



# Standard Operating Procedures Regarding the School Resource Officer Program in Poudre School District

## Purpose

*These Standard Operating Procedures (SOPs) provide direction to Poudre School District (PSD) staff and the law enforcement officers assigned as School Resource Officers (SROs) for PSD. Close cooperation and communication between the schools and SROs and a mutual understanding of and respect for the important role that each play in connection with our students and families are essential to the success of the mission of both institutions. These SOPs will assist in the communication, cooperation and mutual understanding between SROs, school administrators and the students they serve.*

## 1. Goals of the School Resource Officer Program

The goals of the School Resource Officer program are to provide a safe learning and working environment and help reduce school violence while building relationships and community collaboration between students, staff and law enforcement officials.

## 2. PSD Principles of Community

While there are many laws and policies that guide school administrators and SROs, our overall interactions shall be driven by the PSD Principles of Community.

- Learning-We believe in learning.
- Diversity-We believe that each individual will enhance our learning community
- Inclusion-We believe that all means all
- Respect-We believe in honoring pluralism
- Courage-We believe courage is the heart of change
- Action-We believe in making a difference

## 3. Nondiscrimination

Poudre School District is committed to the policy that no otherwise qualified person shall be denied access to, be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under, any PSD program or activity on the basis of race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, gender expression, marital status, veteran status, age or disability. Neither PSD nor the SROs will unlawfully discriminate on the basis of race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, gender expression, marital status, veteran status, age or disability in access or admission to, or treatment or employment in, its programs or activities.

## 4. Immigration Status Investigations Prohibited

- A. In order for all students and families to feel comfortable and secure in the school environment, SROs shall not question students, parents and family members about their immigration status. SROs will not assist Immigration and Customs Enforcement (ICE) officers in any way in conjunction with their assignment as an SRO or in any work related to students and their education.

Information obtained by SROs from student records or in connection with the SRO Program will not be released to ICE personnel, law enforcement agencies, or to other agencies investigating a student or their family member's immigration status.

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### 5. Criminal Investigations and School Discipline

One of the primary guiding principles in education and the criminal justice system is that mistakes made by young people should not carry life-long consequences. Young people should be afforded opportunities to overcome minor violations of law and school policy. In addition, PSD students with Deferred Action for Childhood Arrivals (DACA) status may face serious consequences for receiving a criminal charge. The following points shall provide direction for determining the sanctions for an alleged violation of the PSD Code of Conduct, the Colorado Revised Statutes or local ordinances.

- A. School administrators shall have broad latitude in addressing minor violations of the Code of Conduct that may also be violations of the law. Minor violations should be addressed by the school administrators without involvement of the SRO.
  - 1. In general, SROs shall not be involved in school disciplinary matters.
  - 2. Minor drug and alcohol offenses should be handled by the school without a referral to law enforcement, unless specific circumstances warrant a referral to law enforcement. The school administrator will consult with the SRO to properly dispose of the substance. A minor drug or alcohol offense means the first offense of either: (1) a student's possession of alcohol, less than two ounces of marijuana in its traditional/natural form, unauthorized drugs sold over the counter, or drug paraphernalia; or (2) use and/or being under the influence of alcohol, marijuana, or unauthorized drugs sold over the counter. For possession of under two ounces of marijuana, the school administrator will consult with the SRO. PSD shall provide a mechanism for referrals to alternative programs or establish in-house programs so that students receive appropriate consequences and counseling for their behavior, as outlined in District Policy JICH.
  - 3. Generally, minor fights and disturbances should be handled under the Code of Conduct without SRO involvement.
  - 4. Inappropriate social media use should be addressed by the school and not the SROs to the extent it falls under the Code of Conduct and provided there is not a victim involved that desires to report the situation to law enforcement as a crime. If the material is sexually explicit, the school administrator shall confer with the SRO to determine the best course of action.
- B. In the following circumstances, school administrators shall be required to report situations to law enforcement for investigation.
  - 1. A PSD employee that has reasonable cause to believe that a child has been subjected to abuse or neglect may be required to report the situation to law enforcement in accordance with the Child Protection Act of 1987, CRS 19-3-304 (Mandated Reporter). This can include situations involving student on student abuse.



