

SCHOOL LIAISON COMMANDER (SLC), SCHOOL RESOURCE OFFICER (SRO) AND PROCEDURES FOR THE EXCHANGE OF INFORMATION

**MEMORANDUM OF UNDERSTANDING
between
THE FAIRFAX COUNTY SCHOOL BOARD
and
THE FAIRFAX COUNTY POLICE DEPARTMENT**

Revised **August 28, 2017**

INTRODUCTION

School systems throughout the United States are faced with an increasing demand on time and resources to plan for, respond to, and resolve issues relating to the safety and security of students, employees, and facilities. A prosperous future for Fairfax County depends greatly upon the ability to properly educate children. Effective schooling requires a safe and peaceful environment to encourage learning. Consequently, the Fairfax County Police Department (FCPD), in collaboration with the Fairfax County School Board (FCSB), conducts the School Liaison Commander (SLC) and School Resource Officer (SRO) Program to provide school administrators and staff with the law enforcement resources and expertise they need to maintain safety, order, and discipline throughout the school environment. This program is intended to ensure that no student's right to receive an education is abridged by violence or disruption and to provide relevant safety education programs to Fairfax County Public Schools (FCPS) students.

A Command Staff Officer will serve as the SLC assigned to the school system. This commander ensures the coordination of resources, responses, and effective information sharing/notification between the Office of Safety and Security (OSS), affected Station Commanders, SROs and Patrol Bureau.

This MOU clarifies the roles of the SLC, SRO, and School Administrators, and the scope of the responsibilities of the FCSB and the FCPD in this collaboration. As the success of the program relies upon effective communication between the SLC, SRO, school principals, and staff members of both agencies, this MOU also clarifies the procedures pertaining to the exchange of information between the agencies. While refinements to this MOU may become necessary in the future, they may not be implemented without the written concurrence of both parties.

DUTIES AND RESPONSIBILITIES

School Liaison Commander

- The SLC will establish and maintain a working knowledge of, and adhere to, all laws, ordinances, and regulations of county, state, and federal government, general orders, report writing manual, applicable Fairfax County personnel regulations, written policies, and procedural directives, as well as possess knowledge of school rules, regulations, and laws regarding student safety and conduct.
- The SLC will be a Command Staff Officer assigned to, and tasked to work in coordination with, the OSS of the FCPS. As a sworn Fairfax County Police Officer, the SLC's definitive chain of command is a Patrol Bureau Commander of the FCPD. However, for day-to-day operations, directives, and general duties and responsibilities, the SLC's reporting authority will be the Director of the OSS. The SLC will be assigned to FCPS for a period of one to three years, or a term mutually agreed upon. At that time, another Command Staff Officer will be rotated into the assignment at the discretion of the Deputy Chief of Patrol. Additionally, the SLC will have a combination of education and experience in law enforcement or related fields necessary to fulfill this MOU.
- The SLC will serve in a consultant capacity as the direct point of contact between the FCPD and the school system for operational and administrative school safety and security issues that are outside the established scope of control of the FCPD structure. The SLC will manage and coordinate school security safety issues and attempt to anticipate problems before they occur by providing research, analyses, and recommendations to the OSS. An FCPD Patrol Bureau Commander will retain ultimate command of the SRO program.
- The SLC will establish and maintain effective relationships with school personnel and law enforcement agencies to ensure a continued commitment to keep schools safe for all students to reach their learning potential in an environment that leaves teachers free to help accomplish this goal.
- The SLC will assist the OSS in developing policies, procedures, and training programs to enhance the professional development of the School Security Officers, Safety and Security Specialists, and other school personnel. The SLC may make recommendations regarding the assignment of staff to ensure the security and safety of the FCPS. The SLC may participate in new employee

selection for the OSS personnel and promotional processes, and provide information for performance evaluations.

