The Cleveland County Board of Education (the “Board”) recognizes the importance of law enforcement authorities in providing safe schools. The Board desires an effective working relationship with law enforcement.

The maintenance of order and security in and around public schools is essential to creating learning environments in which students can meet high academic standards, educators can teach to those standards, and parents can be assured that the children are guaranteed their right to learn. The maintenance of safety and good order is the collective responsibility of all school staff, law enforcement, parents, and students. Principals and law enforcement shall consult and work cooperatively with each other on matters pertaining to school security. The comprehensive partnership with law enforcement encompasses multiple situations and roles, including the use of SROs, requests by a school for immediate assistance of law enforcement, mutual communication regarding possible security risk, and other situations. The scope of this policy is only on situations where it is necessary for law enforcement to question, search or arrest a student on school property. This policy does not apply to a School Resource Officer (SRO) exercising the duties for conducting a school-related investigation as set forth in the “School Resource Officer Program Memorandum of Understanding.”

The Superintendent shall ensure that local law enforcement have schematic diagrams, including digital schematic diagrams, of all school facilities and provide them updates of the schematic diagrams when the school system makes substantial facility modifications, such as the addition of new facilities or modifications to doors or windows. The Superintendent shall also provide local law enforcement with (1) either keys to the main entrance of all school buildings or emergency access to key storage devices for all school buildings and (2) updated access to school buildings when changes are made to the locks of the main entrances or to the key storage devices.

School resource officers will be assigned duties as specified in the “School Resource Officer Program Memorandum of Understanding.”

Law enforcement officials, including school resource officers, should not initiate administrative investigations, including investigations to determine whether student behavior policies have been violated, but may be used to assist school officials in such investigations for safety or other reasons as determined necessary by the principal or designee. Law enforcement officials may be contacted to report possible criminal conduct on school premises or at school-sponsored activities. However, school officials will independently investigate violations of school rules or Board policies even if such violations may also involve criminal behavior.

School administrators and employees are expected to cooperate in criminal investigations but should attempt to do so in a way that minimizes disruptions to the educational environment. Visits by probation officers to students during the school day must be in accordance with policy.

When it is necessary for a law enforcement officer other than an SRO to question, search, or arrest a student on school property, the following guidelines are in effect:

1. Law enforcement officers are expected to question students away from school regarding non-
school related matters unless the officers have a warrant or unless questioning, searching, or
arresting a student on school property at that time is necessary, in the discretion of the
officers, for the success of a law enforcement investigation or to prevent injury or crime.

2. When law enforcement officers must question or arrest a student at school, attempts should
be made to avoid embarrassing the student before teachers and peers and to avoid disrupting
the educational program of the student and the school unless immediate intervention by the
officer is necessary to prevent injury, a serious crime, or flight of the student.

3. If law enforcement officers have a warrant for the student's arrest, they must be permitted to
arrest the student; however, whenever possible the arrest should be conducted in the
principal's office out of the view of other students.

4. Law enforcement officers should remain in the administration office while school personnel
seek out the student unless immediate intervention by the officer is necessary to prevent
injury, a serious crime, or flight of the student. In circumstances where the officer needs to
seek out a student, the principal/designee shall accompany the officer unless the officer
instructs otherwise as a result of a potentially dangerous situation.

5. Law enforcement officers' questioning of a student is expected to be conducted so as to not
cause the student to miss class time, unless questioning is determined to be time critical for
the success of a law enforcement investigation or to prevent injury or crime.

6. Any questioning by law enforcement officers shall ordinarily be conducted in a private room
or area where confidentiality can be maintained. This should be an area removed from
observation by or contact with other students and school personnel other than the
principal/designee.

7. Except in cases of suspected child abuse or neglect, or when the parent is implicated in the
investigation, an administrator at the student's school must make reasonable attempts to
contact the student's parent or guardian.

8. In cases where the parent or guardian cannot be reached and the questioning is conducted
without parental notification, the principal/designee must be present during the questioning
unless law enforcement directs otherwise for safety reasons. Presence of a principal/designee
does not in any way impact law enforcement's duty, if applicable in the situation, to comply
with the juvenile's Miranda rights established in General Statutes Chapter 7B.

9. While interacting with students on school premises, the law enforcement officer must abide
by state and federal law governing use of force, interrogations, searches, and arrests.

Legal References: G.S. 115C-36, -47, -105.53

Adopted: June 10, 2019

Replaces: Board policy 4280, Investigations and Arrests by Law Enforcement