

Background

In July 2018 the Fairfax County Board of Supervisors and School Board approved a revised Memorandum of Understanding (MOU) between the Fairfax County Police Department (FCPD) and Fairfax County Public Schools (FCPS). In this document, the two organizations formed a School and Law Enforcement Partnership (SLEP) to establish a mutually beneficial framework so that both the FCPS and the FCPD can provide a safe learning environment for all members of the school community. The MOU clarifies the roles of key members in the program – including school administrators, FCPS counselors, school resource officers (SRO), school liaison commander (SLC), and FCPS special education staff – and addresses the scope of responsibilities of the FCPS and the FCPD as well as information exchange.

The revision process was informed by a School Resource Officers Community Review Committee, which provided their perspective on what the new MOU should include. The committee was comprised of community members representing FCPS and community-based organizations with interests in ensuring a safe learning environment within our schools. The SRO Community Review Committee met three times in July 2018.

The revised MOU established a clear division between the role of the SRO in criminal matters and FCPS administrative staff on student discipline matters, clarifying that SROs are not involved in determining student discipline under the FCPS Student Rights and Responsibilities regulation. It ensured that SROs shall not be involved with the enforcement of school rules or disciplinary infractions that are not violations of law. It added SRO training focused on implicit bias, disability awareness, crisis intervention training, restorative justice techniques, and cultural competency. Finally, it established an annual review process, to include reporting on the following elements:

1. Success of established goals and objectives as defined by this MOU.
2. Accomplishment of tasks agreed upon as part of any work plan written in conjunction with a principal.
3. All available data related to student discipline and contacts with the justice system. This shall include student demographics, all police data and reports, restorative justice program data, and all other available data to study police-student contact trends.
4. Input from identified stakeholders such as students, parents, and formal school-community organizations.

The sections below contain the results of the study of the first year of the revised MOU, school year 2018-19.

Section One: Success of Goals and Objectives

The MOU states that the primary goals of the School and Law Enforcement Partnership are:

1. To provide a safe and positive learning environment and
2. To promote mutual respect between law enforcement, school security staff, school administrative staff, students and their families.

In accordance with the SRO MOU, all school administrators attended training on the contents of the MOU, as well as the appropriate role of the SRO in handling school discipline. That training specifically stated that SROs “will not become involved in routine school matters unrelated to law enforcement.” Additionally, all school administrators received required training on safety and security processes and procedures, which included basic information on the revised MOU related to SRO operations. Attendees included principals, assistant principals, directors of student services/activities, school resource officers, security specialists/assistants, and hearings officers. Finally, the Office of Safety and Security conducted safety and security training during the 2019 *Leaders Need to Know* sessions that included some SRO MOU requirement reminders.

To support School Resource Officers in their support of students, FCPS and FCPD provide the following training courses to all officers within six months of their appointment and every two years thereafter:

- Mental Health Training
- Crisis Intervention Training
- Disability Awareness Training
- Implicit Bias/Racial Bias Training
- Restorative Justice Techniques and the Alternative Accountability Program
- Cultural Competency Training

In the summer of 2019, principals were surveyed regarding the success of the MOU. In that survey, 100% of principals responded affirmatively to the statement “I confirm that during SY 2018-19, I did not ask or agree to allow my SRO to provide assistance with administrative functions outside the scope of the SRO assistance authorized by the MOU.”

The SRO Program was reported as effective or highly effective in meeting its primary goals of providing a safe and positive learning environment and promoting mutual respect between law enforcement and

the school community by 74% of principals. Approximately two-thirds of principals rated the MOU as effective or highly effective in establishing a mutually beneficial framework between FCPS and FCPD. SROs were considered consistently respectful when interacting with staff, students, and families.

Overall, principals were very supportive of the SRO program and their SRO. Some principals voiced concerns that the MOU limited an SRO's ability to be a presence in the school and, at times, to communicate about safety-related concerns.

Section Two: Accomplishment of Tasks

All school principals established school-specific operational and communications procedures to support the goals of the MOU and agreed that they and the SRO had a common understanding of behaviors that should involve the SRO. In instances where the work plan was used, 70% of principals stated that the objectives of the work plan were accomplished to a large extent. No principals reported that the tasks were not accomplished.

Principals reported that the large majority of SROs consistently focused on:

- Maintaining safety, including cases involving possession of illegal substances
- Intervening when there was a threat to staff or student safety
- Assisting in crisis planning
- Providing an alternate means to resolve issues in lieu of arrest
- Maintaining school safety when school's safety and security staff were not available
- Patrolling hallways and school grounds
- Referring violations to school administrators

Section Three: Data related to Student Discipline and Contacts with the Justice System

The Police Department collected two years of SRO data to demonstrate the impact of the first year of the SRO MOU: school years 2017-18 and 2018-19. The results were encouraging. The number of incident reports, which document the reporting of criminal investigations and non-criminal incidents, remained consistent, within one percentage point of the previous year. However, the number of students arrested decreased by 48 percent. The immediate positive results demonstrate the success of the training conducted regarding the role of the SRO and the emphasis on diversion rather than arrest.

