



Book: AG for MI Local Update

Section: Vol. 33, No. 1 - September 2018

Title: Vol. 33, No. 1 - September 2018 Revised RELATIONSHIP WITH GOVERNMENTAL AGENCIES

Number: ag5540A

5540A - RELATIONSHIP WITH GOVERNMENTAL AGENCIES

On occasion, principals will need police assistance but should avoid unnecessary and inappropriate police involvement. They are expected to be proactive in calling the police when necessary, and not to leave the decision to the discretion of other staff members, except by delegation in their temporary absence. The situations listed below are examples of situations in which it is appropriate to call the police, and their support should be expected. The Superintendent should be advised of any such situation as soon as feasible.

- () refusal of a person to leave school property after being requested to do so by the appropriate school authority
- () willful destruction of school property--particularly if the District is likely to seek restitution
- () theft--particularly if items are of value and insurance claims will be filed
- () obvious crime
- () arson
- () assaults or serious fighting--if not controlled or if serious injury results
- () forgery--if assistance is needed in determining whether it is forgery
- () possession of a dangerous weapon

- () possession of alcohol or drugs
- () sale or distribution of controlled substances
- () blackmail, threatening, or extortion of students or staff members
- () bona fide threat against a person's life or threats of terrorist acts, bomb scares, etc.
- () illegal or inappropriate operation of a motor vehicle
- () child abuse or molestation
- () mass walkout from or sit-in on school property--if not controlled or if property damage or personal injury result
- () setting off firecrackers, pulling fire alarms and similar mischief (discretionary, but advised if reoccurring or the situation is getting out of hand)
- () a student leaving school property without permission, a missing person situation, or a self-inflicted injury by a student

Interrogation Procedures

School officials stand in loco parentis (in place of the parent) in respect to the child. This requires the school official to protect, to the best of his/her ability, the due process rights of the student. This will require the administrator to divorce himself/herself from his/her role of enforcer of discipline in the school, a very difficult task, but one that needs to be performed.

- () All attempts to notify the parents should be diligently documented.
- () Police and other authorities should investigate alleged law violations off of school property if at all possible. The investigation can take place immediately on school property at the request of the principal if the alleged law violation took place on school property.

() When police or other authorities arrive at the school and wish to interview a student or investigate an alleged law violation, they will contact the principal indicating the nature of their investigation and their desire to question a student or students.

() If the principal concurs that the questioning is appropriate, s/he will send for the student, if applicable, and move him/her to an unoccupied room and remain in the room during the questioning. If the situation involves an alleged law violation, the parents are to be contacted before any questioning takes place. If the situation involves suspected child abuse, ~~the notification of~~ parents will be ~~notified unless determined by~~ the investigator ~~requests no notification~~.

() Upon review of the situation with the investigator the principal may attempt to contact the parent and remain in the room during the questioning to ensure that the student's rights are not violated, unless the parent is in attendance. (See also the investigation procedure in AG 8462 Student Abuse).

() Should a student be taken into custody or removed from the school premises by the police, the principal must make every effort to notify the student's parents at the earliest possible moment of the removal.