

# MEMORANDUM OF UNDERSTANDING

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MEMORANDUM OF UNDERSTANDING

BETWEEN

**Lansdale Borough Police Department**  
(Law Enforcement Authority)

**Hatfield Township Police Department**  
(Law Enforcement Authority)

**Upper Gwynedd Township Police Department**  
(Law Enforcement Authority)

**North Wales Borough Police Department**  
(Law Enforcement Authority)

**Towamencin Township Police Department**  
(Law Enforcement Authority)

**Montgomery Township Police Department**  
(Law Enforcement Authority)

**Montgomery County District Attorney Detective Bureau**  
(Law Enforcement Authority)

and

**North Penn School District School District**  
(School Entity)

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(Date)

## I. Introduction

### A. Parties

The following Law Enforcement Authority or Authorities agree to follow the policies and procedures contained in this Memorandum of Understanding (hereinafter "Memorandum"):

**Lansdale Borough Police Department, Hatfield Township Police Department, Upper Gwynedd Township Police Department, North Wales Borough Police Department, Towamencin Township Police Department, Montgomery Township Police Department, Montgomery County District Attorney Detective Bureau**

The following School Entity or Entities agree to follow the policies and procedures contained in this Memorandum:

**North Penn School District**

- B. This Memorandum establishes procedures to be followed when certain incidents – described in Section II below – occur on school property, at any school sponsored activity, or on a conveyance as described in the Safe Schools Act (such as a school bus) providing transportation to or from a school or school sponsored activity. This Memorandum does not cover incidents that are outside of those school settings and create no substantial disruption to the learning environment.
- C. The parties seek to foster a relationship of cooperation and mutual support and to maintain a safe school environment.
- D. Legal Authority
1. The parties make this agreement as required by Article XIII-A of the Public School Code of 1949, popularly known as the "Safe Schools Act," *as amended*, 24 P.S. §§ 13-1301-A – 13-1313-A.
  2. In so recognizing this legal authority, the parties acknowledge their respective duties pursuant to the Safe Schools Act and hereby agree to support and cooperate with one another in carrying out their joint and several responsibilities thereunder.
  3. Information From Student Records
    - a. The Law Enforcement Authority shall be governed by the following reporting and information exchange guidelines:

- i. Criminal History Record Information Act, 18 Pa.C.S. § 9101 *et seq.*
  - ii. The prohibition against disclosures, specified in section IV(C) (5) of this Memorandum.
- b. When sharing information and evidence necessary for the Law Enforcement Authority to complete its investigation, the School Entity shall:
  - i. Comply with the Family Educational Rights and Privacy Act (hereinafter "FERPA"), 20 U.S.C. § 1232g, and its implementing regulations at 34 C.F.R. § 99.1 *et seq.*, and 22 Pa. Code §§ 12.31-12.33, including any amendments thereto.
  - ii. Comply with the requirements of the Safe Schools Act, 24 P.S. §§ 13- 1303-A and 13-1313-A, and any amendments thereto.
  - iii. Complete reports as required by section 1303-A of the Safe Schools Act, 24 P.S. § 13-1303-A, and any amendments thereto.
- c. The School Entity may disclose personally identifiable information from an educational record of a student to the Law Enforcement Authority if a health or safety emergency exists and knowledge of that information is necessary to protect the health or safety of the student or other individuals. (34 C.F.R. §99.31 (a) (10) of the FERPA regulations). In determining whether a health or safety emergency exists, the School Entity may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the School Entity determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to the Law Enforcement Authority, if knowledge of that information is necessary for the Law Enforcement Authority to protect the health or safety of the student or other individuals. The School Entity must record the articulable and significant threat to the health or safety of a student or other individuals so that it can demonstrate - to parents, students and the Family Policy Compliance Office<sup>1</sup> - what circumstance led it to determine that a health or safety emergency existed and why the disclosure was justified.
- d. The School Entity should comply with the following exceptions to the prior consent requirement of the Federal Educational Rights and Privacy Act (FERPA):

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<sup>1</sup> Questions related to FERPA should be directed to the Family Policy Compliance Office within the U.S. Department of Education

- To provide information from the school’s law enforcement unit records (See §99.3 and §99.8 of the FERPA regulations).
- To provide information in connection with a health or safety emergency (See §99.31 (a) (10) of the FERPA regulations).
- To comply with a judicial order, a federal Grand Jury subpoena, or a subpoena for a law enforcement purpose and the court has ordered the school not to disclose the existence of the subpoena (See §99.31 (a) (9) of the FERPA regulations).
- To provide information that the school district has designated as “directory information” (See §99.37 of the FERPA regulations), unless a student’s parent/guardian or an eligible student has opted out of such disclosure. Directory information includes, but is not limited to; name, address and telephone, place of birth, major field of study, official activities, dates of attendance, height and weight for sports, degrees and honors received, most recent previous education institution and photograph.

