



Student Interviews and Searches AR

Interviews

The principal of each school in City Schools of Decatur, or his/her authorized representative, possesses the authority to conduct reasonable interviews of students in order to investigate properly and impose appropriate administrative action for student misconduct. State v. Young, 234 Ga. 488 (1975); In re T.A.G., 292 Ga. App. 48 (2008) .

Written statements from the students being questioned should always be taken as soon as possible during the investigation period. Statements should include the student name, any witnesses, date of incident, date the statement is written, a summary of what occurred, and the student's signature. Students may decline to provide a written statement. Refusal to cooperate with a school investigation may give rise to negative presumption against the student at a disciplinary hearing. Principals or his/her designee are authorized to interview students without a parent present. However, principals or his/her designee should inform the parent or guardian after an interview is completed. Parent contact should be made prior to the student leaving campus at the end of the school day. The school system's investigation is an administrative investigation that is separate from any criminal law enforcement investigation. Under certain circumstances, the school system may request or be required by law to involve law enforcement officials.

Searches

- 1) The school system endeavors to provide a safe and secure environment for all students. Toward that end, the board of education authorizes the Superintendent and/or his designee (authorized school officials) to conduct reasonable searches of students and their possessions on school property or at school-sponsored activities.. A search of a student shall be justified "when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school." New Jersey v. T.L.O., 469 U.S. 325 (1985). The following are examples of reasonable grounds for suspecting that a search will turn up evidence, but do not constitute an exhaustive list:
 - a) A school official or other employee observes a student to be in possession of drugs, alcohol, illegal or stolen property, or other prohibited items.
 - b) A school official or other employee observes a student acting strangely or in such an unusual manner as to suggest the likelihood of the possession of drugs, illegal or stolen property, or other prohibited items.
 - c) A school official detects the odor of alcohol, drugs or other illegal substances coming from a student's person or property;



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- d) A reliable source reports to school officials any of the circumstances mentioned above.
- 2) Searches shall be conducted in a manner which ensures that students are not arbitrarily stripped of personal privacy. Searches of a student's person shall be made in private with an adult witness present.
 - 3) The principal of each school, or his/her authorized representative, possesses the authority to conduct an inspection or search of students' school lockers, desks or articles carried upon their persons or located on school property. Such search may include a student's personal electronic device or automobile parked on the school premises. Such a search shall be based on a reasonable suspicion of the presence of illegal, stolen or other prohibited items. Examples of prohibited items shall include, but are not limited to, water guns, contraband, drugs, alcoholic beverages, handguns, razors, other dangerous weapons, pornographic material, other articles prohibited on school premises by law or school policy or rule.
 - 4) If, as a result of a search, prohibited items are found, such items will be confiscated and held by the principal or his/her authorized representative in a secure location designated for such items until such time as the items are used in a disciplinary hearing, turned over to law enforcement, or returned to the student or his/her parent.
 - 5) Principals of each school where lockers or desks are issued to students shall ensure that, at the time lockers or desks are made available to students, it is clearly specified in writing that lockers and desks are subject to inspection and search by school officials. Each school shall maintain duplicate keys or records of all locker combinations and avoid any practices that lead students to believe lockers or desks are under their exclusive control.
 - 6) In the event a search of a student's person, automobile, his/her personal possessions, or his/her locker or desk reveals that the student has violated or is violating the law or is concealing material whose possession is prohibited by federal, state, or local law, local law enforcement authorities shall be notified in order to take appropriate action. State v. Young, 234 Ga. 488 (1975).

Questions about this regulation should be directed to Executive Director of Schools.

Related Board Policy: [2.7G]

Approved by Cabinet: [DATE APPROVED/MODIFIED]