPS sponsored

event including extra-curricular activities) shall be reported to the appropriate law enforcement agency by the principal, administrator-in-charge, or designee as soon as practicable so that the agency can determine the appropriate law enforcement response in accordance with the procedures in Section H(2) below. Such notification must be made by direct communication with the SRO, if immediately available, or to the Public Safety Communications Center (911) or 301-279-8000, with the exception of rape and/or sexual assault, which shall be reported directly to the Special Victims Investigations Division of the Montgomery County Police Department (240-773-5400). Voice mail messages to the SRO will not suffice and must be followed with a call to 911.

a. **Critical Incidents Where Police Shall Take the Lead in Investigating**. The appropriate law enforcement agency shall take the lead in investigating the following critical incidents, in accordance with the procedures in Section H(2).

- Death
- Rape and/or sexual assault with another by force or threat of force[1]
- Arson (willful and maliciously set fire) or verbal or written threat of arson
- Manufacture or possession of a destructive device (explosive, incendiary, or toxic material combined with a delivery or detonating apparatus or modified to do so)
- Knowingly make false reports about the location or detonation of a destructive device
- Robbery/attempted robbery (taking property of another from his person or in his presence by force, reasonable fear of violence, or intimidation whether the perpetrator is armed or unarmed)
- Hate crime (harassing[2] a person or damaging property of a person because of his race, color, religious beliefs, sexual orientation,[3] or national origin)
- Possession of a firearm, knowingly brought onto or brandished upon school property, or knowingly brandishing or using any other dangerous or deadly weapon, including any device designed or manipulated to shoot any projectile, to cause harm
- Distribution or manufacture of a controlled dangerous substance

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[1] Meaning engaging in a sexual act or sexual contact, without consent, by force or threat of force, and/or employing or displaying a dangerous weapon or object reasonably believed to be a weapon (sexual offense in the first, second, or third degree). Note that these sexual offenses, as well as child abuse and neglect more generally, are subject to a separate Memorandum of Understanding as well as other MCPS policies and regulations.

[2] Harassment is defined as a persistent pattern of conduct intended to alarm or seriously annoy another, without a legal purpose, after receiving reasonable warning or request to stop.

[3] Sexual orientation means the identification of an individual as to male or female homosexuality, heterosexuality, bisexuality, or gender-related identity.

- Gang[4] related incident/crime

b. **Critical Incidents Where Police May Take the Lead in Investigating Depending on the Circumstances.** After reporting the following critical incidents to the appropriate law enforcement agency, the principal or designee shall consult with the SRO or other law enforcement officers responding to the incident to determine who should take the lead in investigating depending on the totality of the circumstances; provided, however, that the law enforcement agency shall take the lead in investigating, in accordance with the procedures in Section H(2) below, in any case in which: (i) there is evidence that the alleged perpetrator is not a student; and/or (ii) there is a serious and imminent threat to the safety of the school and its community. As circumstances warrant, those on the scene may consult with MCPS staff in the Office of School Support and Improvement (OSSI) and the Department of School Safety and Security, supervisors in the Police Department, the Special Victims Investigations Division, and/or the State's Attorney's office. (If the law enforcement agency does not take the lead in the initial investigation, that determination does not preclude subsequent law enforcement action.)

- Physical attack on another that requires medical attention outside of the school health room
- Theft (any single incident or series of incidents committed by the same perpetrator where the value of the stolen property is $500 or more)
- Possession of a potentially dangerous or deadly weapon on school property that is not knowingly brandished or used to cause harm[5]
- Possession of, and/or possession with intent to distribute, a controlled dangerous substance (whether or not law enforcement takes the lead in the investigation, MCPS staff shall turn over to the appropriate law enforcement agency any substance that comes into their possession that they suspect to be a controlled substance)

c. **Releasing Student Information**. Notwithstanding any other provision of this agreement, the parties shall fully comply with the Family Educational Rights and Privacy Act (FERPA) and all other applicable state or federal laws regarding the confidentiality of student information, as well as MCPS Regulation JOA-RA, *Student Records*. Information obtained by school staff may be shared with a law enforcement officer/agency or SAO as long as the information is not derived from

[4] A formal or informal ongoing organization, association, or group of three or more persons who: (a) have a history of criminal street gang activity; (b) have a common name or common identifying signs, colors, or symbols; and (c) have members or associates who, individually or collectively, engage in or have engaged in a pattern of criminal activity.

[5] A butter knife is not a dangerous or deadly weapon. *See In re Melanie H.*, 120 Md. App. 158 (1999).

school records.[6] For example, information received orally from a student may be shared, even if later recorded in a written statement used by school staff for disciplinary purposes. Information from school records can be shared under any one of the following circumstances:

- "Directory information" unless the parent/guardian has asked specifically that such information be kept confidential
- With consent of the parent/guardian or adult student
- In response to a subpoena, including a subpoena from the SAO[7]
- In a specific situation that presents imminent danger to students or members of the community or that requires an immediate need for information in order to avert or diffuse serious threats to the safety or health of a student or other individual

2. **Investigation of Critical Incidents Occurring on School Property**

MCPS shall immediately notify the appropriate law enforcement agency of all critical incidents as described in both Sections H(1)(a) and H(1)(b) of this agreement. The agency will respond promptly to such incidents or will keep the school staff advised of any delay in the response of officers.

For those critical incidents in which the law enforcement agency is taking the lead in the investigation, MCPS will limit its administrative investigation of the critical incident to ascertaining basic facts and doing what is necessary to stabilize the situation until a law enforcement officer arrives, absent exigent circumstances. For such critical incidents, MCPS will defer taking written statements from students and/or witnesses, thereby permitting the law enforcement agency the opportunity to do so. In addition, MCPS shall consult with the appropriate law enforcement agency to determine whether it is appropriate to notify the school community and the timeline for so doing.

If requested by MCPS for purposes of conducting its own disciplinary processes within the timeframes mandated by state law, the law enforcement agency shall provide copies of written student and witness statements to MCPS within one day of the critical incident, with the approval of the SAO, which shall make the determination after consultation with the law enforcement agency. The law enforcement agency will assist MCPS with its administrative procedures by providing the relevant information requested (including a synopsis of relevant facts) in order that statutory and administrative deadlines may be met and by providing witness statements in any closed investigations and as otherwise authorized by the SAO.

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[6] School records are those records identifiable to an individual student, governed by FERPA.

[7] Release of documents from a student record requires that the school first make reasonable efforts to notify the parent/guardian or adult student of receipt of the subpoena in advance of complying with the subpoena so the parent/guardian may seek protective action, unless the issuing authority has ordered that the existence or contents of the subpoena not be disclosed.

The principal or his/her designee shall be present during any interview conducted by the law enforcement agency on school property and may interview the individual after the officer has concluded his/her interview. Students should be questioned by the appropriate law enforcement agency, when necessary, in a manner and at a time that is age-appropriate, minimizes disruption to the school day and classroom instruction, and is consistent with all applicable laws and regulations. When questioning of students by law enforcement officers occurs on school property, MCPS staff will strive to promptly contact the student's parent/guardian to inform them of the nature of the incident, unless the investigation involves suspected child abuse or neglect.

In the event that the law enforcement agency has not arrived and school dismissal is about to occur, MCPS will notify the law enforcement agency, and MCPS may conduct an administrative investigation, including taking student and witness statements. The law enforcement agency understands that MCPS does not have the authority to arrest individuals or hold them for the law enforcement agency.

3. **Arrests and Other Law Enforcement Actions.**

Absent an immediate public safety need to stop an illegal activity, effect an arrest, and/or seize evidence, SROs and other law enforcement officers will collaborate with the principal or his/her designee prior to a law enforcement action to assess the totality of the circumstances and applicable agreements/legal guidelines, and address the matter in a manner that is the best interest of the student and the welfare of the school community. If circumstances do not allow for consultation prior to a law enforcement action, the parties will come together as soon as possible thereafter to address the matter. Every opportunity should be made to debrief especially critical incidents at the appropriate time to identify lessons learned.

Circumstances to consider under the totality of circumstances regarding law enforcement action include:

- Absence or presence of perceived intent
- Whether the matter is solely administrative in nature or involves a criminal nexus[8]
- Input from the SAO on appropriate charges, if any, in instances of ambiguity and/or exceptional circumstances not clearly addressed by the criminal code
- Whether or not the offender was coerced and/or threatened to participate in the inappropriate behavior. (i.e. gang coercion, threat of retaliation, etc.)
- Which least proposed action (physical arrest, paper arrest, citation, suspension, mediation, counseling, etc.) will achieve the desired goal of correcting behavior

[8] Section 26-101(a) of the Maryland Education Code, which makes it a misdemeanor to "willfully disturb or otherwise willfully prevent the orderly conduct of the activities, administration, or classes of [a school]," requires a disturbance that significantly interferes with school operations; it does not apply to minimal or routine disruption, such as "[a] child who speaks disrespectfully or out of turn, who refuses to sit down or pay attention when told to do so, who gets into an argument with another student, who throws a rolled-up napkin across the room, who comes to class late, or even who violates the local dress code in some way." *In re Jason W.*, 378 Md. 596 (2003).

while being accountable to all stakeholders within the school community
- Administrative and/or delinquent history of the offender
- The student's age
- Cultural or linguistic factors, as well as any student disability or other special needs, that may provide context to understand student behavior
- Other mitigating circumstances

When an arrest of a student or adult on school premises and/or during the school hours is necessary, it shall be done in such a manner as to avoid both embarrassment to the student being arrested and jeopardizing the safety and welfare of other students. In addition, every effort shall be made by school officials to inform the parent or guardians immediately. After an arrest of a student is made on school premises, law enforcement officers shall not engage in further questioning and remove the student from the school premises as soon as practicable, except in circumstances that pose a serious and immediate threat to school safety.

4. **Notification of State's Attorney's Office**

The MCPS Department of School Safety and Security will make reasonable efforts to notify the SAO when it receives notice that a student has been arrested by the law enforcement agency and charged with one of the offenses listed under Section H(1)(a) above as critical incidents where the police shall take the lead in investigating, in order for the SAO to obtain the information necessary to present the State's case at a detention hearing or other judicial proceeding which generally will be held within the next business day following the student arrest.

When legally permissible, the SAO shall advise MCPS of whether the student was or was not prosecuted for a school-based incident.

6. **Serious Incidents in the Community**

In addition to the required notification of reportable offenses committed by students in the community, the law enforcement agency will notify MCPS as soon as practicable of any serious incident involving MCPS schools, facilities, students, or staff that the law enforcement agency reasonably believes will impact MCPS operations in order for appropriate measures to be taken by MCPS to address the impact. Examples include:

- Death of a student or staff member
- Child abuse or neglect, including sexual offenses
- Serious or life-threatening injury to a student or staff member
- Hostage-barricade, criminal suspect at large, or hazardous materials incident that may affect students and/or staff
- Gang related incident/crime
- After-hours property damage to an MCPS facility, school, bus, or other vehicle

During normal business hours, the law enforcement agency will provide notice to the MCPS Department of School Safety and Security at 301-279-3066. At all other times, the

law enforcement agency will notify the Electronic Detection Section, the MCPS 24-hour communication center, at 301-279-3232.

I. COLLABORATION, MONITORING, AND REVIEW OF THE SRO PROGRAM

School administrators and officials of the law enforcement agencies are encouraged to periodically meet at the school community level to establish and foster good working relations between the agencies.

In order to monitor specific trends in and around the high school communities, the MCPD Patrol Services Bureau will maintain and share with the other parties to this Agreement disaggregated statistical data through monthly SRO reports and crime analysis.

The SAO will provide MCPD and MCPS with regular summary reports on pending charges and adjudications by the juvenile justice system.

The signatory agencies agree that this MOU and its implementation will be reviewed by the parties annually in order to determine if any inadequacies exist and further agree to revise the MOU as may be appropriate, upon the agreement of the parties, in order to further the safety and welfare of the school community. Furthermore, the signatory agencies will meet annually thereafter to review the provisions contained within this MOU as well as the implementation of it. Amendments, with the agreement of each agency, may be made from time to time, as desirable.

The MCPS Department of School Safety and Security, MCPD PSB, and the appropriate principal will promptly discuss any complaints regarding the actions of any signatory of the agreement within the bounds of collective bargaining agreements and applicable confidentiality laws/procedures if such a conference is necessary to maintain operational efficiency and a professional work environment.

J. GANG AWARENESS AND PREVENTION

In addition to the gang awareness activities specified elsewhere in the MOU, pursuant to the Maryland Safe Schools Act of 2010, the parties will collaborate to develop and implement gang awareness, prevention, and intervention programs for MCPS students and their families with a focus on outreach to at-risk MCPS students.

The SAO and law enforcement agencies also will assist MCPS in developing ongoing training on gang awareness for MCPS staff. The parties further agree to meet regularly to address current trends in gang activity; and MCPS will convene regular school security meetings for the middle schools and high schools to ensure the coordination of gang prevention, intervention, and suppression efforts.

K. NON-DISCRIMINATION AND OTHER GENERAL PROVISIONS

The parties agree that no person shall be subjected to discrimination on the basis of actual or perceived personal characteristics, including race, ethnicity, color, ancestry, national origin,

religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family/parental status, marital status, age, physical or mental disability, poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations in the performance of the parties' respective duties, responsibilities, and obligations under this agreement.