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2. Victims of several types of crimes have rights under the Colorado Victim Rights Amendment (CRS 24-4.1-301). These SOPs are not intended to limit a victim's right to report a crime and request a criminal investigation and prosecution.
3. School administrators may have a responsibility to report school-related threats of violence to law enforcement under the Claire Davis School Safety Act:

***"Recognition of duty of care.** All school districts and charter schools and their employees in this state have a duty to exercise reasonable care to protect all students, faculty, and staff from harm from acts committed by another person when the harm is reasonably foreseeable, while such students, faculty, and staff are within the school facilities or are participating in school-sponsored activities."* (CRS 24-10-106.3).

4. Situations involving any of the above examples (abuse, crimes with victims or school threats) shall be immediately reported to the SRO.
6. **Search and Seizure.** Searches conducted by school principals or designee must be done in compliance with Policy JIH – Searches.
- A. Student lockers, desks, or other student storage areas are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the contents and security of their lockers, desks, or other student storage areas. General inspections of the contents of the locker, desk or other student storage area may be conducted by a school administrator or designee for any reason at any time without notice, without student consent, and without a search warrant.
  - B. A student's person and/or personal effects in the student's possession may be searched on school property whenever a school administrator or designee has **reasonable suspicion** to believe that the student is in possession of illegal or unauthorized materials and/or whenever a school administrator or designee has reasonable suspicion to believe that personal effects not in the student's possession contain illegal or unauthorized materials. If a safety check and/or search of a student's person or personal belongings is conducted, it will be conducted in private in the presence of an administrator or designee and at least one other District employee.
  - C. If there is a perceived, real or immediate threat to a student, teacher, or public safety, the school administrator or designee may, and is encouraged to, refer the search to the SRO who may choose to conduct a search in compliance with applicable law and law enforcement agency policies. If the school principal or designee has reasonable suspicion to believe that a more intrusive search is warranted beyond the removal of outer clothing such as a coat, jacket, shoes or socks, the search shall be referred to and conducted by an SRO or other law enforcement agent and the school administrator or designee shall not participate in the search. Searches conducted by SROs must comply with the requirements of applicable law. Generally, law enforcement officers must have a search warrant supported by **probable cause\*** or a recognized exception, to perform a search. SROs may conduct limited pat down searches of students in compliance with applicable law.
  - D. Whenever an SRO searches a student, backpack, car or locker they must give the student their business card and information on how to report the contact.



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- E. Nothing in these SOPs shall limit a school administrator or designee from requesting the assistance of SROs in using specially trained dogs to search for drugs or weapons on school property in accordance with PSD policies and the law.
- F. If a student has a safety plan that requires PSD staff to search a student on a regular basis (e.g., daily), the school administrator or designee shall notify the SRO. An SRO may be present during this search if there is a belief or concern by the administrator or SRO that the safety of the school, staff, or students are at an elevated risk due to the type of safety plan in place, the history of the student, or the student's current behavior. If a safety check is ongoing, the student will be initially asked for their preference on a trusted administrator or designee to be present. Such request will be honored to the extent possible, provided limitations may occur due to day-to-day circumstances.
- G. The PSD security department and/or SROs will provide training on the proper PSD search procedures.

### 7. Types of Student Interaction

#### A. Voluntary Conversation:

During their workday, School Resource Officers and school staff encounter students for a variety of reasons. Some students want a safe place to talk, some students want advice, some students are witnesses to violations of the student Code of Conduct, and some students are victims or witnesses of a crime. When situations are brought to the attention of staff or SROs the conversation may continue until the student's needs become apparent and a certain type of interview may be necessary.

#### B. Witness/Victim Interview:

If a student reports a situation to either the SRO or a school administrator, the official should listen to the report. If the issue is a minor Code of Conduct violation it should be referred to a school administrator.

In certain circumstances it may be appropriate for the school administrator and the SRO to jointly interview witnesses and victims of situations so that students are not further traumatized by giving their statements multiple times. The decision on joint interviews should be made in the best interest of the student(s).

When an SRO interviews a student witness or victim, the school administrator shall make every attempt to notify the student's parent/guardian about the reported incident and interview, except in cases involving investigation of reported child abuse where the suspected perpetrator is a member of the student's family, when law enforcement has a court order directing that the student's parent/guardian not be notified, or when an emergency or other exigent circumstance exists.

