

4.3601 - 5.1200 RELATIONSHIP WITH LAW ENFORCEMENT

Legal References: G.S. 115C-36, -47

Cross References: 4.3600 Code of Student Conduct

The Board recognizes the importance of law enforcement authorities in providing safe schools and desires an effective working relationship with law enforcement. To this end, the chief FLA administrator is directed to communicate the needs of the schools and work with law enforcement officials in developing joint programs and in the establishment of protocols for handling situations in which the assistance of law enforcement is helpful or necessary. The chief FLA administrator shall establish procedures for school contacts with law enforcement agencies in accordance with the provisions of this policy.

Duly-sworn law enforcement officers are both authorized and expected to detain and/or arrest individuals on campus, including students, who are witnessed by the officer(s) in the commission of a crime, suspected crime, or disturbance. Such actions by law enforcement personnel are both authorized by law and expected by the Board when necessary to prevent injury, crime, or flight of one or more students targeted by law enforcement and/or the school administration for questioning, detention, or arrest in connection with an investigation into the alleged and/or possible commission of a crime.

Except in cases such as those described above, law enforcement personnel who wish to interview FLA students regarding non-school matters are expected by the Board to do so away from school unless they have a warrant or unless they find that questioning, interviewing, searching, or arresting a student at school is necessary. In such cases, the participating law enforcement personnel are expected to first approach the Principal or, in his/her absence, whomever the Principal has designated to be the on-site authority figure until his/her return. Once contacted, the Principal (or designee, as indicated herein), shall follow the following protocols with regard to compliance and cooperation:

1. If a warrant is presented, the student shall be located and escorted immediately to the office, where the warrant may be served and its directives executed.
2. If a warrant is not presented, those law enforcement personnel who wish to make contact with a student are to be informed of the Board's intent to comply and cooperate with law enforcement to the greatest extent possible, but that handling this type of law enforcement business with regard to FLA students is expected to be accomplished away from school if at all possible.
3. If the law enforcement personnel are able to convince the Principal (or designee) that contact with the student(s) in question should occur at school even in the absence of a warrant, the Principal (or designee) is authorized to make the student available for questioning, interview, detention, or arrest. In such cases, the following additional provisions of this policy are to be implemented:
 - a) Officer(s) are to wait in the office while the student(s) is/are located and escorted to the office.
 - b) Before any questioning occurs, the Principal (or designee) must make all possible reasonable attempts to contact the student's / students' parents except in cases of suspected child abuse or neglect when the parent(s) are guardian(s) is/are implicated in the investigation.

4. If the parent(s) is/are successfully contacted, he/she/they may either give or withhold consent for the student(s) to talk with law enforcement personnel in his/her/their absence.
 - a) If such permission is withheld but the parent(s) indicates that he/she/they is/are on the way to school, questioning or interview must wait until he/she/they arrive. Upon such arrival, the law enforcement officer(s) shall be afforded a private area to interview the student(s) in the presence of his/her/their parent(s).
 - b) If such permission is withheld but the parent(s) are not coming, the Principal (or designee) shall make all reasonable attempts not to permit the student to be interviewed or questioned at school. If, in the opinion of the Principal (or designee), however, the situation warrants contact between the student(s) and law enforcement even in the absence of parents, he/she is authorized to permit it, but a school official must be present in lieu of the parent(s) throughout the process during which the school official acts directly *in loco parentis* to safeguard the student's / students' rights and personal safety.
5. If the parent(s) is/are not successfully contacted, the provisions of #4(b) above are to be applied to the situation.
6. Throughout this process, all attempts to avoid embarrassing or frightening students must be made.
7. Thorough records must be kept whenever law enforcement officers (except SROs) come onto school property and question, interview, detain, or arrest students. Such records must indicate the date and time(s), the names of the officer(s), student(s), parent(s), and administrator(s) or designee(s) involved in the incident and what roles they played. To the greatest extent possible, a summary of the circumstances surrounding the investigation must also be included.
8. Principals and their designees who deal with situations such as those indicated in these protocols are reminded that the safety and well-being of the students and staff members in their charge and/or under their supervision is their first, primary responsibility.