Each party is an independent contractor with the others for all purposes. None of the provisions of this Agreement are intended for the benefit of any third party, and no such third party shall have the right to enforce the provisions of this Agreement.

L. DESIRED OUTCOMES

- Enhanced safe and secure learning environments for students, staff, and the school community within Montgomery County, Maryland.
- MCPS and the law enforcement agencies have an effective emergency preparedness plan and response in the event of an emergency, disaster, crisis, or dangerous situation.
- Increased efficiency of communication between local law enforcement agencies, other government agencies, and MCPS in an emergency, disaster, crisis, or dangerous situation.
- Enhanced relationships and communications among the involved law enforcement agencies, MCPS, administrators, staff, students, parents, and community stakeholders.

This MOU replaces the original COPS in School Grant MOU between MCPD and MCPS (dated 05-16-02); the MOU between MCPS, MCPD, Montgomery County SAO, Gaithersburg City PD, Rockville City PD, and Takoma Park PD (dated 06-04-10); the MOU between MCPS, MCPD, SAO, and other law enforcement agencies (dated 07-23-13); and the revised MOU between MCPS, MCPD, SAO, and other law enforcement agencies (dated 06-17-15).

In witness, thereof, the parties have executed this memorandum of understanding on this 17th day of October 2017.

APPROVED

Jack R. Smith — Date 10/17/17	John J. McCarthy — Date 10/17/17
Superintendent of Schools	Montgomery County State's Attorney
Montgomery County Public Schools	
J. Thomas Manger — Date 10/17/17	Timothy L. Firestine — Date 10/17/17
Chief of Police	Chief Administrative Officer
Montgomery County Department of Police	Montgomery County, Maryland

Darren M. Popkin 10/17/17
Darren M. Popkin Date
Sheriff
Montgomery County Sheriff's Office

Bob Rappoport 10/17/17
Bob Rappoport Date
Acting Chief of Police
Rockville City Police Department

Mark Sroka 10-17-17
Mark P. Sroka Date
Chief of Police
Gaithersburg City Police Department

10/17/17
Dan Frishkorn Date
Acting Chief of Police
Takoma Park Police Department

MEMORANDUM OF UNDERSTANDING

BETWEEN
THE MONTGOMERY COUNTY POLICE DEPARTMENT
AND
MONTGOMERY COUNTY PUBLIC SCHOOLS
AND
OTHER AGENCIES
REGARDING
THE COMMUNITY ENGAGEMENT OFFICER PROGRAM AND OTHER LAW ENFORCEMENT RESPONSES TO SCHOOL-BASED INCIDENTS

EFFECTIVE DATE: August 30, 2021

MEMORANDUM OF UNDERSTANDING
BETWEEN
MONTGOMERY COUNTY PUBLIC SCHOOLS
AND
MONTGOMERY COUNTY DEPARTMENT OF POLICE
AND
MONTGOMERY COUNTY SHERIFF'S OFFICE
AND
ROCKVILLE CITY POLICE DEPARTMENT
AND
GAITHERSBURG CITY POLICE DEPARTMENT
AND
TAKOMA PARK POLICE DEPARTMENT
AND
MONTGOMERY COUNTY STATE'S ATTORNEY'S OFFICE

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Other Law Enforcement Responses to School-Based Incidents

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- The vast majority of student misconduct is best addressed through classroom and in-school strategies that maintain a positive learning environment and afford students opportunities to learn from their mistakes, correct any harm that results from their behavior, and restore relationships that are disrupted by their conduct.
- Absent exigent circumstances, law enforcement and MCPS will collaborate to determine the best course of action when handling school-based events; the vast majority of incidents at school can be managed to utilize existing wrap-around school resources. For circumstances not covered by the MOU, the school is expected to use applicable, existing, wrap-around school services prior to contacting the police.
- The parties will work together to promote safe, inclusive, and positive learning environments and exercise discretion and judgment in responding to MCPS school- based incidents.

B. DELINEATION OF DUTIES

I. Involved Law Enforcement Agencies Duties and Responsibilities

Community Engagement Officer:

A Community Engagement Officer (CEO) is a sworn uniformed law enforcement officer trained in emergency preparedness, crisis management, community policing concepts, and problem solving who is designated to work as a liaison to MCPS.

Duties:

- The CEOs will serve as a liaison between their agency and MCPS officials for police-related concerns and incidents.

- The CEOs will handle school service calls (SSCs). The responding CEO and/or the appropriate police department's unit having follow-up responsibility will investigate these SSCs at the direction of their law enforcement agency in a way that, to the greatest extent possible, minimizes disruption to the school day.

- The CEOs will serve as contact points to deliver law enforcement programs such as DARE, crime prevention, and gang awareness.

- The CEOs will maintain contact with members of their agency's gang units in order to stay informed regarding current gang trends, share information, coordinate interventions, and support gang investigations.

- CEOs will assist with traffic safety and enforcement activities in and around their designated school clusters.

- The CEOs will coordinate assistance at major school events such as athletic events, large dances, or other activities when needed.

- CEOs will coordinate familiarization training ("walkthroughs") to include a review of the schools' emergency response plan/procedures for responding officers within their district. This walkthrough training will be coordinated with the school administration and will occur after school hours.

- Law Enforcement will not be used to enforce MCPS policies, rules, regulations, and/or procedures.

- The CEOs will have no special law enforcement emphasis while performing their duties and responsibilities. While on MCPS property, the CEOs have full authority as sworn police officers. All enforcement actions will be taken in accordance with appropriate Federal, State, County, and Local laws and involved law enforcement agency policies and procedures. MCPS and the appropriate school staff will be notified of any actions taken in accordance with normal practice and any appropriate agreements between the involved law enforcement agencies and MCPS.

- The CEOs will acknowledge the principal's authority, as the administrator of the school, at all times as to matters within the scope of the principal's authority.

CEO Supervisors:

Each involved law enforcement agency will appoint a designated supervisor for its respective CEOs. A CEO roster, including supervisor(s), shall be provided to MCPS on an annual basis, preferably before the start of each school calendar year, or as needed if personnel should change. This list should include current contact information, i.e., e-mail address for each CEO and supervisor.

The Montgomery County Police Department, Community Engagement Division, will coordinate training within the CEO Program, attend meetings with MCPS principals and/or administrators, and act as the point of contact for the Montgomery County Police Department (MCPD) and MCPS to assist with resolving any conflicts or matters of concern.

The MCPD CED Director or their designee will be notified by an MCPD officer's supervisor of any incidents involving any use of force on school property and notify the MCPD CRB Chief.

High-School principals should meet with the CED Director or their designee every year to providefeedback on the CEOs.

II. Montgomery County Public Schools (MCPS) - Duties and Responsibilities

MCPS Security Personnel:

A **Security Team Leader (STL)** is designated to the high school to assist the school administration in maintaining a safe and secure learning atmosphere for staff and students. Primary job responsibilities include supervision and leadership of the security team and investigation of incidents on school property. Under the supervision of the principal or designee, the STL assists in controlling access to buildings and grounds by unauthorized persons and assuring that students report to their designated instructional areas.

Duties of the STL:

- Investigates incidents on school property and prepares a written report for administrative purposes.
- Advises the principal on all school security-related matters.
- Maintains a high profile to discourage disruptive acts.
- Provides surveillance of suspected problem areas.
- Provides day-to-day supervision and leadership of the security assistant(s) and provides guidance and assistance in more difficult situations.
- Assists the administration with staff and student awareness programs.
- Acts as a liaison between the school administration and emergency service agencies.
- Represents the school in criminal cases.
- Assists feeder schools with security problems
- Communicates, under the direction of the principal, with the CEO about safety issues. Whenever practicable, the STL shall consult with the principal or a principal's designee to determine whether a school-based incident necessitates a call for service to a CEO or other law enforcement officer as dictated by this MOU.

A **Security Assistant (SA)** is designated to the local school to assist the school administration in maintaining a safe and secure learning environment for the school community. Under the general supervision of the STL, the SA assists in screening visitor access to school facilities, maintain student class attendance, and carry out other responsibilities relatedto school security operations. The SA receives guidance and assistance from the STL on the more difficult or unusual situations.

Duties of the SA:

- Patrols school buildings and grounds to prevent loitering and to ensure compliance with school regulations and local laws.
- Checks parking areas and entrances to the school.
- Queries visitors on the school premises and assures that such persons report to the school office or leave the buildings or grounds.
- Reports unusual incidents and observations to the STL or appropriate school or law enforcement personnel in accordance with procedures established by principals.
- Checks hallways, restrooms, cafeterias, and remote areas of the facility.
- Investigates incidents on school property and prepares written reports · for administrative purposes.
- Confers with students regarding improper behavior and attempts to obtain voluntary compliance with school standards.
- Reports to the STL or principal/designee regarding building conditions or practices that interfere with building security maintenance or students' welfare and safety.

MCPS Principals/Senior Administrators:

The principal is responsible for administering and supervising the total school program, including the safety and security for students and staff and providing educational leadership for the students and staff consistent with the community's educational goals.

If a student misbehaves, the principal or designee will be the primary source of administrative disciplinary consequences and interventions. The MCPS *Code of Conduct* provides detailed information on administrative disciplinary consequences and interventions and shall guide the school-based responses to particular types of misbehavior.

Whenever possible, the CEO and other law enforcement agencies will work with the principal when responding to school-based incidents involving students and will work

together with MCPS staff to de-escalate those incidents. Principals or their designees will make every effort to notify the CEO and/or any other law enforcement officer who responds to a school-based incident if any student involved may require specific accommodations in addressing the incident at issue because of the student's educational needs.

C. SELECTION PROCESS FOR CEOs

CEO positions will be formally announced by involved law enforcement agencies. The selection process will include submitting a memorandum of interest from the officer(s), a review of personnel files, and a formal interview.

D. TRAINING

Officers selected to join the CEO program will be required to attend and successfully complete 40 hours of training provided by MCPD or MCSS within three months of being selected. Training should be specific to the following areas: role of the CEO, review of the current CEO MOU, CEO's specific agency's policies/procedures involving juvenile arrests/investigations, legal updates, review of the MCPS *Code of Conduct,* and applicable security policies, emergency preparedness and responses to critical incidents (criminal, weather, national disasters), threat assessment training, mediation and conflict resolution, childhood and adolescent development, alcohol/drug awareness, gang awareness, truancy, child abuse, and neglect, and county/community-based supports and outreach resources. MCPD and MCPS will work together each year to assess the current level of training and new proposals. MCPS will provide additional specialty training that the parties agree is in the best interest of the CEO program.

CEO Biannual Training During the School Year

On a biannual basis, the CEOs, MCPS administrators, and/or MCPS security staff will participate in joint training opportunities on matters that are the subject of this MOU, current trends or issues within the school communities, and other topics of mutual interest.

This training will be conducted by the MCPD CED, MCPS representatives, and involved agencies. Ongoing training on the topics included in the initial 40-hours of training will be conducted as appropriate.

In addition, CEOs will maintain familiarity with, and be respectful of, the current version of the MCPS *Code of Conduct* and the Montgomery County Board of Education's policies, rules, regulations, and procedures regarding student discipline and other school norms.

Annual Meetings

On an annual basis (preferably the first meeting should be held before the start of the school year), MCPD CED and participating agency supervisors will meet with MCPS leadership and community stakeholders to discuss current matters of mutual interest, including MOU implementation issues and joint training opportunities.

School-Based Meetings

It is highly recommended that CEOs be invited to school administrative and security meetings within their designated clusters, and they should be encouraged to attend.

Monthly Data Review

Every month, the MCPS Department of Systemwide Safety and Emergency Management shall consult with the CED director or their designee to review data on CEO reports of arrests and other interventions during the prior month. At the earliest opportunity, the parties will address and debrief specific cases of interest to enhance the program's quality.

F. SCHOOL CLUSTER ASSIGNMENT CRITERIA

Although these are guidelines, every situation should be considered under the totality of the circumstances. At a minimum, the final decisions should be made between the MCPD Chief of Community Resources Bureau and a designated senior MCPS administrator. The following criteria should be considered during this decision process: school enrollment, calls for service, anticipated number of after-school events sponsored by the schooland/or parents, and traffic challenges (e.g., urban location and number of egress and ingress options).

G. ON-SITE ACCOMMODATIONS FOR CEOs

If the CEO responds to the school, the administrator will provide a designated space/office with access to a telephone, if needed.

H. INFORMATION SHARING AND INVESTIGATIONS

The sharing of appropriate and timely information between the law enforcement agencies and MCPS is critical to maintaining and enhancing a safe and secure learningenvironment. Within the context of the CEO Program, the sharing of information will follow the protocols below between the law enforcement agencies and MCPS in accordance with applicable federal, state, and local laws.

1. **Reporting Critical Incidents Involving Students or Others on School Property.** The parties agree that the offenses outlined in Sections H(l)(a) and H(l)(b), termed "critical incidents," that occur on MCPS property (e.g., school buses, MCPS sponsored

-events including extra-curricular activities) shall be reported to the appropriate law enforcement agency by the principal, administrator-in-charge, or designee as soon as practicable. The law enforcement agency will determine the appropriate law enforcement response in accordance with the procedures in Section H(2) below.