The number of arrests decreased from 650 in 2017-18 to 335 in 2018-19. It is important to note that arrest data is not equivalent to conviction data and does not exclude those who may have been diverted from the judicial system. Additionally, the number of arrests may exceed the number of people arrested due to multiple charge incidents. To accurately reflect the people involved, the Police Department also collected data on the people involved in arrests. This data was also encouraging: Student arrests decreased from 628 to 329, or 47.6%. In addition, the demographic makeup of arrests grew closer to that of the student population.

The incident report data showed that the number of incident reports, which document the reporting of criminal investigations and non-criminal incidents, remained essentially unchanged with 1,676 incident reports generated in 2018-19, up from 1,660 in 2017-18. Also consistent was the party reporting the incident. The greatest number of referrals – 65% in 2017-18 and 66% in 2018-19 – came from school staff. The SROs themselves only generated 6% of incident reports in both years. This data point indicates that more than 90% of the time SROs are reacting to complaints generated by school staff, parents, or students.

The use of force by SROs remains rare. There were four incidents where the SRO used force in 2017-18 – three involving white individuals and one involving a black individual. Half were of Hispanic origin and half were not. In 2018-19 there were three incidents where force was used, with all people being white, with two of Hispanic origin and one of non-Hispanic origin.

The SRO data includes field contact numbers. Field contacts document when an officer speaks with someone regarding a matter that is not related to a crime. The general downward trend holds true here, with a 37% decrease in reported field contacts with 46 in 2017-18 and 29 in 2018-19.

Section Four: Input from Identified Stakeholders

The stated purpose of the SRO MOU is to build a positive and safe school environment. FCPS' Strategic Plan has metrics that measure the extent to which students, staff, and parents feel their schools provide a positive environment. The Strategic Plan Caring Culture Report for 2018-19 includes survey data from the School Climate Survey administered by the Virginia Department of Education. This data showed that students who feel respected and included at school has increased six percentage points over the three-year average, from 78% to 84% in 2018-19. The questions for this data point include responses to

capture whether teachers and other adults at this school care about students, want students to do well, listen to what students have to say, and treat students with respect. Data capturing the respect staff feel at school comes from the 2017-18 employee engagement survey. That survey showed that 61% of teachers, 82% of administrators, and 59% of operational employees felt respected at their workplace. Finally, parents were surveyed for the first time in FCPS' Family Engagement Survey in 2018-19. In this inaugural survey, 83% of families reported feeling respected in their schools.

To ascertain to what degree its stakeholders feel the school environment is safe, FCPS collected data from students, staff, and families on their perceptions of school safety for its Strategic Plan Resource Stewardship Report. The School Climate Survey administered by the Virginia Department of Education asks students and staff perception of safety within schools. In 2018-19, students' perception of safety increased by four percentage points over the three-year average, with 85% feeling safe in their schools. Staff reported a three percentage point improvement over the three-year average, with 77% feeling safe in their worksite. In 2018-19, the new FCPS Family Engagement Survey included a question about families' perceptions of safety. Over 25,000 family members responded to the survey, with 89% reporting that they perceive their school to be safe.

Additionally, FCPS added eight technical positions to the Office of Safety and Security so that school-level safety training could be expanded and enhanced. The frequency of tabletop exercises, where school team members act out various safety scenarios and ensure they are prepared to respond, was increased with the eventual goal of annual exercises for every school location. These exercises allow for specific input from school staff members on how to increase their levels of safety.

Section Five: Future Steps

The first year of the SRO MOU proved successful. In 2020-21, FCPS will develop targeted outreach to school communities based on the data provided by the FCPD and the perceptions of school environment and safety gathered by FCPS. A team will review the school-level trend data to ascertain the schools that can most use intervention. This program will allow for the expansion of outreach to schools most impacted by the revised MOU. The results of this outreach will be reported in future annual reviews.

The Office of Safety and Security (OSS) will continue to increase its outreach to schools on their safety programs. OSS will review all security plans (Crisis Management Plan, MOU-SRO/Principal work plan,

and School based security operational plans) for applicability, compliance, necessity and standardization. In future years, consistent templates for security plans will be developed and implemented. Any changes related to security plans will result in training for SROs and school based security and administrative staff if needed. This will ensure that safety plans are carried out with fidelity.

The first year of the MOU had a significant impact on student outcomes. FCPS and FCPD will continue to collaborate on staff training to ensure the fidelity of its implementation. In this inaugural year, no changes are recommended to the language in the MOU.