

STUDENT INTERROGATIONS, SEARCHES, & ARRESTS

JIH

General

1. Interrogations and searches shall be conducted in accordance with the provisions of this policy and with applicable law.
2. Searches of students shall be based upon a reasonable suspicion that the student has violated (or is violating) a law, or a school board policy or regulation, or a school rule.

School Officials

1. School officials should use their professional judgment when interrogating students, being cognizant of students' due process rights, but recognizing that they need not be bound by the strict rules of law under which police authorities must operate.
2. School officials may search school property whenever there is reasonable suspicion that a student has violated (or is violating) a law, or a school board policy or regulation, or a school rule.
3. **Student Lockers**
 - a. School officials may search a student's locker when there is reasonable suspicion to believe that a student has violated (or is violating) a law, a school board policy or regulation, or a school rule.
 - b. School officials should contact the police prior to conducting a search of a student's locker whenever there is reason to believe that dangerous/harmful drugs, weapons, etc. are present.
4. Searches of a student's pockets and effects may be conducted by school officials whenever there is reasonable suspicion that a student has violated (or is violating) a law, a school board policy or regulation, or a school rule. The Fourth Amendment's prohibition of unreasonable searches and seizures applies to searches of students by public school officials. The test for determining the legality of a search of a student's pockets and effects by a school official is the reasonableness standard. The school officials must have reasonable suspicion to believe that the search will turn up evidence that the student has violated or is violating either the law, or a school board policy or regulation, or a school rule or regulation. In addition, the search itself must be reasonable. The scope and manner of the search must reasonably relate to the objectives of the search and must not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.
5. School officials are to report any violation of the law by a student.

Police Authorities

1. Students shall not be subjected to harassment or intimidation by police authorities while attending school.
2. Should the police apprehend a student at a school activity, they are in authority.
3. Students shall be available for questioning in the office of a school administrator when such request is received from law enforcement officials. Such questioning should observe the following guidelines:
 - a. The parent should be notified of the request (before the questioning) whenever possible.
 - b. The student should be apprised of the reasons for the questioning and his legal rights.
 - c. The principal or his/her designated representative should be present during the questioning session.
 - d. The procedural aspects of due process should be observed.
4. A student shall be released to the custody of police authorities whenever a warrant for such action is provided to the school administrator.

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