Such notification must be made by direct communication with the Public Safety Communications Center (911) or 301-279-8000. CEOs will not be contacted directly for any request.

Mandatory police reporting does not mean that police will make an arrest or a referral in every situation; however, police MUST be notified of the incidents listed.

a. **Critical Incidents Where Police Shall Take the Lead in Investigating.** The appropriate law enforcement agency shall take the lead in investigating the following critical incidents in accordance with the procedures in Section H(2). These are the only violations for which a physical arrest should be considered.

- Death
- Rape and/or sexual assault with another by force or threat of force[1]
- Robbery/attempted robbery (taking the property of another from his person or in his presence by force, reasonable fear of violence, or intimidation whether the perpetrator is armed or unarmed)
- Hate crime (harassing[2] a person or damaging property of a person because of his race, color, religious beliefs, sexual orientation, three or national origin)
- Possession of a firearm, knowingly brought onto or brandished upon school property, or knowingly brandishing or using any other dangerous or deadly weapon, including any device designed or manipulated to shoot any projectile, to cause harm.

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[1] Meaning engaging in a sexual act or sexual contact, without consent, by force or threat of force, and/or employing or displaying a dangerous weapon or object reasonably believed to be a weapon (sexual offense in the first, second, or third-degree). Note that these sexual offenses and child abuse and neglect more generally are subject to a separate Memorandum of Understanding and other MCPS policies and regulations.

[2] Harassment is defined as a persistent pattern of conduct intended to alarm or seriously annoy another, without a legal purpose, after receiving a reasonable warning or request to stop.

[3] Sexual orientation means the identification of an individual as to male or female homosexuality, heterosexuality, bisexuality, or gender-related identity.

- Gang[4] related incident/crime

b. **Critical Incidents Where Police May Take the Lead in Investigating Depending on the Circumstances.** After reporting the following critical incidents to the appropriate law enforcement agency, the principal or designee shall consult with the CEO or other law enforcement officers responding to the incident to determine who should take the lead in investigating depending on the totality of the circumstances; provided, however, that the law enforcement agency shall take the lead in investigating, in accordance with the procedures in Section H(2) below, in any case in which: (i) there is evidence that the alleged perpetratoris not a student; and/or (ii) there is a serious and imminent threat to the safety of the school and its community. As circumstances warrant, those on the scene may consult with MCPS staff in the Office of School Support and Improvement (OSSI) and the Department of Systemwide Safety and Emergency Management, supervisors in the Police Department, the Special Victims Investigations Division, and/or the State's Attorney's office. (If the law enforcement agency does not take the lead in the initial investigation, that determination does not preclude subsequent law enforcement action.)

- Arson (willful and maliciously set fire) or verbal or written threat of arson
- Manufacture or possession of a destructive device (explosive, incendiary, or toxic material combined with a delivery or detonating apparatus or modified to do so)
- Knowingly make false reports about the location or detonation of a destructive device.
- Distribution or manufacture of a controlled dangerous substance.
- In the event of a 911 call regarding a physical attack on another that requires medical attention outside of the school health room.
- Theft (any single incident or series of incidents committed by the same perpetrator where the value of the stolen property is $1500 or more)
- Possession of a potentially dangerous or deadly weapon on school property that is not knowingly brandished or used to cause harm[5]
- Possession of, and/or possession with intent to distribute, a controlled dangerous substance (whether or not law enforcement takes the lead in the investigation, MCPS staff shall turn over to the appropriate law enforcement agency any substance that comes into their possession that they suspect to be a controlled substance)

c. **Releasing Student Information.** Notwithstanding any other provision of this agreement, the parties shall fully comply with the Family Educational Rights and Privacy Act (FERPA) and all other applicable, State or federal laws regarding the confidentiality of student information, as well as MCPS Regulation JOA-RA, *Student Records*. Information obtained by school staff may be shared with a law enforcement officer/agency or SAO as long as the information is not derived from

[4] A formal or informal ongoing organization, association, or group of three or more persons who: (a) have a history of criminal street gang activity; (b) have a common name or common identifying signs, colors, or symbols; and (c) have members or associates who, individually or collectively, engage in or have engaged in a pattern of criminal activity.

[5] A butter knife is not a dangerous or deadly weapon. *See In re Melanie H,* 120 Md. App. 158 (1999).

school records.[6] For example, information received orally from a student may be shared, even if later recorded in a written statement used by school staff for disciplinary purposes. Information from school records can be shared under any one of the following circumstances:

- "Directory information" unless the parent/guardian has asked specifically that such information be kept confidential
- With the consent of the parent/guardian or adult student
- In response to a subpoena, including a subpoena from the SAO[7]
- In a specific situation that presents an imminent danger to students or membersof the community or that requires an immediate need for information in order to avert or diffuse serious threats to the safety or health of a student or otherindividual

2. **Investigation of Critical Incidents Occurring on School Property**

MCPS shall immediately notify the appropriate law enforcement agency of all critical incidents as described in both Sections H(1)(a) and H(l)(b) of this agreement. The law enforcement agency will respond promptly to such incidents or keep the school staff advised of any officers' response delay.

For those critical incidents in which the law enforcement agency is taking the lead in the investigation, MCPS will limit its administrative investigation of the critical incident to ascertaining basic facts and doing what is necessary to stabilize the situation until a law enforcement officer arrives, absent exigent circumstances. For such critical incidents, MCPS will defer taking written statements from students and/or witnesses, thereby permitting the law enforcement agency the opportunity to do so. In addition, MCPS shall consult with the appropriate law enforcement agency to determine whether it is appropriate to notify the school community and the timeline for so doing.

If requested by MCPS for purposes of conducting its own disciplinary processes within the timeframes mandated by state law, the law enforcement agency shall provide copies of written student and witness statements to MCPS within one day of the critical incident, with the approval of the SAO, which shall make the determination after consultation with the law enforcement agency. The law enforcement agency will assist MCPS with its administrative procedures by providing the relevant information requested (including a synopsis of relevant facts) in order that statutory and administrative deadlines may be met and by providing witness statements in any closed investigations and as otherwise authorized by the SAO.

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[6] School records are those records identifiable to an individual student and maintained by MCPS, governed by FERPA.

[7] Release of documents from a student record requires that the school first make reasonable efforts to notify the parent/guardian or adult student of receipt of the subpoena in advance of complying with the subpoena so the parent/guardian may seek protective action unless the issuing authority has ordered that the existence or contents of the subpoena not be disclosed.

The principal or their designee shall be present during any interview conducted by thelaw enforcement agency on school property and may interview the individual after the officer has concluded their interview. Students should be questioned by the appropriate law enforcement agency, when necessary, in a manner and at a time that is age-appropriate, minimizes disruption to the school day and classroom instruction, and is consistent with all applicable laws and regulations. When questioning of students by law enforcement officers occurs on school property, MCPS staff will strive to promptly contact the student's parent/guardian to inform them of the nature of the incident, unless the investigation involves suspected child abuse or neglect.

In the event that the law enforcement agency has not arrived and school dismissal is about to occur, MCPS will notify the law enforcement agency, and MCPS may conduct an administrative investigation, including taking student and witness statements. The law enforcement agency understands that MCPS does not have the authority to arrest individuals or hold them for the law enforcement agency.

3. **Arrests and Other Law Enforcement Actions.**

Absent an immediate public safety need to stop illegal activity, effect an arrest, and/orseize evidence, CEOs and other law enforcement officers will collaborate with the principal or their designee prior to a law enforcement action to assess the totality of the circumstances and applicable agreements/legal guidelines and address the matter in a manner that is the best interest of the student and the welfare of the school community. Ifcircumstances do not allow for consultation prior to a law enforcement action, the partieswill come together as soon as possible thereafter to address the matter. Every opportunity should be made to debrief especially critical incidents, at the appropriate time to identify lessons learned.

Circumstances to consider under the totality of circumstances regarding law enforcement action include:

- Absence or presence of perceived intent
- Whether the matter is solely administrative in nature or involves a criminal nexus[8]
- Input from the SAO on appropriate charges, if any, in instances of ambiguity and/or exceptional circumstances not clearly addressed by the criminal code
- Whether or not the offender was coerced and/or threatened to participate in the inappropriate behavior. (i.e., gang coercion, the threat of retaliation, etc.)
- Which least proposed action (physical arrest, referral, citation, suspension, mediation, counseling, etc.) will achieve the desired goal of correcting behavior

[8] Section 26-101(a) of the Maryland Education Code, which makes it a misdemeanor to "willfully disturb or otherwise willfully prevent the orderly conduct of the activities, administration, or classes of [a school]," requires a disturbance that significantly interferes with school operations; it does not apply to minimal or routine disruption, such as "[a] child who speaks disrespectfully or out of tum, who refuses to sit down or pay attention when told to do so, who gets into an argument with another student, who throws a rolled-up napkin across the room, who comes to class late, or even who violates the local dress code in some way." *In re Jason W,* 378 Md. 596 (2003).

- while being accountable to all stakeholders within the school community
- Administrative and/or delinquent history of the offender
- The student's age
- Cultural or linguistic factors, as well as any student disability or other special needs that may provide context to understand student behavior
- Other mitigating circumstances

When an arrest of a student or adult on school premises and/or during school hours is necessary, it shall be done in such a manner to avoid both embarrassment to the student being arrested and jeopardizing the safety and welfare of other students. In addition, every effort shall be made by school officials to inform the parent or guardians immediately. After an arrest of a student is made on school premises, law enforcement officers shall remove the student from school premises as soon as practical, not engage in further questioning of the student on school premises, except in circumstances that pose a serious and immediate threat to school safety.

4. **Notification of State's Attorney's Office**

The MCPS Department of Systemwide Safety and Emergency Management will make reasonable efforts to notify the SAO when it receives notice that a student has been arrested by the law enforcement agency and charged with one of the offenses listed under Section H(1)(a) above as critical incidents where the police shall take the lead in investigating, in order for the SAO to obtain the information necessary to present the State's case at a detention hearing or other judicial proceeding which generally will be held within the next business day following the student arrest.

When legally permissible, the SAO shall advise MCPS of whether the student was or was not prosecuted for a school-based incident.

6. **Serious Incidents in the Community**

In addition to the required notification of reportable offenses committed by students in the community, the law enforcement agency will notify MCPS as soon as practicable of any serious incident involving MCPS schools, facilities, students, or staff that the law enforcement agency reasonably believes will impact MCPS operations in order for appropriate measures to be taken by MCPS to address the impact. Examples include:

- Death of a student or staff member
- Child abuse or neglect, including sexual offenses
- Serious or life-threatening injury to a student or staff member
- Hostage-barricade, criminal suspect at large, or hazardous materials incident that may affect students and/or staff
- Gang-related incident/crime
- After-hours property damage to an MCPS facility, school, bus, or another vehicle.

The law enforcement agency will notify the MCPS Department of Systemwide Safety and Emergency Management during regular business hours at 240-740-3066. At all other times, the law enforcement agency will notify the Electronic Detection Section, the MCPS

24-hour communication center, at 240-740-3232.

I. COLLABORATION, MONITORING, AND REVIEW OF THE CEO PROGRAM

School administrators and officials of the law enforcement agencies are encouraged to periodically meet at the school community level to establish and foster good working relations between the agencies.

In order to monitor specific trends in and around the high school communities, the MCPD Community Resources Bureau will maintain and share with the other parties to this Agreement disaggregated statistical data through monthly CEO reports and crime analysis.

The SAO will provide MCPD and MCPS with regular summary reports on pending charges and adjudications by the juvenile justice system.

The signatory agencies agree that this MOU and its implementation will be reviewed by the parties annually in order to determine if any inadequacies exist and further agree to revise the MOU as may be appropriate, upon the agreement of the parties, in order to further the safety and welfare of the school community. Furthermore, the signatory agencies will meet annually thereafter to review the provisions contained within this MOU as well as the implementation of it. Amendments, with the agreement of each agency, may be made from time to time, as desirable.

The MCPS Department of Systemwide Safety and Emergency Management, MCPD CRB, and the appropriate principal will promptly discuss any complaints regarding the actions of any signatory of the agreement within the bounds of collective bargaining agreements and applicable confidentiality laws/procedures if such a conference is necessary to maintain operational efficiency and a professional work environment.

J. GANG AWARENESS AND PREVENTION

In addition to the gang awareness activities specified elsewhere in the MOU, pursuant to the Maryland Safe Schools Act of 2010, the parties will collaborate to develop and implement gang awareness, prevention, and intervention programs for MCPS students and their families with a focus on outreach to at-risk MCPS students.

The SAO and law enforcement agencies also will assist MCPS in developing ongoing training on gang awareness for MCPS staff. The parties further agree to meet regularly to address current gang activity trends; MCPS will convene regular school security meetings forthe middle schools and high schools to ensure the coordination of gang prevention, intervention, and suppression efforts.