~~• At the completion of the school year, the SLC shall compile data on all SRO arrests and use of force incidents events involving by SROs and meet with the Director of OSS to discuss any possible data trends. by the end of the school year. The SLC and the Director of the OSS will meet to discuss data trends~~

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- The SLC will coordinate with the FCPD of Facilities and Transportation Services concerning Crime Prevention through Environmental Design (CPTED) and its application in the design of both new construction and proposed renovations of school facilities. The SLC will analyze current technology and equipment in the security field and make recommendations based on thorough analysis and research. The SLC will investigate facility safety issues and make recommendations to address deficiencies. The SLC will coordinate plans to ensure timely completion of corrective actions.
- The SLC will assist in the preparation of the annual budget, identify needs and provide specifications and cost analysis, communicate and coordinate with vendors and suppliers, and assure proper use of equipment. The SLC will prepare letters, memoranda, and reports as required by the School Superintendent and the Chief of Police for areas affecting general school safety and security. The SLC will report to a Patrol Bureau Commander and the Director of the OSS on all general school safety and security issues that impact the respective agencies.
- The SLC will prepare, coordinate and review FCPS generated critical incident response plans to address incidents that could occur in school facilities. This includes logistical considerations, communication needs, victim/witness processing requirements, and post incident debriefing. The SLC will coordinate with the Office of Emergency Management, FCPD, and FCPS for the preparation of tabletop exercises and school safety drills.
- To ensure this cooperative arrangement operates in the best possible manner, the Deputy Chief of Patrol should meet periodically with the Assistant Superintendent of the Department of Facilities and Transportation Services, or his/her designee.

Financial Considerations

It is agreed by both parties in this MOU, that the FCPS will bear the cost of salary, overtime, and fringe benefits for the SLC. The FCPD's in-kind contribution will be all necessary capital equipment and associated costs related to the SLC's police vehicle. The operating costs associated with the SLC position will be shared by both agencies.

SRO Supervisors

The SLC shall be responsible for the overall command of the SRO Program. SRO Supervisors provide first line leadership and are tasked with specific duties, which include, but are not limited to:

- Provide timely notifications to the SLC and District Station Commanders regarding matters related to FCPS.
- At the request of a school principal, SRO supervisors should attend Parent Teacher Association meetings, on a case by case basis to discuss significant issues effecting the school community.
- Provide supervision, assistance with problem solving and development opportunities for SROs.
- Planning, budget, management, and agency leadership for the SRO Program.
- SRO Supervisors shall meet with their SROs on a continual basis at their schools to observe their performance of duty.
- SRO Supervisors shall meet with school principals before the start of, and throughout the school year.
- SRO Supervisors shall mitigate conflicts and/or clarify expectations in situations where there are ambiguous or overlapping policies or practices.
- SRO Supervisors shall periodically inspect storage areas in schools where he or she supervises an SRO to ensure compliance with FCPD General Orders.
- Provide initial and relevant recurrent training for SROs.
- Coordinate between Patrol Bureau Command, Station Command, School Administration, and SROs to ensure an effective program.
- Provide Station Command with assistance on SRO selection as needed.

- Act as a resource consistent with the FCPS System-wide Emergency Response Plan.
- Ensure staffing for each school is assigned should the permanent SRO be absent more than two consecutive days.

