

**RELATIONS WITH SCHOOL RESOURCE OFFICERS
AND LAW ENFORCEMENT AUTHORITIES**

The M.S.A.D. #49 School Board recognizes that a cooperative relationship with law enforcement authorities is desirable for the protection of students and staff and in maintaining a safe school environment. To that end, M.S.A.D. #49 has established a School Resource Officer (SRO) program. The M.S.A.D. #49 School Board hereby officially designates the police officers assigned by the County Sheriff's Office or the Fairfield Police Department to serve as SROs as the law enforcement unit of M.S.A.D. #49. The purpose of the SROs is to enforce local, state and federal laws and to assist in maintaining the physical security and safety of district schools.

In keeping with M.S.A.D. #49's mission, the primary roles of the SROs are to:

- Provide support and assistance to the school administration and staff to maintain a safe and constructive learning environment;
- Enforce local, state and federal laws;
- Serve as a resource to administrators and teachers in planning and providing age-appropriate educational programs that foster respect for the law, an understanding of law enforcement, and safe and healthy behaviors;
- Serve as a resource to administrators and staff concerning law enforcement and child welfare issues;
- Assist individual students and their families in addressing issues related to law enforcement and helping students to have a meaningful school experience; and
- Serve as a liaison between the schools and the Kennebec Sheriff's Office and Fairfield Police Department in addressing issues of concern to both departments.

School administrators and staff have the primary responsibility for maintaining proper order in the schools and for disciplining students for violations of Board policies and school rules. However, the Superintendent and administrators may seek the assistance of an SRO and/or the Kennebec Sheriff's Office or the Fairfield Police Department when they believe there is a threat to the welfare and safety of the schools, students and/or staff. The Superintendent and administrators shall also inform an SRO and/or the Kennebec Sheriff's Office or the Fairfield Police Department when they have reason to suspect that a student or staff member may have violated a state or federal criminal law.

In general, the School Board discourages SROs and other law enforcement authorities from using the schools as a venue to arrest and/or question students for activities not related to or affecting the schools. The Superintendent and administrators retain the authority to deny access to students for non-school-related investigations.

Under this policy, SROs are considered to be school officials with legitimate educational interests in reviewing educational records in order to perform their professional responsibilities.

The School Board authorizes the Superintendent to develop administrative procedures, in consultation with the Kennebec Sheriff's Office and the Fairfield Police Department, to guide interactions between the schools, the SROs and the Kennebec Sheriff's Office and the Fairfield Police Department. Such procedures should safeguard the rights of students and parents and be consistent with School Board policies. Administrators may also develop appropriate building-level procedures regarding the role and activities of SROs in their schools. All administrative procedures must be consistent with School Board policies, as well as the SRO program agreement between M.S.A.D. #49 and the Kennebec Sheriff's Office and the Fairfield Police Department, and are subject to approval by the School Board.

Legal Reference: 20 USC 1232g; 34 CFR Part 99

Cross Reference: KLGA-R - School Resource Officer/Law Enforcement Administrative Procedure
JRA – Student Education Records and Information

Approved: September 19, 2013

School Resource Officer/Law Enforcement Administrative Procedure

The purpose of this administrative procedure is to provide guidelines for the conduct of SROs 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 Expectations Concerning the Roles of School Personnel and SROs

1. SROs shall comply with all applicable federal and state laws, School Board policies and procedures, school rules, and Kennebec Sheriff's Office 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.

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 the student is informed of his/her rights 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 in 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).
4. A student may be removed from school by an SRO or other law enforcement official when there is a court order, an arrest warrant or when a warrantless arrest

is authorized by law. The school administrator shall attempt to notify the student's parent/guardian as soon as possible of the student's removal from school.

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.