



MEMORANDUM OF UNDERSTANDING

School District of the City of Allentown and the Allentown Police Department

This Memorandum of Understanding between the Allentown School District ("School District") and the Allentown Police Department ("Police") is entered into in accordance with the provisions of the act of March 10, 1949 (Pl. 30, No. 4), as amended, 24 P.S. 131301 -A, et seq, known as the Safe Schools Act to the extent required thereby.

1. JOINT STATEMENT OF PURPOSE

The purpose of the program is to ensure a safe school environment; provide a clear protocol for school officials when responding to non-emergency situations in schools; foster positive interactions between and among students, school officials, and law enforcement; empower educators to respond to conflicts in their schools; and support a positive educational and socio-emotional climate at Allentown School District public schools. The parties acknowledge the need to foster safe and supportive schools with a positive school climate.

2. DEFINITIONS

"Family and Student Handbook" means the document the board adopts for the maintenance of order on school property, including a school function, which shall govern the conduct of students, teachers, other school personnel, and visitors.

"Gender" includes actual or perceived sex, gender identity, and gender expression including a person's actual or perceived gender-related self-image, appearance, behavior, expression, or other gender-related characteristic, regardless of the sex assigned to that person at birth.

"Parent" means a person in parental relation to a student, including the student's parent, legal guardian, or other person legally responsible for a student.

"Police Officer" means any sworn officer endowed with police authority according to the law of the Commonwealth and employed by of the Allentown Police Department.

"Positive Behavioral Intervention and Supports" ("PBIS") refers to a multi-tiered, evidence-based framework and system of supports that create and maintain positive school climates.

"Restorative Practices" refers to prevention and intervention measures for responding to misbehavior that focus on building relationships, holding students accountable, and creating a sense of community through participatory decision-making and problem solving. Restorative practices include, but are not limited to,

collaborative negotiation, circle process, peer mediation, conflict resolution, and formal restorative conferencing.

“School-based disciplinary matter” is any behavior that is defined by any policy enacted by the School District and affords the School District discretionary police notification. The disposition of these matters will be solely handled by the School District. The School District also retains the ability to enact a school-based disposition in tandem with behavior that requires a police notification and response.

“School official” means any school board member or employee of the District.

“School property” means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public school in the District. “School property” also means in or on a school bus, whether owned and operated by the District or by a carrier that the district contracts with for the transportation of its students.

“School Resource Officer” (“SRO”) means law enforcement officers assigned to schools.

“School Resource Officer Program” (“Program”) refers to all administrative, organizational, and policy components that allow for the placement of SROs or any employee of the Allentown Police Department in the District’s schools pursuant to this Agreement.

“Student” refers to a person enrolled in a District school or program.

3. SCHOOL RESOURCE OFFICER SELECTION AND TRAINING

A. SROs shall be selected through an announcement of a vacancy and followed by a merit-based selection process established by the Allentown Police Department. The School District will be invited to participate in the process by the Police administration. The final selection shall be determined by the Allentown Police Department and approved by the school district prior to deployment.

B. Prior to deployment, every SRO shall receive specialized training on the following topics:

- 1) Conflict and crisis de-escalation techniques; including appropriate use of techniques and limited use of physical force or mechanical or chemical restraint as needed.
- 2) Conflict resolution.
- 3) Bias-based discrimination.
- 4) Child and adolescent development and psychology.
- 5) The effects of trauma.
- 6) Mental health crisis intervention.
- 7) The mental and behavioral health needs of children with disabilities and special needs.
- 8) Intimate partner violence among adolescents.
- 9) The collateral consequences of arrests, summonses, court involvement, and out-of-school discipline for students including immigration, higher education, and housing consequences.
- 10) The Individuals with Disabilities Education Act (“IDEA”), and the protections it affords to students with disabilities; and
- 11) Cultural awareness and competence in working with young people and adults of diverse racial, ethnic, national origin, religious, and language backgrounds, and sexual orientations and gender identities.

