



Student Discipline

Disciplinary action, when necessary, will be firm, fair, and consistent to be the most effective in addressing and changing negative student behavior. Based on the philosophy that discipline is an opportunity to redirect and learn from negative behaviors, BECS staff will promote positive relationships with students to foster positive relationships and redirect negative behavior. Students are expected to demonstrate the attributes of SOAR and Leader In Me by listening to staff members, being kind to others, and being considerate of others' and the school's property.

Circumstances surrounding any situation vary, and what is fair does not necessarily mean "the same consequence" in every case. The Executive Director and/or designated school officials reserve the right to decide what's most appropriate for each individual case. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Disciplinary action will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of the misbehavior, the student's attitude, the effect of the misconduct on the school environment, and the presence of a disability and the requirements of law.

Bromley East follows the 27J Schools' Code of Conduct Rules for Discipline procedures. A school is judged by the actions of its students within and outside of school. At all times, students are under the school's jurisdiction and are expected to conduct themselves in an orderly, courteous, dignified, and respectful manner. In an effort to maintain an orderly atmosphere, any staff member's authority extends to all students during field trips, on school grounds, or at other school-sponsored functions, whether or not the student is in that teacher's class. [27J Superintendent Policy JK-R](#)

Remedial Discipline Plans

1. The principal may develop a plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in a school vehicle, or at a school activity or event. The goal of the remedial discipline plan shall be to address

the student's disruptive behavior and educational needs while keeping the student in school.

2. To develop the plan, the principal or designee will contact the student's parent/guardian to schedule a meeting with the student, the parent/guardian, and any staff members the principal believes should attend.
3. The purpose of the meeting will be to address the reasons for the student's disruptive behavior and to establish goals, objectives, and timelines to modify such behavior. A written plan will be prepared to address the student's disruptive behavior, educational needs, and the steps necessary to keep the student in school. The plan will include incentives for good behavior and consequences for violating it.
4. The plan may be written as a contract for the student and the parent/guardian to sign and date.
5. The parent/guardian will be provided a copy of the remedial discipline plan, and it will be placed in the student's cumulative file.

Habitually Disruptive Students

A student may be declared "habitually disruptive" if, three or more times during the school year, the student causes a material and substantial disruption on school grounds, in a school vehicle, or at a school activity or sanctioned event.

1. The principal will inform the superintendent when a student causes a second material and substantial disruption.
2. The student and the student's parent/guardian will be notified in writing of each disruption that counts toward a determination that the student is habitually disruptive. The student and parent/guardian will also be notified in writing and by telephone or other oral communication of the definition of "habitually disruptive student."
3. A student who has been declared habitually disruptive shall be suspended and/or expelled in accordance with Board policy concerning student suspensions, expulsions, and other disciplinary interventions.

Disciplinary Removal from Classrooms

Pursuant to C.R.S. 22-32-109.1(2)(a)(B), the School may remove a student from the classroom, vehicle, or activity when the student causes a disruption or otherwise violates the School's code of conduct on school grounds, in a school vehicle, or at a school activity or sanctioned event. Upon the third such removal from a teacher's class, the disruptive

student may be removed from the teacher's class for the remainder of the term of the class, except that a disruptive student shall not be removed from a teacher's class for the remainder of the term of the class unless the School has first developed and implemented a behavior plan for the student. A behavior plan may be developed after the first such removal from class and must be developed after the second. If a student is removed from class, the teacher or the school principal will contact the student's parent or legal guardian to request their attendance at a student-teacher conference regarding the removal. Any removal of a student with disabilities must be in compliance with applicable federal and state laws.

Student Due Process

Bromley East Charter School will provide due process to students through procedures consistent with applicable laws regarding suspension, expulsion, or denial of admission.

[27J Policy - JKD](#)

Factors for Interventions and Consequences

Proportionate disciplinary interventions and consequences will be imposed to address the student's misconduct and maintain a safe and supportive learning environment for students and staff. The following factors will be considered in determining consequences for student violations of the Code of Conduct.

- 1.1 The student's age;
- 1.2 The student's disciplinary history;
- 1.3 The student's eligibility as a student with a disability;
- 1.4 The seriousness of the violation committed by the student;
- 1.5 The threat posed to any student or staff member; and
- 1.6 The likelihood that a lesser intervention would properly address the violation.
- 1.7 The impact the violation had or is likely to have on the school learning environment.