#### E. Priorities of the Law Enforcement Authority

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1. Help the School Entity prevent delinquent acts through preventive measures, including referrals to support services, diversionary programs, restorative practices, school-wide positive behavior supports, education and deterrence.
2. Investigate as appropriate all incidents reported to have occurred on school property, at any school sponsored activity, or on a conveyance as described in the Safe Schools Act (including a school bus) providing transportation to or from a school or school sponsored activity. The investigation of all reported incidents shall be conducted in the manner that the Law Enforcement Authority, in its sole discretion, deems appropriate; but any investigation shall be conducted so as to involve as little disruption to the school environment as is practicable.
3. Identify those responsible for the commission of the reported incident and, where appropriate, apprehend and prosecute those individuals. Identification and apprehension procedures shall involve as little disruption to the school environment as is practicable.
4. Establish and maintain a cooperative relationship with the School Entity in the reporting and resolution of all incidents described in Section II of this document.

## F. Priorities of the School Entity

1. Help law enforcement prevent delinquent acts through preventive measures, including referrals to support services, diversionary programs, restorative practices, school-wide positive behavior supports, education and deterrence.
2. Create a safe learning environment.
3. Establish and maintain a cooperative relationship with the Law Enforcement Authority in the reporting and resolution of all incidents described in Section II of this document.
4. Provide the Law Enforcement Authority with all relevant information and required assistance in the event of a reported incident.
5. The School Entity shall give the Law Enforcement Authority a copy of the School Entity's behavior support services procedures and invite Law Enforcement Authority representatives to behavior support trainings.

## II. Notification of Incidents to Law Enforcement

The School Entity is required to notify law enforcement in specific situations listed in subsection A (Mandatory Notification) of this section, and should notify law enforcement in the situations listed in subsection A3 (Recommended Notification) of this section. The School Entity has discretion over whether to notify law enforcement about incidents listed in subsection B (Discretionary Notification) of this section. Law enforcement's decision to investigate and file charges may be made in consultation with school administrators.

### A. Mandatory Notification

1. The School Entity shall immediately notify the Law Enforcement Authority having jurisdiction where the offense occurred by the most expeditious means practicable of any of the following incidents occurring on school property, at any school sponsored activity, or on a conveyance as described in the Safe Schools Act (including a school bus) providing transportation to or from a school or school sponsored activity:
  - a. The following offenses under 18 Pa.C.S (relating to crimes and offenses):
    - i. Section 908 (relating to prohibited offensive weapons).

- a. The term "offensive weapon" is defined by section 908 of the Crimes Code as "any bomb, grenade, machine gun, sawed-off shotgun with a barrel less than 18 inches, firearm specially made or specially adapted for concealment or silent discharge, any blackjack, sandbag, metal knuckles, dagger, knife, razor or cutting instrument, the blade of which is exposed in an automatic way by switch, push-button, spring mechanism, or otherwise, any stun gun, stun baton, taser or other electronic or electric weapon or other implement for the infliction of serious bodily injury which serves no common lawful purpose." See 18 908(c) (relating to Pa.C.S. § definitions).
  - b. Consistent with section 908(b) of the Crimes Code (relating to exceptions), this reporting requirement does not apply to one who possessed or dealt with an offensive weapon solely as a *curio* or in a dramatic performance, or to one who possessed an offensive weapon briefly in consequence of having found it or taken it from an aggressor, or under circumstances similarly negating any intent or likelihood that the weapon would be used unlawfully.
- ii. Section 912 (relating to possession of weapon on school property).
  - a. The term "weapon" is defined by section 912 of the Crimes Code to include, but is not limited to, a knife, cutting instrument, cutting tool, nun-chuck stick, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury.
  - b. Consistent with section 912(c) of the Crimes Code (relating to defense), this reporting requirement does not apply to a weapon that is: (a) possessed and used in conjunction with a lawful supervised school activity or course; or (b) is possessed for other lawful purpose.
- iii. Chapter 25 (relating to criminal homicide).
- iv. Section 2702 (relating to aggravated assault).
- v. Section 2709.1 (relating to stalking).
- vi. Section 2901 (relating to kidnapping).
- vii. Section 2902 (relating to unlawful restraint).
- viii. Section 3121 (relating to rape).
- ix. Section 3122.1 (relating to statutory sexual assault).
- x. Section 3123 (relating to involuntary deviate sexual intercourse).
- xi. Section 3124.1 (relating to sexual assault).