School Resource Officer

- The SRO is a sworn FCPD police officer assigned to provide the law enforcement expertise and resources required to assist the School Administrators in maintaining safety, order and discipline within their assigned school. The SRO comes under the supervision of a Police Supervisor. The SRO will be considered an active member of the administrative team ~~their~~^{of his or her} assigned school. As such, administrative punishments normally imposed upon students for violations of law or school policy committed against a staff member, such as insubordination or assault, will be equally applied by school administrators to similar situations involving a student and a SRO. The designation of an SRO as a member of the administrative team is meant to facilitate the effective delivery of police service, assistance with matters related to safety and security, and to facilitate the exchange of information. SROs should not become involved in routine school matters such as, administrative actions or actions not directly related to the student safety of the students and staff unrelated to any law enforcement or security function.
- The SROs assigned school buildings, grounds and surroundings will be the equivalent of the SRO's police service area, and he or she assumes primary responsibility for handling all calls for service and coordinating the response of other police resources to the school. Pursuant to Va. Code Ann. § 22.1-279.3:1, 4 of the Code of Virginia, certain types of criminal activity that comes to the attention of the principal or school staff shall be reported immediately to the FCPD. In an emergency situation, the school shall call 911 and also notify the SRO. In a non-emergency situation, the school should notify the SRO or call the non-emergency FCPD number, 703-691-2131, if the SRO is unavailable. Information that is not of an emergency or urgent nature may be held for action by the SRO upon his or her return.
- The SRO's duty schedule will be determined by the SRO's Supervisor but generally will be arranged to provide coverage throughout the school day including peak arrival and departure times before and after school. Whenever possible, SROs will be visible patrolling the exterior and interior grounds, particularly during the opening or closing of school and during lunch periods.

- The SRO shall wear the regulation police uniform and operate a marked police cruiser while on duty unless otherwise authorized by a supervisor for a specific purpose. The SRO provides a visible deterrent to crime while bringing a positive impression of the FCPD to students, staff and parents in a non-confrontational setting.
- The SRO shall also be responsible to assist with training for the school administration in law enforcement and related areas. Information about crime trends and changes to the [Code of Virginia](#) shall be disseminated to the school administrative staff to assist them in effectively providing safe school environments.
- ~~As coordinated through the SLC, [and approved by the principal](#), SROs may become involved in the school's curriculum and provide instruction that will enhance the students' understanding of the police mission. [Parents shall be given reasonable notice of the SRO presentations and be given the option to opt out of having their children participate with no impact to the student's grade.](#)~~ However, responding to incidents or conducting investigations will always take precedence over instructing in the classroom. Lesson plans for all formal organized presentations shall be forwarded to the SLC for review and approval prior to presentation.
- ~~SROs shall be responsible for monitoring [student and community cultural and social influences and](#) activities in an effort to identify emerging youth gangs. ~~...~~~~ All information concerning gangs shall be provided to the affected station's gang coordinator and the Gang Investigation Unit. Gang prevention or early intervention strategies will be coordinated with the Criminal Investigations Bureau and the affected Station Command.
- When it is in the best interest of the FCPD and the school, [and if approved requested by the principal](#), SROs shall make formal presentations to, or participate in, school based community organization meetings such as Parent Teacher Association meetings or School Community Coalitions. All such participation must be approved by the SRO's Supervisor. Similar requests to participate in focus groups, panel discussions, camps, mentoring programs, must be approved by the SRO's Supervisor. The SLC and the SRO's District Station Commander shall be kept informed of any such approved additional activities.
- Programs conducted in schools by other sections of the FCPD shall be coordinated with the SLC to avoid redundant services and ensure equitable distribution of such programs. The SRO shall be notified in advance of any FCPD activities scheduled for his or her assigned school.

- A critical element of the SRO program is an open relationship and strong communication between the school principal and the SRO. Each SRO shall meet weekly or more frequently if necessary, with the assigned school principal(s) for the purpose of exchanging information about current crime trends, problem areas, cultural conflicts, or other areas of concern that may cause disruption at the school(s), or within the community. Information shall be shared by the SRO in compliance with [Va. Code Ann. § 22.1-279.3: 1](#) ~~of the Code of Virginia~~.
- Other duties and responsibilities of the SRO include:
 - Proper disposal of illegal substances recovered by the school not needed for criminal prosecution.
 - [Maintaining familiarity with the current version of FCPS's - Student Rights and Responsibilities, Regulation 2601P.](#)
 - Maintaining the confidentiality of student records consistent with this MOU's provisions relating to the Release of Student Information.
 - Attending and providing testimony at school [disciplinary expulsion/reassignment](#) hearings, upon request.
 - All police reports involving middle and high schools, students and staff, to include arrests of FCPS employees shall be forwarded to the SLC.
 - [Make immediate notification to the SRO supervisor when an Active Violence Incident threat is received by the SRO or school employee.](#)

District Station Commander

The Station Commander shall ensure that open lines of communication are in place between the schools in their district and the FCPD. Station Commanders should meet with school principals periodically. Station Commanders and SRO Supervisors are encouraged to consult with the school principal prior to the selection of a new SRO to determine any special needs or concerns for that particular school.