C. These topics listed in sections B are covered in the curriculums of the Municipal Police Officers’ Education and Training Commission (commonly referred at as Act 120) as well as the Basic School Resource Officer Course of Instruction offered by the National Association of School Resource Officers (NASRO).

Therefore, Act 120 and NASRO certifications will satisfy this requirement. However, SROs may obtain different training or an equivalent approved by PCCD prior to starting duties.

D. As soon as practicable following selection, SROs will attend ASD sexual harassment training, Restorative Practices, PBIS, guidance interventions, and any other support programs in use by the school to further achieve the joint purpose of this MOU.

E. In the event any SRO fails to perform in accordance with the with the Joint Statement of Purpose in this MOU or the policies of the Allentown Police Department, following sustained due process, the School District and Police administrations will resolve the issue.

4. JOINT STATEMENT OF PRIMARY RESPONSIBILITIES

School administrators have the primary responsibility to ensure consistent enforcement of school rules and policies regardless of whether that results in any form of school-based discipline. It is the District's responsibility to administer classroom management, act as disciplinarians, and enforce the Family and Student Handbook as well as any other applicable school district policy.

Police officers and SROs have the responsibility to enforce the law in tandem with policies of the Allentown Police Department and the joint statement of purpose in this MOU. Should an SRO witness conduct that falls under classroom management, the Family and Student Handbook, or any other school police infraction, the SRO should make a referral to District personnel.

In the event the circumstances are not clear:

- as to whom should have the primary responsibility,
- or if the responsibilities equally intertwine,
- or if what would normally fall under the District's responsibility may develop into a matter to be handled by the SRO,

the District and the police will work collaboratively toward a solution guided by this MOU.

5. NOTIFICATIONS TO POLICE

A. **Mandatory Notification:** The School District shall immediately notify the Police by the most expeditious means practicable of any of the following incidents which occur on school property, at any school sponsored activity, or on a conveyance (including a school bus) providing transportation to or from a school or school sponsored activity:

- (1) The possession use or sale of a controlled substance or drug paraphernalia as defined in the "The Controlled Substance, Drug, Device and Cosmetic Act."*
- (2) The following offenses under 18 Pa.C.S. (relating to crimes and offenses):
 - a. Section 908 (relating to prohibited offensive weapons).*
 - b. Section 912 (relating to possession of weapon on school property).
 - c. Chapter 25 (relating to criminal homicide).
 - d. Section 2702 (relating to aggravated assault).
 - e. Section 2709.1 (relating to stalking).
 - f. Section 2901 (relating to kidnapping).
 - g. Section 2902 (relating to unlawful restraint).*

- h. Section 3121 (relating to rape)*
- i. Section 3122.1 (relating to statutory sexual assault) *
- j. Section 3123 (relating to involuntary deviate sexual intercourse) *
- k. Section 3124.1 (relating to sexual assault) *
- l. Section 3124.2 (relating to Institutional sexual assault) *
- m. Section 3125 (relating to aggravated indecent assault) *
- n. Section 3126 (relating to indecent assault).
- o. Section 3301 (relating to arson and related offenses).
- p. Section 3307 (relating to institutional vandalism) when the penalty is a felony of the third degree.
- q. Section 3502 (relating to burglary).
- r. Section 3503(a) and (b)(l)(v) (relating to criminal trespass).
- s. Section 5501 (relating to riot).
- t. Section 6110.1 (relating to possession of firearm by minor).

*The School District agrees to immediately notify the Police with regard to the aforementioned incidents, however, notification and Police involvement shall not preclude nor supersede the School District's obligations under Title IX of the Education Amendments of 1972 (see section 7-**TANDEM INVESTIGATIONS, INFORMATION RECIPROCITY, AND DISPOSITION NOTIFICATION**). Additionally, notification of the police does not obviate the need for promptly reporting suspected child abuse through the Statewide toll-free telephone or authorized electronic technologies.

Attempts, solicitation or conspiracy to commit any of the offenses listed in above.

An offense for which registration is required under 42 Pa.C.S. 9795.1 (relating to registration).