K. NON-DISCRIMINATION AND OTHER GENERAL PROVISIONS

The parties agree that no person shall be subjected to discrimination on the basis of actual or perceived personal characteristics, including race, ethnicity, color, ancestry, national origin,

religion, immigration status, *sex,* gender, gender identity, gender expression, sexual orientation, family/parental status, marital status, age, physical or mental disability, poverty, and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations in the performance of the parties' respective duties, responsibilities, and obligations under this agreement.

Each party is an independent contractor with the others for all purposes. None of the provisions of this Agreement are intended for the benefit of any third party, and no such third party shall have the right to enforce the provisions of this Agreement.

L. **DESIRED OUTCOMES**

- Enhanced safe and secure learning environments for students, staff, and the school community within Montgomery County, Maryland.
- MCPS and the law enforcement agencies have an effective emergency preparedness plan and response in the event of an emergency, disaster, crisis, or dangerous situation.
- Increased communication efficiency between local law enforcement agencies, other government agencies, and MCPS in an emergency, disaster, crisis, or dangerous situation.
- Enhanced relationships and communications among the involved law enforcement agencies, MCPS, administrators, staff, students, parents, and community stakeholders.

This MOU replaces the original COPS in School Grant MOU between MCPD and MCPS (dated 05-16-02); the MOU between MCPS, MCPD, Montgomery County SAO, Gaithersburg City PD, Rockville City PD, and Takoma Park PD (dated 06-04-10); the MOU between MCPS, MCPD, SAO, and other law enforcement agencies (dated 07-23-13); the revised MOU between MCPS, MCPD, SAO, and other law enforcement agencies (dated 06-17-15), and the MOU between MCPS, MCPD, SAO, and other law enforcement agencies (dated 10-17-2017).

In thereof, the parties have executed this memorandum of understanding on this 30th day of Aug, 2021

APPROVED

APPROVED

Monifa B McKnight 9/2/2021
Dr. Monifa McKnight Date
Interim Superintendent of Schools
Montgomery County Public Schools

John J McCarthy 9/1/21
John J. McCarthy Date
Montgomery County State's Attorney

8/31/2021
Marcus G. Jones Date
Chief of Police
Montgomery County Department of Police

Richard Madaleno 8/30/21
Richard S. Madaleno, Jr. Date
Chief Administrative Officer
Montgomery County, Maryland

Darren M. Popkin 09/02/2021

Darren M. Popkin Date
Sheriff
Montgomery County Sheriff's Office

8/31/21

Victor Brito Date
Chief of Police
Rockville City Police Department

Mark Sroka 9-1-21

Mark P. Sroka Date
Chief of Police
Gaithersburg City Police Department

9/2/2021

Antonio DeVaul Date
Chief of Police
Takoma Park Police Department

Approved as to form and legality
Montgomery County Public Schools

Stephanie P. Williams 9/2/2021

Stephanie Williams Date
General Counsel
Montgomery County Public Schools

Approved as to form and legality
Montgomery County, Maryland

8/30/2021

Haley Roberts Date
Associate County Attorney
Montgomery County, Maryland

PLEASE NOTE: The lead Department should review and follow the attached Instructions for completing this Template and is responsible for sending the final Preview Summary by email to "#CEX.Council Summaries" distribution list and any other County staff who are involved in the worksession or briefing no later than COB on the Wednesday that precedes the week of the worksession or briefing. The Subject Line in the email should use the following format: Committee Acronym, Date of Worksession or Briefing, and Agenda Topic. For example: T&E, DATE, Affordable Housing Task Force Report.

PREVIEW SUMMARY

COUNCIL WORKSESSION OR BRIEFING

Committee	PS-Public Safety Committee/EC-Education and Culture Committee
Date of Worksession/Briefing	2/1/2022 @1330 hours
Agenda Topic	Community Engagement Officer Program and Revised MOU with MCPS
Reason for Worksession/Briefing	Committee members are requesting a briefing to provide an overview of program and CEO statistics
Executive Staff Participants	MCPD: Chief Marcus Jones, Assistant Chief Carmen Facciolo
Other Participants	
Written Materials Prepared by Executive Staff	Captain Stacey Flynn/Community Engagement Division, Assistant Chief Facciolo/Community Resources Bureau
Sensitive or Controversial Topic	Yes-removal of SRO program and replacing with CEOs has been a debated topic in the community.
CAO/CE Review or Approval Needed	No
Staff Contact for Preview Summary	Captain Marc Erme, Director, MCPD Policy and Planning Division, 240-773-6948

Updated: January, 2019

Montgomery County Police Department
Community Resources Bureau
Community Engagement Officer Program
Data Overview
(August – December 31, 2021)

Calls for Service

The Emergency Communications Center processed **1688** school service calls

- **1571** (93%) calls were dispatched
- **117** (7%) were filed and not dispatched
- **460** (29%) were traffic related
- **563** (35%) resulted in a report being written

Report Data

Community Engagement Officers authored **563** police reports

- Weapons – **57** (10%)
- Robbery – **4** (1%)
- Controlled Dangerous Substance – **76** (13%)
- Assaults – **87** (16%)
- Sex Assaults – **102** (18%)
- School Threats – **82** (15%)
- Mental Health – **35** (6%)
- Conflict/Disruptive Behavior – **57** (10%)
- Property Crimes – **28** (5%)
- Miscellaneous – **35** (6%)

Arrest Data

11 arrests

- **5** weapons offenses
    - A 16-year-old white man brought a knife to school, plotting to stab a classmate
    - A 15-year-old black man had a knife in a sock
    - A 15-year-old black man had a knife in his pants

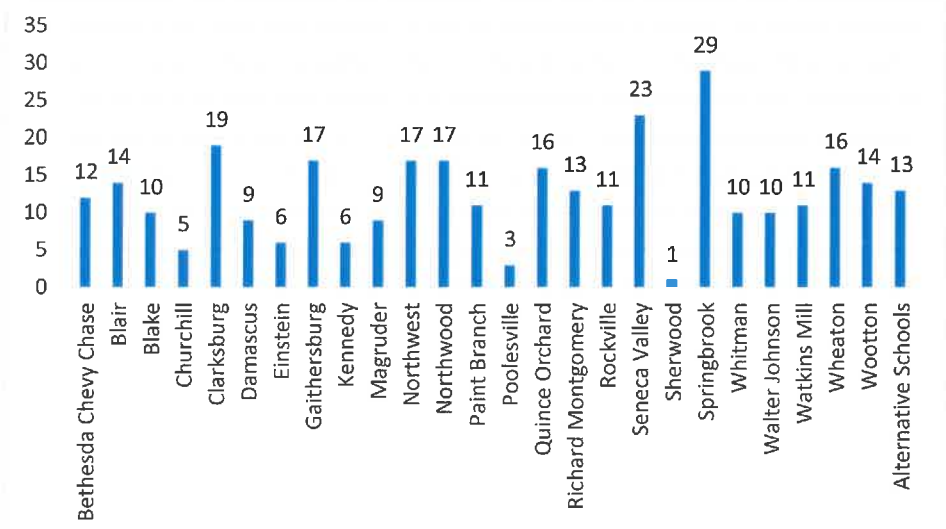
- A 15-year-old black man was found with a loaded handgun at an elementary school playground after school hours
- A 15-year-old white man possessed a loaded handgun in a high school

- **1** armed robbery
  - A 17-year-old white male robbed a classmate using a knife
- **2** Aggravated Assaults
  - A 13-year-old white man threatened a classmate with a knife at a bus stop
  - 1 16-year-old white man stabbed a classmate
- **1** School Threat
  - A 16-year-old black woman incited a Swatting event
- **1** Ex-Parte violation
  - A 44-year-old Asian male parent threatened a school principal
- **1** Auto Theft
  - A 16-year-old white woman stole a staff member's car

Dispositions

- **39** cases were referred to the Division of Juvenile Services
  - Weapons– **9** (23%)
  - Controlled Dangerous Substance – **1** (3%)
  - Assaults – **21** (54%)
  - Sexual Assaults – **4** (9%)
  - School Threat – **1** (3%)
  - Trespassing – **1** (3%)
  - Theft – **2** (5%)
- **5** citations were issued for controlled dangerous substances offenses

Call(s) by School



Average Response Time (Week in Time Snapshot)

Emergency Call for Service: 15:45

- ECC Answer Time: 2:47
- ECC Call-Taker Processing: 2:39
- ECC Dispatcher Processing: 2:00
- Officer Response: 9:26

Routine Call for Service: 45:11

- ECC Answer Time: 3:56
- ECC Call-Taker Processing: 2:47
- ECC Dispatcher Processing: 13:47
- Officer Response: 24:41

Montgomery County Police Department
Community Resources Bureau
Community Engagement Officer Program
Response to County Council
January 25, 2022

1. We have the current MOU dated August 30, 2021. Could you provide any other documentation that guides or modifies the CEO program?

   The Montgomery County Police Department ("MCPS") and the Montgomery County Public Schools ("MCPS") are currently operating under the memorandum of understanding ("MOU") dated August 30, 2021. MCPD is currently partnering with MCPS to evaluate the CEO Program to determine if modifications are necessary. If these are made, an addendum to the MOU will be made or a new a MOU will be drafted.

2. Please provide an outline of any anticipated changes or areas of addition to the August 30, 2021, MOU. What is the timeline for developing MOU language in these areas and finalizing any changes?

   As noted above, MCPD and MCPS are currently evaluating the CEO Program. Additionally, given the incident that occurred on Friday at Magruder High School, an additional evaluation may be necessary. We do not have a timeline for modifying the current MOU or developing a new one.

3. Updated call for service data through January 1.

   As of January 1st, CEOs have responded to 1688 calls for service and have written 563 reports.

4. Updated arrest data through January 1.
   a. Physical arrests
      i. 11
   b. Charges on paper
      i. 39

c. Citations
   i. 5

5. Information on coordination of services between schools and police. Are schools following the MOU requirement to call the ECC? Are most calls going to 911 or the police non-emergency number?

   Yes, MCPS is abiding by the MOU by calling both 911 and the non-emergency number. We are currently analyzing call for service data to better understand how requests are being processed.

6. Information on how police and schools have been handling security incidents during the school day, and at after-school events.

   MCPD and MCPS partner to handle security incidents during the school day and at after-school events. We defer to MCPS on how these events are being handled.

7. What is the authorized CEO complement and how many positions are filled?

   MCPD is authorized to have 23 CEO positions. Currently 21 positions are filled (by end of January 2021). Three outside agencies also provide CEOs to MCPS.

8. How many current CEOs are former SROs?

   19 of our 21 CEOs are former SROs.

9. What is the weekly schedule for CEOs? (i.e. 5 8-hour days, or 4 10-hour days?).

   CEOs currently work Monday-Friday from 7am-3:00pm.

10. What is the procedure for covering assigned schools when CEOs are absent?

    The CEOs work in teams, with several officers covering multiple police districts. As such, when an officer is absent, other CEOs can assist. MCPD's Patrol Services Bureau also provides coverage when needed. Our partner law enforcement agencies have different policies, and we defer to those agencies on how absences are handled.

11. What type of training are CEOs receiving? What training was provided last summer?

    All CEOs receive the initial SRO training. These officers are provided with a variety of continuing education to better assist them working with youth, including de-escalation, mental health, crisis intervention, etc. A full list of trainings can be provided to the Council on request.

12. What types of oversight protocols are in place to ensure compliance with the MOU and track whether the MOU is being consistently applied across all schools?

    MCPD is conducting quality assurance reviews of the 563 reports generated in the first half of the year to determine if CEOs are following the MOU. In addition, CEO supervisors continually monitor calls for service and CEO responses to ensure that best practices are being followed and officers and MCPS are abiding by the MOU. The Department endeavors to review all CEO-generated reports and are developing processes to create efficiency given the limited supervisory staff. We have also partnered with MCPS to facilitate town halls and continuing education for both school staff and CEOs on the protocols outlined in the MOU. MCPS can provide additional information on the initiatives that their organization is undertaking to comply with the MOU.

13. A list of security staff numbers at each school. Is there an identified need for more security staff?

    This question is best answered by MCPS.

CALLS FOR SERVICE AT MONTGOMERY COUNTY SCHOOLS

CAS #22-143, 1/31/2022

Prepared by: M Iezzi

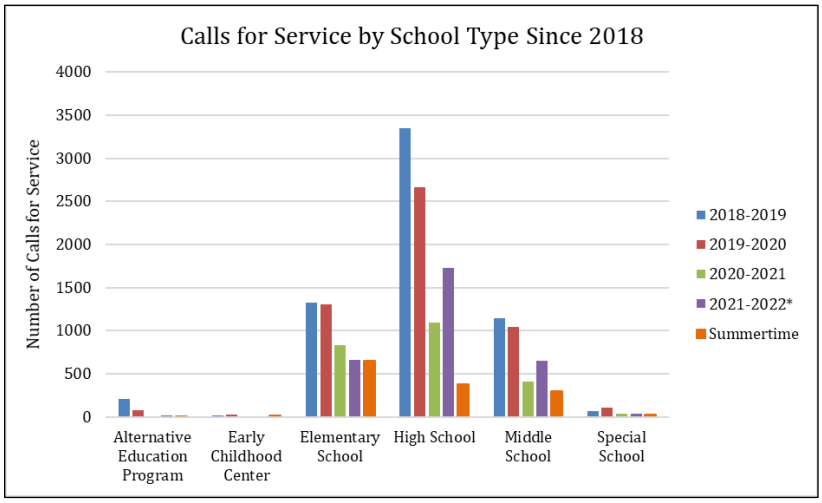
Request: Calls for service at all 208 public schools in Montgomery County per school year with final disposition

Data:

- Compiled from P1 CAD search and legacy CAD system for each school street address
- Based on date of call – 8/27/2018 – 1/21/2022 (includes professional days for teachers)
- Only includes police calls for service; fire department calls for service were excluded
- Calls for service with a final disposition of File Only or Cancel were removed
- All "dash" values are included – determines if a police report was written or not
- Major crimes are highlighted in yellow

Annual Totals for All Schools

There are several factors in play which affect the total number of calls for service at each Montgomery County Public School. The School Resource Officers (SROs) assigned to each of the 25 High Schools also cover the 40 Middle Schools and 135 Elementary Schools within their assigned cluster. Normally, when a school has a service request, they contact the SRO directly. This means a call for service is not regularly generated in the Computer Aided Dispatch (CAD) system, and when SROs respond for specific requests from their school it is not recorded.



