

REGULATION

NUTLEY SCHOOL DISTRICT

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Law Enforcement Agencies

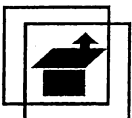
R 9320 LAW ENFORCEMENT AGENCIES

A. Relations with Local Police Department

1. The Principal of each school will endeavor to establish a continuing cooperative relationship with the law enforcement officers that serve the area in which the school is located.
2. Local police officers will be encouraged to visit the school on regular tours of duty so that their presence in the school is helpful and nonthreatening.
3. Police should be encouraged to take active roles as resource persons in school programs in order to bring them into direct contact with pupils and to impress pupils with the positive aspects of police protection and security. Police officers may be invited to participate in such programs as driver education, substance abuse, and family life education.
4. At the same time that he or she works toward a liaison with the police and assists the police in the necessary performance of their responsibility to enforce the law, the Principal will impress upon the police his or her role as protector of the rights and interests of the pupils enrolled in the school.

B. Summoning the Police in an Emergency

1. Police may be summoned to the school by the Principal or, in the absence of the principal, the staff member in charge of the school building. If the Principal or staff member in charge is not immediately available in an emergency situation, the police may be summoned by any staff member with direct knowledge of the emergency, who shall report his or her call to the police to the Principal at the earliest possible time.
2. The telephone number by which police can be summoned shall be prominently displayed at every telephone in the school that has a direct outside line.
3. Police officers should be summoned to the school
 - a. When an incident involving the use, possession, or distribution of alcohol or drugs occurs, in accordance with Regulation No. 5530;

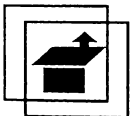


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- b. When evidence indicates that a crime has been committed, that a break and entry has occurred, that a deadly weapon is on school premises, or that a breach of the peace has occurred, in accordance with Regulation No. 7440;
 - c. When a act of vandalism has occurred, in accordance with Regulation No. 7610;
 - d. When fire is detected and after the fire department has been summoned, in accordance with Regulation No. 8420.1;
 - e. When a bomb threat has been received, in accordance with Regulation No. 8420.2;
 - f. When the school is threatened by toxic hazard, in accordance with Regulation No. 8431;
 - g. In a serious medical emergency, in accordance with Regulation No. 8441;
 - h. When a visitor to the school is seriously disruptive and/or refuses to obey the Principal's order to leave the premises, in accordance with Regulation No. 9150; and
 - i. In any other instance in which the Principal or staff member in charge has cause to believe that persons and/or property are in jeopardy.
4. An emergency call to the police should include the:
 - a. The name and title of the caller;
 - b. The name and location of the school building in which the emergency has occurred; and
 - c. A brief description of the nature of the situation, including an accurate assessment of the seriousness of the emergency.
 5. If possible, a staff member or responsible pupil should be dispatched to meet and guide responding officers.
 6. If offenders are to be arrested, a staff member should be prepared to assist the police in obtaining the necessary warrants.



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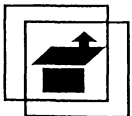
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C. Planned Security Protection

1. Each September or before, the Principal will provide the local police department with a calendar of events scheduled at the school for the school year just beginning. The calendar will be updated as necessary during the year.
2. The Principal will review with the police the events for which the need for police assistance and/or security is anticipated. Their review will include:
 - a. The number of officers required,
 - b. The responsibilities to be assumed by the officers, and
 - c. The remuneration, if any, each is to receive.

D. Police Investigations in the School

1. The Principal shall demand proper identification of any individual who represents him or herself as a police officer before the Principal permits any investigation to go forward. The Principal may verify this identification with the Police Department or the law enforcement agency that the individual claims to represent.
2. A police officer's request for access to school records will be responded to as follows:
 - a. A request for access to the public records of this district will be granted only in accordance with Regulation No. 8310.
 - b. A request for access to district or Board of Education records that are classified as confidential by Policy No. 8310 shall be reported to the Superintendent or Board Secretary, who will determine, in consultation with the Board Attorney, whether or not to release the record.
 - c. A request for access to personnel records that are classified as confidential by Policy No. 8320 shall be reported to the Superintendent and shall be released only if:
 - (1) The employee concerned has consented to inspection of his or her file, or