The Station Commander retains the authority to require minimum staffing levels at school events in addition to the SRO to properly maintain public safety. An example of this would be a sporting event between rival schools that has a history of generating public disorder.

Station Commanders shall regularly communicate with the SLC and SRO Supervisors to stay informed of the performance of personnel assigned as SROs and activity occurring in schools in their district. Any concerns regarding the performance of an SRO by the principal or school staff shall be addressed by the Station Commander through the SRO Supervisor.

School Principal

It is the responsibility of the principal to facilitate effective communication between the SRO and the school staff. The principal of the school shall meet on a weekly basis with the assigned SRO. This meeting shall not be delegated to other administrative staff on a regular basis.

Pursuant to [Va. Code Ann. § 22.1-279.3: 1-](#), certain types of criminal activity [\(to include threats of active violence\)](#) that comes to the attention of the principal or school staff ~~must~~ ~~sh~~ ~~all~~ be reported immediately to the FCPD. In an emergency situation, ~~the~~ school ~~staff~~ shall call 911 and also notify the SRO if present at the school. In a non-emergency situation, ~~the~~ school ~~staff~~ should notify the SRO or call the non-emergency FCPD number, 703-691-2131, if the SRO is unavailable. Information that is not of an emergency or urgent nature may be held for action by the SRO upon his or her return to duty.

In any criminal enforcement action taken by the SRO which results in the charging of a student with a crime, the principal and/or school employees will appear in court, when necessary, to provide testimony relevant to the case. Consistent with the Release of Student Information provisions of this MOU, a subpoena or legal equivalent shall be provided to the principal and/or school employee for any testimony requiring the disclosure of student records of the information contained therein.

The school shall provide a work area for the SRO that is equipped with a telephone and computer. It is recommended that the area accommodate seating for a minimum of three people in privacy for interviewing purposes. The school shall also provide the SRO a locked storage area for securing contraband recovered in the school by staff.

The computer assigned to the SRO shall be capable of running software applicable to the SRO's duties, such as the School Administrative Student Information System (SIS), or its equivalent replacement application. The SRO's student record access shall be limited to student information specific to the school to which the SRO is assigned, as well as a system-wide district look up of directory information.

The SRO may have access to other student record information only when needed to carry out his or her duties in the school environment and only as approved by the school principal.

The principal shall meet periodically with the District Station Commander and at other times at the request of either party, when needed to facilitate communications between ~~the school~~ officials and the district station. Upon request, the principal ~~school~~ shall provide information to the District Station Commander and the SRO Sergeant to assist in preparing the annual personnel evaluation of the assigned SRO. Principals are also encouraged to consult with the Station Commander and the SRO Sergeant prior to the selection of new SROs to share any special needs or concerns for that particular school.

The school system shall provide in-service training to the SROs, when available, in areas that will increase the effectiveness of the officers and their ability to accomplish their respective duties and responsibilities.

SELECTION AND ASSIGNMENT OF THE SCHOOL RESOURCE OFFICER

The selection of the SRO is the most critical aspect of the program. Commanders shall select officers who have demonstrated the ability, interest, and skills necessary to work with youth, school staff, and the public. The following criteria should be considered by commanders when selecting officers for the program:

- Police Officer First Class (P-II) or Master Police Officer (P-III).
- Ability to work with diverse groups.
- Ability to work cooperatively in a non-law enforcement environment with limited direct supervision.
- ~~Knowledge of FCPD's policies that pertain to juveniles and schools.~~
- Knowledge and familiarity with available FCPD resources.
- Crisis Intervention Training. certified
- Trained in restorative justice techniques and ~~the Alternative Accountability Program (p23).~~ the Alternative Accountability Program as outlined in (General Order 605, Juvenile Procedures p23). ~~other conflict mitigation methods.~~
- Creative problem solver.