- xii. Section 3124.2 (relating to institutional sexual assault).
- xiii. Section 3125 (relating to aggravated indecent assault).
- xiv. Section 3126 (relating to indecent assault).
- xv. Section 3301 (relating to arson and related offenses).
- xvi. Section 3307 (institutional vandalism), when the grading is a third degree felony.
- xvii. Section 3502 (relating to burglary).
- xviii. Section 3503(a) and (b) (1) (v) (relating to criminal trespass).
- xix. Section 5501 (relating to riot).
- xx. Section 6110.1 (relating to possession of firearm by minor).

c. The possession, use or sale of a controlled substance, designer drug or drug paraphernalia as defined in “The Controlled Substance, Drug, Device, and Cosmetic Act,” *as amended*, 35 P.S. §§ 780-101–780-144, popularly known as the “Drug Act.” For purposes of the Memorandum, the terms “controlled substance”, “designer drug” and “drug paraphernalia” shall be defined as they are in section 102 of the Drug Act. See 35 P.S. § 780-102 (relating to definitions).

d. Attempt, solicitation or conspiracy to commit any of the offenses listed in paragraphs 1 and 2 of this subsection.

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

2. In responding to students who commit an incident listed under section 1303-A(b)(4.1) of the Safe Schools Act (24 P.S. § 13-1303-A(b)(4.1)), a school entity may consider the propriety of utilizing available school-based programs, such as school-wide positive behavior supports, to address the student's behavior. Nothing in this provision shall be read to limit law enforcement's discretion.

### 3. Recommended Notification of Non Mandatory Incidents

The School Entity should notify the Law Enforcement Authority having jurisdiction where the incident occurred of any of the following incidents occurring on school property, at any school sponsored activity, or on a conveyance as described in the Safe Schools Act (including a school bus) providing transportation to or from a school or school sponsored activity:

a. The following offenses under 18 Pa. C.S (relating to crimes and offenses):

- i. Chapter 26 (relating to crimes against an unborn child)

- ii. Section 2701 (relating to simple assault)
- iii. Section 2705 (relating to recklessly endangering another person)
- iv. Section 2706 (relating to terroristic threats)
- v. Section 2709 (relating to harassment)
- vi. Section 2710 (relating to ethnic intimidation)
- vii. Section 2715 (threat to use weapon of mass destruction)
- viii. Section 2716 (weapon of mass destruction)
- ix. Section 2718 (strangulation)
- x. Section 2802 (related to hazing)
- xi. Section 2803 (relating to aggravated hazing)
- xii. Section 3011 (relating to trafficking in individuals)
- xiii. Section 3127 (relating to indecent exposure)
- xiv. Section 3131 (unlawful dissemination intimate images)
- xv. Section 3302 (relating causing or risking a catastrophe)
- xvi. Section 3701 (relating to robbery)
- xvii. Section 3702 (relating to robbery of motor vehicle)
- xviii. Section 4952 (relating to intimidation of victim or witness)
- xix. Section 4953 (relating to retaliation against witness, victim or party)
- xx. Section 5901 (relating to open lewdness)
- xxi. Section 5903 (obscene and other sexual materials and performances)
- xxii. Section 6106 (relating to firearms not be carried without a license)
- xxiii. Section 6312 (relating to sexual abuse of children)

- a. Attempt, solicitation or conspiracy to commit any of the offenses listed in subsection (a).

