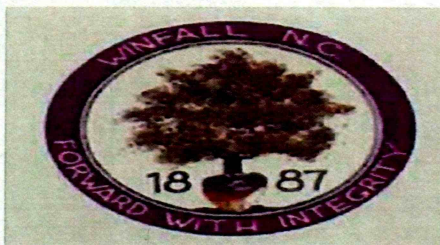
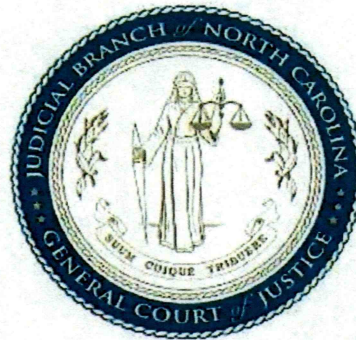




School Justice Partnership Agreement

RQ Schools



Preamble

WHEREAS, the North Carolina General Assembly mandates, pursuant to North Carolina General Statute 7A-343(9g), that the Administrative Office of the North Carolina Courts shall prescribe policies and procedures for chief district court judges to establish school justice partnerships with local law enforcement agencies, local boards of education, and local school administrative units with the goal of reducing in-school arrests, out-of-school suspensions, and expulsions.

WHEREAS, although school safety shall always be the main objective, the establishment of a School Justice Partnership to address non-injurious and/or non-victim student disciplinary infractions with in-school interventions, responses and/or sanctions will comply with the mandate of North Carolina General Statutes 7A-343(9g) and possibly yield the positive consequences of better school-student, school-parent, school-community relations and lower recidivism of student misconduct.

School Justice Partnership Agreement

I. Introduction

Schools and law enforcement share responsibility for school safety and must work together with complementary policies and procedures with the goal of a safe learning environment. This document strives to ensure a consistent response to incidents of student misconduct, clarify the role of law enforcement in school disciplinary matters, efficiently utilize alternative support services and reduce involvement of law enforcement and court agencies for minor misconduct at school and school-related events.

The parties agree to the following principles upon which this agreement is founded:

A. The vast majority of student misconduct can be best addressed through classroom, in-school, family and community strategies and maintaining a positive climate within schools rather than by involvement of the justice community.

B. Disruptive students, who do not commit more serious offenses, should receive appropriate redirection and support from in-school and community resources prior to the consideration of the involvement of the law enforcement, or referral to court. This does not excuse compliance with mandatory reporting laws and policies.

C. Clarifying the responsibilities of school and law enforcement personnel with regard to non-emergency disruptive behavior at school and school-related events promotes the best interests of the student, the school system, law enforcement and the community at large.

D. The parties acknowledge that this agreement shall not inhibit, discourage or prevent individual victims of student misconduct from initiating criminal or juvenile charges against students, when they believe it is appropriate to do so, nor shall it affect the prosecution of such charges.

E. This agreement is primarily focused on criminal or juvenile charges against students and shall not prevent or inhibit the disciplinary reassignment, suspension or expulsion of students, when appropriate, by Principals, the Superintendent of the Perquimans County Schools or the Perquimans County Board of Education, when they deem it to be appropriate and in accordance with State law and the Policies of the Perquimans County Board of Education.

F. To the extent that this agreement conflicts with any applicable law or regulation, the applicable law or regulation shall control.

II. Agreement Terms

A. Summary of Key Points

The parties agree to:

1. Convene a Progress Monitoring Team for the purpose of monitoring and oversight of the *School Justice Partnership Agreement*;
2. Share this agreement with a copy to all partner organizations;
3. Provide necessary and regular staff training on implementation of the agreement;
4. Thoroughly investigate student misconduct and, when appropriate, put into practice a graduated response prior to referral to court;
5. Clarify the role of the School Resource Officer (SRO) and law enforcement in schools;
6. Assess the effectiveness of the agreement based on data measures;
7. Modify the agreement as appropriate and review at least annually;
8. Assemble a threat assessment team in the event warning signs of serious behavior appear.

B. Key Factors in Making Disciplinary Decisions

The parties agree that when determining consequences for students' disruptive behavior all relevant factors, including but not limited to the following factors shall be considered, if information on the factors is available.

1. Age, health, risks, needs and disability or special education status of the student.
2. Intent, context, prior conduct and record of behavior of the student.
3. Previous interventions with the student.
4. Student's willingness to repair the harm.
5. Parents' willingness to address any identified issues.
6. Seriousness of the incident and degree of harm caused.
7. The effect on the educational environment by the student's continued presence in school.

The parties agree that when determining consequences for students' disruptive behavior that race/ethnicity, gender, gender identity, sexual orientation, religion and national origin of the student and family will NOT be considered.

C. Graduated Response Model

All decisions related to student misconduct are guided by the Perquimans County School Board's educational objective to teach responsibility and respect for cultural and ideological differences and by the board's commitment to create safe, orderly and inviting schools.

