

File: J28

INTERROGATION, SEARCHES AND ARRESTS

Searches

The storage on one's person, in one's belongings or in school property, of contraband such as, but not limited to illegal substances or articles or any item prohibited by district policy or building rules, is strictly forbidden. Violations will result in confiscation of such materials. The student in violation will be subject to disciplinary action.

Lockers, desks, computers, books, and other items issued to students by the district for their temporary use, remain the property of the school. As such, students should have no expectation of privacy as it relates to their use. School property may be randomly inspected without notice by school administrators or designees to insure cleanliness, safety, and adherence to federal, state and local laws and regulations. School property may also be searched when an administrator or designee has reasonable suspicion to believe that contraband, as described above, may be stored within.

When an administrator or designee has reasonable suspicion to believe that contraband as described above is being stored on one's person or in one's possession, he may conduct a personal search appropriate to the nature of the potential violation.

Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

Canine Search Policy

In order to promote the goals of keeping drugs out of school and ensuring a safe learning environment, Chicopee will participate in the Massachusetts State Policy program of canine searches for illegal substances on school premises or at school-sponsored activities. All such searches will be carried out in accordance with applicable law and will be initiated, conducted and directed by school personnel. State and local police will be present to assist school personnel, to maintain order, and take custody of unauthorized controlled substances. Students may be moved to another area of the building so that the canines can sniff backpacks, books, desks, handbags, and other student belongings remaining in the classrooms designated for the canine search. In no event will canines search the person of any student or other individual. In the event that illegal substances are found in any search, in addition to whatever action the school district is permitted or required to take by applicable law, the Chicopee Police Department and the Hampden County District Attorney's office will determine what actions, if any, will be taken by law enforcement.

Metal Scanner Policy

It is the policy of the Chicopee Public Schools to continually work to provide a safe environment in which students can learn and participate in all programs offered or sponsored by the school system. If a school department employee is confronted with a situation which s/he considers to

be unsafe for any reason, s/he should report the circumstances involved to his/her building principal.

If at any time any school official has reasonable suspicion to believe that any student is in possession of a dangerous weapon in violation of school policy, s/he shall take steps appropriate under the circumstances. Immediately upon learning of reasonable suspicion to believe any student has such a weapon, the school official shall take steps to see that the student undergoes a hand held metal detector search. This search shall take place as follows:

1. The search will be conducted by a school official and at least one other school employee present for the search. Whenever possible, the Principal or Vice Principal shall conduct or participate in the search.
2. Any items that are found at any time during this process that are in violation of school policy will be confiscated.
3. The student will be informed that, in accordance with the school safety policy, s/he is about to be subject to a hand held metal detector search, and asked if s/he has any weapons or other metal objects.
4. The student will be asked to empty his or her pockets and to remove any metal objects.
5. The metal detector will be run over and across the student's body and clothing in accordance with the manufacturer's instructions.
6. If the metal detector sounds, indicating a metal object on the student's person, the student will again be asked to remove any metal objects.
7. The search will proceed until all metal objects have been removed or identified as not being in violation of school policy.

Any student refusing to cooperate with any part of this metal detector search process shall be subject to appropriate discipline, including suspension and/or expulsion, within the discretion of the Principal and/or the Superintendent under applicable law, and shall be so informed.

Interrogations, Investigations and Arrests

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school Principal or his designee will be present when possible. An effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.
2. If custody and/or arrest is involved, the Principal will request that all procedural safeguards, as prescribed by law, be observed by the law enforcement officials.

1st Reading: Reg SC Mtg 8/4/2010

2nd Reading: Reg SC Mtg 8/4/2010