

INTERROGATIONS AND SEARCHES

The School Committee recognizes the right of students to be free from unreasonable searches and seizures. Nevertheless, it is the duty of the School Committee and school officials to maintain order and discipline in the schools, thereby ensuring a safe, positive educational environment. The School Committee's duty and responsibility may require, therefore, inspections for prohibited and/or illegal substances or items. The following policies are intended to reconcile the difficulties which may arise between the schools and pupils in the mutual preservation of their rights and responsibilities.

Searches by Staff

School officials may conduct searches of students' lockers/desks in furtherance of the objectives of this policy. It is recognized that the lockers/desks are the property of the Hadley Public Schools and not that of the individual students. The lockers/desks are provided by the schools as a convenience to the students. Students have a temporary right to use and occupy their locker/desk to the exclusion of all other students but may not deny school officials access to the lockers/desks when officials have reasonable grounds to believe that prohibited and/or illegal substances or items are contained in a locker/desk.

Consistent with the Hadley Public Schools' ownership of the lockers/desks, but recognizing the temporary interests of the students in name, under normal circumstances a student will be notified prior to inspection of his or her locker/desk by school officials. Said notice need not be formal or written and may be given by school officials at any time prior to inspection.

In the event the school officials determine, in their discretion, that prior notice would defeat or hinder the fulfillment of their obligations, notice need not be provided prior to inspection. In that case, students will be notified of the inspection and the discovery of any prohibited and/or illegal substances or items within a reasonable period of time after completion of the inspection consistent with established disciplinary practice whether or not disciplinary measures are taken.

Searches by school officials of students' automobiles or a student's person will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

Searches by Police

The police may search students or their lockers/desks/automobiles if they have a valid warrant to do so. If they have “probable cause” to believe that students are in possession of prohibited and/or illegal substances or items, police may request administrative (Superintendent or Principal) approval to conduct a search. School officials may request that the local or state police facilitate searches for prohibited and/or illegal substances or items.

Interviews by Police

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interviews/interrogations by law enforcement officials. Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, , the students will be afforded the same rights they have outside of the school and the school Principal or their designee will be present when possible. An effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.
2. If custody and/or arrest are involved, the Principal will request that all procedural safeguards, as prescribed by law, be observed by the law enforcement officials.

Removal of Students from School by the Police

An officer of the law may take a student from school only if the officer has ready for service a subpoena, a warrant of arrest, or an order for civil arrest. The Principal or his/her designee will be in attendance. The school Principal will notify the student's parent/guardian that the student is being removed from school.

Occasionally a Principal may find it necessary to call the police department for assistance in handling a student suspected of some serious offense committed at school.

Adopted By The
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