*The 2021 – 2022 school year is only through 1/21/2022

It is not uncommon for each SRO to receive two to five direct service requests over the school radio each day. These service requests historically do not have corresponding documentation in the CAD system, but they do represent contacts and issues the SROs are addressing. The only time these types of responses are documented in the CAD system is if the SRO notified the dispatcher at the Emergency Communications Center (ECC).

When a student's parents are at a school and request the presence of an officer, the SRO will occasionally respond to the office at the request of the administrator. However, if the parent calls the ECC directly a call for service will be generated in the CAD system. When the SRO then hears the dispatch over the police radio, he or she will respond to the dispatcher and handle the call for service.

When the SRO is not working due to leave, training, etc., a patrol officer is normally tasked with covering the SRO duties while the SRO is unavailable. If school personnel is unaware of who is covering the SRO's duties while the SRO isn't working, they may contact the ECC which would then generate a call for service in CAD.

In addition, there are several calls for service types that have more to do with school property than the school itself. These types include, but are not limited to, Clear Traffic Stop, Fireworks, and DUI.

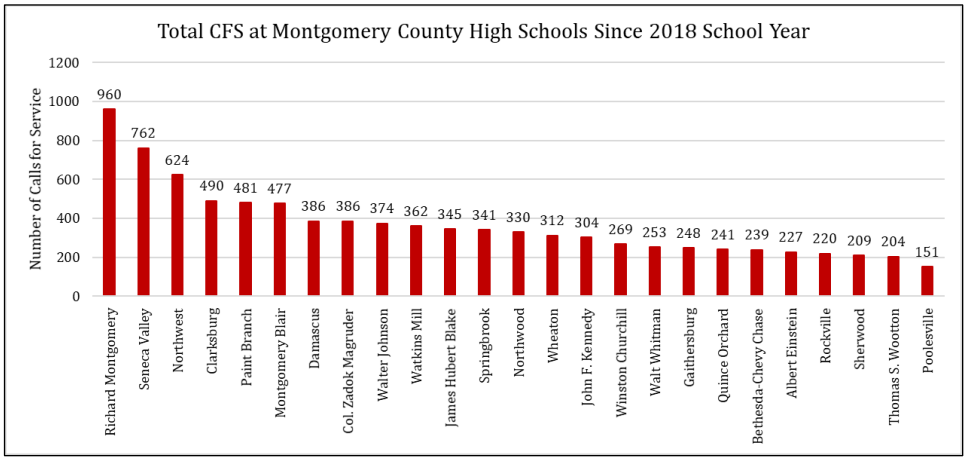
In the fall of 2021, SROs were removed from all Montgomery County Public Schools. Community Engagement Officers now respond to the schools when a School Service Call (SSC) is received. SSCs are predetermined call types as outlined in the agreed upon MOU. Please keep the above information in mind when reviewing the calls for service totals at each school.

All 208 MCPD Schools	School Year					
Call for Service Disposition	**2018-2019**	**2019-2020**	**2020-2021**	**2021-2022***	**Summertime**	**Grand Total**
Alarms	35	46	22	9	36	148
Animal Offense	146	50	62	30	46	334
Arson		2	2	2	1	7
Assault - Aggravated	12	9	3	9	3	36
Assault - Simple	155	133	17	105	17	427
Auto Theft	4	4	2	3	2	15
Blackmail/Extortion	1			2		3
Bomb Threat	4	4		4		12
Burglary	14	37	21	12	33	117
Clear Traffic Stop	139	87	49	22	23	320
Disorderly Conduct	134	194	147	83	104	662
Drug Offense	233	198	15	98	14	558
DUI	15	10	12	11	8	56
Embezzlement	1		1			2
Emergency Petition Service	3	3				6
Family Offense	49	40	12	42	19	162
Fire Offenses	7	7	5	2	7	28
Fireworks	2	1	1	10	20	34
Follow Up	188	128	58	177	39	590
Forgery	8	4	3	2	1	18
Fugitive		1				1
Harassment / Stalking	9	5	3	15		32
Homeland Security Event	1					1
Homicide	1	1				2
Ill Person	42	42	16	25	12	137
Injury	3	3	1		1	8
Investigation - Police Information	397	351	60	249	29	1086
Juvenile Offense	70	52	3	20	2	147
Kidnapping	1					1
Larceny	91	88	45	41	26	291
Liquor Offense	16	21	7	5	10	59
Lost Property	7	16	2	4	4	33
Mental Transport	147	116	19	62	23	367
Miscellaneous Offense	2963	2356	1065	1022	348	7754
Missing Person	35	20	6	17	3	81
Protective Order Violation	1	3		1	1	6
Rape	13	4	3	13	2	35
Recovered Property	16	10	9	10	7	52
Robbery	13	20	7	7	6	53
Search Warrant	1	1	1			3
Sex Offense	43	33	6	97	3	182
Sheriff	54	145	46	65	41	351
Stolen Property		1				1
Sudden Death	4	1	2	3	1	11
Suicide	4	1		1	1	7
Suspicious Situation / Person / Vehicle	379	392	293	207	219	1490
Threatening / Annoying Phone Call	13	3	3	11		30
Traffic / Parking Offense	150	141	113	323	76	803
Traffic Collision	276	189	85	133	69	752
Trespassing	71	83	68	45	60	327
Vandalism	84	92	78	37	58	349
Violation of Emergency Order		15	1			16
Weapon Offense	54	49	4	67	2	176
Grand Total	**6109**	**5212**	**2378**	**3103**	**1377**	**18179**

*The 2021 – 2022 school year is only through 1/21/2022

High Schools (25)

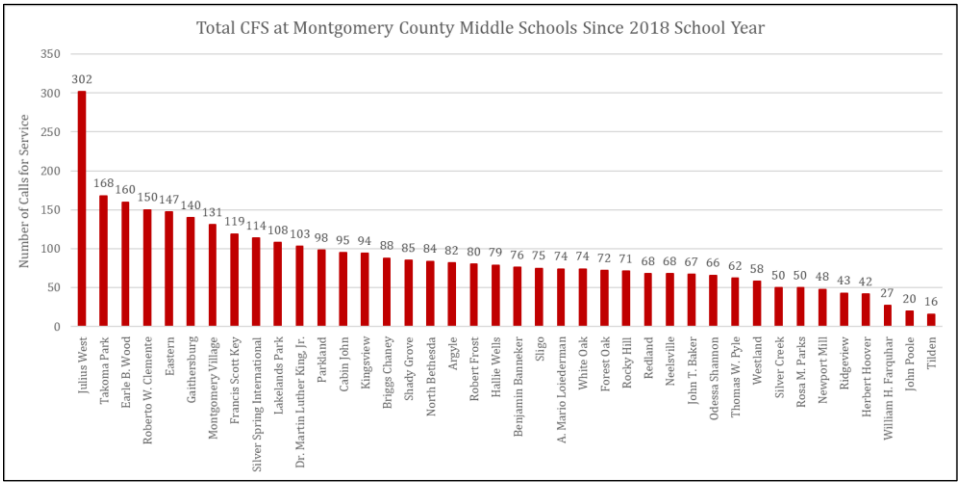
There were 9,195 calls for service at Montgomery County High Schools between 8/27/2018 and 1/21/2022 which averages to 368 calls for service per High School. The 2018 – 2019 school year was the busiest with an average of 134 calls for service per school (3,347 total, 429 highest at Richard Montgomery HS, 47 lowest at Wooten HS).



High Schools	School Year					
Call for Service Disposition	2018-2019	2019-2020	2020-2021	2021-2022	Summertime	Grand Total
Alarms	5	7	3	3	3	21
Animal Offense	39	13	19	5	8	84
Arson		1		1		2
Assault - Aggravated	2	6		6	1	15
Assault - Simple	83	82	3	56	5	229
Auto Theft		2		2		4
Blackmail/Extortion	1			2		3
Bomb Threat	2	4		3		9
Burglary	8	13	5	3	9	38
Clear Traffic Stop	82	43	30	9	13	177
Disorderly Conduct	41	58	44	39	17	199
Drug Offense	193	159	2	77	4	435
DUI	7	5	1	6	4	23
Family Offense	17	10	1	18	4	50
Fire Offenses	1	2	4			7
Fireworks	1			1	5	7
Follow Up	87	38	20	114	12	271
Forgery	2	3		1		6
Fugitive		1				1
Harassment / Stalking	6	1		3		10
Homeland Security Event	1					1
Ill Person	26	26	8	14	5	79
Injury	2	1				3
Investigation - Police Information	195	176	25	109	11	516
Juvenile Offense	40	14		7		61
Larceny	42	41	12	22	9	126
Liquor Offense	10	7	2	3	2	24
Lost Property	2	4	2	2	1	11
Mental Transport	45	35	3	28	10	121
Miscellaneous Offense	1979	1449	721	692	111	4952
Missing Person	6	2	1	4	1	14
Protective Order Violation					1	1
Rape	10	3	2	7		22
Recovered Property	5	6	1	7		19
Robbery	8	14	1	7	1	31
Search Warrant			1			1
Sex Offense	23	20	1	46	1	91
Sheriff	38	106	20	51	17	232
Stolen Property		1				1
Sudden Death	1	1		1		3
Suicide	1	1			1	3
Suspicious Situation / Person / Vehicle	72	78	63	55	48	316
Threatening / Annoying Phone Call	5	1		6		12
Traffic / Parking Offense	44	36	31	194	22	327
Traffic Collision	118	89	37	51	30	325
Trespassing	34	37	14	21	12	118
Vandalism	30	26	12	10	5	83
Violation of Emergency Order		3				3
Weapon Offense	35	36	2	40	1	114
Grand Total	**3349**	**2661**	**1091**	**1726**	**374**	**9201**

Middle Schools (40)

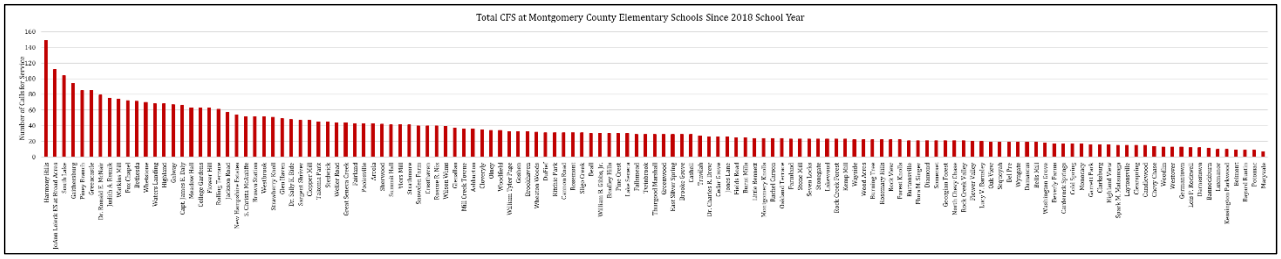
There were 3,554 calls for service at Montgomery County Middle Schools between 8/27/2018 and 1/21/2022 which averages to 89 calls for service per Middle School. The 2018 – 2019 school year was the busiest with an average of 29 calls for service per school (1,148 total, 142 highest at Julius West MS, 0 lowest at Tilden MS).



