

DRAFT FOR STAKEHOLDER INPUT

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made and entered into as of _____, 2019 by and among the Westbury Union Free School District, the United Public Service Employees Union – Security Unit (“UPSEU”), the District-Wide Security Supervisor and the Assistant Security Supervisor.

WHEREAS, the District’s Security Guards and Security Aides are UPSEU Unit members; and

WHEREAS, the District employs a District-Wide Security Supervisor and an Assistant Security Supervisor; and

WHEREAS, recent amendments to Education Law Section 2801-a and the Commissioner of Education’s Regulations require school districts that employ security personnel to have an agreement developed with stakeholder input defining the relationship among the school district, school personnel, students, visitors, law enforcement and security personnel; defining the security personnel’s roles, responsibilities and involvement within the school district; and delegating the role of school discipline to school administration; and

WHEREAS, Education Law Section 2801-a requires that this agreement be incorporated into and published as part of the District-Wide Safety Plan.

NOW, THEREFORE, the parties agree as follows:

1. This Memorandum was prepared with stakeholder input in accordance with Education Law Section 2801-a.
2. The responsibility for school discipline rests solely with the Board of Education, District-wide and building administration, as well as teachers and other non-security staff, as set forth herein.
3. The Board of Education, Superintendent of Schools, building principals, assistant principals and other non-security staff members (*e.g.*, teachers), as appropriate under the circumstances, are primarily responsible for addressing and responding to student, staff and visitor misconduct in a manner that is consistent with the District’s Code of Conduct and applicable law. When necessary, Security Aides, Security Guards, the District-Wide Security Supervisor and the Assistant Security Supervisor (collectively, “the District’s Security Personnel”) will escort individuals to a different location on or off school property and contact local law enforcement.
4. At no time will the District’s Security Personnel be responsible for imposing school discipline or disciplining students in response to misconduct violating the District’s Code of Conduct.

DRAFT FOR STAKEHOLDER INPUT

Rather, the District's Security Personnel will instead refer suspected incidents of student misconduct to the appropriate school building administrator (*e.g.*, a principal or assistant principal), District-wide administrator (*e.g.*, the Superintendent of Schools or Assistant Superintendent) or other non-security staff member (*e.g.*, a teacher) as appropriate under the circumstances.

5. In addition, the District Security Personnel have the following illustrative responsibilities and duties which shall be consistent with the Civil Service job descriptions for each respective title:

a. Security Guards

- i. Patrolling and protecting the District's school buildings and grounds and ensuring the safety of persons using the District's premises.
- ii. Maintaining security and order.
- iii. Reporting unusual occurrences to the proper authorities.
- iv. Directing and regulating the flow of traffic.
- v. Inspecting parked vehicles to ensure the vehicles are authorized and reporting violators.
- vi. Assisting with crowd control.
- vii. Assisting in making security surveys and making appropriate recommendations.
- viii. Assisting in fire drills and fire inspections.
- ix. Maintaining a security log book and preparing required daily reports.
- x. Issuing and controlling building and room keys, as required.
- xi. Performing related responsibilities and duties, as directed (*e.g.*, restraining individuals when necessary and as appropriate under the circumstances).

b. Security Aides

- i. Patrolling and protecting the District's school buildings and grounds and ensuring the safety of persons using the District's premises.
- ii. Periodically touring buildings, grounds and other designated areas to ensure that doors, windows and gates are properly secured;
- iii. Reporting unusual conditions or breakdowns in heating, plumbing and/or electrical systems.
- iv. Reporting attempted thefts, improper entries, vandalism or fires.
- v. Performing related responsibilities and duties, as directed.

DRAFT FOR STAKEHOLDER INPUT

c. District-Wide Security Supervisor and Assistant Security Supervisor

- i. Setting up work schedules and ensuring that all buildings are appropriately covered.
- ii. Supervising the work of subordinate employees.
- iii. Touring buildings, grounds and other designated areas to examine doors, windows and gates for security.
- iv. Controlling traffic at designated areas.

6. Local law enforcement is not responsible for imposing school discipline or disciplining students in response to misconduct violating the District’s Code of Conduct. The role of local law enforcement is to respond to matters that threaten the health, welfare or safety of District students, staff or visitors as well as criminal matters.

7. This Memorandum will not be interpreted as constituting a contract or binding agreement of any type. Instead, this Memorandum merely describes certain roles and responsibilities of the District’s Security Personnel, other District staff members and local law enforcement regarding school discipline and security.

8. This Memorandum may be executed in one or more counterparts, all of which will be considered one and the same document. This Memorandum may be executed by facsimile or PDF signature, each of which will constitute an original for all purposes.

**WESTBURY UNION FREE
SCHOOL DISTRICT**

**UNITED PUBLIC SERVICE EMPLOYEES
UNION – SECURITY UNIT**

By: _____
Robert Troiano, Jr.
President, Board of Education

By: _____

Date: _____

Date: _____

John Robinson
Assistant Security Supervisor

Jeff Smith
District-Wide Security Supervisor