

StudentsQuestioning and ApprehensionQuestioning

Law enforcement officers have the right to come on campus to interview students as suspects or witnesses. School officials shall not delay, hinder or obstruct law officers from the performance of their duties. Before any such interviews, the principal or designee shall carefully ascertain the officer's identity, official capacity, and the authority under which he/she acts.

At the law officer's discretion and with the student's approval, the principal may be present during the interview. The law officer should advise the student that he/she has the right to remain silent, but that he/she is encouraged to cooperate with law enforcement agencies.

If in the course of the interview the law officer finds it necessary to remove the student from school so as to better aid the investigation, the principal or designee shall first ascertain the reason for such action. Upon releasing the student, the principal or designee shall immediately inform the student's parent/guardian.

Legal Reference:EDUCATION CODE

44807 Duty concerning conduct of pupils
 48264 Arrest of truants
 48265 Delivery of truant
 48902 Notice to law authorities
 48906 Release of minor pupil to peace officers; notice to parent, guardian or relative
 48909 Narcotics and other hallucinogenic drugs (re arrest)

PENAL CODE

830-832.8 re peace officers
 833-851.85 re arrests
 1328 Service of subpoena

CODE OF REGULATIONS, TITLE 5

303 Duty to remain at school

People v. Burton (1971) 6 Cal. 3d 375

In re Donaldson 269 Cal. App. 2d 509

Baines v. Brady 122 Cal. App. 2d Supp. 957, 960

In the matter of Paul P., 85 Daily Journal D.A.R. 2594

32 Ops. Cal. Atty. Gen. 46

34 Ops. Cal. Atty. Gen. 93

54 Ops. Cal. Atty. Gen. 96

Policy
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NORRIS SCHOOL DISTRICT
 Bakersfield, California