

CODE: KLGA-R

SCHOOL RESOURCE OFFICER/LAW ENFORCEMENT ADMINISTRATIVE PROCEDURE

This administrative procedure provides general guidelines for the conduct of school resource officers (SROs) and other law enforcement authorities in the schools. These guidelines may be modified within legal and lawful limits on a case-by-case basis.

A. SCHOOL PERSONNEL AND SROS: ROLES AND RELATIONSHIPS

1. SROs shall comply with all applicable federal and state laws, School Committee policies and procedures, school rules and the Kittery Police Department in carrying out their duties and responsibilities.
2. In general, school administrators and staff are responsible for enforcing School Committee 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 school 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 activities, e.g., those involving possession of weapons, assault, drugs, or alcohol.
5. School administrators may request the assistance of SROs in enforcing School Committee policies, school rules, and federal/state laws with visitors and intruders on school property.
6. Unless taking action in a health or safety emergency, SROs shall consult with an appropriate school administrator prior to requesting additional law enforcement assistance on school property.
7. SROs are expected to maintain the same standards of professional conduct as other school personnel in their interactions with staff, students, parents, and community members.
8. The SRO is not a disciplinarian. The SRO does act as a police officer on campus and is authorized to make arrests when violations of the law occur.

B. INVESTIGATIONS, QUESTIONING, AND SEARCHES OF STUDENTS FOR SCHOOL RELATED PURPOSES

Some types of conduct that are prohibited by School Committee policy and school rules are also punishable under criminal law, e.g., bomb threats, drug offenses, assaults, and possession of weapons. When a particular act is both a violation of School Committee policy/school rules and a crime, the school disciplinary investigation by school administrators and the criminal investigation by law enforcement authorities will often occur simultaneously. When practicable, school administrators and law enforcement authorities should coordinate their investigations.

Whenever practicable, investigations, questioning, and searches of students for school-related conduct that may violate both School Committee policies/school rules and the law will be conducted by a school administrator. The SRO may participate at the request of the building administrator.

1. Evidence of violation of state and/or federal laws will be turned over to the SRO, unless such disclosures are otherwise prohibited by FERPA or other applicable law.
2. Since police investigative reports and witness statements obtained by police 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, SRO's and law enforcement authorities will not use 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 without the expressed permission of the building administrator.
2. Exceptions will be made by the administration in the event of an emergency that endangers student or staff safety or in other 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.

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 by the administration in the event of an emergency that endangers student or staff safety or in other 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, law enforcement authorities should contact the school administrator before making an arrest at school.

2. A student may be removed from school by an SRO or other law enforcement official when there is a court order or an arrest warrant, or when a warrantless arrest is authorized by law. As soon as possible, the school administrator shall attempt to notify the student's parent/guardian of the student's removal from school.

E. RESPONSIBILITY OF SRO/LAW ENFORCEMENT OFFICIALS WHEN CONDUCTING STUDENT QUESTIONING, SEARCHES AND ARRESTS

1. The SRO or other law enforcement officials are responsible for complying with applicable laws and police department policies/procedures concerning questioning, searches and arrests for juvenile suspects (if the student is under 18) or adult suspects (if the student is over 18).

F. 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 (FERPA) 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, School Committee policies and procedures, and school rules.

Adopted: March 5, 2019