



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

Purpose

The purpose of this Standard Operating Procedure is to provide direction to Poudre School District (PSD) staff and the law enforcement officers assigned as School Resource Officers (SROs). 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. This Standard Operating Procedure is intended to assist in the communication, cooperation and mutual understanding between SROs, school administrators and the student populations they serve. It is not intended to supersede existing law or policies of the participating agencies.

1. Goals of the School Resource Officer Program

The goals of the School Resource Officer program are to provide a safe learning environment and help reduce school violence while improving perceptions and relations 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. Anti-Discrimination

Race, ethnicity, national origin, religion, gender, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or inconsistent enforcement of the law.

4. Immigration investigations prohibited

- A. In order for all students and families to feel comfortable and secure in the school environment, students, parents and family members shall not be questioned by SROs about their immigration status. School Resource Officers 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.
- B. Information obtained by SROs from the PSD databases or student records will not be released to ICE personnel, or to other agencies investigating anything related to the immigration status of the student and/or their family members. If outside local or federal officers request information that may be related to an immigration investigation, they shall be referred to PSD's Legal and Policy Counsel.



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5. Discretion about Criminal Charges 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 multiple opportunities to overcome minor violations of law and school policy. In addition, PSD students with Deferred Action for Childhood Arrivals (DACA) status may have very 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. Self-harming behaviors such as nicotine use, marijuana use or alcohol use should be addressed by school officials without involvement of 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.
 - 3. Minor fights and disturbances may be handled under the Code of Conduct without SRO involvement.
 - 4. Inappropriate social media use should be addressed by the school to the extent it falls under the Code of Conduct, 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 administrator should confer with the SRO to determine the best course of action.
- B. In certain circumstances, school administrators may 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.
 - 2. Victims of several types of crimes have rights under the Colorado Victim Rights Amendment (CRS 24-4.1-301). This Standard Operating Procedure is not intended to usurp any victim's desire 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*



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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) should be immediately reported to the SRO.

6. Search and Seizure: (The full search and seizure policy can be found in PSD Policy JIH).

- A. A school administrator may inspect student lockers at any time, without notice, without student consent, and without cause.
- B. A school administrator may search the person of a student or a student's personal effects on school property when a school official has **reasonable suspicion**** to believe that the search will uncover evidence of a violation of district policy or law, or anything that presents imminent danger or harm to the school community. Such searches by school administrators are limited to search of the student's pockets, purse, backpack, bookbag, vehicle or "pat down" of the exterior of the student's clothing. The extent of the search and the means used to conduct the search must be reasonably related to the objectives of the search and the nature of the suspected violation.
 1. The SRO shall not ask school administrators to search students or their belongings nor shall school administrators act as an agent of the SRO.
 2. If there is a perceived, real or immediate threat to a student, teacher, or public safety, the administrator may request the SRO be present or participate in a search conducted by school administrators.
- C. Searches conducted by SROs must meet stricter criteria and shall 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.
- 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.
- E. Nothing in these directions 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.

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.



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B. Witness/Victim Interview:

If a student reports a situation to either the SRO or a school administrator, the official should listen to the situation and if it is determined 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 speaking with a student that is determined to be a potential victim or witness to a crime as described in Section 5b, the SRO or school official shall make every attempt to call the students' parent/guardian to let them know about the reported incident. An exception to this is if the parent is the subject of the investigation, in which case the Department of Human Services will be notified.

C. Administrative Interview:

An administrative interview is one that is conducted by the school staff 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 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 his or her 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 a school sanction.

D. Criminal Interview/Miranda Rights:

When a student emerges as a suspect in a situation that is likely to lead to criminal charges, School Resource Officers will conduct any interrogation with the suspect(s) in strict accordance with the law and agency policy regarding Miranda warnings and parent involvement. A school administrator should not be present during a criminal interview to reduce the possibility that the student thinks s/he 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 and tell the student and parent/guardian that they can request a copy of the recording.

8. Response to Resistance

Law Enforcement agencies that serve students in Poudre School District place the highest value on the sanctity of life, protection of the public, safety of its officers, and respecting individual dignity. Because of their law enforcement and peacekeeping role, an SRO will be required at times



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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 for school staff to respond to incidents involving students in crisis that protect staff and students and do not require an SRO to respond. School Resource Officers should only be called to intervene in non-criminal interventions with students when there is a significant threat of serious injury to the student, other students, school staff, or other individuals.

10. Arrest, Citation, Court Referral on School Property

- A. In accordance with the SRO School contract, SRO's will not serve as school disciplinarians, as enforcers of school regulations, or in place of licensed school mental health professionals. 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, academic record, general demeanor and disposition towards others, disability or special education status, and mental health history.
- C. Summons/Court Referral: If the SRO determines that a criminal complaint needs to be filed with the Juvenile or District Court, a summons, 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 diversion is appropriate.
- D. As a general rule, SROs or other law enforcement officers should avoid making arrests on school grounds when the arrest may be made effectively elsewhere.

11. Performance Evaluation Standards:

A review of police incident and school discipline data will be conducted three times per school year by the SRO Supervisor and representatives from PSD. Other sources of data to consider for the review include: SRO timekeeping data, student arrest and citation records; response to resistance data, contact feedback forms, examples of informal counseling meetings with students and families; and training presentations conducted by the SRO.



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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.