B. Discretionary Notification: The School District, including building administration, may, at their discretion, notify the Police of any of the following incidents which occur on school property, at any school sponsored activity, or on a conveyance (including a school bus) providing transportation to or from a school or school sponsored activity:

The following offenses under 18 Pa.C.S.:

- a. Section 2701 (relating to simple assault).
- b. Section 2705 (relating to recklessly endangering another person).
- c. Section 2706 (relating to terroristic threats).
- d. Section 2709 (relating to harassment).
- e. Section 3127 (relating to indecent exposure).
- f. Section 3307 (relating to institutional vandalism) when the penalty is a misdemeanor of the second degree.
- g. Section 3503(b) (l) (i), (ii), (iii) and (iv), (b. 1) and (b.2) (relating to criminal trespass).
- h. Chapter 39 (relating to theft and related offenses).
- i. Section 5502 (relating to failure of disorderly persons to disperse upon official order).
- j. Section 5503 (relating to disorderly conduct).
- k. Section 6305 (relating to sale of tobacco).
- l. Section 6306.1 (relating to use of tobacco in schools prohibited).
- m. Section 6308 (relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages).

Attempt, solicitation or conspiracy to commit any of the offenses listed above.

In exercising its discretion to determine whether to notify the Police of such incidents, the School District shall consider the following factors: the seriousness of the situation, the school's ability to defuse or resolve the situation, the child's intent, the child's age, whether the student has a disability and, if so, the type of disability and its impact on the student's behavior, and other factors believed to be relevant. In addition, the School District shall consider the propriety of utilizing available school-based programs such as positive behavioral supports to address the student's behavior.

Upon the mandatory or discretionary notification of criminal activity in subsections A and B above, to the Police, the School District shall provide as much of the following information as is available at the time of notification. In no event shall the gathering of information unnecessarily delay notification:

- a. Whether the Criminal Activity is in progress or has concluded;
- b. Nature of the Criminal Activity;
- c. Exact location of the Criminal Activity;
- d. Number of persons involved in the Criminal Activity;
- e. Weapons, if any, involved;
- f. Whether the weapons, if any, have been secured and if so, the custodian of the weapons;
- g. Injuries involved;
- h. Whether EMS was notified;
- i. Identity of the School District contact person;
- j. Names and ages of individuals involved;
- k. Identity of any witnesses
- l. Whether the Criminal Activity involves a student with a disability and, if so, the type of disability; and
- m. All other such information known to the School District which can be deemed relevant to the incident under investigation.

C. Notification of the Police when incident involves children with disabilities:

- 1) If a child with a disability commits an incident of misconduct, school administrators and the Police should take into consideration that the child's behavior may be a manifestation of the disability and there may be no intent to commit an unlawful act. A child with a disability under this Subsection shall mean a student with an IEP, a protected handicapped student with a service agreement that includes a behavior support plan, or such student for who an evaluation is pending under 22 Pa. Code 14.123 (relating to evaluation), 15.5 (relating to school district initiated evaluation and provision of services), 15.6 (relating to parent initiated evaluation and provision of services), or Chapter 711 (relating to charter school and cyber charter school services and programs for children with disabilities).
- 2) In the event a child with a disability commits a mandatory notification offense under subsection A above, the School District must provide immediate notification to the police regardless of the disability. Such notification will state that the child has an IEP or a service agreement that includes a behavior support plan and may include the School District's recommendation that police intervention may not be required and advisement that the School District will act to address the student's behavior needs as required by applicable federal and state law and regulations, including 22 Pa. Code 14.133 (relating to positive behavior support), 15.3 (relating to protected handicapped students--general) or 71 1.46 (relating to positive behavior support). The Police may take the recommendation under advisement but reserves the right to investigate and file charges.

