

STUDENTS

CODE: JIH
POLICY
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STUDENT INTERROGATIONS, SEARCHES AND ARRESTS

Books, lockers, desks and all other storage facilities, equipment and/or other materials provided by the school remain school property even though utilized by students. The school retains the right to check, inspect or search these materials, facilities or property at any time to verify their condition, orderliness, cleanliness and/or content. Merely because students may be issued a key or a lock for a locker or storage facility does not give the student any particular right of privacy in such locker or facility. Interrogations of students by school personnel and searches of their property may occur on school grounds whenever it is determined by school authorities that there is a reasonable basis for the interrogation or search.

When there is reason to believe that contraband, illegal and/or prohibited items are on a student's person, the principal and/or an assistant or designee may authorize a search of the student's outer clothing, bag, purse, jacket, etc. for the purpose of removing such items.

For any search beyond the outer clothing, the principal and/or an assistant or designee must have one of the following reasons for such search:

1. will have received reliable information from an individual that he/she had actually seen narcotics, contraband, illegal and/or prohibited items very recently in the possession of the student to be searched; or
2. will have observed personally contraband, illegal and/or prohibited items in possession of the student; or
3. will possess information that the student admitted possession of the contraband, illegal and/or prohibited items on his/her person.

During any authorized search beyond the outer clothing of a student, the principal and/or an assistant or designee will be present along with two other adult employees of the school and all will be of the same sex as the student being searched, and such search will be conducted in an appropriate private area.

Search of a student's vehicle while located on school premises will be conducted only if there is a reasonable basis to believe that a breach of rules or a crime is being committed by the student.

INTERROGATIONS OF STUDENTS BY OUTSIDE AGENCIES

A student may not be interviewed during the school day or periods of extra-curricular activities unless the principal or another delegated staff member is present.

If police officers or other officials request an interview for any issue other than child abuse, child neglect or some crime involving the parent, an attempt will be made to contact the student's parents or legal guardian and to have one of them present during the interview.

If the topic of the interview is child abuse 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 will allow the investigation without contacting the parents. It will be the responsibility of the investigator in abuse cases to determine who will be present during the interview. The school may insist upon having a representative from the school present.

No student may be taken from school without the consent of the building principal and, generally if this is being done by law enforcement authorities for purposes of a criminal conviction, a warrant will be required, although it will not be essential if the principal determines it to be in the best interests of the school and the child. Generally the principal should request that the officer make his/her arrest at another time and not on school grounds. Regardless of whether the officer has a legal process document in his possession when the student is taken into custody, the principal should make every effort to inform the student's parents before the arrest is made or as soon thereafter if the student's parents were unavailable at the time of the arrest. Similarly, in all cases where police officers desire to conduct searches of students or student property, the school may request that such searches be conducted in a lawful manner with a proper warrant.

NEW POLICY
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