

## Community Relations

### Law Enforcement Agencies

#### I. Notification of Student Arrests

Pursuant to the requirements of C.G.S. §10-233h, whenever the superintendent receives oral or written notification from a municipal police department or state police that a student was arrested for a class A misdemeanor or felony, he/she shall maintain the written report in a secure location and the information in the report shall be maintained as confidential in accordance with section 46b-124 of the Connecticut General Statutes. The superintendent may disclose such information only to the principal, assistant principal, or special education director or the principal or supervising agent of any other school in which the superintendent knows such person is a student.

The principal, assistant principal or special education director may disclose such information only to special service staff or a consultant, such as a psychiatrist, psychologist, social worker, guidance counselor or security officer for the purpose of assessing the risk of danger posed by the person to him/herself, other students, school employees or school property. In addition, disclosure may be for the purpose of assessing the potential academic or disciplinary impact and for effectuating an appropriate modification of such person's educational plan or placement for disciplinary purposes. Such information with respect to a child under sixteen years of age shall be confidential in accordance with 46b-124 and shall only be disclosed as provided in this section and shall not be further disclosed.

#### II. Questioning By and Release of Pupils to Law Enforcement Agencies

The police department and the school system work closely to protect the health and welfare of all students and the general community. For purposes of this policy, the "police department", "police", and "police authority" shall refer to any municipal or state police department, the Federal Bureau of Investigation, and any other federal law enforcement agencies. It is recognized that there is a difference between school authority and police authority and that the constitutional and due process rights of students must be protected in balance with the need to protect the safety of the public as a whole. The school administration shall not confer upon the police its authority to detain and question students entrusted to its care. Consequently, the police will not be permitted to interview students in school or on school grounds unless the health or safety of the student, staff member, or another student is at imminent risk. If the police demand to conduct such an interview over the objections of the administration in accordance with this policy, the principal, and/or assistant principal or special education director must be present when a student is interviewed. A parent/guardian of the student must also be present when the student is interviewed or must have given their permission for the interview to occur without their presence. Where the health or safety of the student or another student is at imminent risk, and an interview is the only way to address the imminent health or safety risk, the administration may permit the police to interview the student without the presence or permission of the parent or guardian. However, in such circumstances the parent or guardian must be notified as soon as possible. Further, if a parent or guardian is not present when an in-school interview is

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conducted, the principal, and/or assistant principal or special education director shall advise the student of his/her right to refuse to respond to interrogation or questioning by the police without a lawyer present and to be free of unlawful search and seizure. The principal, assistant principal or special education director may refrain from providing this information if specifically authorized by the student's parent or guardian.

Notwithstanding the procedures and restrictions identified in the preceding paragraph, school administrators may request the School Resource Officer, or his/her designee, to participate in the presence of the administrator in fact-finding related to a violation of school rules and to be present when the school administrators meet with students about the violation in question. Under no circumstances, however, will the School Resource Officer, or his/her designee, participate in such a meeting or seek related clarification if a student is or, during the meeting, becomes the subject of a criminal investigation.

When police conduct an interview on school grounds, the board of education will be informed that this has occurred to the extent permitted by law. However, specific information including the identify of the student will not be disclosed.

Arrests will not be conducted in school or on school grounds unless a proper warrant has been issued, it is absolutely necessary to prevent imminent injury to the health or safety of another student, or as otherwise permitted by law. If the police demand to arrest a student in school or on school grounds without a warrant, the administration will record its objection to the warrantless arrest with the police unless the administration finds that the arrest is absolutely necessary to prevent imminent injury to the health or safety of the student, a staff member, or another student. When the police arrest a student on school property, the administration will make reasonable effort to notify the parent/guardian of the arrest by calling each of their phone numbers on record with the school as soon as possible. The administration will request that the arrested student be removed from school in a manner that attempts to minimize embarrassment to the student and with the least disruption possible to the educational environment. If it is necessary to arrest a student off school grounds, at a school event or on a bus, the staff member or adult entrusted with student supervision will notify the principal as soon as possible, who in turn will notify the student's parent/guardian as soon as possible. If a student is arrested at school, at a school event, or on a bus, and the parent is not present, the principal, and/or assistant principal or special education director will accompany the student to the police station or other location of custody until a parent or guardian arrives at that location. When police arrest a student at school, at a school event, or on a bus, the administration will notify the board of education to the extent permitted by law. However, specific information including the identity of the student will not be disclosed.

The administration shall cooperate in accordance with the law, with police investigations of suspected crimes unrelated to school operation, as well as any investigation of school-related suspected criminal activities, including but not limited to, providing physical evidence in the

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custody of school administration as appropriate, and providing other relevant information through school administrators and other employees as may be warranted under the circumstances. Except as otherwise specifically permitted by federal or state law, under no circumstances will the administration permit a police search on school property (including school busses), or at a school event, without a warrant. If the police demand to conduct such a search without a proper warrant, the administration shall not obstruct such a search but will record its objection to such a search with the police.

When police conduct a search on campus, the board of education will be informed that this has occurred to the extent permitted by law. However, specific information including the identity of the student will not be disclosed.

Information may be disclosed to the police as is permitted under relevant statutes (*e.g.*, FERPA). Specifically, school officials may report from their personal observation or knowledge any factual information that is not otherwise confidential. They may report students' name, address, telephone number and email address as requested, and may disclose other personally identifiable student information that is contained in school records only as permitted by FERPA (*e.g.*, written consent of parent or guardian, subpoena).

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules.

10-233h Arrested students. Reports by police, disclosure, confidentiality. Police testimony at expulsion hearings.

53a-185 Loitering in or about school grounds: Class C Misdemeanor.

54-76j Disposition upon adjudication as youthful offender.

46b-124 Confidentiality of records of juvenile matters.