- 3) In the event a child with a disability commits a discretionary notification offense subsection B above and the School District does not believe that police intervention is necessary, the School District will address the student's behavior needs as required by applicable federal and state law and regulations, including 22 Pa. Code 14.133, 15.3 or 711.46.
- 4) In accordance with 34 CFR 300.535 (relating to referral to and action by law enforcement and judicial authorities), nothing will prohibit the School District from reporting an offense committed by a child with a disability to the Police, and nothing will prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.
- 5) The School District, when reporting an offense committed by a child with a disability, should ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to the Police to whom the incident was reported.
- 6) The School District, when reporting an Incident under this Subsection, may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by FERPA.

6. NOTIFICATION OBLIGATIONS

A. School District Obligations

- 1) Surrender to the Police all contraband or physical evidence, pursuant to an investigation, found on school property, in school vehicles, or at school sponsored activities.
- 2) Turn situations that require police involvement and threaten the safety of the school community over to the Police. Once the Police have taken charge of the situation, school personnel will continue to provide support and assistance during the crisis.
- 3) Work collaboratively with the Police in Criminal Activity prevention, reporting, investigation, serving warrants, identification of suspects and, where appropriate, apprehension and prosecution of those individuals. This should involve as little disruption of the school environment and violation of the student's privacy as possible. The School District will defer to the expertise of the Police on such matters except as is necessary to protect an interest of the School District as it relates to the Public-School Code of 1949, 24 P.S. 1-101, et seq.
- 4) With the exception of exigencies and whenever possible, request that police officers: inform the school administration of their presence whenever they arrive at school; carry out their duties while on School District property with as little disruption of the school environment as possible; and abide by School District policy regarding access to students during the school day.
- 5) Complete reports as required under the Public-School Code of 1949, 24 P.S. 13-1303-A.
- 6) Provide or arrange for emergency and medical treatment, as necessary
- 7) Meet the police officer(s) arriving on school property as a result of a report.
- 8) The School District shall immediately report to the Police all Criminal Activity committed on school property once the School District becomes aware of said Criminal Activity.
- 9) Schools will also comply with reporting as required by the School District's Policies and Procedural Guidelines which include, but are not limited to: Students and Police Policy, Weapons Policy, Substance Abuse Policy; threats of homicide or other violent acts as required in the District's Critical Incident Guidelines, Child/Student Abuse Policy, Gang Policy, and discipline violations required to be reported to the Police in the District's Code of Conduct Disciplinary Guidelines, and the Safe Schools Act, 24 PS 13-1301-A et seq.

B. Police Obligations.

- 1) All police conduct, actions, investigations, and responses to resistance and/or aggression shall be in accordance with all applicable laws and the policies of their department.
- 2) Whenever possible, inform the school building administration of their presence whenever they arrive in a school.
- 3) Whenever possible, carry out their duties while on School District property with as little disruption of the school environment as possible.
- 4) Consult with the School District on issues related to prevention, reporting of Criminal Activity, safety, and other school-law enforcement issues.
- 5) In accordance with Section 14 of this Memorandum, review the annual report required by the Safe Schools Act, 24 P.S. 1303A(b), and compare the data regarding criminal offenses and notification of law enforcement to determine its accuracy.
- 6) Conduct any arrest of students in as a discreet manner as possible so as not to draw undue attention of other students, staff or public.

7. TANDEM INVESTIGATIONS, INFORMATION RECIPROCITY, AND DISPOSITION NOTIFICATION

- A. To achieve the mission statements of the School District and the Police, as well as to ensure compliance with all applicable policies and laws, notification to the Police will almost always involve a tandem investigation conducted by the School District.
 - 1) The Police will conduct a criminal investigation.
 - 2) The School District will conduct an administrative investigation.
 - 3) While criminal investigations take precedence over administrative investigations, the end goal is a mutual exchange of information to establish facts and bring the investigation to a disposition.
 - 4) Whenever possible, and in accordance with the law, the School District and the Police will exchange information to complete their respective investigations (see also section 13-EXCHANGE OF INFORMATION).
 - 5) To facilitate the School District's obligations under certain laws, the Police shall provide the School District with an investigatory conclusion and case disposition.

