

HORTONVILLE AREA SCHOOL DISTRICT

Title: Police Interrogation and
Apprehension of Students

Date Adopted: 10/28/91
Date Revised: 6/23/97

Policy No. 5020
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Policy Statement:

It shall be the policy of the Hortonville Area School District to cooperate with law enforcement agencies in the interrogation or apprehension of students during the school day or at school-related activities. Whenever possible, it is preferable that interrogation occur outside of school hours.

Additionally, the Hortonville Area School District has a School Liaison Police Officer whose duties may include, but are not limited to, the interrogation of students.

Rationale:

If the Hortonville Area School District requests assistance from a law enforcement agency, or if a law enforcement officer requests permission of school authorities to question or apprehend a student under the age of eighteen (18) years, there are certain requirements with which police and school authorities shall comply.

Scope: All students within the Hortonville Area School District

Responsibility: All Administrators

Implementation:

1. In-School Questioning of Students by Law Enforcement Officers:
 - A. When the police intend to question a student at school under the age of seventeen (17) who is a suspect or witness to a crime, an officer will contact the principal or associate principal of the school to interview the student. The officer or school administrator shall first attempt to contact the student's parent(s) or legal guardian to notify them of the interview.
 1. If parent(s) cannot be reached, the officer may question the student, especially in an emergency situation. The determination of what constitutes an emergency is left to the judgment of the building principal or associate principal. Some examples of emergency situation may be:
 - a. Reliable information that a student is going to run away.
 - b. Reliable information that a student may be engaging in an activity that may be hazardous to him/her or others.
 - c. A compelling reason to speak to the child immediately.
 - d. Investigations regarding child neglect or child abuse.
 2. The officer will document all attempts to contact the parent(s).
 - B. The law enforcement officer shall explain clearly to the administrator the situation and the facts that require interrogation of the student during school hours or at school related activities.

President _____ Date _____

Clerk _____ Date _____

- C. The school administrator shall provide a place for questioning as free as possible from outside influence and surveillance. The administrator will remove the student from class and introduce the student to the officer and ask the officer to explain the circumstances. If possible, the student's class schedule may be taken into consideration. Unless a parent is present an administrator may be present during the questioning. If possible, a plain clothed officer and unmarked vehicle should be used for interrogation of student(s).
 - D. In the absence of a building administrator, the individual in charge of the building will contact the District Administrator or another building principal for assistance.
 - E. During the course of any interrogation any information regarding the violation of school rules comes to the attention of the administration may subject the student to further disciplinary action. The School Police Liaison Officer may question students at any time as part of his/her normal duties. All records developed by the School Police Liaison Officer related to
 - 1. use, possession or distribution of alcohol or a controlled substance or a controlled substance analog
 - 2. illegal possession by a juvenile of a dangerous weapon
 - 3. the act for which a juvenile was adjudged delinquentwill be accessible to building administrator upon request.
2. In-School Apprehension of Students:
- A. Law enforcement officers have the right at any time to take students into custody including removal from the school site without prior contact or permission of parent. Wisconsin State Statute 938.19)
 - B. Under Wisconsin State Statute 938.19, it is the responsibility of the law enforcement agency (not the school) to contact parent(s) when students are taken into custody.

Associated Information: Wisconsin State Statutes 938.19
118.125
118.127
938.396