

QUESTIONING AND APPREHENSION

In order to protect pupils' rights during the time they are under school control, the Principal shall interview every person who wishes to question a pupil on school property during the school day and determine whether the student should be questioned. The Superintendent shall be informed of such incidents.

Law Enforcement Officers

1. If a law enforcement officer has an arrest warrant, the Principal shall ensure that all procedural safeguards as prescribed by law are observed. No pupil shall be taken from the school without the knowledge of the Principal or other person in charge of the school. The Principal shall make every reasonable effort to notify parents/guardians. The Superintendent shall be informed immediately whenever such apprehensions take place.
2. If a law enforcement officer has a juvenile complaint or wants to question a student on school property, the Principal shall request that the questioning be delayed if possible until the parents/guardians can be present. If the officer refuses and the Principal is convinced that the situation justifies questioning, he/she must attempt to have the parents/guardians informed immediately and shall remain with the student during the questioning.
3. If the law enforcement officer is an agent of the Division of Youth and Family Services (DYFS), the agent shall determine whether the presence of a parent/guardian is appropriate.

Weapons and Substance Abuse Questioning by Staff

When questioning any pupil about possible possession, use, or distribution of proscribed substances, drug paraphernalia, alcohol, firearms or other deadly weapons, staff shall follow the procedures adopted by the Board in compliance with the safe and drug-free school code.

Generally

The Superintendent shall notify the Board President when the police have sought to question a pupil in school, and the outcome of the incident. The district shall make every effort to establish close and cordial relationships with local law enforcement and other agencies, while ensuring that the parents/guardians are informed and pupil rights protected.

Date: June 15, 1983

Revised: July 18, 2001

Legal References:

<u>N.J.S.A.</u> 2A:4A-60 et al.	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)

POLICY

File Code: 5145.11

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Legal References: (continued)

N.J.A.C. 6:29-6.1 et seq. Substance abuse

See particularly:

N.J.A.C. 6:29-6.3

N.J.A.C. 6:29-10.1 et seq. Safe and drug free schools

See particularly:

N.J.A.C. 6:29-10.2(a),

-10.3(b)5, -10.4(a)1(i)

New Jersey Constitution, Article I, para. 7

U.S. Constitution, Amendment IV, V, XIV

In re Gault, 387 U.S. 1 (1967)

A Uniform State Memorandum of Agreement Between Education and Law

Enforce

Possible

<u>Cross References:</u>	*1410	Local units
	*5114	Suspension and expulsion
	*5131	Conduct/discipline
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	*5145.12	Search and seizure

* Indicates policy is included in the Critical Policy Reference Manual

Key Words

Questioning, Apprehension, Pupil Arrest, Student Arrest, Arrest