Definitions

For the purposes of this policy, the following definitions apply:

- 2.1 "Suspension" means the exclusion of a student from attending school and participating in school activities for a specified period of time as set forth in the suspension procedures set forth below.

- 2.2 “Expulsion” means the withdrawal and exclusion of a student from attending school and participating in all school activities, whether on or off campus, for a period of time as determined by the Executive Director and/or Superintendent, not to exceed 365 days. Access to continuing educational services for expelled students will be offered as required by law.
- 2.3 “In School Suspension” means the exclusion of a student from the classroom and from participation in school activities, with staff supervision and access to continuing academic work, in a location separate from the traditional classroom. The opportunity for, and appropriateness of, in-school suspension are at the discretion of the school administration and depend on the circumstances of the violations and the availability of necessary resources to provide this service.
- 2.4 “Informal Hearing” means an opportunity for a student to be informed of the evidence and to explain his or her position regarding an incident suspected of violating the Code of Conduct, and thus subject to disciplinary action. An informal hearing does not include legal representation, the ability to confront or cross-examine witnesses, or the ability to call upon witnesses.
- 2.5 “Alternative to Suspension” means the opportunity for a student to have the length or terms of a suspension reduced through completion of intervention activities or by having a parent shadow the student in school with permission of the building principal. Alternatives to suspension are not required and are considered exclusively at the discretion of school administration, depending on the nature and circumstances of the violations for which the student was suspended.
- 2.6 “Alternative to Expulsion” means the opportunity for a student to avoid expulsion or to reduce the length of an existing expulsion by completing required interventions as may be identified by district administration, in cooperation with the building principal. Alternatives to expulsion are not required and are considered exclusively at the discretion of the school and district administration, depending on the nature and circumstances of the violation(s) for which the student was expelled.
- 2.7 “Denial of Admission” means a student is restricted from requested enrollment in school based upon grounds authorized by policy and law.

Referral to Law Enforcement

School personnel shall refer any student who brings a firearm or dangerous weapon to school without authorization of the school or the school district to law enforcement.

NOTE: As a condition of receiving federal funds, the school district is required to expel students who bring firearms to school for one calendar year. The district is required to include a description of the circumstances surrounding these expulsions, the name of the school involved, the number of students expelled, and the types of weapons involved.

A case-by-case exception to the one-year expulsion requirement must be in writing and may include students with disabilities to meet the requirements of federal law. Federal law requires that educational services continue for students with disabilities who are properly expelled, although such services may be provided in another setting.

Law Enforcement Officers' Involvement

The principal or his designee may request that a search on school premises be conducted by a law enforcement officer. Law enforcement authorities will then determine how the search should proceed. When law enforcement officers respond to such a request, no school employee shall assist or otherwise participate in the search unless under the direct order of the law enforcement officer. If law enforcement personnel seek permission from school authorities to search a student or the student's personal property or school property to obtain evidence related to criminal activities, school officials shall require the police to produce a valid search warrant before the search is conducted unless:

1. There is uncoerced consent by the student.
2. There is probable cause and circumstances such that taking the time to obtain a search warrant would frustrate the purpose of the search.
3. The search is incident to an arrest and is limited to the person and his immediate surroundings. When law enforcement officials request permission to question students in school or during school activities for a possible reason to arrest, the principal or his designee shall be present. If the student is under 18, his parent(s) or legal guardian shall also be present unless the juvenile is emancipated as defined in state law. Every effort shall be made not to draw any attention to the student being questioned by conducting the interrogation in private and with as little disruption to the schedule as possible.

Custody and/or Arrest

When custody and/or arrest by the police is involved, the principal shall request that all procedural safeguards as prescribed by law be observed by the law enforcement officers. This includes all due process procedures, including but not limited to obtaining proper arrest warrants when required.

Seizure of Items: Anything found in the course of a search conducted by school officials, which is evidence of a violation of law or School policy or school rules, or which by its presence presents an immediate danger of physical harm, may be seized at the discretion of school officials:

1. Seized and turned over to any law enforcement officer in accordance with this policy.
2. Seized and offered as evidence in any suspension or expulsion proceeding if it is tagged for identification at the time it is seized. Such material shall be kept in a secure place by the principal until it is presented at the hearing.
3. Returned to the student or his parents/guardians. Within 10 school days after a search, the student may appeal the search decision to the superintendent, who shall investigate the reason(s) and circumstances of the search. The superintendent shall issue written findings within five school days after receiving the appeal. The superintendent's decision shall constitute the final district determination.