Middle Schools	School Year					
Call for Service Disposition	2018-2019	2019-2020	2020-2021	2021-2022	Summertime	Grand Total
Alarms	5	11	3	1	5	25
Animal Offense	23	13	19	7	11	73
Arson			1			1
Assault - Aggravated	4		1	3	1	9
Assault - Simple	41	21	1	31	1	95
Auto Theft			1			1
Bomb Threat	2			1		3
Burglary	3	4	4	4	5	20
Clear Traffic Stop	14	15	1	4	4	38
Disorderly Conduct	34	37	25	14	29	139
Drug Offense	26	21	3	16	2	68
DUI	2	1	4	1	1	9
Emergency Petition Service	1					1
Family Offense	9	4	3	3		19
Fire Offenses	2	1			1	4
Fireworks	1		1	1	5	8
Follow Up	56	48	16	39	8	167
Forgery	1	1				2
Harassment / Stalking	2	3	1	10		16
Homicide	1					1
Ill Person	6	6	3	5	3	23
Injury	1	1				2
Investigation - Police Information	141	122	15	101	6	385
Juvenile Offense	20	10	1	6	1	38
Kidnapping	1					1
Larceny	21	20	11	8	4	64
Liquor Offense	1	5	1	1	2	10
Lost Property	1	6			1	8
Mental Transport	47	30	3	12	1	93
Miscellaneous Offense	422	428	135	140	92	1217
Missing Person	13	5	3	4	2	27
Protective Order Violation		1				1
Rape	1	1		4		6
Recovered Property	6	3	2	1	4	16
Robbery	3	3	2		2	10
Search Warrant		1				1
Sex Offense	13	7	1	34		55
Sheriff	5	7	2	6	4	24
Sudden Death	2			1		3
Suicide	1			1		2
Suspicious Situation / Person / Vehicle	98	105	52	52	51	358
Threatening / Annoying Phone Call	4	2	2	4		12
Traffic / Parking Offense	30	23	31	76	17	177
Traffic Collision	48	32	18	24	9	131
Trespassing	12	12	21	11	20	76
Vandalism	10	15	23	7	9	64
Violation of Emergency Order		9	1			10
Weapon Offense	14	7	2	18		41
Grand Total	**1148**	**1041**	**413**	**651**	**301**	**3554**

Elementary Schools (135)

There were 4,761 calls for service at Montgomery County Elementary Schools between 8/27/2018 and 1/21/2022 which averages to 35 calls for service per Elementary School. The 2018 – 2019 school year was the busiest with an average of 10 calls for service per school (1,320 total, 57 highest at Leleck ES, 0 lowest at Maryvale ES).

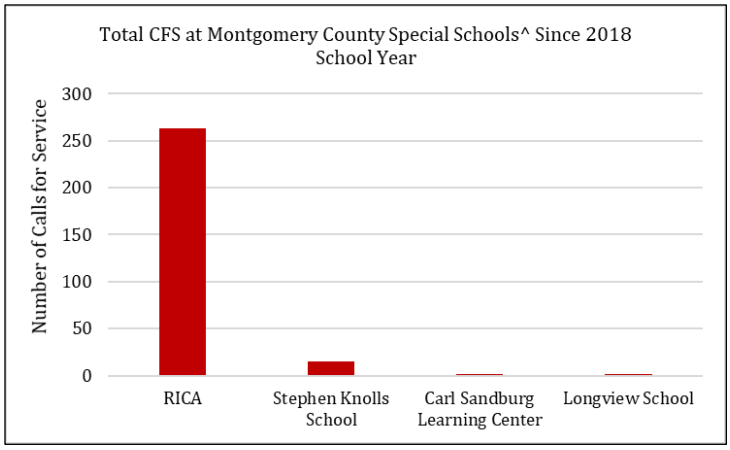


Elementary Schools	School Year					
Call for Service Disposition	2018-2019	2019-2020	2020-2021	2021-2022	Summertime	Grand Total
Alarms	16	25	16	4	27	88
Animal Offense	82	22	24	18	25	171
Arson		1	1	1	1	4
Assault - Aggravated	6	3	2		1	12
Assault - Simple	16	12	7	10	5	50
Auto Theft	4	1	1	1	2	9
Burglary	3	19	12	5	19	58
Clear Traffic Stop	40	25	18	9	5	97
Disorderly Conduct	54	90	72	28	57	301
Drug Offense	13	14	10	5	7	49
DUI	6	4	6	4	3	23
Embezzlement	1		1			2
Emergency Petition Service	2	2				4
Family Offense	21	24	8	20	15	88
Fire Offenses	4	4	1	1	4	14
Fireworks		1		8	10	19
Follow Up	39	25	21	20	18	123
Forgery	5		3	1	1	10
Harassment / Stalking	1	1	2	2		6
Homicide		1				1
Ill Person	8	8	4	6	3	29
Injury		1	1		1	3
Investigation - Police Information	59	49	16	34	10	168
Juvenile Offense	2	5	1	3		11
Larceny	25	21	22	11	11	90
Liquor Offense	5	9	4	1	6	25
Lost Property	4	5		2	2	13
Mental Transport	28	31	8	13	8	88
Miscellaneous Offense	383	426	202	177	136	1324
Missing Person	14	9	2	9		34
Protective Order Violation	1	2		1		4
Rape	1		1	2	2	6
Recovered Property	5	1	6	2	2	16
Robbery	1	3	4		3	11
Sex Offense	6	5	3	12	1	27
Sheriff	8	29	23	8	17	85
Sudden Death	1		2	1	1	5
Suicide	2					2
Suspicious Situation / Person / Vehicle	201	200	172	97	117	787
Threatening / Annoying Phone Call	2			1		3
Traffic / Parking Offense	74	79	51	53	36	293
Traffic Collision	109	65	28	57	28	287
Trespassing	24	32	31	12	27	126
Vandalism	40	38	42	18	37	175
Violation of Emergency Order		3				3
Weapon Offense	4	5		7	1	17
Grand Total	**1320**	**1300**	**828**	**664**	**649**	**4761**

Special Schools (5)

There were 282 calls for service at Montgomery County Special Schools between 8/27/2018 and 1/21/2022. Given the differences in the purposes of these schools, comparisons between schools would be improper.

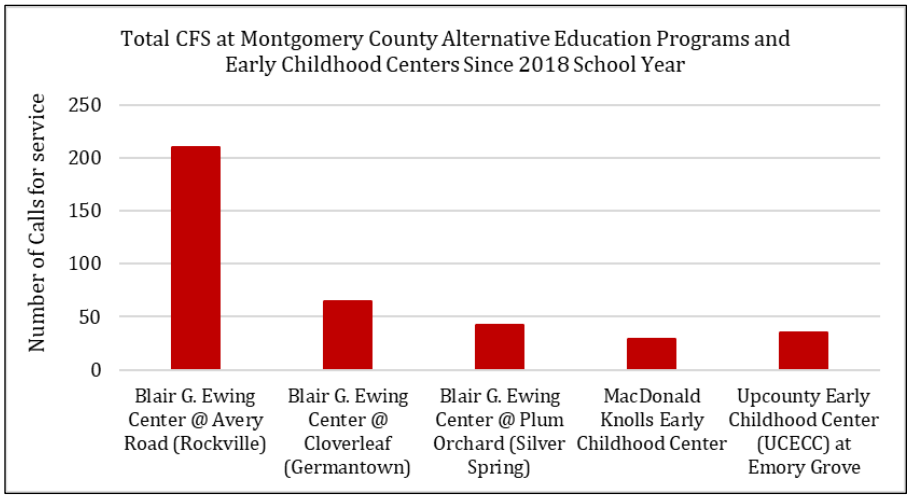
^Rock Terrace School has the same address as Tilden Middle School (6300 Tilden La). All CFS at that address were attributed to Tilden MS.



Special Schools	School Year					
Call for Service Disposition	**2018-2019**	**2019-2020**	**2020-2021**	**2021-2022**	**Summertime**	**Grand Total**
Animal Offense					2	2
Assault - Simple	6	15	6	7	6	40
Disorderly Conduct	2	7	5	1		15
Emergency Petition Service		1				1
Family Offense		1				1
Fire Offenses					2	2
Follow Up	5	11	1	3		20
Ill Person	2	2				4
Investigation - Police Information	2	1	4	3	2	12
Juvenile Offense	7	22	1	4	1	35
Larceny	1	3			1	5
Mental Transport	25	19	5	7	4	60
Miscellaneous Offense	9	5	4	9	4	31
Missing Person	2	3				5
Rape	1					1
Recovered Property					1	1
Robbery	1					1
Sex Offense	1	1	1	4	1	8
Sheriff	3	3	1		2	9
Suspicious Situation / Person / Vehicle	1	7	4			12
Threatening / Annoying Phone Call	1		1			2
Traffic Collision	1	2	1			4
Trespassing		2	1	1		4
Vandalism		5	1		1	7
Grand Total	**70**	**110**	**36**	**39**	**27**	**282**

Early Childhood Centers (2) and Alternative Education Programs (one at 3 locations)

There were 381 calls for service at Montgomery County Special Schools between 8/27/2018 and 1/21/2022. Given the differences in the purposes of these schools, comparisons between schools would be improper.



Alternative Education Programs & Early Childhood Centers	School Year					
Call for Service Disposition	**2018-2019**	**2019-2020**	**2020-2021**	**2021-2022**	**Summertime**	**Grand Total**
Alarms	9	3		1	1	14
Animal Offense	2	2				4
Assault - Simple	9	3		1		13
Auto Theft		1				1
Burglary		1				1
Clear Traffic Stop	3	4			1	8
Disorderly Conduct	3	2	1	1	1	8
Drug Offense	1	4			1	6
DUI			1			1
Family Offense	2	1		1		4
Fire Offenses				1		1
Follow Up	1	6		1	1	9
Ill Person			1		1	2
Investigation - Police Information		3		2		5
Juvenile Offense	1	1				2
Larceny	2	3			1	6
Lost Property		1				1
Mental Transport	2	1		2		5
Miscellaneous Offense	170	48	3	4	5	230
Missing Person		1				1
Search Warrant	1					1
Sex Offense				1		1
Sheriff					1	1
Suspicious Situation / Person / Vehicle	7	2	2	3	3	17
Threatening / Annoying Phone Call	1					1
Traffic / Parking Offense	2	3			1	6
Traffic Collision		1	1	1	2	5
Trespassing	1		1		1	3
Vandalism	4	8		2	6	20
Weapon Offense	1	1		2		4
Grand Total	**222**	**100**	**10**	**23**	**26**	**381**

MEMORANDUM OF UNDERSTANDING

BETWEEN
THE MONTGOMERY COUNTY POLICE DEPARTMENT
AND
MONTGOMERY COUNTY PUBLIC SCHOOLS
AND
OTHER AGENCIES
REGARDING
THE COMMUNITY ENGAGEMENT OFFICER PROGRAM AND OTHER LAW ENFORCEMENT RESPONSES TO SCHOOL-BASED INCIDENTS

EFFECTIVE DATE: April 4, 2022

MEMORANDUM OF UNDERSTANDING
BETWEEN
MONTGOMERY COUNTY PUBLIC SCHOOLS
AND
MONTGOMERY COUNTY DEPARTMENT OF POLICE
AND
MONTGOMERY COUNTY SHERIFF'S OFFICE
AND
ROCKVILLE CITY POLICE DEPARTMENT
AND
GAITHERSBURG CITY POLICE DEPARTMENT
AND
TAKOMA PARK POLICE DEPARTMENT
AND
MONTGOMERY COUNTY STATE'S ATTORNEY'S OFFICE

Community Engagement Officer Program &
Other Law Enforcement Responses to School-Based Incidents

A. MISSION

The above law enforcement agencies, Montgomery County Public Schools (MCPS), and the Montgomery County State's Attorney's Office (SAO) enter into this Memorandum of Understanding for the purpose of establishing and improving the Community Engagement Officer Program, defining specific duties and responsibilities, and establishing a working protocol for exchanging information and addressing matters of concern cooperatively with the goal of maintaining and enhancing a safe and secure learning environment for students, staff, and the MCPS school community within Montgomery County, Maryland. The parties agree that:

- The vast majority of student misconduct is best addressed through classroom and in-school strategies that maintain a positive learning environment and allow students to learn from their mistakes, correct any harm that results from their behavior, and restore relationships disrupted by their conduct.

- Absent exigent circumstances, law enforcement, and MCPS will collaborate to determine the best course of action when handling school-based events; the vast majority of incidents at school can be managed to utilize existing wrap-around school resources. For circumstances not covered by the MOU, the school is expected to use applicable, existing, wrap-around school services prior to contacting the police.

- The parties will promote safe, inclusive, and positive learning environments and exercise discretion and judgment in responding to MCPS school-based incidents.

B. DELINEATION OF DUTIES

I. Involved Law Enforcement Agencies Duties and Responsibilities

Community Engagement Officer:

A Community Engagement Officer (CEO) is a sworn uniformed law enforcement officer trained in emergency preparedness, crisis management, community policing concepts, and problem solving who is designated to work as a liaison to MCPS.

Duties:

- The CEOs will serve as a liaison between their agency and MCPS officials for police-related concerns and incidents.

- The CEOs will handle school service calls (SSCs). The responding CEO and/or the appropriate police department's unit having follow-up responsibility will investigate these SSCs at the direction of their law enforcement agency in a way that, to the greatest extent possible, minimizes disruption to the school day.

- The CEOs will serve as contact points to deliver law enforcement programs such as DARE, crime prevention, and gang awareness **and may be asked to participate in school-based events such as career days, assemblies, study circles, and other staff/student events**.

- **The CEOs will enhance the relationship and level of community engagement with the elementary and middle school communities.**

- The CEOs will maintain contact with members of their agency's gang units in order to stay informed regarding current gang trends, share information, coordinate interventions, and support gang investigations.

- **The** CEOs will assist with traffic safety and enforcement activities in and around their designated school clusters.

- The CEOs will coordinate assistance at major school events such as athletic events, large dances, or other activities when needed.

