

**STUDENT SEARCHES, INFORMATION GATHERING,
AND STUDENT ARRESTS**

GENERAL POLICY

The School District shall exercise its authority to conduct reasonable searches and seizures within the limitations established by the United States Constitution and Wyoming State Constitution. Searches by school officials of students' persons, lockers, vehicles, or of the property of the student shall be conducted in a manner to protect the rights of all students consistent with the responsibility of the district to provide a safe educational environment and an atmosphere conducive to the educational process.

It is the policy of the district that except in the case of an emergency, law enforcement personnel shall obtain permission from the Superintendent or building principal or their designee before entering school grounds. To facilitate these ends, the District has entered into an understanding with local law enforcement through the School Resource Officer program, to enhance the safety and security of each student. It is the policy of the school district that the School Resource Officers shall serve as a community liaison between the District's schools and the law enforcement community. The School Resource Officer provides enforcement of state laws, law-related education, and provides problem-solving solutions for students. The primary objective of the School Resource Officer program is to keep the schools safe for the students and faculty.

DEFINITIONS

Emergency: Any set of circumstances which create an immediate risk that harm has or is likely to occur to any person or significant damage has or is likely to occur to property.

School Resource Officer: A police officer assigned to a district who is employed by and under the control of the Sheridan Police Department (or other law enforcement agency).

Reasonable Suspicion: "Reasonable suspicion" is satisfied when: (1) there are reasonable grounds for suspecting that the search will reveal evidence that a student has violated or is violating the law or school rules, and (2) the search is reasonably related in scope to the circumstances that justified the search, meaning that the measures used to conduct the search are reasonably related to the objectives of the search and that the search is not excessively intrusive in light of the student's age and sex and the nature of the offense.

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ARREST, SERVICE OF PROCESS, OR TAKING A STUDENT INTO CUSTODY

If a law enforcement officer has a warrant for a student's arrest, or any legal process to be served upon a student, by law, the officer shall be permitted to arrest or serve the process upon the student. However, whenever possible, the arrest or service of process should be conducted privately by the School Resource Officer in an administrator's office or other room out of the view of the other students.

Normally, a student will not be released to law enforcement authority by school officials unless the student has been taken into custody or placed under arrest by a law enforcement officer, or the parent, guardian, or representative of the student agrees to the release. When an emergency situation exists, the school administrator, or his/her designee, may summon law enforcement officials to the school to take a student into custody. When students are removed from the school by law enforcement officials for any reason, including taking the student into custody or arresting the student, every reasonable effort will be made to contact the student's parent(s), guardian(s), or representative as soon as possible.

INFORMATION GATHERING BY LAW ENFORCEMENT PERSONNEL

Upon entering school property, law enforcement officers (except an active School Resource Officer assigned to the School District) will immediately contact a building administrator or, in the case of an activity, the responsible adult in charge. In emergencies, this requirement may be waived.

If any law enforcement official, including the SRO or a Child Protection Agency official, requests an interview for any issue other than child abuse, child neglect, or a crime involving the parent,, the parent(s) or legal guardian(s) are required to give permission or be present at the interview.

The student will be informed that he/she has the right to refuse an interview. A student may not be interviewed during the school day unless the principal or other delegated staff member is present unless the parent or legal guardian waives this requirement.

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If the topic of the interview is child abuse, or child neglect and the investigator determines that the child should be interviewed independently of his/her parents and the school is the most appropriate setting for the interview, school officials may forego the attempt to contact the parents prior to the interview. It will be the responsibility of the investigator in abuse, or neglect cases to determine who will be present during the interview. The school may require that a representative from the school be present. Once the investigation has been completed it is the responsibility of the law enforcement or Child Protection Agency official to notify the parent(s) or legal guardian(s).

SEARCHES BY STAFF

Searches may be conducted by School District staff on school property or at school-sponsored events. The authority to inspect students' school lockers, persons, belongings, and vehicles is inherently granted to school boards and school officials in order to maintain order. Exercise of that authority by school officials requires the existence of "reasonable suspicion" before conducting a search without student consent. When at all possible, searches shall be conducted by at least two adults.

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