#### C. PSD Administrative Interview:

An administrative interview is one that is conducted by the school principal or designee with a student who is suspected of violating the Code of Conduct. An SRO shall not be present for an interview that involves a Code of Conduct violation unless it is requested by a



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school staff member for safety reasons. If it becomes apparent that the situation involves an alleged violation of a Victim Rights Act (VRA) crime, a mandatory reporting crime or a school-related threat of violence, the administrator shall confer with the SRO on the best way to proceed with the investigation. Generally, it is preferable for the criminal investigation to be conducted first to avoid confusion with the student and the student's parents about the type of investigation being conducted. The information obtained in the criminal interview may be given to the school administrator after the completion of the investigation for use in determining school discipline.

### D. Criminal Suspect Interview/Miranda Rights:

When a student emerges as a suspect in a situation that could lead to criminal charges, School Resource Officers will conduct any interaction with the suspect in strict accordance with the law and law enforcement agency policy regarding interviews, interrogations, detaining or taking students into custody, Miranda warnings, and parent involvement. School personnel should not be present during a criminal interview to reduce the possibility that the student thinks the student is compelled to answer questions. Interpreters or family liaisons may be present to assist with language issues and to help the student or parents understand the situation.

If a student is being interviewed as a suspect in a crime, the SRO will record the interview.

## 8. Response to Resistance

SROs that serve students in PSD place the highest value on protection of the public, safety of its officers, and respecting individual dignity. Because of their law enforcement and peacekeeping roles, SROs may be required at times to use reasonable physical force to enable them to fully carry out their responsibilities. The degree of force used is dependent upon the facts surrounding the situation the SRO encounters. SROs will strictly follow law and their agency policy in responding to resistance from uncooperative individuals.

## 9. SRO Involvement in Situations involving Students in Crisis

PSD shall provide guidance and training for school staff to respond to incidents involving students in crisis that protect staff and students and do not require an SRO to respond. However, SROs may be called to intervene in non-criminal situations with students when there is a safety concern or a threat of injury to the student in crisis, other students, school staff, or other individuals.

### A. PSD Behavioral Health Crisis Response Team:

This team is comprised of a PSD mental health special services providers and an SRO. The team intends to provide crisis stabilization and intervention for students experiencing an acute crisis. A behavioral health crisis may be characterized by suicidal or homicidal ideation/intent/plan, recent suicide attempt, severe behavioral health symptoms (e.g., depression, anxiety, panic, psychosis, distress) and may be self-defined by the student or identified by a PSD mental health special services provider.

### B. PSD Behavioral Health Crisis Response Team Goal:



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To provide professional, compassionate, and comprehensive services through collaboration between mental health professionals and SROs. The PSD Behavioral Health Crisis Response Team's primary focus is addressing the student experiencing crisis' immediate needs by routing the student to the most appropriate level of care. When possible, the team's goal is to "stabilize in place," meaning to resource the individual without transport, and provide follow-up to ensure they have connected to and are using services appropriately. When necessary, the PSD Behavioral Health Crisis Response Team will make an on-scene determination as to whether a student meets the criteria for an emergency mental health hold, and the PSD mental health special services provider will notify the transport destination and follow the student to the facility. During these situations requiring transportation, the least restrictive method will be prioritized for transport but may include the SRO as an option.

### 10. Arrest, Citation, Court Referral on School Property

- A. SROs will not serve as school disciplinarians, as enforcers of school regulations. SROs also shall not use police powers to address traditional school discipline issues, including non-violent disruptive behavior.
- B. The manner in which each incident is handled by the SRO, the school administrator, and/or the criminal justice system is dependent upon many factors unique to each student, including, but not limited to, present circumstances, behavioral history, disciplinary record, general demeanor and disposition towards others, disability or special education status, and mental health history.
- C. Court Referral: If the SRO determines that a criminal complaint needs to be filed with the Juvenile or District Court, a juvenile complaint, rather than an arrest, is the preferred method of bringing the student to court. Prior to filing the complaint, the SRO will consider whether a referral to a community program is appropriate.
- D. SROs or other law enforcement officers should avoid making physical arrests on school grounds when the arrest may be made effectively elsewhere. This does not apply in emergency situations.

### Definitions

- **\*Probable cause:** information sufficient to warrant a prudent person's belief that the wanted individual had committed a crime or that evidence of a crime or contraband would be found in a search.
- **\*\*Reasonable Suspicion:** More than a generalized suspicion or a mere hunch, but not requiring certainty that a violation has occurred.