- **The** CEOs will coordinate familiarization training ("walkthroughs") to include a review of the schools' emergency response plan/procedures for responding officers within their district. This walkthrough training will be coordinated with the school administration after school hours.

- Law Enforcement will not be used to enforce MCPS policies, rules, regulations, and/or procedures.

- The CEOs will have no special law enforcement emphasis while performing their duties and responsibilities. While on MCPS property, the CEOs have full authority as sworn police officers. All enforcement actions will be taken in accordance with appropriate Federal, State, County, and Local laws and involve law enforcement agency policies and procedures. MCPS and the appropriate school staff will be notified of any actions taken in accordance with normal practice and any appropriate agreements between the involved law enforcement agencies and MCPS.

- The CEOs will acknowledge the principal's authority, as the administrator of the school, at all times as to matters within the scope of the principal's authority.

CEO Supervisors:

Each involved law enforcement agency will appoint a designated supervisor for its respective CEOs. A CEO roster, including supervisor(s), shall be provided to MCPS annually, preferably before the start of each school calendar year or as needed if personnel should change. This list should include current contact information, i.e., e-mail address **and cell phone number** for each CEO and supervisor. **School staff may contact the CEO or CED supervisor directly using the cell phone, except where there is a need for a response to an incident. Incident response requests should be made in accordance with paragraph H below.**

The Montgomery County Police Department, Community Engagement Division, will coordinate training within the CEO Program, attend meetings with MCPS principals and/or administrators, and act as the point of contact for the Montgomery County Police Department (MCPD) and MCPS to assist with resolving any conflicts or matters of concern.

The MCPD CED Director or their designee will collaborate with school leaders to discuss school and community initiatives or concerns.

The MCPD CED Director or their designee will be notified by an MCPD officer's supervisor of any incidents involving any use of force on school property and notify the MCPD CRB Chief.

High-School principals should meet with the CED Director or their designee every year to provide feedback on the CEOs.

II. **Montgomery County Public Schools (MCPS) - Duties and Responsibilities**

MCPS Security Personnel:

A **Security Team Leader (STL)** is designated to the high school to assist the school administration in maintaining a safe and secure learning atmosphere for staff and students. Primary job responsibilities include supervision and leadership of the security team and investigation of incidents on school property. Under the supervision of the principal or designee, the STL assists in controlling access to buildings and grounds by unauthorized persons and assuring that students report to their designated instructional areas.

Duties of the STL:

- Investigates incidents on school property and prepares a written report for administrative purposes.
- Advises the principal on all school security-related matters.
- Maintains a high profile to discourage disruptive acts.
- Provides surveillance of suspected problem areas.
- Provides day-to-day supervision and leadership of the security assistant(s) and provides guidance and assistance in more difficult situations.
- Assists the administration with staff and student awareness programs.
- Acts as a liaison between the school administration and emergency service agencies.
- Represents the school in criminal cases.
- Assists feeder schools with security problems
- Communicates, under the direction of the principal, with the CEO about safety issues. Whenever practicable, the STL shall consult with the principal or a principal's designee to determine whether a school-based incident necessitates a call for service to a CEO or other law enforcement officer dictated by this MOU.

A **Security Assistant (SA)** is designated to the local school to assist the school administration in maintaining a safe and secure learning environment for the school community. Under the general supervision of the STL, the SA assists in screening visitor access to school facilities, maintaining student class attendance, and carrying out other responsibilities related to school security operations. The SA receives guidance and assistance from the STL in more difficult or unusual situations.

Duties of the SA:

- Patrols school buildings and grounds to prevent loitering and ensure compliance with school regulations and local laws.
- Checks parking areas and entrances to the school.
- Queries visitors on the school premises and assures that such persons report to the school office or leave the buildings or grounds.
- Reports unusual incidents and observations to the STL or appropriate school or law enforcement personnel in accordance with procedures established by principals.
- Checks hallways, restrooms, cafeterias, and remote areas of the facility.
- Investigates incidents on school property and prepares written reports for administrative purposes.
- Confers with students regarding improper behavior and attempts to obtain voluntary compliance with school standards.
- Reports to the STL or principal/designee regarding building conditions or practices that interfere with building security maintenance or students' welfare and safety.

MCPS Principals/Senior Administrators:

The principal is responsible for administering and supervising the total school program, including the safety and security of students and staff, and providing educational leadership for the students and staff consistent with the community's educational goals.

If a student misbehaves, the principal or designee will be the primary source of administrative disciplinary consequences and interventions. The MCPS Code of Conduct provides detailed information on administrative disciplinary consequences and interventions and shall guide the school-based responses to particular types of misbehavior.

Whenever possible, the CEO and other law enforcement agencies will work with the principal when responding to school-based incidents involving students and work together with MCPS staff to de-escalate those incidents. Principals or their designees will make every effort to notify the CEO and/or any other law enforcement officer who responds to a school-based incident if any student involved may require specific accommodations in addressing the incident because of the student's educational needs.

C. SELECTION PROCESS FOR CEOs

CEO positions will be formally announced by involved law enforcement agencies. The selection process will include submitting a memorandum of interest from the officer(s), a review of personnel files, and a formal interview. **MCPS may designate an Administrator, Director, or designee to participate in an advisory capacity in the formal interview process. MCPS personnel will not access the position vacancy file or a CEO candidate's personnel file.**

D. TRAINING

Officers selected to join the CEO program will be required to attend and successfully complete **at least** 40 hours of training provided by MCPD or MCSS within three months of being selected. Training should be specific to the following areas: role of the CEO, review of the current CEO MOU, CEO's specific agency's policies/procedures involving juvenile arrests/investigations, legal updates, review of the MCPS *Code of Conduct*, and applicable security policies, emergency preparedness and responses to critical incidents (criminal, weather, national disasters), threat assessment training, mediation and conflict resolution, childhood and adolescent development, alcohol/drug awareness, gang awareness, truancy, child abuse, and neglect, and county/community-based supports and outreach resources. MCPD and MCPS will work together each year to assess the current level of training and new proposals. MCPS will provide additional specialty training that the parties agree is in the best interest of the CEO program.

CEO Biannual Training During the School Year

On a biannual basis, the CEOs, MCPS administrators, and/or MCPS security staff will participate in joint training opportunities on matters that are the subject of this MOU, current trends or issues within the school communities, and other topics of mutual interest.

This training will be conducted by the MCPD CED, MCPS representatives, and involved agencies. Ongoing training on the topics included in the initial 40-hours of training will be conducted as appropriate.

In addition, CEOs will maintain familiarity with and be respectful of the current version of the MCPS Code of Conduct and the Montgomery County Board of Education's policies, rules, regulations, and procedures regarding student discipline and other school norms.

E. MEETINGS

Annual Meetings

On an annual basis (preferably, the first meeting should be held before the start of the school year), MCPD CED and participating agency supervisors will meet with MCPS leadership and community stakeholders to discuss current matters of mutual interest, including MOU implementation issues and joint training opportunities.

School-Based Meetings

It is highly recommended that CEOs be invited to school administrative and security meetings within their designated clusters, and they should be encouraged to attend. **CEOs should also be invited to and encouraged to attend meetings with school-based counselors, social workers, and the MCPS Restorative Justice Coach.**

Monthly Data Review

Every month, the MCPS Department of Systemwide Safety and Emergency Management shall consult with the CED director or their designee to review **MCPS serious incident** data **and MCPD** CEO reports of arrests and other interventions during the prior month. At the earliest opportunity, the parties will address and debrief specific cases of interest to **receive feedback and** enhance the program's quality.

F. SCHOOL CLUSTER ASSIGNMENT CRITERIA

Although these are guidelines, every situation should be considered under the totality of the circumstances. At a minimum, the final decisions should be made between the MCPD Chief of Community Resources Bureau and a designated senior MCPS administrator. The following criteria should be considered during this decision process: school enrollment, calls for service, anticipated number of after-school events sponsored by the school and/or parents, and traffic challenges (e.g., urban location and number of egress and ingress options).

G. ON-SITE ACCOMMODATIONS FOR CEOs

The administrator **at each high school** will provide a **private** designated space/office **in proximity to the main office** with access to a telephone. **As needed, the CEO will have access to that space but will not be permanently stationed in that office.**

H. INFORMATION SHARING AND INVESTIGATIONS

The sharing of appropriate and timely information between the law enforcement agencies and MCPS is critical to maintaining and enhancing a safe and secure learning environment. Within the context of the CEO Program, the sharing of information will follow the protocols below between the law enforcement agencies and MCPS in accordance with applicable federal, state, and local laws.

1. **Reporting Critical Incidents Involving Students or Others on School Property.** The parties agree that the offenses outlined in Sections H(l)(a) and H(l)(b), termed "critical incidents," that occur on MCPS property (e.g., school buses, MCPS sponsored events including extra-curricular activities) shall be reported to the appropriate law enforcement agency by the principal, administrator-in-charge, or designee **immediately**. The law enforcement agency will determine the appropriate law enforcement response in accordance with the procedures in Section H(2) below.

   Such notification must be made by direct communication with the Public Safety Communications Center (911) or **the non-emergency response line (**301-279-8000**)**. CEOs will not be contacted directly for any request **to respond to an incident**.

   Mandatory police reporting does not mean that police will **take enforcement action** in every situation; however, police MUST be **immediately** notified of the incidents listed.

   a. **Critical Incidents Where Police Shall Take the Lead in Investigating.** The appropriate law enforcement agency shall take the lead in investigating the following critical incidents in accordance with the procedures in Section H(2). These are the only violations for which a physical arrest should be considered.

      - Death.

- Rape and/or **non-consensual sexual act or contact**.[1]

- Robbery/attempted robbery (taking the property of another from his person or in his presence by force, reasonable fear of violence, or intimidation, whether the perpetrator is armed or unarmed).

- Hate crime (**committing any crime, including** harassing[2] a person or damaging property of a person**, motivated by the victim's** race, color, **national origin,** religious beliefs, sexual orientation,[3] **gender, gender identity, homelessness, or disability**).

- Possession of a firearm, knowingly brought onto or brandished upon school property, or knowingly brandishing or using any other dangerous or deadly weapon, including any device designed or manipulated to shoot any projectile, to cause harm.

- Gang[4]-related incident/crime.

b. **Critical Incidents Where Police May Take the Lead in Investigating Depending on the Circumstances.** After reporting the following critical incidents to the appropriate law enforcement agency, the principal or designee shall consult with the CEO or other law enforcement officers responding to the incident to determine who should take the lead in investigating depending on the totality of the circumstances; provided, however, that the law enforcement agency shall take the lead in investigating, in accordance with the procedures in Section H(2) below, in any case in which: (i) there is evidence that the alleged perpetrator is not a student; and/or (ii) there is a serious and imminent threat to the safety of the school and its community. As circumstances warrant, those on the scene may consult with MCPS staff in the Office of School Support and Improvement (OSSI) and the Department of Systemwide Safety and Emergency Management, supervisors in the Police Department, the Special Victims Investigations Division, and/or the State's Attorney's office. (If the law enforcement agency does not take the lead in the initial investigation, that determination does not preclude subsequent law enforcement action.)

   - Arson (willful and maliciously set fire) or verbal or written threat of arson.

   - Manufacture or possession of a destructive device (explosive, incendiary, or toxic material combined with a delivery or detonating apparatus or modified to do so).

   - Knowingly make false reports about the location or detonation of a destructive device.

   - Distribution or manufacture of a controlled dangerous substance.

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[1]. Meaning engaging in a sexual act or sexual contact without consent. Note that these sexual offenses and child abuse and neglect more generally are subject to a separate Memorandum of Understanding and other MCPS policies and regulations.

[2] Harassment is a persistent pattern of conduct intended to alarm or seriously annoy another, without a legal purpose, after receiving a reasonable warning or request to stop.

[3] Sexual orientation means identifying an individual as male or female, homosexuality, heterosexuality, bisexuality, or gender-related identity.

[4] A formal or informal ongoing organization, association, or group of three or more persons who: (a) have a history of criminal street gang activity; (b) have a common name or common identifying signs, colors, or symbols; and (c) have members or associates who, individually or collectively, engage in or have engaged in a pattern of criminal activity.

- In the event of a 911 call regarding a physical attack on another that requires medical attention outside of the school health room.

- Theft (any single incident or series of incidents committed by the same perpetrator where the value of the stolen property is $1500 or more).

- Possession of a potentially dangerous or deadly weapon on school property that is not knowingly brandished or used to cause harm.[5]

- Possession of, and/or possession with intent to distribute, a controlled dangerous substance (whether or not law enforcement takes the lead in the investigation, MCPS staff shall turn over to the appropriate law enforcement agency any substance that comes into their possession that they suspect to be a controlled substance).

c. **Releasing Student Information.** Notwithstanding any other provision of this agreement, the parties shall fully comply with the Family Educational Rights and Privacy Act (FERPA) and all other applicable State or federal laws regarding the confidentiality of student information and MCPS Regulation JOA-RA *Student Records.* Information obtained by school staff may be shared with a law enforcement officer/agency or SAO as long as the information is not derived from school records.[6] For example, information received orally from a student may be shared, even if later recorded in a written statement used by school staff for disciplinary purposes. Information from school records can be shared under any one of the following circumstances:

- "Directory information" unless the parent/guardian has asked specifically that such information be kept confidential.

