

ACT 51 - 2023

**HONORABLE BOARD OF LEGISLATORS  
THE COUNTY OF WESTCHESTER, NEW YORK**

DRAFT  
IMA ON FILE

Your Committee is in receipt of a communication from the County Executive recommending the approval of an act (the “Act”) which, if adopted, would authorize the County of Westchester (“County”), acting by and through its Department of Public Safety Services (“Department”), to amend an intermunicipal agreement (“IMA”) with the North Salem Central School District (“District”), whereby the County agreed to assign one (1) uniformed police officer to serve as a School Resource Officer (“SRO”) for the District for a five (5) year term commencing upon the opening day of school in September, 2019 and continuing through the last day of school in June, 2024 (the “IMA Term”), by assigning one (1) additional SRO to the District for the period from March 17, 2023 through June, 2023, with the District reserving an option to extend the services of the second SRO for the 2023/24 school term. The Act would further authorize the County to amend the IMA: (1) to expand the list of duties each SRO would be responsible for going forward; (2) to include a Data Privacy Plan and Parents’ Bill of Rights; and (3) to require the Department to provide periodic school patrols using substitute personnel if an SRO is absent for more than three consecutive school days.

Your Committee is advised that by Act No. 2019-110, your Honorable Board authorized the County, through the Department, to enter into an IMA with the District pursuant to which the County would assign one (1) uniformed police officer to serve as an SRO at the District’s Middle/High School and at times at the District’s Pequenakonck Elementary School (the “Schools”) for the IMA Term. Act No. 2019-110 further authorized the SRO to provide services on the days that school is in session for the period commencing upon the opening of school in September through the last day of school in June in accordance with the District’s annual school calendar, for each year of the IMA Term. Your Committee is further advised that Act No. 2019-119 set forth a list of duties the SRO would be responsible for, including, *inter alia*, investigating allegations of criminal incidents in accordance with Department policies and procedures; working to prevent juvenile delinquency through close contact and positive relationships with students; working closely with District administrators and developing and implementing classes in crime prevention, drug abuse prevention, and safety; serving as a good role model for students; and working in collaboration with the District to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around the schools, as well as develop or expand crime prevention efforts for students. Act No. 2019-119

further authorized the Department, *inter alia*, to provide substitute personnel to patrol the Schools in the event the SRO was absent for more than five (5) consecutive school days.

In consideration for services rendered under the IMA, the District agreed to pay the County as follows:

- (i) for the 2019/2020 School Term, a total amount of One Hundred and Forty-Nine Thousand Four Hundred Twenty-Seven (\$149,427.00) Dollars, payable in two installments of \$74,713.50 each;
- (ii) for the 2020/2021 School Term, a total amount of One Hundred and Fifty-Three Thousand Five Hundred Thirty-Six (\$153,536.00) Dollars, payable in two installments of \$76,768.00 each;
- (iii) for the 2021/2022 School Term, a total amount of One Hundred and Fifty-Seven Thousand Seven Hundred Fifty-Nine (\$157,759.00) Dollars, payable in two installments of \$78,879.50 each;
- (iv) for the 2022/2023 School Term, a total amount of One Hundred and Sixty-Two Thousand Ninety-Seven (\$162,097.00) Dollars, payable in two installments of \$81,048.50 each; and
- (v) for the 2023/2024 School Term, a total amount of One Hundred and Sixty-Six Thousand Five Hundred Fifty-Five (\$166,555.00) Dollars, payable in two installments of \$83,277.50 each.

Your Committee is advised that due to rising public safety concerns, the District has requested and the Department has agreed to provide a second SRO to be permanently assigned to the District's Pequenakonck Elementary School for the period from March 17, 2023 through June, 2023. In consideration for services to be rendered by the second SRO for said period, the District has agreed to pay the County the additional sum of \$54,933.00, payable in one lump sum concurrently with the second installment payment due for the 2022/2023 School Term.

Your Committee is advised that the amended IMA will provide that the District, at its option, may elect to extend the services of the second SRO for the 2023/24 school term, by giving the Department sixty (60) days prior written notice of its intention to do so. Any such option shall be on such terms and conditions as may be negotiated by the parties and be subject to the further approval of your Honorable Board.

Your Committee is advised that the Act would further authorize the County to amend the IMA to expand the list of duties each SRO would be responsible for going forward. These additional duties would include, *inter alia*, providing valuable resources to school staff members; fostering positive relationships with youth; helping develop strategies to resolve problems affecting youth; protecting

all students so that they can reach their fullest potentials; potential threat and behavioral issue monitoring and information sharing with school officials; participating and providing guidance with school behavioral triage and threat assessment teams; assisting with school emergency management planning and multi-agency drill coordination; providing school and campus safety and security patrols, crisis intervention and response; counseling, mentoring and after hour wellness checks for at risk youth; participation and facilitation of educational support programs for students, parents and staff on safety and crime prevention related subjects; supporting arrival and dismissal safety and traffic management; and investigating allegations of criminal incidents in accordance with the Department's policies and procedures (in compliance with law, regulation or other dictate of the NYS Education Department).

Your Committee is further advised that the Act would authorize the County to amend the IMA to add a Data Privacy Plan and Parents' Bill of Rights (the "Plan"). The Plan, which is required by New York State Education Law § 2-d, would require the SRO's to employ various safeguards to protect student data and/or teacher or principal data that contain personally identifiable information ("PII").

Lastly, the Act would require the Department to provide substitute personnel to patrol the Schools in the event an SRO was absent for more than three (3) consecutive school days, instead of five (5) consecutive school days, as was required under the original IMA.

Except as specifically amended hereby, all remaining terms and conditions of the IMA shall remain in full force and effect.

