

STUDENT INTERROGATIONS, SEARCHES AND ARRESTS

Code **JIH** Issued **3/13**

Purpose: To establish basic structure for conducting searches of students or their property.

Students and their belongings are subject to reasonable searches and seizures when administrators have a belief considered to be reasonable under these circumstances.

- A student committed a crime or a violation of a school rule.
- Such a search will reveal contraband or evidence of a violation of a school rule or a criminal law.

Any search conducted must be reasonable in scope given the age and sex of the student and the nature of the alleged infraction.

Only the principal or his/her designee may conduct such searches within the constitutional parameters outlined above unless exigent circumstances exist which require another staff member to take immediate action for safety reasons.

School lockers and desks

All lockers are the property of the school district. School officials may conduct searches of lockers in accordance with publicized administrative rules.

Motor vehicles

The privilege of bringing a student-operated motor vehicle onto school premises is conditioned on consent by the student driver to allow a search of that motor vehicle when there is reasonable suspicion for a search of that motor vehicle. School officials may conduct searches of motor vehicles in accordance with publicized administrative rules.

Interrogations by school personnel and school resource officers

Administrators and teachers as well as school resource officers, may question students about any matter pertaining to the operation of a school and/or enforcement of its rules. The questioning will be conducted discreetly and under circumstances which will avoid, to the extent practical under the circumstances, unnecessary embarrassment to the person being questioned. School resource officers will act consistently with law enforcement guidelines should any routine questioning turn into a criminal investigation. The school administration will make every effort to notify parents as soon as practical of the questioning of students by school resource officers. Any student who answers falsely or evasively or who refuses to answer an appropriate question may face school discipline as well as any legal consequences.

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Interrogations by law enforcement

When law enforcement officers find it necessary to question students during the school day regarding criminal matters, the school resource officer will coordinate with the administration who will cooperate with law enforcement and will be present, so long as his/her presence does not impede the investigation. The school administrator will make every effort to notify the parent or legal guardian as soon as practical of the questioning of the students by law enforcement officer(s) as long as his/her attendance does not impede the investigation. School officials may not act in a manner which will interfere with an ongoing law enforcement investigation.

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Legal references:

- A. S.C. Code, 1976, as amended:
 - 1. Section 59-63-55 – Injuries received while participating in athletics to be made part of student's record.
 - 2. Section 59-63-425 – Students may transfer
- B. State Board of Education Regulations:
 - 1. R-43-244 and 245 – Interscholastic athletics.