**B. Discretionary Notification**

1. The School Entity may notify the Law Enforcement Authority having jurisdiction where the incident occurred of any of the following incidents occurring on school property, at any school sponsored activity, or on a conveyance as described in the Safe Schools Act (including a school bus) providing transportation to or from a school or school sponsored activity:

- a. The following offenses under 18 Pa. C.S (relating to crimes and offenses):
  - i. Section 3304 (relating to criminal mischief)
  - ii. Section 3503 (criminal trespass (b) (1), (i), (ii), (iii), (iv), (b.1) and (b.2))
  - iii. Section 3707 (institutional vandalism when the grading is a misdemeanor of the second degree)
  - iv. Chapter 39 (related to theft and related offenses)
  - v. Chapter 41 (relating to forgery and fraudulent practices)
  - vi. Section 4905 (relating to false alarms to agencies of public safety)
  - vii. Section 5502 (relating to failure of disorderly persons to disperse upon official order).
  - viii. Section 5503 (relating to disorderly conduct).
  - ix. Section 6305 (relating to sale of tobacco).
  - x. Section 6306.1 (relating to use of tobacco in schools prohibited).
  - xi. Section 6308 (relating to purchase, consumption, possession, or transportation of liquor or malt or brewed beverages by a person under 21 years of age).
- b. Attempt, solicitation or conspiracy to commit any of the offenses listed in subsection (a).
2. In exercising its discretion to determine whether to notify law enforcement of such incidents, the School Entity should 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.

C. Law Enforcement Response to Notification

1. When notified of an incident listed in subsections A or B, law enforcement's decision to investigate and file charges, is at the sole discretion of the Law Enforcement Authority, which may be made in consultation with school administrators.
2. In determining whether to file charges, the Law Enforcement Authority is encouraged, as needed, to consult with the District Attorney. Where appropriate

under the law, part of this consultation may include a discussion about the availability or propriety of utilizing a diversionary program as an alternative to filing charges.

- D. Notification of the Law Enforcement Authority when incident involves children with disabilities
1. If a child with a disability commits an incident of misconduct, school administrators and the Law Enforcement Authority 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 whom 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, the School Entity must provide immediate notification to the Law Enforcement Authority 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 Entity's recommendation that police intervention may not be required and advisement that the School Entity will act to address the student's behavior need 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 711.46 (relating to positive behavior support). The Law Enforcement Authority 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 offense under Subsection B and the School Entity does not believe that police intervention is necessary, the School Entity will address the student's behavior need 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 Entity from reporting an offense committed by a child with a disability to the Law Enforcement Authority, 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 Entity, 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 Law Enforcement Authority to whom the incident was reported.
6. The School Entity, when reporting an incident under this section, may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by FERPA.

[Describe any specific procedures to be followed for incidents involving a student with a disability having an IEP as required by 22 Pa. Code § 14.104 (relating to special education plans) or 22 Pa. Code Chapter 711 (relating to charter school and cyber charter school services and programs for children with disabilities)]

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- E. Upon notification of the incident to the Law Enforcement Authority, the School Entity 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:
  1. Whether the incident is in-progress or has concluded.
  2. Nature of the incident.
  3. Exact location of the incident.
  4. Number of persons involved in the incident.
  5. Names and ages of the individuals involved.
  6. Weapons, if any, involved in the incident.
  7. Whether the weapons, if any, have been secured and, if so, the custodian of the weapons.
  8. Injuries involved.
  9. Whether EMS or the Fire Department have been notified.
  10. Identity of the school contact person.
  11. Identity of the witnesses to the incident, if any.
  12. Whether the incident involves a student with a disability and, if so, the type of disability and its impact on the student's behavior.
  13. Other such information as is known to the School Entity and believed to be relevant to the incident.
- F. No later than September 30 of each year, the School Entity shall assemble and make ready for immediate deployment to its Incident Command Post the following information for the purpose of assisting the Law Enforcement Authority in responding to an emergency:

[REDACTED]

- G. The School Entity shall comply with the reporting requirements for incidents falling under the Child Protective Services Act, 23 Pa. C.S. §6301 et. seq. Notification of these incidents should be immediately given to local law enforcement if they fall within the offenses listed in section IIA, and IIA3.

