

LAW ENFORCEMENT ON CAMPUS

During law enforcement interactions on school premises the Board supports the constitutional rights of students and staff and prohibits unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student or staff member based on actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression; or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

It is the spirit of this policy to direct District administrators, staff, and law enforcement officers to promote the non-criminalization of youth, and to prioritize administrative and socio-emotional remedies over arrest for school misconduct and lesser/minor offenses.

On campus interviews regarding off campus incidents

When any law enforcement officer requests an on campus interview with a student or staff member regarding an incident that occurred on or off campus, the principal or their designee shall request and be provided with the officers identity, and a briefing of the circumstances that necessitate the interview(s).

The principal or assistant principal shall accommodate the interview in a way that causes the least possible disruption for the student or staff member and provides appropriate privacy.

The principal or assistant principal shall provide accommodations to support students with disabilities and English Learners who are interviewed

Except in cases of child abuse, neglect, imminent danger, or immediate threat the interview will not be conducted during instructional time.

The principal or a designee with specific training in the rights of students during law enforcement interviews shall be present during the student's interview. State law provides for the protection of identity of victims for certain crimes like domestic violence, sexual assault and others. If the victim does not want a staff member present for such an interview, it is their choice under Penal Code Section 293 and Government Code Section 6254

The principal or designee will request that a female law enforcement officer conduct an interview with a female student and/or a student identifying as female. If no female law enforcement officer is available a female principal or female designee shall be present when an interview of a female student is conducted.

The principal or a site administrator shall be present during an interview of staff. State law provides for the protection of identity of victims for certain crimes like domestic violence, sexual assault and others. If the victim does not want a staff member present for such an interview, it is their choice under Penal Code Section 293 and Government Code 6254

Except in cases of child abuse, neglect, imminent danger, or immediate threat the principal or designee shall notify the student's parent/guardian as soon as the law enforcement officer begins interviewing the student on school premises.

If a minor student is taken into the custody of law enforcement they will receive their Miranda rights advisement and the principal or designee shall immediately notify the parent/guardian or responsible relative regarding the student's arrest and the place to which he/she is being taken, except when the minor has been taken into custody as a victim of suspected child abuse. (Education Code [48906](#)).

Students interviewed by law enforcement on school premises shall be referred for counseling and/or intervention services on the same day to address any specific needs identified through the interview process.

The principal shall maintain a school record of law enforcement interviews of students and staff regarding off campus incidents.

School Resource Officers

The mission of the School Resource Officer (SRO) program is to maintain a safe campus environment and develop a positive relationship between students and law enforcement.

The SRO shall meet regularly with students, parents, teachers, staff, the principal and their designee to discuss issues of school safety, community concern, and student wellbeing.

SRO's must recognize the importance of non-criminalization of youth, as well as the value of prioritizing prevention, intervention, and socio-emotional service-based remedies over arrest.

Absent a real and immediate threat to a student, teacher, staff member, or the general public SRO's will defer to school officials to handle school misconduct and petty offenses through prevention, intervention, and socio-emotional service based-remedies over arrest, the SRO shall not become involved in school discipline issues.

Absent a real and immediate threat to a student, teacher, staff member, or the general public the principal and their designee shall not request the SRO be present to participate in the interview of a student related to non-criminal matters.

Absent a real and immediate threat to a student, teacher, staff member, or the general public an SRO shall conduct or participate in a search of a student's person, possessions, or locker only when there is probable cause that the search will turn up evidence that the student is committing a criminal offense. Any search conducted by the SRO will be documented per the procedures of their agency.

The SRO shall not ask the principal or their designee to conduct a search to circumvent the rights of students.

Except in cases of child abuse, neglect, imminent danger, or immediate threat the principal or designee or SRO shall notify the student's parent/guardian as soon as the SRO begins interviewing the student related to a criminal offense.

If a minor student is taken into the custody of the SRO due to a criminal offense they will receive their Miranda rights advisement and the principal or designee or SRO shall immediately notify the parent/guardian or responsible relative regarding the student's arrest and the place to which he/she is being taken, except when the minor has been taken into custody as a victim of suspected child abuse. (Education Code [48906](#)).

Students interviewed by law enforcement on school premises shall be referred for counseling and/or intervention services on the same day to address any specific needs identified through the interview process.

The principal shall maintain a school record of law enforcement interviews of students and staff regarding on campus incidents.

SRO Training

Every SRO shall attend a 40-hour Peace Officers Standards and Training (POST) approved Basic School Resource Officer course within their first year of service through their agency.

Annually, every SRO shall annually attend in-service training provided by the District on topics including, but not limited to: Child and Adolescent development and psychology; Positive Behavior Intervention and Support; Conflict Resolution; Peer Mediation; and cultural competency.

Annually, the District shall provide each SRO training in programs adopting non-punitive approaches to student discipline promoted by the District.

Annually, the District shall familiarize every SRO with the differentiated needs of students with disabilities, foster youth, homeless youth, LGBTQ+ youth, as well as the cultural components and language needs of communities served by the District.

Notifications

Annually the District will notify students, parents, and families of the purpose of the SRO program as well as student rights when interacting with law enforcement. This notification will be conducted through parent/student handbook in both English and Spanish. Additionally, twice during the school year, each school site hosting the SRO program will conduct an informational community meeting in both English, Spanish, and Mixteco regarding the purpose of the program as well as student rights when interacting with law enforcement.

Annually, the District shall provide notification of this policy to every SRO at the beginning of their assignment. The District shall be responsible for maintain records of this notice.

With respect to non-SRO officers that are conducting official business, including contacting students on District property, it shall be the District's responsibility to ensure that the officers are fully aware of this policy.

District Training

Annually the District will provide training for employees regarding student rights when interacting with law enforcement. Employees trained in student rights when interacting with law enforcement will serve as student rights advocates during law enforcement interviews on campus. This training program shall be developed jointly by the District, law enforcement, and community experts.

Subpoenas

Although subpoenas may legally be served at school on students age 12 or older, the Board believes that serving officials should serve subpoenas at the home of the student whenever possible. When served at school, the principal or designee shall take reasonable steps to protect the student's privacy rights and to minimize loss of instructional time for the student.

Legal Reference:

EDUCATION CODE

[44807](#) Duty concerning conduct of pupils

[48264](#) Arrest of truants

[48265](#) Delivery of truant

[48902](#) Notice to law enforcement authorities

[48906](#) Release of minor pupil to peace officers; notice to parent, guardian

[48909](#) Narcotics and other hallucinogenic drugs (re arrest)

CODE OF CIVIL PROCEDURE

[416.60](#) Service of summons or complaint to a minor

PENAL CODE

[830-832.17](#) Peace officers

[1328](#) Service of subpoena

WELFARE AND INSTITUTIONS CODE

[627](#) Custody of minor

CODE OF REGULATIONS, TITLE 5

[303](#) Duty to remain at school

COURT DECISIONS

Camreta v. Greene, (2011) 131 S.Ct. 2020

People v. Lessie, (2010) 47 Cal. 4th 1152

In re William V., (2003) 111 Cal.App.4th 1464

ATTORNEY GENERAL OPINIONS

54 Ops.Cal.Atty.Gen. 96 (1971)

34 Ops.Cal.Atty.Gen. 93 (1959)

Management Resources:

WEB SITES

California Department of Justice, Office of the Attorney General: <http://oag.ca.gov>

Adopted: 4/21/21