Student Suspension and Expulsion

Suspension

The School principal, or an administrator designated in writing by the principal, is delegated the authority to suspend a student for not more than five school days on the following grounds:

1. Continued willful disobedience or open and persistent defiance of proper authority;
2. Willful destruction or defacing of school property;
3. Behavior on or off school property that is detrimental to the welfare or safety of other pupils or of school personnel, including behavior that creates a threat of physical harm to the child or to other children.
4. Repeated interference with a school's ability to provide educational opportunities to other students.

Or not more than ten school days on the following grounds:

1. Committing one of the following offenses on school grounds, in a school vehicle, or at a school activity or sanctioned event: Possession of a dangerous weapon without the authorization of the school or the school district; The use, possession, or sale of a drug or controlled substance as defined in section 18-18-102(5), C.R.S.; or The commission of an act that, if committed by an adult, would be robbery pursuant to part 3 of article 4 of title 18, C.R.S., or assault pursuant to part 2 of article 3 of title 18, C.R.S., other than the commission of an act that would be third degree assault under section 18-3-204, C.R.S., if committed by an adult.
 - a. A “dangerous weapon” is defined as a firearm, as defined in section 18-1-901(3)(h), C.R.S.; Any pellet gun, BB gun, or other device, whether operational or not, designed to propel projectiles by spring action or compressed air; A fixed-blade knife with a blade that exceeds three inches in length; A spring-loaded knife or a pocket knife with a blade exceeding three and one-half inches in length; or Any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used to inflict death or serious bodily injury.
2. Carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property.
3. Declaration as a habitually disruptive student, when and if expulsion is being pursued.
4. Making an intentionally false accusation of criminal activity against an employee of an educational entity to law enforcement authorities, school district officials or personnel, or both.

A student may be suspended on any of the grounds stated above, or in C.R.S. 22-33-106, for not more than another ten school days. The School’s executive officer may extend a suspension by an additional ten school days, if necessary, to present the matter at the next meeting of the board of directors, but the total period of any suspension must not exceed twenty-five school days.

As an alternative to suspension, the School may consider allowing the student to remain in school by having the student’s parent agree, with the consent of the student’s teachers, to attend class with the student for a period of time specified by the School. If the parent fails to attend class with the student, the student will be suspended in accordance with this policy.

A student suspended for a period of ten days or less will receive an opportunity to be heard (i.e. tell his/her side of the story) to the principal or the principal's designee prior to the student's removal from school, unless an emergency requires immediate removal from school, in which case the opportunity to be heard will follow as soon after the student's removal as practicable. Any student suspended for more than ten days will be given the opportunity to request a review of the suspension by the Executive Director, unless an expulsion recommendation is pending, in which case the student will have an opportunity to be heard at a formal expulsion hearing.

Habitually Disruptive Students

A "habitually disruptive student" means a student who has caused a material and substantial disruption on school grounds, in a school vehicle, or at a school activity or sanctioned event three or more times during the course of a school year. The student and the parent must be notified in writing for each disruption counted toward declaring the student habitually disruptive, and the student and the parent must be notified in writing and by telephone or other means, at the home or the parent's place of employment, of the definition of "habitually disruptive student."

Parent Contact for Suspension

When the principal or designee determines that suspension is warranted, reasonable effort will be made as promptly as possible under the circumstances at the time to notify the parent of the suspension and of the grounds for the suspension, the period of the suspension, and the time and place for the parent to meet with the School to review the suspension.

Appealing a Suspension

Appeals of suspensions must be directed to the building principal within two (2) days after the suspension is imposed. The principal's decision on suspensions of nine (9) days or less shall be final.

Appeals of suspensions of ten (10) or more days should be directed to the Executive Director for review within two (2) days after the suspension is imposed. The Executive Director's decision regarding the suspension will be final.