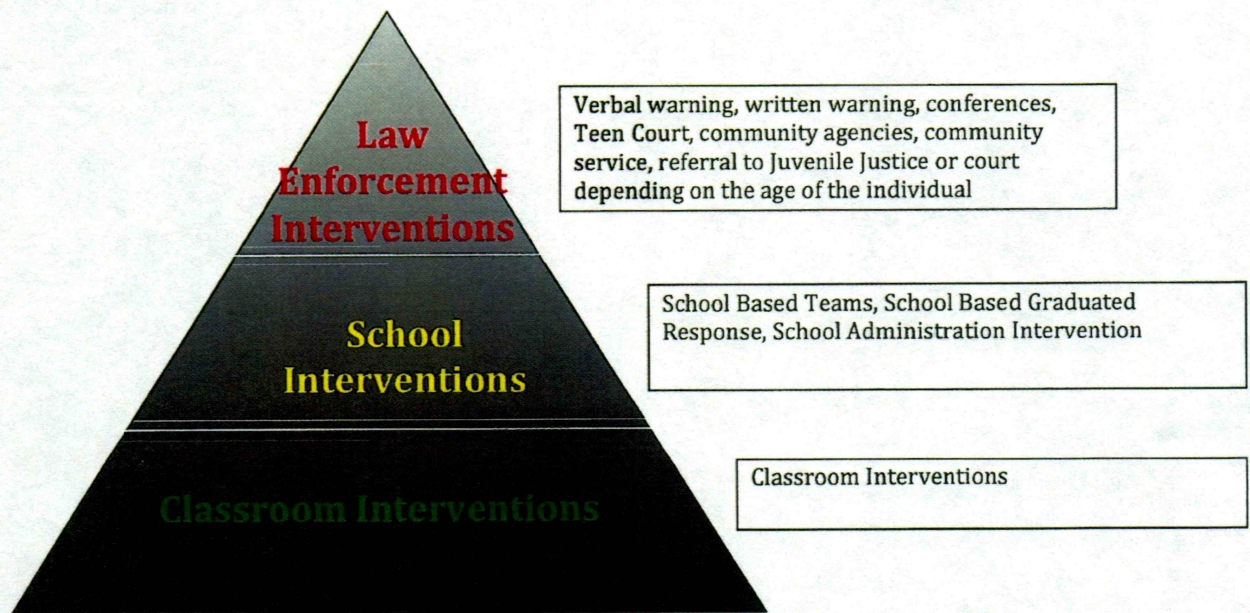
Classroom Intervention - Classroom intervention is managed by the teacher according to PCS policies and procedures for student behavior management.

School Administration Intervention - Each school must have a plan for managing student behavior that incorporates effective strategies consistent with the purpose and principles established in policy 4300, Student Behavior Policies.

- **Multidisciplinary School Based Team** - When the behavior and needs of the student warrant, an assessment process and intervention with the use of school and community services may be appropriate. This team should be comprised of the following members; school site administrator, social worker, guidance counselor, teacher and other individuals as appropriate. This intervention is managed by the school administration as regulated in policies related to student behavior (4000 series).

Law Enforcement Intervention – When classroom, school, family and / or community options have been found ineffective or in cases of serious misconduct or an emergency. Involvement of law enforcement does not necessarily mean arrest and referral to Juvenile Justice or court. Law enforcement options may include verbal warning; written warning conference with the student, parents, teachers and/or others; teen court, and/or community agencies; community service, criminal charges, juvenile complaint and referral to Juvenile Justice or court depending on the age of the individual.

Graduated Response Model:



D. Perquimans County Schools Graduated Response Process

Focused Acts

The following is a list of some minor criminal offenses that may occur in schools that could trigger implementation of the graduated response model.

Each situation must still be evaluated as set out herein to address safety concerns, the learning environment for other students and whether the conduct suggests that more serious problems exist.

- a. Affray (not involving serious physical injury or weapons and no heightened level of concern)
- b. Simple Assault (not involving school personnel and no heightened level of concern)
- c. Disorderly Conduct
- d. Misdemeanor Larceny
- e. Possession or smoking cigarettes or nicotine containing products including e-cigs, under age
- f. Damage to property
- g. Other violations as listed in the Perquimans County Schools Board of Education policies related to student behavior (PCS Policy Series 4000)

1. Warning Notice

The Warning Notice is a discretionary tool that is not required unless the SRO deems it just and appropriate. The SRO's discretion shall take into consideration certain factors that include but not limited to the student's overall discipline record, academic record, nature of the offense, display of remorse, attitude toward others, and the disciplinary action taken by the school administrator. The decision to issue a Warning Notice shall be made on a case by case basis using SRO discretion as described above.

2. Intervention

Two Focused Acts in the same school year may result in a referral to a graduated program made available by the school, juvenile justice system, or community such as Teen Court, Social Thinking Options Program (STOP), and Community Service / Restitution Program.

Three Focused Acts in the same school year may result in the filing of a juvenile complaint, or charge.