**III. Law Enforcement Authority Response**

- A. Depending on the totality of the circumstances, initial response by the Law Enforcement Authority may include:
  - 1. For incidents in progress:
    - a. Meet with contact person and locate scene of incident.
    - b. Stabilize incident.
    - c. Provide/arrange for emergency medical treatment, if necessary.
    - d. Control the scene of the incident.
      - i. Secure any physical evidence at the scene.
      - ii. Identify involved persons and witnesses.
    - e. Conduct investigation.
    - f. Exchange information.
    - g. Confer with school officials to determine the extent of law enforcement involvement required by the situation.
  - 2. For incidents not in progress:
    - a. Meet with contact person.
    - b. Recover any physical evidence.
    - c. Conduct investigation.

- d. Exchange information.
  - e. Confer with school officials to determine the extent of law enforcement involvement required by the situation.
3. Incidents initially reported to the Law Enforcement Authority:
    - a. If any incident described in sections IIA or IIB is initially reported to the Law Enforcement Authority, the Law Enforcement Authority shall proceed directly with its investigation, shall immediately notify the School Entity of the incident, and shall proceed as outlined in sections IIA through IIE.
- B. Actors/Suspects Temporarily Detained
1. Students identified as actors/suspects in reported incidents may be temporarily detained at the discretion of a law enforcement officer for the purpose of an investigation.
  2. The investigating law enforcement officer shall take all appropriate steps to protect the legal and constitutional rights of those students being detained.

#### **IV. Assistance of School Entities**

##### *A. In Loco Parentis*

1. Teachers, Guidance Counselors, Vice Principals and Principals in the public schools have the right to exercise the same authority as a parent, guardian or person in parental relation to such pupil concerning conduct and behavior over the pupils attending a school during the time they are in attendance, including the time required in going to and from their homes.
2. School authorities' ability to stand in loco parentis over children does not extend to matters beyond conduct and discipline during school, school activities, or on a conveyance as described in the Safe Schools Act providing transportation to or from school or a school sponsored activity.

##### **B. Notification of Parent or Guardian**

1. Taking into consideration the safety of a victim, the School Entity shall immediately or as soon as practicable notify the parent or guardian of a victim or suspect directly involved in an incident listed in Section IIA, including those incidents listed in Section IIA3 Recommended Notification and Section IIB. The School Entity should confer with the Law Enforcement Authority to determine if

immediate notification would compromise an ongoing investigation. In making the notification and as part of conferring with the Law Enforcement Authority the School Entity shall inform the parent or guardian as to whether the local police department having jurisdiction has been, or may be notified of the incident.

2. The School Entity shall document attempts made to reach the parents or guardians of all victims and suspects directly involved in incident listed under Section IIA or IIB.

### C. Scope of School Entity's Involvement

1. General Principles: Once the Law Enforcement Authority assumes primary responsibility for a matter, the legal conduct of interviews, searches, seizures of property, and arrests are within the purview of the Law Enforcement Authority. The School Entity shall defer to the Law Enforcement Authority on matters of criminal and juvenile law procedure, except as is necessary to protect the interests of the School Entity. The Law Enforcement Authority will keep the chief school administrator, or his designees, informed of the status of pending investigations.
2. Victims
  - a. When the Law Enforcement Authority interviews a victim, on school property, the School Entity will notify the parent or guardian of the victim, taking into consideration the safety of the victim and the integrity of any ongoing investigation. The Law Enforcement Authority shall follow its policies and procedures when interviewing a victim.
  - b. In the event a victim is interviewed by the Law Enforcement Authority on school property, a guidance counselor, similarly designated personnel or other adult may be present during the interviewing process.

#### Witnesses

- a. When the law enforcement authority interviews a witness, on school property, the school entity will notify the parent or guardian of the witness, taking into consideration the safety of the victim and the integrity of any ongoing investigation. The Law Enforcement Authority shall follow its policies and procedures when interviewing the witness.

b. In the event a witness is interviewed by the Law Enforcement Authority on school property, a guidance counselor, similarly designated personnel or other adult may be present during the interviewing process.

3. Suspects

- a. Upon request of the Law Enforcement Authority, the School Entity may help the Law Enforcement Authority to secure the presence of at least one parent or guardian of a student suspect before that student is questioned by the Law Enforcement Authority.
- b. When a parent or guardian is not present, school authorities should not stand in loco parentis (in the place of the parent/guardian) during an interview.
- c. If an interested adult cannot be contacted, the School Entity shall defer to the investigating Law Enforcement Authority, which will protect the student suspect's legal and constitutional rights as required by law.

