

Community Relations

Relations With Police Authorities

It is the policy of the Board to cooperate with law enforcement agencies in the interest of the welfare of all citizens. Law enforcement officials may enter school facilities if a crime has been committed on District property or to investigate matters concerning staff and students upon request initiated by either law enforcement officials or by District administrators. At the same time, the school system has responsibility for the welfare of students while they are in the care of the schools. To carry out this responsibility, school officials should observe the following:

A student is not immunized from the law because of his or her status as a student, nor is the school building a sanctuary from the law or the proper actions of law enforcement personnel. Whenever the police are in "hot pursuit" of a person suspected of criminal activity based upon probable cause to believe that a crime has been committed or when they have a search warrant or an arrest warrant, they shall be admitted within school facilities in the exercise of their legal authority.

In other situations, however, the interest of the individual, the students at large, and the school community may best be served by entrusting primary responsibility for the maintenance of order to school personnel. The Superintendent of Schools and building principals shall have the authority, except as noted above, to exclude police from school when police intervention is considered unwarranted.

Questioning Of Students By Police

Questioning of students by police or other law enforcement personnel generally will not take place on school grounds. However, if police indicate that student questioning on school grounds is necessary, then school officials may permit law enforcement personnel on school grounds to question students without requiring presentation of a warrant, subject to the following conditions:

1. The questioning of students by police will be conducted with strict regard for the constitutional rights of the student to remain silent. Notice of these rights should be given to students by police as standing procedure;
2. When police or other law enforcement officials wish to question a student, the building principal, or his or her designee, shall notify the student's parent(s) or guardian(s) and request that they be present during the questioning. If the investigation deals with matters of public safety which require speedy investigation, and the student's parent(s) or guardian(s) cannot be reached, or cannot be present, then the principal, or his or her designee, must be present during the questioning. In addition, even if a parent or guardian is present, the school administration shall be present.

Community Relations

Relations With Police Authorities

3. Students will be questioned in as confidential and inconspicuous manner as possible. Preferably, police officers will wear civilian clothes when conducting student interviews.

When investigating a possible criminal violation occurring off school grounds or not part of a school program, police will be encouraged to question students in their homes. If the questioning deals with incidents other than those involving public safety, the questioning of the students will be delayed until the parent is present. Police and other law enforcement officials will make every effort to minimize distractions or disruption of school routines during the performance of their duties.

The school administration retains the right to question student witnesses when conducting any investigation into misconduct, and need not obtain parental consent.

Incident On School Grounds - Questioning Complainant And Witnesses

The school administration retains the right to question student witnesses when conducting any investigation into misconduct, and need not obtain parental consent. However, a Principal or his/her designee may request an investigation by the police of an incident which occurred on school grounds or otherwise affects the operations of the schools. In such an instance, when the police are interviewing or are taking statements from a student complainant and/or witness who is not a suspect, it is for the police to notify the parent or guardian and invite the parent or guardian to be present, if the police so choose. If the parent or guardian is unable to be present, the Principal or his/her delegate will be present. In addition, even if a parent or guardian is present, the school administration may be permitted to be present.

Removal Of Student By Police

Whenever the police remove a student from school premises, the Principal shall contact the student's parents and inform them that the student has been removed from school premises and is in the custody of the police.

Notification of Student Arrest

Pursuant to Conn. Gen. Stat. § 10-233h, whenever the Superintendent receives oral, followed by written notification from the local police department or state police that a student was arrested for a Class A misdemeanor, a felony, or for selling, carrying, or brandishing a facsimile firearm, he or she shall maintain the written report in a secure location and the information in the report shall be maintained as confidential in accordance with Conn. Gen. Stat. § 46b-124. The Superintendent may disclose such information, when reported during the school year, only to the Principal of the school in which the student is enrolled or the supervisory agent of any other school in which the student is enrolled.

Community Relations

Relations With Police Authorities

The Principal or supervisory agent may disclose such information only to special service staff or a consultant, such as a psychiatrist, psychologist or social worker, for the purposes of assessing the risk of danger posed by the student to other students, school employees or property, and for the purpose of effectuating an appropriate modification of such student's educational plan or placement for disciplinary purposes. Such information with respect to a student under sixteen years of age shall be confidential in accordance with Conn. Gen. Stat. § 46b-124 and shall only be disclosed as provided in this section and shall not be further disclosed.

Legal Reference: Connecticut General Statutes:
 10-221 Boards of education to prescribe rules.
 10-233h Arrested students. Reports by police, disclosure, confidentiality.
 53a-185 Loitering in or about school grounds: Class C Misdemeanor
 54-76j Disposition upon adjudication as youthful offender.

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NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut