

SMYRNA SCHOOL DISTRICT

District Policy

Article: 5000 Students

Title: Interviewing of Pupils by Police
During School Hours on School Property

Policy #: 5144

1. Arrests

- a. When possible and appropriate, arrest by police should be made during non-school hours and away from the school premises;
- b. Arrest on school premises during school hours shall be effectuated in such a manner as to avoid both embarrassment to the pupil being arrested and jeopardizing the safety and welfare of other pupils.
- c. In event of an apprehension during school hours, the principal should summon the student to his/her office before surrendering him/her to police custody. Unless absolutely essential, the officer should not appear in the classroom to take custody of the student.
- d. Before surrendering custody of the student to the police officer, the principal should record the name and organization of the officer; the time he/she leaves school; the destination, police station, detention facility, or Family Court; and the offense for which the arrest was made. This information should be transmitted to the parents or guardians immediately.

2. Questioning on School Premises

- a. Before commencing an interrogation, the principal should contact the parents or guardians of the student to provide them with the opportunity to be present or consult an attorney. In any event, the principal or someone designated to act for him/her in his/her absence should be present during all interviews.
- b. School officials shall not permit questioning of a pupil under arrest on the school premises unless the arrest is related to an offense occurring on school premises, in which case the student may be questioned on school premises in connection with that arrest. School officials shall request the arresting officer to remove the pupil from the premises as soon as practicable after the arrest is made.
- c. Police investigations involving the questioning of pupils shall not be permitted on school premises unless in connection with a crime committed on the premises or in connection with an investigation which, if not immediately permitted, would compromise the success of that investigation or endanger the lives or safety of the pupils or other persons, provided, however, that a school official should be present throughout the questioning.
- d. In the absence of an arrest, school officials shall not authorize the removal of a pupil from school for the purpose of investigative questioning without the consent of the parent or guardian.

3. Search and Seizures

- a. Police officers, upon the authority of a search warrant, may make a search of that part of the school premises described in the search warrant, and school officials should cooperate in performing such a search.
- b. Investigative searches of school premises by police officers shall only be permitted upon the authority of a search warrant or in any case where the search is essential to prevent

imminent danger to the safety or welfare of the pupil or other persons or school property. Such search shall not include a pupil's assigned locker unless specified in the search warrant.

- c. Every effort shall be made to conduct searches in a manner which will minimize a disruption of the normal school routine and minimize embarrassment to pupils affected.
- d. In no case may a police officer search or frisk the person of a pupil not under arrest, unless the police officer has a reasonable suspicion that such pupil is concealing a weapon which poses a danger to others, but under no circumstances shall a school official conduct such a search of the person at the request of a police officer.
- e. School officials may at any time conduct such searches as are essential to the security, discipline and sound administration of the particular school, but are limited as stated above whenever the search is in connection with a police investigation. The local police agency will respond to a request from a school administrator conducting an administrative search when the administrator feels that the search might result in a breach of the peace.

4. Reporting Crimes

- a. School officials shall promptly report to the local police agency all police matters coming to his/her attention whether occurring on or away from the school premises which involve pupils attending the particular school. The following offenses should be reported to the local police agency for investigation:
 - 1. All felonies
 - 2. Serious assaults when any weapon is used
 - 3. Reports of explosives, knives, firearms, ammunition, or blasting caps being brought to school
 - 4. Narcotic offenses or allegations. Drinking if it appears to be more than an "experimental" experience
 - 5. Indecent assaults on female pupils
 - 6. Rape or assault with intent to rape
 - 7. Moral offenses (pornography, exhibitionism, peeping, etc.)
 - 8. Organized gambling (numbers and pools)
 - 9. Display of large sums of money or jewelry not in keeping with the student's station
 - 10. Neglect or abuse of children
 - 11. Persons or conditions which are factors in contributing to the delinquency of minors
 - 12. Adults loitering on or near school property, particularly before and after school
 - 13. Unknown persons parked near school at time pupils are going to and from school
 - 14. Observations of reckless driving and traffic hazards endangering lives of school children
 - 15. Telephone threats made to the school
 - 16. Arson or suspension of arson
 - 17. Rumors or observations of gang rivalries or activities
 - 18. Reports of promiscuity or incest
 - 19. Evidence of threats or intimidation
 - 20. Larcenies involving teachers, locker rooms, closets, and desks
 - 21. Larcenies of school equipment
 - 22. Burglaries and attempted burglary of school buildings
 - 23. Malicious mischief and school vandalism
 - 24. Trespassing on school property.

- b. Police matters shall not include conduct which has been traditionally treated as a matter of discipline to be handled administratively by the particular school, except that all such conduct of a serious nature should be promptly reported to the parent or guardian concerned.

5. School Disorders

- a. The request for police assistance in a crisis situation requires special care because of the possibility that improperly managed introduction of uniformed police may directly aggravate an on-going crisis.
 - 1. It is preferable that the principal be the official who calls the police. It is desirable that in all cases, the decision to call the police be reached in collaboration with the youth aid officer on the scene if one is present.
 - 2. No person other than the principal or his assistant, the Superintendent of the District and his/her designee, or the youth aid officer may request tactical deployment of uniformed police to a school.
 - 3. Police manpower called to a school should be limited to that number which may reasonably be expected to be required to deal with the situation. This determination as to the level of required force can best be made by the ranking police officer on the scene, working jointly with the principal.