8. RESPONSE TO INCIDENTS

A. Initial Response by Police

- 1) Incidents of Criminal Activity in Progress
 - a. Meet with School District contact person, if necessary, to locate incident of Criminal Activity.
 - b. Stabilize incident of Criminal Activity.
 - c. Provide or arrange for emergency medical treatment as necessary.
 - d. Control the scene of the incident of Criminal Activity.
 - e. Secure any physical evidence at the scene; and identify involved persons and witnesses.
 - f. Conduct investigation.
 - g. Exchange information.
- 2) Incidents of Criminal Activity Not in Progress
 - a. Meet with School District contact person.
 - b. Recover any physical evidence and provide a written receipt for the same to the appropriate school administrator.

- c. Conduct investigation.
 - d. Exchange information.
- 3) Incidents of Criminal Activity Involving Delayed Reporting
- a. If initially reported to the School District, handle as if reporting was not delayed.
 - b. If initially reported to the Police, investigation will be conducted as any other investigation. School District will be made aware of the incident and information will be shared as if the reporting was not delayed, unless the police determine the investigation requires otherwise.

9. PARENTAL NOTIFICATION, INTERVIEWS, AND CUSTODY OF STUDENTS AND PROPERTY

- A. Whenever possible, the Police will try to conduct all interviews outside of the school day. Interviews of students can be generally categorized into three types: Victims, witnesses, or suspects.
- B. Victims and witnesses may speak to the Police at any time if they so choose and shall be given the opportunity by the District and/or the Police to notify a parent or other interested adult to be present prior to the interview. While not required, it is recommended, that the District and/or the Police notify a parent or other interested adult to be present during the interview.
- C. Suspects may speak to the Police at any time if they so choose. If the police are conducting the interview, it is their responsibility to ensure that all applicable laws are followed to safeguard Constitutional rights. The School District shall assist the Police upon request for any notifications requested.
- D. In no circumstance shall the School District stand in loco parentis during an interview.
- E. The School District and the Police shall document all attempts at notifications. In the event that a Parent or Guardian is a co-suspect or in the event of a situation in which immediate notification of the incident of criminal activity may result in the destruction of or tampering with evidence or witnesses, the School District shall consult with the Police. Under these circumstances, notification of parents or guardians may be delayed.
- F. Except in cases in which the suspect student is injured and requires medical attention, the decision to notify a suspect's parents or guardians shall be a cooperative decision between School District officials and the Police. In any decision to notify which involves, relates to or impacts law enforcement, the School District shall defer to the decision of the Police. All attempts to notify a suspect's parents or guardians shall be documented.
- G. Ultimately, the legal conduct of interviews, interrogations, searches, seizures of property and arrests are within the purview of the Police. The School District shall defer to the expertise of the Police on matters of criminal and juvenile law procedure. The Police shall keep the school administration informed of the status of pending investigations, as appropriate.

10. CONFLICTS OF INTEREST

- A. The parties to the Memorandum recognize that in the event that a School District employee, contractor or other person acting on behalf of the District is the subject of an investigation, a conflict of interest may exist. In such circumstances, the individual who is the subject of the investigation will not be present during the interviews of students as co-suspects, witnesses or victims by police. The School District Superintendent will be informed of the investigation and neither the Superintendent nor his or her designee will be present when the Police interview students as co-suspects, witnesses or victims of a School District employee, contractor, or other person acting on behalf of the School District.

- B. Neither the individual who is the subject of the investigation, nor his/her subordinates(s) and/or direct supervisor(s) shall be informed of the contents of the statements made by student co-suspects, victims or witnesses, except at the discretion of the Police or as otherwise required by law. When the interview is conducted on school property, a building administrator or other similar school employee who is not involved in the conflict shall have the right to be present during the interview of a student as a co-suspect, victim or witness. In light of the potential for a conflict, however, the decision to have the building administrator or other similar school employee present during the interview may be a cooperative decision between the School District and Police, if deemed appropriate by the Police.