- Conflict resolution skills.
- Knowledge of the Juvenile Code and Juvenile Court procedures.
- Ability to effectively provide instruction to youths.
- Ability to communicate professionally and deliver presentations effectively to various groups including parents, educators and community members.
- Organization and communication skills.
- Completion of Instructor Development Training before or after selection.
- Supervisory recommendation.

SCHOOL RESOURCE OFFICER OVERTIME

SROs are non-exempt employees who are compensated when they work overtime. Overtime compensation will originate from the FCPD for SROs who work beyond their regularly scheduled hours on a law enforcement matter, e.g., a police investigation or processing of an arrest occurring late in the workday. Overtime compensation will originate from the school for SROs who work beyond their regularly scheduled hours on a school event, e.g., sporting event, social, event, [or other](#) and after-school activity.

POLICE INVESTIGATION AND QUESTIONING

The SRO has been given the authority to stop, question, interview, and take police action without the prior authorization of the principal or contacting parents ([see General Order 605, Juvenile Procedures](#); for specific authorization and limitations) [where necessary and where consistent with applicable constitutional](#) ~~With~~ [law](#). [With](#) certain exceptions, the investigation and questioning of students during school hours or at school events should be limited to situations where the investigation is related to the school. Investigations and questioning of students for offenses not related to the operation of, or occurring at the school would occur in such situations where, for example, delay might result in danger to any person, flight from the jurisdiction by a person suspected of a crime, or destruction of evidence.

~~There may be instances when an SRO is involved in an internal, school related administrative matter and becomes aware that a student is involved in some type of criminal activity. Due to the nature of the way the information may have been gathered (Administratively) the student may not have been afforded certain legal due process as a regular citizen would. As such, wWhen this type of situation arises, the SRO SHALL notify their supervisor and the supervisor will then request~~

~~an officer not affiliated with the SRO program to conduct the investigation. This is done to ensure a fair and impartial investigation is conducted.~~

The principal shall be notified as soon as practical of any significant enforcement events. SROs should coordinate their activities so that action between the agencies is cooperative and in the best interests of the school and public safety.

The SRO shall provide information to the appropriate investigative sections of any crime(s) or leads that come to the attention of the SRO consistent with the Release of Student Information provisions of this MOU. The SRO should be kept advised of all investigations that involve students from his/her assigned school.

ARREST PROCEDURES

SROs are expected to be familiar with school rules and their application within the school system. Routine rule infractions will not be handled as violations of law, but rather referred to the principal for administrative action. Any questions related to the enforcement of rules versus laws within schools should be discussed with the principal and SRO Supervisor. This specifically applies to general standards of conduct.

The following procedures will be adhered to where arrests of students or staff become necessary:

- The arrest of a student or employee of the school with a warrant or petition should be coordinated through the principal and accomplished after school hours, whenever practical.
- ~~A P~~persons whose presence on school grounds has been restricted or forbidden or whose presence is in violation of [Va. Code Ann. § 18.2-119](#) should be arrested for trespassing.
- Arrest of students or staff during school hours or on school grounds shall be reported to the principal as soon as practical.