Effect of a Suspension

Upon suspension, the student will be required to leave the school building and grounds immediately, following a determination by the parent and the school of the best way to transfer custody of the student to the parent or an authorized parent designee. The student will not be readmitted until a meeting between the parent and the School has taken place, or until, at the School's discretion, the parent has substantially agreed to review the suspension with the School. If the School cannot contact the parent or the parent repeatedly fails to appear for scheduled meetings, the School may readmit the student. The readmission meeting between the School and the parent will address whether a remedial discipline plan is needed to prevent future disciplinary action.

The School will make every reasonable effort to meet with the student's parent, guardian, or legal custodian during the suspension and will not extend the suspension due to the School's failure to meet with the parent, except when safety concerns exist.

Make-Up Work for Suspended Students

To provide an opportunity for the student to reintegrate into the educational program of the School and to help prevent students from dropping out of school because of an inability to reintegrate into the educational program following the period of suspension, the School will provide an opportunity for a student to make up school work during the period of suspension for full or partial academic credit, as determined by the School, to the extent possible.

In-School Suspension

"In School Suspension" means the exclusion of a student from the classroom and from participation in school activities, with staff supervision and access to continuing academic work, in a location separate from the traditional classroom. The opportunity for, and appropriateness of, in-school suspension are at the discretion of the school administration and depend on the circumstances of the violations and the availability of necessary resources to provide this service.

Out-of-School Suspension: Grades K-2

Any out-of-school discipline of students in grades Kindergarten through 2nd grade will be in compliance with C.R.S. 22-33-106.1, including its prohibition on out-of-school suspension

or expulsion of a student enrolled in preschool, kindergarten, first grade, or second grade unless:

1. The School determines that the student has engaged in conduct on school grounds, in a school vehicle, or at a school activity or sanctioned event that: Involves the possession of a dangerous weapon without the authorization of the public school or enrolling entity, if different; involves the use, possession, or sale of a drug or controlled substance, as defined in C.R.S. 18-18-102(5); or; Endangers the health or safety of others.
2. The School determines that failure to remove the student from the school building would create a safety threat that cannot otherwise be addressed; and
3. The School, on a case-by-case basis, considers each of the factors set forth in C.R.S. 22-33-106(1.2) before suspending or expelling the student. The School must document any alternative behavioral and disciplinary interventions that it employs before suspending or expelling the student.

The out-of-school suspension of a K-2 student shall not exceed three school days unless the Principal determines that a longer suspension is necessary to address the safety threat or recommends that the student be expelled.

Expulsion

A student may be expelled from the School on any of the grounds stated in state law, which include:

1. Continued willful disobedience or open and persistent defiance of proper authority;
2. Willful destruction or defacing of school property;
3. Behavior on or off school property that is detrimental to the welfare or safety of other students or of school personnel, including behavior that creates a threat of physical harm to the child or to other children.
4. Repeated interference with a school's ability to provide educational opportunities to other students.
5. Committing one of the following offenses on school grounds, in a school vehicle, or at a school activity or sanctioned event: Possession of a dangerous weapon without the authorization of the school or the school district; The use, possession, or sale of a drug or controlled substance as defined in section 18-18-102(5), C.R.S.; or The commission of an act that, if committed by an adult, would be robbery pursuant to part 3 of article 4 of title 18, C.R.S., or assault pursuant to part 2 of article 3 of title 18,

C.R.S., other than the commission of an act that would be third degree assault under section 18-3-204, C.R.S., if committed by an adult.

- a. A “dangerous weapon” is defined as a firearm, as defined in section 18-1-901(3)(h), C.R.S.; Any pellet gun, BB gun, or other device, whether operational or not, designed to propel projectiles by spring action or compressed air; A fixed-blade knife with a blade that exceeds three inches in length; A spring-loaded knife or a pocket knife with a blade exceeding three and one-half inches in length; or Any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used to inflict death or serious bodily injury.
5. Carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property.
6. Declaration as a habitually disruptive student.
7. Making an intentionally false accusation of criminal activity against an employee of an educational entity to law enforcement authorities, school district officials or personnel, or both.

A student who is denied admission pursuant to C.R.S. 22-33-105 and 106 will be afforded the same rights and process, to the extent required by law, as students expelled under this policy.