4. Conflicts of Interest

- a. The parties to this Memorandum recognize that if a School Entity employee, contractor, or agent of the School Entity is the subject of an investigation, a conflict of interest may exist between the School Entity and the adult suspect.
- b. Neither the individual that is the subject of the investigation, nor any person acting as his/her subordinate or direct supervisor, shall be present during Law Enforcement Authority's interviews of student co-suspects, victims or witnesses by the Law Enforcement Authority.
- c. Neither the individual who is the subject of the investigation, nor his/her subordinate(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 Law Enforcement Authority or as otherwise required by law.

D. Reporting Requirements

All school entities are 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 Sections IIA and IIB. Before submitting the required annual report, each chief school

administrator and each police department having jurisdiction over school property of the School Entity shall do the following:

- a. No later than thirty days prior to the deadline for submitting the annual report, the chief school administrator shall submit the report to the police department with jurisdiction over the relevant school property. The police department shall review the report and compare the data regarding criminal offenses and notification of law enforcement to determine its accuracy.
- b. No later than fifteen days prior to the deadline for submitting the annual report, the police department shall notify the chief school administrator, in writing, whether the report accurately reflects police incident data. Where the police department determines that the report accurately reflects police incident data, the chief of police shall sign the report. Where the police department determines that the report does not accurately reflect police incident data, the police department shall indicate any discrepancies between the report and police incident data.
- c. Prior to submitting the annual report, the chief school administrator and the police department shall attempt to resolve discrepancies between the report and police incident data. Where a discrepancy remains unresolved, the police department shall notify the chief school administrator and the office in writing.
- d. Where a police department fails to take action as required under clause a or b, the chief school administrator shall submit the annual report and indicate that the police department failed to take action as required under clause a or b.
- e. Where there are discrepancies between the School Entity's incident data and the police incident data, the School Entity shall work collaboratively with the Law Enforcement Authority to facilitate up to date and current reports. Any discrepancies will be addressed by a meeting between the two parties. Corrections will be made at that point in time in agreement from both parties.

**V. General Provisions**

- A. This Memorandum does not create any contractual rights or obligations between the signatory Law Enforcement Authority, the signatory School Entity, any other signatory authorities or entities, or their respective officers, employees, agents or representatives.
- B. This Memorandum may be amended, expanded or modified at any time upon the written consent of the parties. It must be reviewed and re-executed within two years of the date of its original execution and every two years thereafter.

- C. If changes in state or federal law require changes to this Memorandum, the parties shall amend this Memorandum.
- D. All parties to this Memorandum will communicate fully and openly with each other in order to resolve any problems that may arise in the fulfillment of the terms of this Memorandum.

**VI. Media Relations**

A. Release of Information

- 1. The release of information concerning incidents reportable to the Law Enforcement Authority pursuant to the terms of this Memorandum of Understanding shall be coordinated between the Law Enforcement Authorities and the School Entities.
- 2. The parties may release information as is allowable by law, after consultation between the Law Enforcement Authority and the School Entity, giving due deliberation to safety considerations, confidentiality limitations, investigative considerations and the need to limit disruption to school functions and protect the privacy of the students and staff involved.

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_ 2019, the parties hereby acknowledge the foregoing as the terms and conditions of their understanding.

	Date	<u>North Penn School District</u> School Entity
	Date	<u>North Penn High School</u> School Building
	Date	<u>Penndale Middle School</u> School Building
	Date	<u>Pennfield Middle School</u> School Building
	Date	<u>Pennbrook Middle School</u> School Building
	Date	<u>Bridle Path Elementary School</u> School Building



\_\_\_\_\_  
Chief Law Enforcement Authority    Date

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Witness: Kevin R. Steele, District Attorney    Date

Upper Gwynedd Township Police Dept.  
Law Enforcement Authority

North Wales Borough Police Department  
Law Enforcement Authority

Towamencin Township Police Dept.  
Law Enforcement Authority

Montgomery Township Police Dept.  
Law Enforcement Authority

Montgomery County Detective Bureau  
Law Enforcement Authority