

SPECIAL SERVICES

Student Responsibilities and Rights

Questioning of Students by Police

This regulation supersedes Regulation 2616.4.

The titles of school system personnel used in this regulation shall in all events be deemed to include the designees of such personnel and any successors in the event of reorganization.

I. PURPOSE

To establish procedures for handling requests from police officers or other law enforcement agents, other than school resource officers (SROs), for permission to question students in school or on school grounds.

II. SUMMARY OF CHANGES SINCE LAST PUBLICATION

Section III. added "other than SROs" and changed "grounds" to "property."

III. PROCEDURES

A cooperative effort shall be maintained between the principal, school staff members, and law enforcement agencies. It is vital that the rights of the school, the home, the civil authorities, and the individual be clearly understood and protected.

In accordance with Section 63.2-1518 of the Code of Virginia, a child protective services worker or police officer may talk to any child suspected of being abused or neglected, or to any of his or her siblings, without the consent of and outside the presence of the parent or guardian or of school personnel. In cases of interviews of children on school property, the child protective services worker or police officer shall furnish proper identification and make appropriate arrangements with the principal for the interview.

The questioning of students by police officers, other than SROs, in school or on school property about alleged illegal activities shall meet the following conditions:

- A. The principal, the assistant principal, or the principal's designee shall be alerted.
- B. The police officers shall report to the principal's office.

- C. Reasonable efforts under the circumstances shall be made to secure permission from the student's parent or guardian by telephone or in person before any questioning occurs.
- D. The parent or guardian shall be notified in writing, if not reached or located in time and if reasonable efforts have been made to secure his or her permission.
- E. The principal or a school representative shall be present.
- F. The questioning shall be conducted in a private room where participants cannot be seen or heard by students and/or other school personnel.

The police officers, under unusual circumstances, may take legal action that they deem necessary.

IV. SCHOOL RESOURCE OFFICERS

School resource officers are certified law enforcement officers and are assigned to schools to help ensure safety, to prevent truancy and violence in schools, and to enforce School Board rules and codes of student conduct in accordance with Section 9.1-110 of the Code of Virginia. Their activities are governed by an agreement between the Fairfax County Police Department and Fairfax County Public Schools.

Legal references: Code of Virginia, Sections 9.1-110 and 63.2-1518