Expulsion Procedure

Prior to proceeding with a recommendation for expulsion, the School administration, including the Executive Director, will review the evidence. If the School administration decides to proceed with a recommendation for expulsion, the student’s parent/guardian will be provided notice of the recommended action, including the grounds for expulsion and details of any allegations, and a copy of the 27J’s expulsion policy and procedures. The hearing will be conducted in accordance with C.R.S. 22-33-105 and 106 by 27J, and the expulsion decision will be made by 27J’s superintendent or designee, and any appeals will be heard by 27J’s board of education. The School will prepare any necessary evidence to prove that the student committed the infractions that form the grounds for expulsion, and will provide all records that the School intends to use as supporting evidence for expulsion to the student or the student’s parent at least two business days in which school is in session prior to the expulsion hearing. Upon discovery of a record not previously provided, the School must immediately provide the record to the student or the student’s parent.

At the hearing, the School has the burden of proving by a preponderance of the evidence (meaning it is “more likely than not”) that the student did what is alleged and violated section 22-33-106 and the School's code of conduct.

Alternative Education for Expelled Students

When a student is expelled, The School will provide any required educational services required by federal law for students with disabilities, and appropriate alternative educational services required by C.R.S. 22-33-203. A student's parent is responsible for ensuring the student continues to receive an education during the expulsion period.

Options for Students Charged with Certain Crimes

If a petition is filed in juvenile court that alleges that a student who is at least twelve years of age but under eighteen years of age has committed an offense that would constitute unlawful sexual behavior, as defined in C.R.S. 16-22-102(9), or a crime of violence, as defined in CRS 18-1.3-406, if committed by an adult or whenever charges filed in district court allege that a student has committed such an offense, basic identification information concerning the student should be provided to the School. Upon receipt of such information, the School will follow 27J's policies for determining whether the student has exhibited behavior that is detrimental to the safety, welfare, and morals of the other students or of school personnel in the School and whether educating the student in the School may disrupt the learning environment in the School, provide a negative example for other students, or create a dangerous and unsafe environment for students, teachers, and other school personnel. If it is determined that the student should not be educated at the school, the School may proceed with suspension or expulsion in accordance with 27J's policy and state law.

Alternatively, the School may wait until the conclusion of the juvenile criminal proceedings to consider the expulsion matter, in which case it shall be the responsibility of the School to provide the student with an appropriate alternate education program, including but not limited to an online program or online school, or a home-based education program during the period pending the resolution of the juvenile criminal proceedings.

A student who is being educated in an alternate education program or a home-based education program will not be allowed to return to the School until there has been a disposition of the charge. If the student pleads guilty, is found guilty, or is adjudicated a

delinquent juvenile, the School may proceed to expel the student. The time that a student spends in an alternative education program will not be considered a period of expulsion.

Students with Disabilities

If the student facing potential suspension or expulsion has a disability, the School will comply with applicable laws regarding such suspension or expulsion. Before the student with disabilities is suspended for 10 or more days (singularly or cumulatively during the school year if for the same conduct) or expelled, the School will conduct a manifestation determination review to determine if the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or if the conduct in question was the direct result of the School's failure to implement the IEP; or the relevant standard under Section 504.

Student Statements

Except as provided in this policy, a School employee will not use in an expulsion hearing a student's statement concerning an act alleged to have been committed by the student regarding:

1. Possession of a dangerous weapon without the authorization of the school or the school district; The use, possession, or sale of a drug or controlled substance as defined in section 18-18-102(5), C.R.S.; or The commission of an act that, if committed by an adult, would be robbery pursuant to part 3 of article 4 of title 18, C.R.S., or assault pursuant to part 2 of article 3 of title 18, C.R.S., other than the commission of an act that would be third degree assault under section 18-3-204, C.R.S., if committed by an adult.
 - a. A "dangerous weapon" is defined as a firearm, as defined in section 18-1-901(3)(h), C.R.S.; Any pellet gun, BB gun, or other device, whether operational or not, designed to propel projectiles by spring action or compressed air; A fixed-blade knife with a blade that exceeds three inches in length; A spring-loaded knife or a pocket knife with a blade exceeding three and one-half inches in length; or Any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used to inflict death or serious bodily injury.

A statement may be used in the expulsion hearing only if it is signed by the student and a parent present when the student signs the statement, or if a reasonable attempt was made to contact the parent to have the parent present when the student signed the statement.

