

## **Student Interviews, Interrogations, Searches and Arrests**

### **Investigations conducted in the educational environment**

#### **A. Initiated by school administrators**

##### **1. Conducted by administrators**

Principals or their designees will have the authority and duty to conduct investigations and to question students pertaining to infractions of school rules or Board policy whether or not the alleged conduct is a violation of criminal law. Such investigations will be conducted in a way which does not unduly interfere with school activities. Due process, which requires students be allowed to present their version of the facts, will be followed at all times.

##### **2. Conducted by police authorities**

- a. The superintendent's designee will determine when the necessity exists for police authorities to be contacted to quell a disturbance or to conduct an investigation of alleged criminal behavior which jeopardizes the safety of school property or interferes with the operation of the school or education of other students. To be in compliance with law, it will be the responsibility of the principal or designee or director of security to notify police authorities of any criminal investigation.
- b. Should alleged criminal behavior occur during school hours, the principal or designee will request that police authorities conduct an investigation and question students who are potential witnesses of such behavior.

Reasonable attempts will be made to contact the student's parent/guardian prior to questioning by police authorities. Such contacts or attempted contacts with parent/guardian must be documented by the administrator involved. In the absence of the student's parent/guardian during any questioning of the student, the principal or designee must be present and must document what generally occurred during the interview.

- c. If child abuse allegedly involving the parent/guardian is suspected, the parent/guardian should not be contacted prior to questioning of the student by police authorities or the Department of Social Services.
- d. If the investigation has centered on any particular student suspected of alleged criminal activity, the procedures for taking students into temporary custody by the police as set forth below will be followed to the extent that they do not interfere with reasonable law enforcement procedures.

**B. Initiated by police authorities**

Although cooperation with police authorities will be maintained, normally it should not be necessary for police authorities to initiate and conduct any investigation and questioning on school premises during school hours pertaining to criminal activities unrelated to the operation of the school.

Only when police authorities can show compelling circumstances to do so will they be permitted to conduct such an investigation during school hours. The circumstances ordinarily should be limited to those in which delay might result in danger to any person, flight from the jurisdiction by a person reasonably suspected of a crime, or destruction of evidence.

In such cases, the officers will be requested to obtain prior approval of the principal or designee before beginning such an investigation on school premises. The administrator will document the circumstances of such investigations as soon as possible.

Alleged criminal behavior related to the school environment brought to the principal's or other designee's attention by police authorities will be dealt with under the provisions of #2 above.

If the parent/guardian or student refuses to consent to the questioning, police authorities will determine the course of action to be pursued.

When students are removed from school for any reason by police authorities, reasonable efforts will be made to contact the student's parent/guardian immediately. Such efforts must be documented.

The superintendent's office must be notified immediately of any removal of a student from school by police authorities under any circumstances.

Where it is necessary to take a student into temporary custody on school premises and time permits, the police authority will be requested to contact the school principal or designee and to relate the circumstances necessitating such action. When possible, the principal or designee will have the student summoned to the principal's office where the student may be taken into temporary custody.

When a student has been taken into temporary custody or arrested on school premises without prior notification to the principal or designee, the school staff present may request the police authorities notify the principal or designee of the circumstances as quickly as possible. In the event that the police decline to notify the principal or designee, the school staff members must notify the principal or designee immediately.

The principal or designee may summon police authorities to the school to take a student into temporary custody. The superintendent or designee must be notified immediately.

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