



GENERAL ORDER

Loudoun County Sheriff's Office

Chapter: Operations

Section: 406.12

Subject: Response to Selected Situations **Topic:** Service, Investigations & Arrest, Loudoun County Public Schools

Accreditation: OPR. 04.05

Revised:

Reaffirmed:

Enacted: 07/30/2015

Last Review: 07/24/2015

Review: 07/30/2016

I. PURPOSE

The purpose of this General Order is to establish guidelines to be followed by the Loudoun County Sheriff's Office regarding Sheriff's Office response to events or situations occurring within the public school system. These procedures are intended to provide for coordinated effective response in preventing and addressing school disruptions, and to promote an effective exchange of information and cooperation between these two agencies.

II. POLICY

This policy is set forth recognizing the impact certain events at schools present to the students, the community and the Sheriff's Office. The policy of the Loudoun County Sheriff's Office is to protect students, faculty and property, and allow for the normal continuance of the educational process. The prevention of disruptions to the school environment is considered a priority in all police responses.

III. DEFINITIONS

Controlled Substance: Any substance unlawful to possess on school grounds to include alcohol, illegal drugs and imitation controlled substances as defined in School regulations.

Weapon: Any device capable of inflicting injury or as defined in *Virginia State Code Section 18.2-308*, or School Regulations.

Principal: The chief administrator of a school or designee.

School Official: The principal, sub-school principals, school administrators and others authorized to act on behalf of the principal.

School Resource Officer: A deputy sheriff assigned to a school on a full or part time basis; whose activities are governed by a Memorandum of Understanding between the Sheriff and the Superintendent of Schools.

Traumatic Incident: Any event that by its nature can have a significant psychological or emotional impact on the students, faculty or community.

Serious Incident: Any criminal incident or breach of the peace that requires a law enforcement response.

Director of Secondary Education: The school administrator responsible for administrative oversight and management of all secondary schools in the Loudoun County Public School System.

IV. PROCEDURES

- A. Upon arrival at the school, the deputy shall contact the school official responsible for requesting police assistance and determine the need for additional or specialized assistance. To minimize disruption to the school, units determined not to be necessary will return to service as soon as possible.
- B. Should the school principal determine that partial or total evacuation is necessary, the deputy(s) shall provide whatever assistance is required and ensure notification is made to the appropriate Patrol and C.I.D. Supervisors, and the Public Information Officer.
- C. Any deputy responding to a school on a complaint involving a controlled substance shall first determine if the case can result in criminal prosecution. If no prosecution will occur, the controlled substance will be collected for destruction and disposed of according to General Orders. If prosecution will occur, the deputy will determine that probable cause exists, determine the evidentiary chain of custody and process the controlled substance accordingly. The investigating deputy will be responsible for seeking petitions or warrants, filing lab sheets with the appropriate court, requesting subpoenas and notifying the school officials of the laboratory results.
- D. Any deputy responding to a school on a complaint involving a weapon shall first determine if the case will result in criminal prosecution. If no prosecution will occur, the weapon will be collected for destruction and disposed of according to General Orders. If prosecution will occur, the deputy will determine that probable cause exists, determine the evidentiary chain of custody and process the weapon accordingly. The investigating deputy will be responsible for seeking petitions or warrants and requesting subpoenas.
- E. Virginia State Code Section 63.1-248.10 provides that a law enforcement officer may talk with any child suspected of being abused or neglected, or to any of their siblings, without the consent of and outside the presence of their parent, legal guardian or school personnel. In most cases, this will be done only by trained detectives assigned to sexual and child abuse cases.
- F. Should it become necessary for a deputy to question a student in school or on school grounds, the deputy shall first notify a school official. A reasonable effort shall be made to secure permission from a parent or legal guardian prior to questioning (unless exempt, pursuant to Virginia State Code Section 63.1-248.10).

This section does not apply to School Resource Officers as they are granted a special dual status as a deputy sheriff and as an extension of the school staff by a Memorandum of Understanding between the Sheriff and the Superintendent of Schools. This special status permits a greater direct access to students by School

Resource Officers by virtue of their position. The school Resource Officers shall continue to notify a parent, or person acting as a parent, in situations regarding physical custody arrests as outlined in General Orders.

- G. The school official shall provide a location where interviews may be conducted without embarrassment to the student. School officials may be present during interviews unless the case involves reported child abuse or neglect.
- H. Unless otherwise dictated by public safety or investigative needs, every effort should be made to serve petitions and warrants on students and school employees after school hours. A school official shall be notified as soon as practical of any arrest effected during school hours or on school grounds.
- I. Any traumatic incident that comes to the attention of the Sheriff's Office and may affect the school shall require the deputy to notify the principal as soon as practical. This may include the violent death of a student; an event requiring significant law enforcement response near the school or an event which would affect the safety or welfare of the school.
- J. The School Board has established certain guidelines by which they will release information on students. The following "directory information" may be released without parental consent unless the parent has indicated in writing that the information is not to be released. This information includes:
 - 1. The student's name.
 - 2. Participation in officially recognized activities and sports.
 - 3. Height and weight of a member of an athletic team.
 - 4. Date of attendance.
 - 5. Awards and honors received.
 - 6. Student's picture.

Additional information may be available depending on School Board policy, which is subject to change.

Information about students may be released to law enforcement officials without permission or consent in connection with an emergency, if the knowledge of such information is necessary to protect the health and safety of a student or other person.

- K. If a Division Commander or school principal feels that special police enforcement measures need to be taken on school premises such as undercover drug or alcohol

enforcement, the Criminal Investigations Division Commander shall first approve such measures.

- L. The deputy shall notify the Agency's Public Information Officer of any event which occurs on school grounds and which requires police intervention of such a nature or scale as to result in media or citizen inquiries. Any media releases should be coordinated with the school system's Media Office.

- M. Criminal incidents occurring on school property and/or such incidents involving students traveling between school and home may result in both a Sheriff's Office criminal investigation and a school division administrative investigation. Generally, the conflicts between these investigations will only arise if the administrative questioning of individuals involved in, or witnessing such incidents, is undertaken by the school division prior to the completion of questioning pursuant to a criminal investigation. Should circumstances arise in which the conduct of an administrative investigation by the school division should be delayed pending the completion of a criminal investigation, the following steps shall be taken:
 - 1. The Criminal Investigations Division Commander shall contact the principal for the school involved for any incidents occurring in elementary schools. For middle and high schools, communication with the principal should be conducted as early as possible by the school resource officer (SRO).
 - 2. The general nature of the criminal investigation shall be discussed with the appropriate principal. Based on this discussion, the administrative investigation may be deferred for a mutually agreed upon period of time.
 - 3. If contact cannot be made with the principal, or agreement cannot be reached on the deferral of the administrative investigation, the incident will be referred to the Criminal Investigations Division Commander who shall immediately seek resolution of the issues with the appropriate school division administrators.