The Planning Department has advised that based on its review, the proposed amendment to the IMA does not meet the definition of an "action" under the State Environmental Quality Review Act, 6 NYCRR part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 12, 2023, which is on file with the Clerk of the Board of Legislators.

Your Committee has been advised that passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board. Your Committee has carefully considered the proposed Act and recommends your Honorable Board's favorable action on the annexed Act.

Dated: March 13<sup>th</sup>, 2023

White Plains, New York

*David L. Johnson*  
*CD*

*Vedat Jasbi*  
*SA*

jpg/10-25-22 as revised on 1-27-23

*Nancy Bauer*  
*John Zull*  
*John*  
*Call Park*

Budget & Appropriations

# FISCAL IMPACT STATEMENT

SUBJECT: School Resource Officer - North Salem  NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 54,933

Total Current Year Revenue \$ 54,933

Source of Funds (check one):  Current Appropriations  Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 38-2000-1010/9230. Amended to assign one additional uniformed police officer to ac Resource Officers for the District, effective 3/17/2023 to 6/23/2023

Potential Related Operating Budget Expenses: Annual Amount \$0

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Potential Related Operating Budget Revenues: Annual Amount \$0

Describe: \$0  
\_\_\_\_\_  
\_\_\_\_\_

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: \$0

Next Four Years: N/A

Prepared by: Siva Gopalkrishna

Title: Director of Administrative services

Department: Public Safety

Date: January 30, 2023

Reviewed By: WMC

[Signature]  
Budget Director

Date: 2/23/23

An ACT authorizing the County of Westchester to amend an intermunicipal agreement with the North Salem Central School District in order to: (i) assign one (1) additional School Resource Officer to the District for the period from March 17, 2023 through June, 2023, with the District reserving an option to extend the services of the second SRO for the 2023/24 school term, (ii) expand the list of duties each SRO would be responsible for going forward, (iii) include a Data Privacy Plan and Parents' Bill of Rights, and (iv) provide substitute personnel to patrol the schools in the event an SRO is absent for more than three (3) consecutive school days.

**BE IT ENACTED** by the Board of Legislators of the County of Westchester as follows:

**Section 1.** The County of Westchester ("County"), acting by and through its Department of Public Safety Services ("Department"), is hereby authorized to amend an intermunicipal agreement ("IMA") with the North Salem Central School District ("District"), whereby the County agreed to assign one (1) uniformed police officer to serve as a School Resource Officer ("SRO") for the District at the District's Middle/High School and at times at the District's Pequenakonck Elementary School (the "Schools") for a term commencing on the first day of school in September, 2019 and continuing through the last day of school in June, 2024, during days that school is in session, at annual rates agreed to by the parties, by assigning one (1) additional SRO to the District's Pequenakonck Elementary School for the period from March 17, 2023 through June, 2023, during days that school is in session.

**§2.** In consideration for services to be rendered by the second SRO for the period from March 17, 2023 through June, 2023, the District shall pay the County the additional sum of \$54,933.00, payable in one lump sum concurrently with the second installment payment due for the 2022/2023 School Term, as provided in the IMA.

**§3.** The District, at its option, may elect to extend the services of the second SRO for the 2023/24 school term by giving the Department sixty (60) days prior written notice of its intention to do so. Any such option shall be on such terms and conditions as may be negotiated by the parties and be subject to the further approval of the Westchester County Board of Legislators.

**§4.** The County, acting through the Department, is authorized to further amend the IMA with the District to expand the list of duties both SROs would be responsible for going forward. These additional duties would include, *inter alia*, providing valuable resources to school staff members; fostering positive relationships with youth; helping develop strategies to resolve problems affecting youth; protecting all students so that they can reach their fullest potentials; potential threat and behavioral issue monitoring and information sharing with school officials; participating and providing guidance with school behavioral triage and threat assessment teams; assisting with school

emergency management planning and multi-agency drill coordination; providing school and campus safety and security patrols, crisis intervention and response; counseling, mentoring and after hour wellness checks for at risk youth; participation and facilitation of educational support programs for students, parents and staff on safety and crime prevention related subjects; supporting arrival and dismissal safety and traffic management; and investigating allegations of criminal incidents in accordance with the Department's policies and procedures (in compliance with law, regulation or other dictate of the NYS Education Department).

**§5.** The County, acting through the Department, is authorized to further amend the IMA with the District to add a Data Privacy Plan and Parents' Bill of Rights that would require both SROs to employ various safeguards to protect student data and/or teacher or principal data that contain personally identifiable information ("PII").

**§6.** The County, acting through the Department, is authorized to further amend the IMA with the District to require the Department to provide substitute personnel to patrol the Schools in the event an SRO is absent for more than three (3) consecutive school days, instead of five (5) consecutive school days, as was required under the original IMA.

**§7.** Except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the IMA shall remain in full force and effect upon the parties.

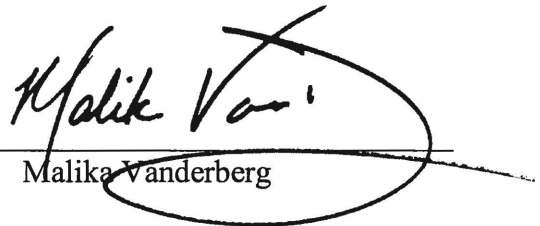
**§8.** The County Executive or his authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

**§9.** This Act shall take effect immediately.

STATE OF NEW YORK            )  
  )    ss.  
WESTCHESTER COUNTY        )

**I HEREBY CERTIFY** that I have compared the foregoing Act, Act No. 51 - 2023, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on March 20, 2023, and approved by the County Executive on March 21, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 22<sup>nd</sup> day of March, 2023.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

