

## **SCHOOL RESOURCE DEPUTY/LAW ENFORCEMENT ADMINISTRATIVE PROCEDURE**

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

### **I. SCHOOL PERSONNEL AND SRDS: ROLES AND RELATIONSHIPS**

- A. SRDs shall comply with all applicable federal and state laws, Board policies and procedures, school rules and the Androscoggin County Sheriff's Department in carrying out their duties and responsibilities.
- B. In general, school administrators and staff are responsible for enforcing Board policies and school rules and for maintaining order in the schools. SRDs who observe violations of policies and/or rules may intervene with students to stop the behavior and shall report violations to appropriate school administrators.
- C. School administrators and staff may consult with, and request assistance from, SRDs in addressing student violations of policies and rules as they deem appropriate.
- D. School administrators and staff will notify the SRD 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.
- E. School administrators may request the assistance of SRDs in enforcing Board policies, school rules, and federal/state laws with visitors and intruders on school property.
- F. Unless taking action in a health or safety situation, SRDs shall consult with an appropriate school administrator prior to requesting additional law enforcement assistance on school property.
- G. SRDs are expected to maintain the same standards of professional conduct as other school personnel in their interactions with staff, students, parents, and community members.

### **II. INVESTIGATIONS, QUESTIONING, AND SEARCHES OF STUDENTS FOR SCHOOL RELATED PURPOSES**

There are some types of conduct that are prohibited by Board policy and school rules that 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 Board policy/school rules and a crime, the 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 Board policies/school rules and the law will be conducted jointly by a school administrator and the SRD.

- A. Violation of state and/or federal laws will be referred to the SRD, unless such disclosures are otherwise prohibited by federal Family Educational Rights and Privacy Act (FERPA) or other applicable law.
- B. Since law enforcement investigative reports and witness statements obtained by policy 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. SRDs and other law enforcement officials are responsible for complying with applicable laws and law enforcement agency procedures concerning questioning, searches, and arrests for juvenile suspects (if the student is under 18) or adult suspects (if the student is over 18).

### **III. INVESTIGATIONS, QUESTIONING, AND SEARCHES OF STUDENTS FOR NON-SCHOOL RELATED PURPOSES**

- A. In general, SRDs 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.
- B. 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-cases basis after consultation between the Superintendent/designee and law enforcement authorities.

**IV. ARRESTS OF STUDENTS AT SCHOOL**

- A. In general, SRDs and other law enforcement authorities will not arrest 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.
- B. A student may be removed from school by an SRD 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.

**V. CONFIDENTIALITY OF STUDENT INFORMATION AND RECORDS**

- A. School administrators may release personally identifiable student information contained in education records to SRDs and other law enforcement authorities in accordance with the requirements of the FERPA and other applicable laws.
- B. SRDs are considered to be school officials with legitimate educational interests in reviewing educational records in order to perform their professional responsibilities.
- C. SRDs are expected to maintain confidentiality of personally identifiable student information in accordance with applicable laws, Board policies and procedures, and school rules.

**SIGNATURE BLOCK:**

RSU #16 School Board

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Mary Martin, Chair

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Joe Parent, Vice Chair

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**RSU #16** (Mechanic Falls, Minot, Poland)(msm)

**Policy Code: KLGAR**

**Adopted: April 2019**

**Revised:**

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