

## SEARCHES AND INTERROGATIONS

The Board of Education authorizes the Superintendent of Schools, building principals, assistant principals, deans, security aides and director of school security to conduct searches of students and their possessions for illegal matter or matter which otherwise constitutes a threat to the health, safety, welfare or morals of students attending our schools.

In authorizing such searches, the Board acknowledges both state and federal constitutional rights which are applicable to personal searches of students and searches of their possessions (i.e., pocket contents, bookbags, handbags, etc.). Such searches shall not be conducted unless founded upon reasonable suspicion. The scope of the search must be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Students shall be informed by the administration that school lockers are not their private property, but the property of the school district and that as such may be opened and subject to inspection from time to time by school officials.

Realizing the intrusive nature of a search which requires a student to remove any and/or all clothing with the exception of outer coats and jackets, school administrators are required to notify the parents/guardians of the student, in advance of the search, and to call the police department to conduct the search. Such search shall be conducted only by the police.

Searches of students and their effects must be particularized. Group searches generally lack particularized suspicion and ordinarily shall not be permitted.

The Superintendent of Schools or designee shall establish regulations regarding personal searches of students and searches of school lockers in accordance with this policy and the law.

Interrogations by Police

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. The school administration shall try to protect each student in its custody. Therefore:

1. The police shall be encouraged by the school authorities to question students out of school and in the home whenever possible.
2. The police will be permitted to question students within the schools only when the officer has a warrant for the arrest of the student or the police are investigating a crime that took place on school property.

3. If possible, the parents/guardians of the student to be interviewed shall be notified by the police before the student is questioned so that the parents may be present, if they so desire.
4. To avoid possible criticism, a school official shall be present when an interrogation the school.
5. When it is necessary for police authorities to remove a child from a school, the building principal shall notify the parents.
6. The police department should always be notified by the building principal whenever a student is involved in any type of criminal activity. When the school learns of this, it should notify the juvenile officer or detective bureau of the police department. The school should not attempt to handle situations that are properly in the realm of the police.

Ref.: *New Jersey v. TLO*, 105, S.Ct. 733 (1985)  
*People v. Scott D.*, 34 N.Y.2d 483 (1974)  
*In re Ronald B.*, 61 A.D.2d 204 (1978)

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