- With the consent of the parent/guardian or adult student.

- In response to a subpoena, including a subpoena from the SAO.[7]

- In a specific situation that presents an imminent danger to students or members of the community or that requires an immediate need for information in order to avert or diffuse serious threats to the safety or health of a student or other individual.

2. Investigation of Critical Incidents Occurring on School Property.

MCPS shall immediately notify the appropriate law enforcement agency of all critical incidents as described in both Sections H(1)(a) and H(l)(b) of this agreement. The law enforcement agency will respond promptly to such incidents or keep the school staff advised of any officers' response delay.

For those critical incidents in which the law enforcement agency is taking the lead in the

[5] A butter knife is not a dangerous or deadly weapon. *See In re Melanie H,* 120 Md. App. 158 (1999).
[6] School records are those records identifiable to an individual student and maintained by MCPS, governed by FERPA.
[7] Release of documents from a student record requires that the school first make reasonable efforts to notify the parent/guardian or adult student of receipt of the subpoena in advance of complying with the subpoena so the parent/guardian may seek protective action unless the issuing authority has ordered that the existence or contents of the subpoena not be disclosed.

investigation, **absent exigent circumstances,** MCPS will **ascertain basic facts, do what is necessary to stabilize the situation and pause** its administrative investigation. **MCPS will also allow law enforcement to view available video footage.** For such critical incidents, MCPS will defer taking written statements from students and/or witnesses, thereby permitting the law enforcement agency the opportunity to do so. In addition, MCPS shall consult with the appropriate law enforcement agency to determine whether it is appropriate to notify the school community and the timeline for so doing.

If requested by MCPS for purposes of conducting its own disciplinary processes within the timeframes mandated by state law, the law enforcement agency shall provide copies of written student and witness statements to MCPS with**in three days of** the approval of the SAO, which shall make the determination after consultation with the law enforcement agency. The law enforcement agency will assist MCPS with its administrative procedures by providing the relevant information requested (including a synopsis of relevant facts) in order that statutory and administrative deadlines may be met and by providing witness statements in any closed investigations and as otherwise authorized by the SAO.

The principal or their designee shall be present during any interview conducted by the law enforcement agency on school property and may interview the individual after the officer has concluded their interview. Students should be questioned by the appropriate law enforcement agency, when necessary, in a manner and at a time that is age-appropriate, minimizes disruption to the school day and classroom instruction, and is consistent with all applicable laws and regulations. When questioning of students by law enforcement officers occurs on school property, MCPS staff will strive to promptly contact the student's parent/guardian to inform them of the nature of the incident, unless the investigation involves suspected child abuse or neglect.

In the event that the law enforcement agency has not arrived and school dismissal is about to occur, MCPS will notify the law enforcement agency **and provide the student's contact information, in accordance with paragraph H(1)(c)**.

3. Arrests and Other Law Enforcement Actions.

Absent an immediate public safety need to stop illegal activity, effect an arrest, and/or seize evidence, CEOs and other law enforcement officers will collaborate with the principal or their designee prior to a law enforcement action to assess the totality of the circumstances and applicable agreements/legal guidelines and address the matter in a manner that is the best interest of the student and the welfare of the school community. If circumstances do not allow for consultation prior to a law enforcement action, the parties will come together as soon as possible thereafter to address the matter. Every opportunity should be made to debrief especially critical incidents, at the appropriate time to identify lessons learned.

Circumstances to consider under the totality of circumstances regarding law enforcement action include:

- Absence or presence of perceived intent.
- Whether the matter is solely administrative in nature or involves a criminal nexus[8]

[8] Section 26-l0l(a) of the Maryland Education Code, which makes it a misdemeanor to "willfully disturb or otherwise willfully prevent the orderly conduct of the activities, administration, or classes of [a school]," requires a disturbance that significantly interferes with school operations; it does not apply to minimal or routine

- Input from the SAO on appropriate charges, if any, in instances of ambiguity and/or exceptional circumstances not clearly addressed by the criminal code.

- Whether or not the offender was coerced and/or threatened to participate in the inappropriate behavior. (i.e., gang coercion, the threat of retaliation, etc.).

- Which least proposed action (physical arrest, referral, citation, suspension, mediation, counseling, etc.) will achieve the desired goal of correcting behavior while being accountable to all stakeholders within the school community.

- Administrative and/or delinquent history of the offender.

- The student's age.

- Cultural or linguistic factors and any student disability or other special needs may provide context for understanding student behavior.

- Other mitigating circumstances.

When an arrest of a student or adult on school premises and during school hours is necessary, it shall be done in such a manner to avoid both embarrassment to the student being arrested and jeopardizing the safety and welfare of other students. In addition, school officials shall make every effort to inform the parent or guardians immediately. After an arrest of a student is made on school premises, law enforcement officers shall remove the student from school premises as soon as practical, not engage in further questioning of the student on school premises, except in circumstances that pose a severe and immediate threat to school safety.

4. Notification of State's Attorney's Office.

The MCPS Department of Systemwide Safety and Emergency Management will make reasonable efforts to notify the SAO when it receives notice that a student has been arrested by the law enforcement agency and charged with one of the offenses listed under Section H(l)(a) above as critical incidents where the police shall take the lead in investigating, for the SAO to obtain the information necessary to present the State's case at a detention hearing or other judicial proceeding which generally will be held within the next business day following the student arrest.

When legally permissible, the SAO shall advise MCPS of whether the student was prosecuted for a school-based incident.

5. Serious Incidents in the Community

In addition to the required notification of reportable offenses committed by students in the community, the law enforcement agency will notify MCPS as soon as practicable of any serious incident involving MCPS schools, facilities, students, or staff that the law enforcement agency reasonably believes will impact MCPS operations for appropriate measures to be taken by MCPS to address the impact. Examples include:

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disruption, such as "[a] child who speaks disrespectfully or out of tum, who refuses to sit down or pay attention when told to do so, who gets into an argument with another student, who throws a rolled-up napkin across the room, who comes to class late, or even who violates the local dress code in some way." *In re Jason W,* 378 Md. 596 (2003).

- Death of a student or staff member.
- Child abuse or neglect, including sexual offenses.
- Serious or life-threatening injury to a student or staff member.
- Hostage-barricade, criminal suspect at large, or hazardous materials incident that may affect students and staff.
- Gang-related incident/crime.
- After-hours property damage to an MCPS facility, school, bus, or another vehicle.

The law enforcement agency will notify the MCPS Department of Systemwide Safety and Emergency Management during regular business hours at 240-740-3066. At all other times, the law enforcement agency will notify the Electronic Detection Section, the MCPS 24-hour communication center, at 240-740-3232.

I. COLLABORATION, MONITORING, AND REVIEW OF THE CEO PROGRAM

School administrators and officials of law enforcement agencies are encouraged to meet at the school community level to establish and foster good working relations between the agencies periodically.

The MCPD Community Resources Bureau will maintain and share with the other parties to this Agreement disaggregated statistical data through monthly CEO reports and crime analysis to monitor specific trends in and around the high school communities.

The SAO will provide the disposition of a reportable offense to MCPS as required by Section 7-303 of the Education Article.

The signatory agencies agree that this MOU and its implementation will be reviewed by the parties annually to determine if any inadequacies exist and further agree to revise the MOU as appropriate upon the parties' agreement to further the safety and welfare of the school community. Furthermore, the signatory agencies will meet annually to review the provisions contained within this MOU and its implementation. Amendments, with the agreement of each agency, may be made from time to time as desirable.

The MCPS Department of Systemwide Safety and Emergency Management, MCPD CRB, and the appropriate principal will promptly discuss any complaints regarding the actions of any signatory of the agreement within the bounds of collective bargaining agreements and applicable confidentiality laws/procedures if such a conference is necessary to maintain operational efficiency and a professional work environment.

J. GANG AWARENESS AND PREVENTION

In addition to the gang awareness activities specified elsewhere in the MOU, under the Maryland Safe Schools Act of 2010, the parties will collaborate to develop and implement gang awareness, prevention, and intervention programs for MCPS students and their families, focusing on outreach to at-risk MCPS students.

The SAO and law enforcement agencies also will assist MCPS in developing ongoing training on gang awareness for MCPS staff. The parties further agree to meet regularly to address current gang activity trends; MCPS will convene regular school security meetings for middle and high schools to coordinate gang prevention, intervention, and suppression efforts.

K. NON-DISCRIMINATION AND OTHER GENERAL PROVISIONS

The parties agree that no person shall be subjected to discrimination based on actual or perceived personal characteristics, including race, ethnicity, color, ancestry, national origin, religion, immigration status, *sex*, gender, gender identity, gender expression, sexual orientation, family/parental status, marital status, age, physical or mental disability, poverty, and socioeconomic status, language, or other legal or constitutionally protected attributes or affiliations in the performance of the parties' respective duties, responsibilities, and obligations under this agreement.

Each party is an independent contractor with the others for all purposes. None of the provisions of this Agreement are intended for the benefit of any third party, and no such third party shall have the right to enforce the provisions of this Agreement.

L. DESIRED OUTCOMES

- Enhanced safe and secure learning environments for students, staff, and the school community within Montgomery County, Maryland.
- MCPS and the law enforcement agencies have an adequate emergency preparedness plan and response in an emergency, disaster, crisis, or dangerous situation.
- Increased communication efficiency between local law enforcement agencies, other government agencies, and MCPS in an emergency, disaster, crisis, or dangerous situation.
- Enhanced relationships and communications among the involved law enforcement agencies, MCPS, administrators, staff, students, parents, and community stakeholders.

This MOU replaces the original COPS in School Grant MOU between MCPD and MCPS (dated 05-16-02); the MOU between MCPS, MCPD, Montgomery County SAO, Gaithersburg City PD, Rockville City PD, and Takoma Park PD (dated 06-04-10); the MOU between MCPS, MCPD, SAO, and other law enforcement agencies (dated 07-23-13); the revised MOU between MCPS, MCPD, SAO, and other law enforcement agencies (dated 06-17-15); the MOU between MCPS, MCPD, SAO, and other law enforcement agencies (dated 10-17-2017)**; and the MOU between MCPS, MCPD, SAO, and other law enforcement agencies (dated 08-30-2021).**

The parties have executed this memorandum of understanding on the 4th day of April **2022**.

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APPROVED

4.19.2022

Dr. Monifa McKnight Date
Superintendent of Schools
Montgomery County Public Schools

4-12-22

Marcus G. Jones Date
Chief of Police
Montgomery County Department of Police

4/11/2022

Darren M. Popkin Date
Sheriff
Montgomery County Sheriff's Office

04-01-2022

Mark P. Sroka Date
Chief of Police
Gaithersburg City Police Department

4-2-22

John J. McCarthy Date
Montgomery County State's Attorney

4/13/22

Richard S. Madaleno, Jr. Date
Chief Administrative Officer
Montgomery County, Maryland

4/4/22

Victor Brito Date
Chief of Police
Rockville City Police Department

4/6/2022

Antonio DeVaul Date
Chief of Police
Takoma Park Police Department

Approved as to form and legality
Montgomery County Public Schools

04/19/2022

Stephanie Williams Date
General Counsel
Montgomery County Public Schools

Approved as to form and legality
Montgomery County, Maryland

4/12/2022

Haley M. Roberts Date
Associate County Attorney
Montgomery County, Maryland

MCPS-LEO Updated CEO Program Highlights (CEO 2.0)

03-31-2022 Captain Flynn MCPD CED

MONTGOMERY COUNTY DEPARTMENT OF POLICE

Maryland's Largest School District
MONTGOMERY COUNTY PUBLIC SCHOOLS

Community Engagement Officers WILL:	Community Engagement Officers WILL NOT:
• Work with MCPS to promote a safe, inclusive, and positive learning environment and exercise discretion and judgment in responding to MCPS school-based incidents. • Liaison between their agency and MCPS officials for police-related concerns and incidents. • Serve as uncontrolled units (not otherwise assigned) that handle school service calls while minimizing disruption to the school day.* • Serve as contact points to deliver law enforcement programs such as DARE, crime prevention, and gang awareness **and may be asked to participate in school-based events such as career days, assemblies, study circles, and other staff/student events**. • **Enhance the relationship and level of community engagement with the elementary and middle school communities.** • Assist with traffic safety and enforcement activities in and around designated school clusters. • Coordinate assistance when needed at major school events such as athletic events, large dances, or other activities. • Coordinate after-hours familiarization training ("walkthroughs") to include a review of the schools' emergency response plan/procedures for responding patrol officers. • Acknowledge the principal's authority, as the school administrator, at all times as to matters within the scope of the principal's authority. • Attend state-mandated SRO training. • Have access to a private office with a telephone near the front office • Check-in daily at every high school* • Be assigned to a cluster of schools, not a particular location	• Enforce MCPS policies, rules, regulations, and/or procedures. • Participate in school discipline procedure including being present for discipline meetings.* • Have any special law enforcement emphasis while performing their duties and responsibilities. • Be permanently **stationed inside** any school. • Respond to school service calls without being dispatched. • Randomly walk through school hallways.*

*Indicates MCPD protocol