

**July 2021 Draft PCS Law Enforcement Agreement**

<b>Agreement Topic/ Section</b>	<b>Revisions Adopted (New Draft Now Includes)</b>	<b>Revisions Not Adopted (What is NOT included in New Draft)</b>
Preamble	<p>language acknowledging that FL law prohibits zero tolerance policies from being “rigorously applied to petty acts of misconduct.”</p> <p>a student shall not be treated more harshly than other students who engage in the same misconduct when all other factors are virtually equal (consistent with state and federal anti-discrimination laws)</p>	
Roles & Responsibilities		<p>Language limiting when educators can summon law enforcement to those scenarios involving a safety threat, the criminal conduct of persons other than students, and when otherwise required by FL law</p> <p>Language specifying that educators should not call the police on parents or guardians seeking to speak to educators about their child’s education so long as those parents/guardians do not pose a safety threat.</p> <p>Language requiring arrests, uses of force, and questioning by law enforcement to only be done at school as a <b>last resort</b>.</p> <p>Language requiring parents or guardians to be informed when law enforcement share their student’s criminal background information.</p> <p>Language requiring Threat Assessment Team consultations with law enforcement to include the student’s parent or guardian or an adult acting in the child’s best interests.</p> <p>Language requiring Threat Assessment Team consultations with law enforcement to include the consideration of evidence-based alternatives to a Referral to Law Enforcement or arrest.</p>

Information Sharing & Law Enforcement Referral	<p>The new draft provides that parents or guardians will be notified when their student makes a credible threat of serious harm</p> <p><i>(Prior language required reporting of all student threats of harm, regardless of whether they were serious or credible, and only required educators to report these statements to law enforcement).</i></p>	<p>The substitution of language requiring educators to report all crimes to law enforcement with language that only required the reporting of safety threats, consistent with FL law.</p> <p>Language requiring all parties involved in student discipline to work collaboratively with the involved student's parent or guardian to do what is in the best interest of the child.</p> <p>Language requiring SROs to notify parents or guardians whenever their student is taken into custody at school, on school transportation, or during a school sponsored event (as required by FL state law)</p> <p>Language requiring the law enforcement agencies to notify parents or guardians whenever the law enforcement agencies disclose their student's criminal history to the Pinellas Schools or the Dep't of Juvenile Justice.</p>
Ban on Racial Profiling	The new draft adopts a ban on racial profiling	
Questioning/Interrogation of Students	Under the new draft, when students are interviewed by law enforcement at school, that school administrators work to ensure that they are done in a way that causes the least possible disruption to student(s) and gives the student appropriate privacy.	<p>Language that questioning of children by SROs or other law enforcement only be done as a <b>last resort</b> in response to a Safety Threat or a valid warrant or court order</p> <p>Requirement that if on-campus questioning takes place</p> <ul style="list-style-type: none"> <li>- Parent/guardian should be notified and must give consent</li> <li>- If parent/guardian is not present during interview, an adult looking out for the child's interest is present during the interview</li> <li>- developmentally appropriate warnings and protections for a child's legal right to remain silent are explicitly required</li> </ul>
Arrests	Under the new draft, law enforcement is now required to attempt to contact a parent or guardian immediately after a school-based arrest, if not before. The officer should make a good faith and sustained effort to notify the parent/guardian if unable to immediately reach them.	<p>Explicit language to discourage school arrests of children except as a <b>last resort</b> and in response to a <b>Safety Threat</b></p> <p>Language that would <b>require</b> officers to consult with school administrators before deciding if arrest is appropriate.</p>
Searches & Use of Force		<p>Language that explicitly requires law enforcement to use the least severe use of force necessary to end a Safety Threat.</p> <p>Language that would limit searches of students by law enforcement to instances of last resort in response to Safety Threats.</p> <p>Requirement that a school administrator or counselor be present for any law enforcement search of a child's person, in order to protect the child's best interests.</p>

Baker Act	Threats of force must be <b>credible</b> and <b>serious</b> , and <b>parents must be informed</b> in addition to the police.	Language stating that Threat Assessment Teams should be made aware of a student's pattern of behavior that would pose a "Safety Threat" as defined to mean a threat to physical safety, versus a "threat to school safety" as undefined, and which Chief Williams stated could include threats of property damage.
Information Sharing	Personally identifiable information may be shared only for " <b>permissible</b> " law-enforcement purposes	<p>Language restricting school administrators to reporting only "Safety Threats" to law enforcement (current agreement requires referral for "all crimes," including non-violent minor ones)</p> <p>Language that would allow the school to share information with law enforcement if "required" by law (versus "permitted")</p>
Parental Involvement	<p>Law enforcement are now required to attempt to contact a parent or guardian immediately after a school-based arrest, if not before. The officer should make a good faith and sustained effort to notify the parent/guardian if unable to immediately reach them</p> <p>(Law enforcement decide whether or not to notify a parent prior to questioning their child)</p>	<p>Language explicitly <b>requiring</b> parents to be involved when:</p> <ul style="list-style-type: none"> <li>- Criminal-background info is shared with Threat Assessment Team</li> <li>- Threat Assessment Team and law enforcement consult with one another about student</li> <li>- Disciplinary decisions are made (parents allowed to collaborate)</li> <li>- Student's info given to Pinellas County Schools Police Department</li> <li>- Criminal-history information given to Superintendent by PCSPD.</li> <li>- A Student is questioned by law enforcement</li> <li>- A Search of a student's person (and administrator must be present <i>in loco parentis</i>)</li> <li>- Use of Force</li> </ul>
Transparency		<p>Language to require the school district to collect and publicly share data, disaggregated by race, ethnicity, age, gender, religion, disability status, grade level, and school for arrests, searches, use of force, criminal complaints, anonymous tips, departures from policy and corrective action</p> <p>Language requiring that use of force events be reported to PCSDPD, PBIS Director and parent/guardian.</p> <p>Requirement of annual Review of Law Enforcement action by School District</p>
Protections for Non-English Speakers		<p>Heightened warnings against self-incrimination if student's primary language is not English</p> <p>Students must be questioned in their native language in criminal investigations</p>