



Sample Memorandum of Understanding Instructions

This document is designed to support your school district in complying with the requirements under K.S.A. 2016 Supp. 72-89b03(i). These requirements include developing and approving a memorandum of understanding (Memorandum) developed in collaboration with relevant stakeholders, including local law enforcement agencies, courts, and the county or district attorney. This Memorandum must establish clear guidelines for how and when school-based behaviors are referred to law enforcement or the juvenile justice system. The goal of the Memorandum is to reduce these referrals and to protect public safety.

To assist you in the creation of this Memorandum, the Kansas Association of School Boards (KASB) and the Kansas State Department of Education (KSDE) worked collaboratively to create these instructions and the accompanying sample Memorandum. We encourage you to use the sample Memorandum that we have created, but you are not required to. If you do not use the sample Memorandum you must draft your own Memorandum that conforms with the requirements of K.S.A. 2016 Supp. 72-89b03(i). Your district's Memorandum must be developed and approved by July 1, 2017.

The sample Memorandum also contains some issues that school districts are required by law to report to local law enforcement or requires certain local stakeholders to cooperate and work together. School districts may want to review these requirements and discuss them as part of the Memorandum. School districts are also welcome to delete them, if they would prefer not to review any of these items as part of the Memorandum. These issues are included in sections IV–VIII of the sample Memorandum.

Identify the Relevant Stakeholders and Organize a Meeting

- The superintendent or the superintendent's designee will identify all relevant local stakeholders to this process. Relevant stakeholders must include, at a minimum, representatives from all local law enforcement agencies, courts, and the county or district attorney. Other relevant stakeholders would be any community organizations involved in law enforcement or juvenile justice.
- Once the relevant stakeholders have been identified, invite those stakeholders to a meeting to discuss this Memorandum. The school district is responsible for coordinating this meeting. Find a meeting time and place where representatives of all required stakeholder organizations can be present.
- When inviting stakeholders, explain the purpose of the meeting and to provide a copy of the sample Memorandum in advance so that the stakeholders understand the intent of the meeting.

Hold a Meeting (or Meetings) to Develop and Approve a Memorandum of Understanding

- Use the sample Memorandum to guide your discussion on establishing clear guidelines for how and when school-based behaviors will be referred to law enforcement or the juvenile justice system. Focus on your goal of reducing such referrals and protecting public safety.
- On page 1 fill in the names of all relevant stakeholder organizations, as directed. If stakeholders other than those required attend this meeting, create a new section to record the names of those stakeholder organizations.
- In section I. A. fill in the names of the organizations that will be bound by the Memorandum. Those bound by the Memorandum must include, at a minimum, representatives from the school district, all local law enforcement agencies, courts, and the county or district attorney.
- In section III. B. fill in the information, as directed, to reflect what occurs in this situation in your community.
- Sections IV–VIII are not required to be included in the Memorandum required by K.S.A. 2016 Supp. 72-89b03(i). However, these are issues that school districts are required by law to report to local law enforcement or requires certain local stakeholders to cooperate and work together. The school district may want to review these requirements and discuss them as part of the Memorandum or delete them, if the school district would prefer not to review any of these items as part of this Memorandum.
- All parties to the Memorandum should sign the Memorandum where indicated. Those parties must include, at a minimum, representatives from the school district, all local law enforcement agencies, courts, and the county or district attorney.

Meetings Following Approval of the Memorandum

- The superintendent or superintendent’s designee will work with all parties to the Memorandum to create a schedule of monthly or regular meetings in the first year following the approval of the Memorandum.
- After the first year following the approval of the Memorandum the parties will meet when all parties deem necessary.
- The district will host and staff all meetings following approval of the Memorandum.

Modifying or Terminating the Memorandum

- The Memorandum may be modified at any time by written amendment by all parties to the Memorandum.
- The Memorandum is terminated the day written termination is provided to all parties. In the event this Memorandum is terminated, the superintendent or superintendent’s designee should organize a meeting of all relevant stakeholders to develop and approve a new Memorandum of Understanding that meets the requirements of K.S.A. 2016 Supp. 72-89b03(i).

Inform Relevant District Staff

- The superintendent or the superintendent’s designee should inform all relevant district staff of the contents of the Memorandum and their specific responsibilities under the Memorandum.
- Identify the district procedure for staff to notify the superintendent or the superintendent’s designee of incidents where staff believe the Memorandum was violated.
- The superintendent or the superintendent’s designee should determine what information regarding the Memorandum, if any, is necessary to provide to the local board of education and families.

Questions?

Please contact KASB at (785) 273-3600 or KSDE at (785) 296-3743.