

Policy # 6.029 Police Involvement

Cooperative Educational Services (C.E.S.) recognizes the appropriateness of cooperation with law enforcement officials in the investigation of criminal activities. C.E.S. also recognizes its responsibility for the welfare of students while they are in attendance at school. This includes protecting each student's constitutional rights, assuring due process in questioning and arrest and protecting students from any form of illegal coercion. Simultaneously, C.E.S. understands that some of its students may at times engage in criminal activity that may warrant police intervention at school. In such cases, the Executive Director authorizes administrators to make appropriate decisions on when to seek police involvement. When police are investigating possible criminal acts, which occurred, or may have occurred, on school property or during school-sponsored activities, they may question students at school in accordance with agency questioning procedures. When investigating a possible criminal violation which occurs off school grounds and is not part of a school program activity, law enforcement officials will be encouraged to question students in their homes. However, when such matters deal with public safety and require speedy investigation questioning students in school may need to occur. In such cases, the same agency questioning procedures will be observed.

Procedures for Cooperation with Law Enforcement Authorities

- 1) C.E.S. is concerned for the safety and welfare of all students and school personnel in school and at school-sponsored activities. For this reason, the administration* of C.E.S. may request police involvement for any criminal act committed by students and/or staff on school property or at school-sponsored activities. Generally police should be notified immediately of acts of significant vandalism, suspected drug/alcohol possession/distribution, assaults, weapon possession, significant threats and any significant school disturbance. *(Note: Consistent with 10-233g(b) no school administrator shall interfere with the right of a C.E.S. teacher or other employee to file a complaint with a local police authority in cases of threats of physical violence or actual physical assaults by a student against such teacher or employee).
- 2) When a law enforcement official contacts the agency/program about possible criminal activity by a student based upon probable cause or when the officer has a search warrant or an arrest warrant, the officer shall be admitted to school property in the exercise of his/her official duties.
- 3) Under certain circumstances, C.E.S. administrators shall have the authority (except as noted in Procedure #2) to limit police or another law enforcement official's (e.g., probation officer) involvement on school property when such involvement is considered unwarranted or inappropriate in light of the educational interests and welfare of students.
- 4) Consistent with state requirements, C.E.S.' cooperation with law enforcement officials shall include the obligation of C.E.S. personnel/employees to turn over physical evidence, indicating the commission of a crime to appropriate law enforcement officials or to an administrator within two (2) school days after receipt of such physical evidence.

The C.E.S. administration in turn shall turn over such evidence to appropriate law enforcement officials within three (3) school days of its receipt.

- 5) The C.E.S. Executive Director or his/her designee will establish appropriate lines of communication with local law enforcement officials in order to effect their cooperation needed for the security of school facilities and the safety of students and staff.
- 6) C.E.S. personnel/employees who have knowledge of incident(s) of a criminal nature should report this information immediately to their administrator who in turn will report such information to the appropriate law enforcement agency. This cooperation, however, does not negate the right of C.E.S. personnel to maintain the confidentiality of certain communications with students as set forth in Connecticut General Statutes 10-154a.
- 7) When the C.E.S. Executive Director receives information from a local law enforcement official that a C.E.S. student has been arrested for a felony (as required by Connecticut General Statute 10-221), the Executive Director shall maintain this information confidential in accordance with Connecticut General Statute 46b-124 and in a secure location. This information will only be disclosed to the appropriate C.E.S. administrator(s) of the school in which such student is enrolled. The administrator(s) may disclose this information only to special/related services staff or a C.E.S. consultant (e.g., Psychiatrist, Psychologist) for the purposes of assessing the danger posed by such student to himself, other students, or school personnel/employee or to school property; to effectuate an appropriate modification of such student's educational plan or placement; and for disciplinary purposes.
- 8) If requested by the court prior to a court disposition, the C.E.S. Executive Director, or his/her designee, shall provide information on a C.E.S. student's attendance, adjustment and behavior and any recommendations regarding the proposed conditions of probation included in the probation officer's investigation report.
- 9) Before allowing a student placed on probation to return to school, the C.E.S. Executive Director or his/her designee may provide to a Connecticut Court information on the attendance, adjustment and behavior of a C.E.S. student along with recommendations for conditions of sentencing or disposition of the case.
- 10) Consistent with Section 46b-124 of Connecticut General Statutes, when a court releases the identity of a C.E.S. student adjudicated as a delinquent as a result of a felony to the C.E.S. Executive Director, this information may solely be used for school placement and disciplinary reasons.

Questioning Procedures

The questioning procedures apply to a student complainant and/or witness from whom the police have been asked to question or they have asked to take a statement from.

- 1) Students will be questioned as confidentially and inconspicuously as possible. Questioning will generally take place in a C.E.S. office area or an area away from instructional activities.
- 2) An attempt will be made to notify the student's parent/guardian* so they may be present during the taking of statements or questioning. If the investigation deals with incidents other than public safety, the questioning of the student(s) will be delayed until the parent or guardian is present.
- 3) If the parent/guardian is unable to be present and allows questioning to proceed, the administrator or his/her designee will be present.
- 4) If the investigation deals with matters of public safety, which require speedy investigation, and the parent/guardian cannot be reached or cannot be present, then the administrator or his/her designee will be present during the questioning.

*Note: The parent/guardian has the right to refuse permission for police questioning of a child who is a minor.

Arrest on School Grounds

If the police arrest a student on school grounds, the administrator shall notify the parent/guardian. A student who has been arrested may be removed from the C.E.S. school grounds by the police department. The parent/guardian will be notified of the police action and given directions on how to get to the local police station.

Adopted by the C.E.S. Representative Council on: October 7, 2004

Legal Reference(s): Connecticut General Statutes 10-154
Connecticut General Statutes 10-221
Connecticut General Statutes 10-233d & g
Connecticut General Statutes 46-124
Connecticut General Statutes 46b-140