The school will be deemed to have made a reasonable attempt to contact the parent if it calls each phone number the parent provides and each phone number the student provides for the parent.

Further, the student and his or her parent may expressly waive the requirement that the parent be present when a student signs a statement or admission. This express waiver must be in writing and obtained only after full advisement of the student and his or her parent of the student's rights, prior to the student's signing the statement or admission.

The requirements of this policy do not apply if the student makes any deliberate misrepresentations affecting the applicability or requirements of this policy, and a school official, acting in good faith and in reasonable reliance on such deliberate misrepresentation, obtains a signed statement or admission of the student that does not comply with the requirements of this policy.

Nothing in this policy will prevent or interfere with a fact-finding or information-gathering investigation by a school or school employee.

Denial of Admission

Students may be denied or excluded from admission to school, subject to guidelines established in Superintendent Policy JHD – Denial of Admission, Exclusions and Exemptions from School Attendance.

Miscellaneous

Trespassing

Students who are suspended or expelled are prohibited from attending any District or school-sanctioned activity or event, whether on or off campus, as well as from being on any District or school campus or property without prior written approval of school administration. Failure to abide by the restriction will be considered trespassing and may be referred to law enforcement. Such violations may also result in an extension of the student's exclusion from school.

Victim Concerns

When a student is expelled for violations on or off campus that victimize or jeopardize the safety of specific students or staff, the offending student may be prohibited from returning

to the school in which the victim of the offense, or a member of the victim's immediate family, is enrolled or employed, as provided by law. Administrative transfers may be imposed in such cases at the discretion of the Superintendent or District administrative designee. Such transfers may occur in lieu of or in addition to expulsion and may occur immediately or at the conclusion of the student's exclusion from school.

Completion of Proceedings

Should a parent request to withdraw a student from school during an active suspension or pending expulsion proceedings, such proceedings will continue through completion with or without participation by the parent(s) or student. Records of such discipline proceedings will be included in the educational records provided to a subsequent school in which the parent may seek to enroll the student, upon the School's receipt of a valid request for educational records.

Reopening Investigations

The School may reopen any investigation into Code of Conduct violations involving student safety if newly discovered information or evidence is found.

Transfer of Records

Records of violations of Code of Conduct-related policies, noting the date, type of offense, and resulting disciplinary action, will be maintained in the District's electronic student database, consistent with the recording of all other student behavior records.

Immunity

An act by a School employee shall not be considered child abuse if it was performed in good faith and in compliance with School policy. Any employee acting in good faith and in compliance with the Code of Conduct shall be immune from criminal prosecution or civil liability unless acting willfully or wantonly.

Assessment of Potentially Dangerous Student Behavior

Upon recognition or receipt of a report that a student may pose a safety risk to himself or herself, or to other students or staff, trained staff may conduct a suicide and/or a threat assessment. The purposes of such an assessment are to consider potential risks, to initiate measures to ensure the safety of the involved parties, and to help identify an appropriate response and support plan. Parents or guardians will be notified when a suicide or threat

assessment is conducted or as soon as possible after such an assessment has been conducted. The exact timing of the notification may depend on the circumstances at the time. Records of such assessments will be provided to parents upon request.

Interrogations and Searches

Adapted from [Superintendent Policy JIH](#)

The Executive Director seeks to maintain a climate in the schools that is conducive to learning and protective of the safety and welfare of staff and students. To achieve this goal, it may be necessary for school personnel, or, in certain scenarios, law enforcement officials, to search the student and/or the student's personal property and to seize any property deemed injurious or detrimental to the safety and welfare of students and staff.

Interviews by School Administrators

When a violation of School policy or school rules occurs, the principal or designee may question potential student victims and witnesses without prior consent of the student's parent/guardian. If a school official is investigating a report of child abuse and the suspected perpetrator is a member of the student's family, no contact with the student's family will be made.

In situations where a student is suspected of violating School policies or rules, the principal or designee may interview the suspected student if the school official has reasonable grounds to believe that a violation has occurred. The nature and extent of the questioning must be reasonably related to the objectives of the questioning. If the student denies any involvement or culpability, he or she will have the opportunity to present his or her side of the story, orally or in writing.

Searches Conducted by School Personnel

School personnel may search a student and/or the student's personal property while on school premises or during a school activity in accordance with this policy and may seize any illegal, unauthorized, or contraband materials.

