

5145.11 Students: Questioning and Apprehension

Etiwanda School District personnel will cooperate with law enforcement officers when in the course of duty, officers request interviews with students on campus who have allegedly violated the law, witnessed a crime, or who may be victims of a crime. The Governing Board recognizes that law enforcement officers possess the legal right and may have an immediate need to remove a student from school, to take a student into custody, or to arrest a student at school. Questioning or detaining of students by immigration authorities is subject to the protections and procedures described in Administrative Regulation 5145.13.

The Governing Board requires that employees utilize discretion, good judgment and common sense in all cases of student questioning or apprehension at school. When an officer needs to interview a student immediately, the principal or designee shall accommodate the request in a way that causes the least disruption at the school, gives the student involved appropriate privacy and models cooperation with community law enforcement authorities. Every effort should be made to notify the student's parent or guardian as soon as possible after the interview is concluded, unless such notification is prohibited by law.

While the District strives to keep parents/guardians involved and informed, it is sometimes necessary and appropriate for law enforcement officers, and school officials, to speak to a student without first notifying the student's parents or guardian. The District is not required to obtain permission from a student's parent or guardian prior to speaking to a student regarding a District or school issue during school time.

Inherent in the District's obligation to operate schools and supervise students, as well as its legal obligation to respond to and remedy allegations against students or staff, is the ability to speak to a student as part of an investigation. This authority is supported by the fact that special needs exist in the public school context that directly relate to the District's responsibility to maintain order and safety in schools. In light of the high governmental interest in ensuring all students have access to safe schools, which maximizes student learning and development, a student may be questioned whenever it is necessary because such questioning is a minimal intrusion on the student being questioned. A student's parent/guardian will be notified if a situation arises that requires their consent or participation.

If the student removed from school is suspected of being a victim of child abuse, the Superintendent or designee shall give the telephone number and address of the student's parent/guardian to the law enforcement officer, and the officer then has the responsibility of immediately notifying the parent/guardian. (Education Code 48906)

Any concern regarding a student's contact with law enforcement officers should be addressed with the local law enforcement agency.

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