SEARCH AND SEIZURE

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

The SRO shall not become involved in administrative (school related) searches. ~~unless specifically requested by the school to provide security, protection, or for~~

~~the handling of contraband.~~ These searches must be at the direction and control of the school official, who may immediately inform the SRO if he reasonably believes that a student is in possession of a weapon, drugs, drug paraphernalia or any other illegal contraband. ~~At no time shall a~~ A police canine should not be used for an administrative search, except under special circumstances, after consultation between the Chief of Police and the Superintendent. At no time shall the SRO request that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent. ~~the SRO request a Canine for that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent.~~

Any search initiated by an officer shall be based upon probable cause and, when required, a search warrant ~~shall~~ should be obtained. Stopping and searching a student's Stop and frisk, (pursuant person pursuant to United States Supreme Court Case Terry vs Ohio—United States Supreme Court 1968,) will remain an option when there is reasonable suspicion that a criminal offense has been committed or may be committed, and that the suspect may be armed.

ADMINISTRATIVE HEARINGS

SROs are often privy to ~~both~~ a student's conduct both in school and out of school. SROs may be requested to attend hearings related to a student's potential suspension, ~~or~~ expulsion, or school reassignment. If there is a concern as to the nature of the testimony and how providing information at a hearing may impact future judicial proceedings, the SRO should seek direction from their chain of command and the Office of the Commonwealth's Attorney. The presence of an officer may be requested to augment security if a hearing involves a student or parent whose behavior could be potentially volatile.

Officers attending hearings shall be prepared to provide accurate testimony on actions that were taken by the officer and any personally observed conduct witnessed by the officer.

The officer shall not provide any official police document or juvenile record to the school or ~~expulsion~~ the Superintendent's Hearings Officer. As a general rule, release of such information is prohibited by the Code of Virginia unless such documents are subpoenaed by the school through the appropriate court. Upon receiving a subpoena for official records, reports, or documents for an administrative school hearing, the Internal Affairs Bureau shall be notified and provided a copy of the subpoena before close of business that day. Any action on the subpoena shall be coordinated between the Internal Affairs Bureau, County Attorney, and the SRO.

BODY WORN CAMERAS

SLCs and SROs and their supervisors may wear body worn cameras (“BWC”) on school property in accordance with Police Department BWC SOP-18-056 which states in ~~part~~:part: subject to the following conditions:

When asked, officers should inform individuals that they are being recorded on the BWC, and; Officers shall only use BWCs for legitimate law enforcement purposes while on any public or private school grounds.

a. While on the grounds of any school, responding officers and School Resource Officers (SRO's) shall only activate their BWC in cases of suspected criminal activity or when assisting school personnel with matters that may result in disorderly or otherwise disruptive behavior in the school environment.

b. Officers (including SRO's) shall inform the subjects involved they are being video and audio recorded as soon as it is practical and safe to do so.

c. SROs will not activate their BWC when present during meetings between students and school personnel that are of an administrative nature and do not involve suspected criminal activity.

RELEASE OF STUDENT INFORMATION

The release of student records is governed by the [Family Educational Rights and Privacy Act \(FERPA\), 20 U.S.C. §1232g](#). "School officials" may access and disclose student records only as authorized by FERPA.

School Resources Officers

For purposes of access to student records, the SLC and SROs are considered "school officials" and may be provided student information as needed to carry out their duties related to the school environment. On a routine basis, the SLC's and SROs' access to student record information shall be limited to a system-wide district look up of directory information (defined below) that will include information on all students in the school system who have not opted-out of the disclosure of directory information. In addition to this system-wide district look up of directory information, SROs also will be granted access to a school-wide look up for students in the school to which the SRO is assigned.

This school-wide look up will include additional items of information, such as class schedule, that an SRO may need to perform his or her duties, but which are not

designated as directory information. The SLC and the SROs may have access to other student record information only when needed to carry out his or her duties in the school environment and only as approved by the school principal.

The SLC and the SROs may only disclose student records and information contained therein to the FCPD and to other law enforcement officials as described below. The SLC and the SROs may disclose "law enforcement records" to FCPD and other law enforcement officials. "Law enforcement records" are those records, files, documents, and other materials that are created and maintained by the SLC or an SRO for the purpose of ensuring the physical safety and security of people and property in FCPS and/or the enforcement of any local, state or federal law even if such records also serve the dual purpose of investigating and enforcing school disciplinary rules. Because "law enforcement records" are not student records, they are not subject to the disclosure restrictions of [FERPA](#).