E. Law Enforcement Activity at Schools

Perquimans County Schools Policy 5120, Relationship with Law Enforcement, describes in detail procedural expectations. Examples of best practices are as follows:

1. Law enforcement will endeavor to act through school administrators whenever they plan any activity on school grounds.
2. Law enforcement officers entering school grounds will be aware of the potential disruption of the educational process that law enforcement's presence may cause.
3. Prior to entering a school to conduct an investigation, arrest or search, law enforcement officers will consider the necessity of such action based on:
 - a. The potential danger to persons;
 - b. The likelihood of destruction of evidence or other property;
 - c. The ability to conduct the investigation, arrest or search elsewhere;
 - d. Other factors relevant to law enforcement and public safety.
4. When taking a student into custody:
 - a. Law enforcement officers should make reasonable efforts to avoid making arrests or taking students into custody on the school premises, when appropriate.
 - b. Whenever possible and appropriate, students should be taken into custody out of sight and sound of other students.
 - c. The safety of persons is the paramount concern and law enforcement officers shall not be limited by this agreement if in their professional judgment, students should be taken into custody on school premises or in the sight or sound of other students.
5. The School Resource Officer (SRO) program places law enforcement officers in schools with the goal of creating and maintaining safe, secure and orderly learning environments for students, teachers and staff. An annual School Resource Officer Memorandum of Agreement will be implemented between the Perquimans County Sheriffs Office and Perquimans County Schools detailing goals and objectives of the program.

F. Data Sharing, Collection and Monitoring

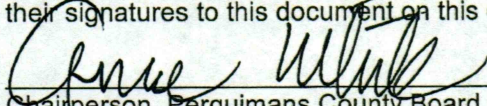
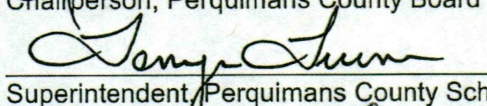
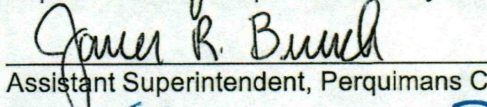

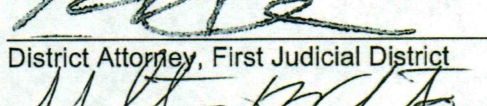
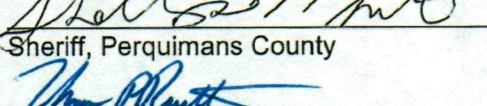
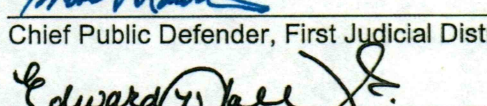
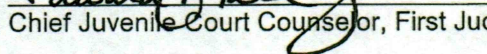
Two scheduled meetings per year at 9:00 a.m. immediately prior to the regularly scheduled Perquimans County Juvenile Court Sessions in November and March to discuss the implementation of, progress of, revision of, and training for those strategy and policy goals as set forth in this agreement.

- School—number and types of disciplinary actions, numbers and demographics of students involved, referrals to law enforcement.
- Law Enforcement—number and types of school incidents for which law enforcement incident reports are written, law enforcement actions on incidents.
- Support Services—number and types of referrals and interventions/programs.

I. Duration and Modification of Agreement

This agreement shall become effective during the 2019-2020 school year and shall remain in full force and effect for three years from its effective date. The agreement may be modified or extended at any time by amendment to the agreement.

In witness whereof, the parties hereto, intending to cooperate with one another, have set their signatures to this document on this day.

 Chairperson, Perquimans County Board Of Education	<u>05-28-19</u> Date
 Superintendent, Perquimans County Schools	<u>5-28-19</u> Date
 Assistant Superintendent, Perquimans County Schools	<u>5/29/19</u> Date
 Chief District Court Judge, First Judicial District	<u>6-2-19</u> Date
 District Attorney, First Judicial District	<u>5/30/2019</u> Date
 Sheriff, Perquimans County	<u>5-30-19</u> Date
 Chief Public Defender, First Judicial District	<u>5/29/19</u> Date
 Chief Juvenile Court Counselor, First Judicial District	<u>5-29-19</u> Date

Membership of Progress Monitoring Team Perquimans County Schools:

Perquimans County Schools	Juvenile Justice/Law Enforcement
Superintendent, Tanya Turner Assistant Superintendent, James Bunch Youth Development Coordinator, Shatasha Miller District Social Worker, Starr Gordon ALC Dean of Students, Tammy Miller-White PCHS Principal, Wayne Price PMCS Principal, Joycelyn Hinton	Sheriff, Shelby White Sergeant, David Murray Chief Court Counselor, Ed Hall DJJ Intake Counselor, Markeeta Littlejohn DJJ Court Counselor Supervisor, Eva Anderson NCDPS Area Consultant, Nancy Hodges District Attorney's Office Representative Public Defender Juvenile Court Attorney Representative