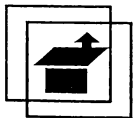


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- (2) The police officer presents a warrant directing search of the file.
 - d. A request for access to pupil records that are classified as confidential by law and by Policy No. 8330 shall be reported to the Superintendent and shall be released only if:
 - (1) The adult pupil concerned or parent or legal guardian of the minor pupil concerned has consented in writing to the inspection; or
 - (2) The police officer presents to the Superintendent a court order directing access to the record; or
 - (3) The adult pupil concerned or parent or legal guardian of the minor pupil concerned has been given at least three days written notice of the name of the requesting agency and the records requested and has not obtained a judicial order barring access.
3. A request to interrogate pupils, on school premises or while under the protection of the school, shall be handled as follows:
 - a. The police officer shall be required to ask the Principal for access to the pupil, regardless of the pupil's location in or about school premises or on a school-sponsored trip or at a school-sponsored event.
 - b. The Principal shall ascertain the reason for the interrogation and whether the pupil is suspected of having committed an offense or is merely being questioned for information.
 - c. The Principal shall ask the police officer to delay the interrogation or conduct the interrogation away from school. In general, it should not be necessary to conduct an interrogation in school unless the matter involves:
 - (1) A crime committed in school; or

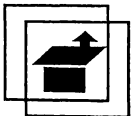


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- (2) An investigation that would be compromised without the interrogation in school; or
 - (3) An endangerment to the lives or safety of pupils or other persons.
- d. The Principal shall make every reasonable effort to notify the pupil's parent or legal guardian of the interrogation before it begins.
- e. The Principal shall call the pupil to his or her office and shall remain present throughout the interrogation.
- f. The Principal shall make it clear to both the police officer and the pupil that his or her presence is for the protection of the pupil, not to assist the interrogation process.
- g. If the police officer has not done so, the Principal shall inform the pupil that he or she is not required by law to answer questions. The Principal shall:
- (1) Neither encourage nor discourage the pupil in his or her response to questioning nor counsel the pupil in any way;
 - (2) Prohibit the use of threats or pressure of any kind to elicit a response from the pupil;
 - (3) Refrain from conducting the interrogation on behalf of the police officer; and
 - (4) Terminate the interview whenever he or she determines that it is conducted with less than fundamental fairness to the pupil.
- h. A pupil shall not be removed from school for interrogation unless:
- (1) The pupil has been lawfully arrested; or
 - (2) The adult pupil or the parent or legal guardian of a minor pupil has consented to the removal.

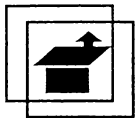


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4. The search and seizure of pupil's property shall be conducted in strict compliance with Policy No. 5770. The Principal shall conduct a pupil search on the request of a police officer only:
 - a. On presentation of a duly authorized search warrant; or
 - b. On the voluntary and knowing consent of the adult pupil or of the parent or legal guardian of a minor pupil; or
 - c. When the Principal has independent grounds, separate from those presented by the police officer, to suspect the presence of an incriminating object.
5. A request or attempt to arrest a pupil, on school premises or while under the protection of the school, shall be handled as follows:
 - a. The police officer shall be required to ask the Principal for access to the pupil, regardless of the pupil's location in or about school premises or on a school-sponsored trip or at a school-sponsored event.
 - b. The police officer shall not be permitted to arrest or take custody of a pupil unless:
 - (1) The Principal lawfully requests the removal of the pupil; or
 - (2) The officer has probable cause to arrest the pupil for a felony; or
 - (3) The officer has an arrest warrant or a judicial order requiring the custody of the pupil.
 - c. The Principal shall request the police officer to defer the arrest to another time and place or, if that is not possible, to take steps to protect the pupil's privacy, such as taking custody in a private place or assigning the taking of custody to a nonuniformed police officer or a school security officer.
 - d. The Principal shall make every reasonable effort to notify the pupil's parent or legal guardian of the impending arrest.



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- e. The Principal shall determine the place to which the pupil will be removed and held in custody or detention and will so inform the parent or legal guardian.
- f. Notwithstanding anything to the contrary in this regulation, a police officer has the legal right to take direct and unhindered action in the school.
 - (1) In an emergency situation, where the commission of a crime or offense involving felony or a serious breach of the peace in school has been witnessed by the officer, or
 - (2) The police officer is in "hot pursuit" of the pupil for such a crime.
- g. In any situation in which a police officer takes direct action, the Principal shall be promptly notified.

E. Records

- 1. The Principal shall report to the Superintendent each incident involving an interrogation, search, or arrest of a pupil by a law enforcement agent.
- 2. The Principal shall record in writing and enter in the pupil's file
 - a. The date, time, place, and circumstances of the incident;
 - b. The name of the officer and the law enforcement agency he or she represents;
 - c. The name of the pupil;
 - d. The notification or attempt to notify the pupil's parent or legal guardian; and
 - e. An anecdotal description of the incident, including such information regarding its conduct as may be necessary to show that the pupil was fairly or unfairly treated.

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