Whenever possible, the student will be informed of the reason(s) for the search, and the student's permission to conduct it will be requested. A student's failure to cooperate with school officials conducting a search will be considered grounds for disciplinary action.

An administrative report will be prepared by the school official conducting a search, explaining the reasons for the search, the results, and the names of any witnesses to the search.

Search of School Property

School lockers, desks, and other storage areas are school property and remain under the school's control at all times. All such lockers, desks, and other storage areas, as well as their contents, are subject to inspection at any time, with or without notice.

Students will assume full responsibility for the security of their lockers and/or other storage areas. Students will be responsible for whatever is contained in desks and lockers assigned to them by the school, as well as for any loss or damage relating to the contents of such desks and lockers.

Search of the Student's Person or Personal Effects

The principal or designee may search the person of a student or a student's personal effects, such as a purse, backpack, book bag, or briefcase, on school property or at school-sponsored events or activities if the school official has reasonable grounds to suspect that the search will uncover:

- a. Evidence of a violation of Board and/or district policies, school rules, or federal, state, or local laws;
- b. Anything which, because of its presence, presents an immediate danger of physical harm or illness to any person.

The search of the person will be limited to the student's pockets, any object in the student's possession, such as a purse, backpack, book bag, or briefcase, and a "pat down" or "screening wand" on the exterior of the student's clothing.

The extent of the search of a student's person or personal effects, as well as the means to conduct the search, must be reasonably related to the objectives of the search and the nature of the suspected violation. Additionally, school officials conducting the search will be respectful of privacy considerations in light of the student's sex and age.

Searches of the person will be conducted out of the presence of other students and as privately as possible by a person of the same sex as the student being searched. At least one person of the same sex as the student being searched will witness the search but not participate.

Searches of a student's person and/or personal effects may be conducted without the prior consent of the student's parent/guardian. However, the parent/guardian of any student searched will be notified of the search as soon as reasonably possible.

Searches of the person that may require removal of clothing other than a coat or jacket will be referred to a law enforcement officer. School personnel will not participate in such searches.

Seizure of Items

Anything found in the course of a search conducted by school officials, which is evidence of a violation of law or Board policy or school rules, or which by its presence presents an immediate danger of physical harm, may be:

- a. Seized and offered as evidence in any suspension or expulsion proceeding. Such material will be kept in a secure place by the principal until it is presented at the hearing;
- b. Returned to the student or the parent/guardian;
- c. Turned over to a law enforcement officer in accordance with this policy.

Law Enforcement Officers' Involvement

Interrogations and Interviews

The principal or his designee may request that a search on school premises be conducted by a law enforcement officer. Law enforcement authorities will then determine how the search should proceed. When law enforcement officers respond to such a request, no school employee shall assist or otherwise participate in the search unless under the direct order of the law enforcement officer.

If law enforcement personnel seek permission from school authorities to search a student or the student's personal property or school property to obtain evidence related to criminal activities, school officials shall require the police to produce a valid search warrant before the search is conducted unless:

- There is uncoerced consent by the student.
- There is probable cause and circumstances such that taking the time to obtain a search warrant would frustrate the purpose of the search.
- The search incident to arrest is limited to the person and his immediate surroundings.
- When law enforcement officials request permission to question students at school or during school activities for possible arrest, the principal or his designee shall be present. If the student is under 18, his parent(s) or legal guardian shall also be present unless the juvenile is emancipated as defined in state law.

Every effort shall be made not to draw any attention to the student being questioned by conducting the interrogation in private and with as little disruption to the schedule as possible.

Search and Seizure

The principal or designee may request that a search on school premises be conducted by a law enforcement officer. When law enforcement officers respond to such a request, no school employee will assist or otherwise participate in the search. Law enforcement searches are expected to be conducted in accordance with applicable law.

Custody and/or Arrest

Students will be released to law enforcement officers if the student has been placed under arrest or if the student's parent/guardian and the student consent to such release. When a student is removed from school by law enforcement officers for any reason, school officials will make reasonable efforts to notify the student's parent/guardian.

It is expected that all procedural safeguards prescribed by law are followed by law enforcement officers conducting student arrests. However, district staff are not responsible for an officer's legal compliance when arresting a student.