11. CRITICAL INCIDENT PREPARATION

A. No later than September 30 of each year, the School District shall assemble and make ready for immediate deployment to its Incident Command Post the following information for the purpose of assisting the Police in responding to an emergency:

- 1) Blueprints or floor plans of the school buildings. Aerial photo, map or layout of the school campus, adjacent properties and surrounding streets or roads.
- 2) Location(s) of predetermined or prospective command posts.
- 3) Current teacher/employee roster.
- 4) Current student roster.
- 5) Most recent school yearbook.
- 6) School fire-alarm shutoff location and procedures.
- 7) School sprinkler system shutoff location and procedures.
- 8) Gas/utility line layouts and shutoff valve locations.
- 9) Cable/satellite television shutoff location and procedures.
- 10) Other information the District deems pertinent to assist the Police in responding to an emergency.

12. POLICE TAKING CUSTODY OF STUDENTS

- A. The School District shall cooperate with Police who arrive to take custody of a student. Students may be taken into custody at the discretion of the Police.
- B. The School District recognizes that the Police have the authority to take a student into custody for the Lehigh County Office of Children and Youth.
- C. The Police shall take all appropriate steps to protect the legal and constitutional rights of those students being taken into custody.
- D. Conduct any arrest of students in as discreet a manner as possible so as not to draw undue attention of other students or staff.

13. EXCHANGE OF INFORMATION

- A. The Police will provide information to the School District within the limits imposed by law, including but not limited to, the Criminal History Record Information Act, 18 Pa.C.S. 9101, et seq, the Public School Code of 1949, 24 P.S. 13-1303-A, and pursuant to Police policies and procedures,
- B. When sharing information and evidence necessary for the Police to complete their investigation, the School District will provide information within the limits imposed by law, including but not limited to, the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g and its implementing regulations at 34 C.F.R. 99.1 et seq., 22 Pa code 12.31 12,33 and the Safe School Act, 24 P.S. 13-

1303-A et seq., and any amendments thereto, and Public School Code of 1949 Section 13-1317.2, and any amendments thereto, and pursuant to the School District policy and procedures.

- C. The School District will comply with the reporting requirements of the Safe Schools Act under 24 P.s, 1303-A.

14. MEDIA CONTACT

- A. Media contact involving incidents of mutual concern should be coordinated between the School District and the Police when practical. The parties will release as much information as required by law with due consideration to the investigative needs and the need to limit disruption of the School District function and the Police function.
- B. The release of information concerning Criminal Activity shall be coordinated between the School District, the Police, and the District Attorney's office, unless emergency circumstances require an immediate release for the protection of life and property.

15. REPORTING REQUIREMENTS

- A. School District is required to submit an annual report, which will include violence statistics and reports, to the Department of Education's Office for Safe Schools. This annual report must include all new incidents described in the mandatory notification section above. Before submitting the required annual report, school administration and Police shall do the following:
- B. No later than thirty days prior to the deadline for submitting the annual report, the School District shall submit the report to the Police over the relevant school property. The Police shall review the report and compare the data regarding criminal offenses and notification of law enforcement to determine its accuracy.
- C. No later than fifteen days prior to the deadline for submitting the annual report, the Police shall notify the School District, in writing, whether the report accurately reflects police incident data. Where the Police determine that the report accurately reflects police incident data, the chief of police shall sign the report. Where the Police determine that the report does not accurately reflect police incident data, the Police shall indicate any discrepancies between the report and police incident data.
- D. Prior to submitting the annual report, the School District and the Police shall attempt to resolve discrepancies between the report and police incident data. Where a discrepancy remains unresolved, the Police shall notify the School District and the office in writing.
- E. Where the Police fail to take action as required under this MOU, the School District shall submit the annual report and indicate that the Police failed to take action in accordance the terms of this MOU with the all applicable state and federal laws.

16. RECORDKEEPING, ACCOUNTABILITY & TRANSPARENCY

- A. SROs shall provide monthly written reports to school administrators detailing law enforcement and engagement/outreach activities conducted during the month.
- B. Students, parents, administrators, and school personnel who believe that any District officials are violating the terms of this Agreement, or that any SRO or Police Officer has engaged in misconduct, may file a complaint with the District Superintendent within 120 days of the alleged violation. The Superintendent will investigate the complaint if the complaint involves the District. If the complaint involves the police, it shall be forwarded to the SRO supervisor. Complaints regarding SROs may

also be filed directly with the Allentown Police Community Outreach Unit supervisor or the Allentown Police Office of Professional Standards.

