

STUDENT INTERROGATIONS, SEARCHES, AND ARRESTS

The Committee recognizes its responsibility to ensure that discipline is maintained in the schools and that a safe, orderly environment conducive to the educational process is preserved. Therefore, school officials may conduct reasonable searches of students when, in their judgment, there is reasonable grounds for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the policies or regulations of the school. The search must be reasonably related in scope to the circumstances which precipitated the search and must not be excessively intrusive in light of the age and sex of the student and the nature of the alleged infraction.

The Committee authorizes school officials to inspect a student's locker and/or desk when officials have reason to believe that the locker or desk is improperly used for the storage of any substance or item which is in violation of the law or policies or regulations of the schools. When necessary for the general welfare of the school, searches of all lockers and desks may be conducted by school officials.

Police may enter schools if they have a warrant for arrest or search or if they have been invited by school officials. If they have a valid warrant to do so or if they have "probable cause," they may search a student or his/her locker. In the absence of a warrant or probable cause of suspicion, police authorities have no right to interview students in the school building or to use school facilities in connection with official police work, nor does the school have any obligation to make students available to the police. If police wish to speak to a student without a warrant or probable cause of suspicion, they should take the matter up directly with the student's parents.

The schools have legal custody of pupils during the school day and during hours of supervised school activities. It is, therefore, the responsibility of the school administration to assure that the legal rights of students are not violated.

When law enforcement officers have proper cause to question students during the school day, the school principal or his/her designee shall be present. The principal shall assure that the pupil is told of his/her right to remain silent or speak through counsel, and shall protect him/her from coercion or illegal restraint.

The questioning shall be done in the principal's office with the door open so that no one later can misrepresent the interrogation.

An effort shall be made to notify the parent/guardian of the student so that this adult may also be present.

If custody and/or arrest is involved, the principal shall assure that all procedural safeguards, as prescribed by law, are observed.

In all instances where police officials wish to interview students to secure information--that is, when probable cause for suspicion in connection with a crime is not evident or when there is no warrant for search or arrest--the police will not be permitted to interview students on school premises.

Cross Reference: JI - Student Rights and Responsibilities

Adopted: July 5, 1994