

REGIONAL SCHOOL UNIT NO. 18

File: KLGA-R

SCHOOL RESOURCE OFFICER/ LAW ENFORCEMENT ADMINISTRATIVE PROCEDURE

The purpose of this administrative procedure is to provide guidelines for the conduct of SRO and other law enforcement authorities in the schools. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis.

A. General Exceptions Concerning the Roles of School Personnel and SROs

1. SROs shall comply with all applicable federal and state laws, Board policies and procedures, school rules, and Oakland Police Department rules in carrying out their duties and responsibilities.
2. In general, school administrators and staff are responsible for enforcing Board policies and school rules and for maintaining order in the schools. SROs who observe violations of policies and/or rules may intervene with students to stop the behavior and shall report violations to appropriate administrators.
3. School administrators and staff may consult with and request assistance from SROs in addressing student violations of policies and rules, as they deem appropriate.
4. School administrators and staff will notify the SRO if they have reason to believe that a student has committed a crime or if they obtain evidence of illegal activity (such as weapons, drugs or alcohol).
5. School administrators may request the assistance of SROs in enforcing Board policies, school rules and federal/state laws with visitors and intruders on school property.
6. Unless there is a health or safety emergency, SROs shall consult with an appropriate school administrator prior to requesting additional law enforcement assistance on school grounds.
7. SROs are expected to maintain the same standards of professional conduct in their dealings with staff, students, parents and community members as other school staff.

B. Investigations, Questioning and Searches of Students for School-Related Purposes

Some types of student conduct that are forbidden by school rules, such as assaults, bomb threats, weapons possession, and drug offenses, are also punishable by criminal law. When a particular act is both a violation of school rules and a crime, the school disciplinary investigation by school administrators and the criminal investigation by the police and district attorney will often operate simultaneously. When practical, school administrators and the police should coordinate their investigations.

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Whenever practicable, investigations, questioning and searches of students for school-related conduct that may violate both school rules and the law will be conducted jointly by a school administrator and the SRO.

1. Evidence of violation of state/federal laws will be turned over to the SRO, unless such disclosures are otherwise prohibited by FERPA or any other applicable law.
2. Since police investigative reports and police-obtained witness statements may not always be available to school administrators, the school administrator shall prepare and maintain his/her own records and reports concerning school-related investigations.

C. Investigations, Questioning and Searches of Students for Non-School-Related Purposes

1. In general, SROs and other law enforcement authorities are discouraged from using the schools as a venue for questioning and searching students for alleged violations of state or federal laws that are not related to the schools.
2. Exceptions will be made in the event of an emergency endangering student or staff safety or in exigent circumstances as authorized by law. Other exceptions may be made on a case-by-case basis after consultation between the Superintendent/designee and law enforcement authorities.
3. The SRO (or other law enforcement official if applicable) is responsible for ensuring that a student is informed of his/her rights when required prior to questioning or a search.

D. Arrests of Students at School

1. In general, SROs and other law enforcement authorities are discouraged from arresting students at school for non-school-related activities.

Exceptions to the above will be made in the event of an emergency endangering student and/or staff safety or in exigent circumstances as authorized by law. Other exceptions may be made on a case-by-case basis after consultation between the Superintendent/designee and law enforcement authorities. Whenever practicable, the police should contact the school administrator before making an arrest at school.

2. If the SRO anticipates possible criminal charges, he/she should follow applicable laws and police department policies concerning questioning and searches of juvenile suspects (if the student is under 18) or adult suspects (if the student is 18 or older).
3. A student may be removed from school by a SRO or other law enforcement official when there is a court order, an arrest warrant or when a warrantless arrest is authorized by law. School administrators shall attempt to notify the student's parents/guardians as soon as possible of the student's removal from school.

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E. Confidentiality of Student Information and Records

1. School administrators may release personally identifiable student information contained in education records to SROs and other law enforcement authorities in accordance with the requirements of the federal Family Educational Rights and Privacy Act and other applicable laws.
2. SROs are considered to be school officials with legitimate educational interests in reviewing educational records in order to perform their professional responsibilities.
3. SROs are expected to maintain confidentiality of personally identifiable student information in accordance with applicable laws, Board policies and school rules.

Cross Reference: JRA – Student Records

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Policies/RSU No. 18 Policies/K – School-Community Relations/KLGA-R – Law Enforcement Administrative Procedure