

## **INTERROGATION OR SEARCHES OF STUDENTS BY LAW ENFORCEMENT PERSONNEL OR OTHER NON-SCHOOL PERSONNEL**

### **Policy**

School employees are not the agents of law enforcement officials. For purposes of law enforcement interrogations, searches and/or seizure may occur on school property under the guidelines outlined in this policy.

### **Guidelines**

1. Search and/or seizure by law enforcement officials on school property may occur when a warrant or other legal basis exists authorizing such search and/or seizure.
2. No questioning by non-school personnel of a student under the age of eighteen who may be accused of an offense shall occur without the knowledge of the school administrator and the knowledge and permission of the parent(s) or guardian(s) who will have been given the opportunity to be present at the time of the questioning. Questioning may, however, take place without notification of parents if such questioning is 1) part of a child abuse or neglect investigation conducted by the Department of Social and Rehabilitation Services in accordance with Chapter 49 of Title 33 of the Vermont Statutes Annotated; or 2) required due to an emergency or urgent potential danger to life, or property, as determined by the Principal, and reasonable efforts to notify the student's parents are unsuccessful.
3. Any interrogation by non-school personnel must be conducted in private with the Principal or his or her designee present.
4. A student may not be released to the custody of persons other than a parent or legal guardian, unless placed under arrest by legal authority.
5. If a student is removed from the school by legal authority, the student's parent(s) or guardian(s) should be notified of this action by school officials as soon as possible.

Date Warned: 12 August 2002  
Date Adopted: 26 August 2002  
Legal Reference(s): 33 V.S.A. §4915 (Child welfare services)  
Cross Reference: Search and Seizure (F3)  
Student Conduct and Discipline (F1)