17. MANAGEMENT OF SCHOOL RESOURCE OFFICER

- A. The principal/designee shall be a participant with the Allentown Police Department in the assignment of an SRO from their school.
- B. Prior to placement in a new school, SROs shall meet with the school principal to discuss their respective roles, the school culture, and any other useful information. Thereafter, the principal/designee shall maintain regular communication with the Allentown Police Department and SRO about SRO assignments and physical placement in the school building
- C. SROs shall meet with teacher, parent, and student representatives at least one time per semester to discuss school safety, questions, and concerns.
- D. The principal/designee shall provide an office within the school for the assigned SRO.
- E. The Allentown Police Community Outreach Unit supervisor shall be responsible for providing any SRO a copy of this MOU and to ensure that the SRO is familiar with its contents.

18. GENERAL PROVISIONS

- A. Prior to the adoption of this MOU, the Allentown School District and the Allentown Police Department sought input from stakeholders, including but not limited to, parents, students, school administrators, teachers, collective bargaining units, parent and student organizations, and community members. This effort will be utilized as needed in the future.
- B. Within 90 days of the signing of this MOU, the District Superintendent shall ensure that this MOU is distributed to all District teachers, administrators, and other staff, and that appropriate training regarding the provisions of this MOU and the responsibilities of District employees under the MOU is provided to District employees.
- C. Within 90 days of the signing of this MOU, the Allentown Police Department shall ensure that this Memorandum is distributed to all of its officers, including SROs, and that appropriate training regarding the provisions of this MOU and their responsibilities under the MOU has been provided to the SROs.
- D. The District Superintendent shall create in-language versions of the MOU and distribute it to all District students and families.
- E. This memorandum is not intended to and does not create any contractual rights or obligations with respect to the signatory agencies or any other parties.
- F. This memorandum may be amended, expanded or modified any time upon the written consent of the parties. However, in any event, this Memorandum must be reviewed and re-executed annually.
- G. In the event of changes in state or federal law which necessitate changes to this memorandum, the School District and the Police shall collaborate to promptly change this memorandum to ensure compliance by the School District and the Police with state and federal requirements.
- H. The School District and the Police will actively work to resolve any differences in interpretation of this memorandum or in fulfilling the terms thereof.
- I. By the end of each school year, the Police Chief, or designee, shall meet with the School District Superintendent, or designee, to discuss school safety issues and to make such modifications to this Memorandum of Understanding as may be appropriate.
- J. SROs shall be integrated into the school's educational mission. They shall participate in meetings and discussions when the principal/designee requests. The parties hereby acknowledge the foregoing as the terms and conditions of their understanding.
- K. This MOU is meant to describe a collaborative process between the school district and the Police. It is in no way intended to supersede the authority and reasonably exercised discretion of the police in carrying out police functions.

L. This MOU does not assert any staffing levels or assignments with the District of SROs. Staffing and assignments will be requested in writing by the District and provided at the discretion of the Chief of Police or designee.

IN WITNESS WHEREOF, the parties set their hands and seals on the day and year first above written, intending to be legally bound hereby.

CITY OF ALLENTOWN

ALLENTOWN SCHOOL DISTRICT

Ray O'Connell

Thomas E. Parker

By: Ray O'Connell, Mayor

By: Thomas E. Parker, Superintendent

ATTEST: Karen J. Mc
Executive Secretary
By: to the Mayor

ATTEST: Ch. F. Thiel
By: Charles F. Thiel

Date: 4/23/2021

Date: 4/23/21

ALLENTOWN POLICE DEPARTMENT

Glenn Granitz Jr.

By: Glenn Granitz Jr., M.S. CJA, Police Chief

ATTEST: Manita Peralta
By: Executive Secretary

Date: 4/23/2021