Copies of law enforcement records that are provided to school administrators for the purpose of school discipline become student records that may be maintained in student files and are subject to the disclosure ~~provisions~~ ~~restrictions~~ of [FERPA](#). The original law enforcement record maintained by the SLC or the SRO, however, remains exempt from the disclosure ~~provisions~~ ~~restrictions~~ of [FERPA](#).

Any record that is created and maintained by the SLC or an SRO exclusively for the purpose of a possible school disciplinary action against the student would fall outside the definition of "law enforcement records." Such records would be subject to the disclosure ~~provisions~~ ~~restrictions~~ of [FERPA](#).

[Va. Code Ann. § 19.2-11.2 requires written consent from a victim of sexual assault, sexual abuse, or family abuse, before law enforcement personnel may publicly release any information that directly or indirectly identifies that victim. Additionally, a 2017 amendment to the statute requires written consent of the next of kin of a child who dies as a result of a crime before law enforcement personnel may publicly release any information that directly or indirectly identifies that victim. There are exceptions to this prohibition, which permit the release of information if the information is of the site of a crime, is required by law, is necessary for law enforcement purposes, or is permitted by the court.](#)

Fairfax County Police Department and Other Law Enforcement Officials

FCPD officials who are not part of the SRO Program and other law enforcement officials may have access to student record information without parent permission and consent only if:

(1) The FCSB has designated the information as "directory information", [and the parent or eligible student has not opted out of the disclosure](#), or

(2) The knowledge of student record information is needed to protect the health and safety of a student or other person in an emergency situation, or

(3) The FCSB is presented with a search warrant, subpoena, or other valid court order requiring the release of student records to the law enforcement official or agency.

Directory Information

The information items designated as "directory information" are determined by the FCSB and are published in its Annual Notice of Survey, Records, Curriculum, Privacy and Related Rights. The information of students whose parents have opted out of the disclosure of such student information will be withheld.

Directory information that may be disclosed to the FCPD may include:

- The student's name, including nickname(s)
- Participation in officially recognized activities and sports
- Height and weight, if a member of an athletic team
- Birth date
- Attendance record, [defined as beginning and end dates of enrollment, not daily record of attendance](#)
- [Degrees, Awards](#) and honors received
- School and grade
- Photographs and other images
- Name of parent/guardian/individual with whom student lives
- ~~Student gender, primary or home language~~
- Address, ~~and~~ telephone number, [and parent email address\(es\)](#)

The information items designated as "directory information" are subject to change. In case of conflict between the definition above and the definition contained in the [current school year's](#) Annual Notice of Survey, Records, Curriculum, Privacy, and Related Rights and Opt-Out Forms, the Annual Notice version will control.

The FCSB will provide the FCPD's Child Services Unit with direct access to a system-wide district look up of directory information. The FCPD will be responsible for supplying any computer hardware necessary for this access.

Law enforcement officials seeking access to directory information may also request such information from the school principal, if the student's school location is known, or from the SLC.

Health and Safety Emergency

School officials may disclose any information from student records to appropriate parties, including law enforcement officials, whose knowledge of the information is needed to protect the health or safety of a student or another individual if there is a significant and articulable threat to the health or safety of a student or other individual, considering the totality of the circumstances.

Law enforcement officials seeking access to records under the health and safety emergency exception should contact the student's school principal and must present sufficient information for the principal to make the determination that a health and safety emergency, within the requirements of [FERPA](#), exists. If the request is made outside of school hours when the school principal is not available, the request may be directed to the OSS, [which who](#) will coordinate a response.

If student information is disclosed under this exception, the student's file must contain a description of the articulable and significant threat that formed the basis for the disclosure and the parties to whom the information was disclosed.

Court Orders, Subpoenas, and Search Warrants

School officials may disclose student records in response to lawfully-issued court orders, subpoenas and search warrants. Law enforcement officials seeking to obtain student records pursuant to a court order, subpoena or search warrant should contact the FCPS Department of Special Services' Office of Operations and Strategic Planning, [which who](#) will coordinate a response.

[FERPA](#) requires that school officials take reasonable steps to provide notice to the parent(s) or the student (if the student is an adult) before any records are disclosed pursuant to a court order, subpoena or search warrant. Such notice will not be provided if the court order, subpoena or search warrant indicates that it has been issued ex parte or if it contains direction that the subject of the records should be not notified. As a result of the notification requirement, law enforcement officials should take into account that their access to such records may be delayed while school officials satisfy this requirement and gather responsive records. School officials will expedite law enforcement requests for records under this exception whenever necessary.

School officials will retain original school records and will provide copies in response to any court order, subpoena or search warrant. If original records are required, notice should also be provided to the FCPS Division Counsel's Office, who will coordinate with law enforcement and the Commonwealth Attorney's office, as appropriate.

Except for situations where the court order, subpoena or search warrant indicates that it has been issued ex parte or if it contains direction that the subject of the records should be not notified, a record of any disclosure under this exception will be made in the student's file.

FCPS will provide to the SLC current contact information for the offices referenced above. The SLC will be responsible for communicating this information to the FCPD.

RELEASE OF POLICE INFORMATION

Consistent with the basic tenants of the relationship between the School Principal and the SRO described in this [MOU understanding](#), open communication is essential to its effectiveness. SROs should exchange information with the principal regarding students' involvement in criminal activity in and around the school. This shall be limited to that which directly relates to and contributes to the safe school environment compliant with [Va. Code Ann. § Section 22.1-279.3:1-](#). SROs shall not make any official document, police report, or record available to the school or its staff. A subpoena or legal equivalent for official documents, reports, or records shall be immediately referred to the Internal Affairs Bureau as previously described. In compliance with the [Code of Virginia](#), the Juvenile Court notifies the [Division School Superintendent of Petitions against school students for selected offenses \(enumerated in Va. Code Ann. § 16.1-260.G\)](#). The [Superintendent's School-Hearing Officer](#), in turn, notifies the appropriate school principal in each case.

CERTIFICATION REGARDING CRIMINAL CONVICTIONS

By the signature of its authorized official on this MOU the FCPD certifies pursuant to [Va. Code Ann. § 22.1-296.1](#) -that neither the contracting official nor any of the FCPD employees who will have direct contact with students has been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child. The FCPD agrees to remove from this program any employee who has been determined by the FCSB to be disqualified from service due to such convictions or the failure to truthfully report such convictions.

CONCLUSION

This policy represents mutually agreed upon goals and objectives of the FCPD and the FCSB for the SLC and SRO Programs.

This endeavor is a partnership between education and law enforcement to support a collaborative, problem-solving approach to ensure a safe and secure educational environment and effective/timely coordination and communication of information which effects the operation of both parties. Regular meetings shall be conducted between the FCPD's Patrol Bureau and the FCPS OSS to support this partnership.

This MOU will remain in force until such time as either party withdraws from the agreement by delivering a written notification of such rescission to the other party. It shall be reviewed annually and amended as necessary to meet the needs of the signatory agencies. This MOU shall not be construed to create or substantiate any right or claim on the part of any person or entity which is not a party hereto.

SCHOOL LIAISON COMMANDER, SCHOOL RESOURCE OFFICER (SRO) PROGRAM AND PROCEDURES FOR THE EXCHANGE OF INFORMATION

**MEMORANDUM OF UNDERSTANDING
between
THE FAIFAX COUNTY SCHOOL BOARD
and
THE FAIFAX COUNTY POLICE DEPARTMENT**

Revised August 28, 2017

Colonel Edwin C. Roessler
Chief of Police

Dr. Scott Brabrand
Superintendent of Schools

Date

Date