

# REGULATION

## ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

Related Entries: Policy JCC

Responsible Office: Assistant Superintendent for Student Support Services

### INTERROGATION AND ARREST

#### PURPOSE

The Board of Education shall ensure a safe, orderly environment where disruptive students are disciplined, so that teachers can teach and students can learn. A safe learning environment promotes accelerated achievement.

#### A. BACKGROUND

Anne Arundel County Public Schools (AACPS) maintains a working relationship with local law enforcement agencies in investigative matters. The respective roles of the schools and law enforcement agencies will be taken into consideration in assisting and protecting individual students, protecting the interests of the community, and ensuring the rights of all concerned.

#### C. DEFINITION

When it has been established to the satisfaction of the principal or the principal's designee that an interrogation or arrest is necessary to ensure the safety of students and staff, such actions will be governed by Federal and Maryland State law and the Code of Maryland Regulations (COMAR). The school will take action in accordance with the *Code of Student Conduct*.

#### D. PROCEDURES

COMAR provides that the following procedures shall be followed concerning the questioning of students on school premises:

1. Police investigations involving the questioning of students may not be permitted on school premises unless in connection with a crime committed on the premises or in connection with an investigation which, if not immediately permitted, would compromise the success of that investigation or endanger the lives or safety of the students or other persons, provided, however, that a school official should be present throughout that questioning.
2. AACPS shall permit personnel from a local department of social services or a police officer to question a student on school premises during the school day in an investigation involving suspected child neglect or suspected child abuse under Family Law Article, Title 5, Subtitle 7, Annotated Code of Maryland. The following apply:

- a. The Superintendent or designee shall determine, after consultation with the individual from the local department of social services or the police officer, whether a school official shall be present during the questioning of a student pursuant to this section; and
  - b. Records and reports concerning child abuse or neglect are confidential and unauthorized disclosure is a criminal offense under Article 88A, 6(b), Annotated Code of Maryland.
3. Except as provided in Section 4 below, whenever investigative questioning of students is permitted on the premises, the school official shall promptly advise the parent or guardian and the Communications Center of the nature of the investigation and such other details as may be required.
4. School officials are not required to notify parents or guardians of investigations on school premises involving suspected child neglect and suspected child abuse under Family Law Article, Title 5, Subtitle 7, Annotated Code of Maryland, and suspected child abuse under Family Law Article, Subtitle 9, Annotated Code of Maryland.
5. In the absence of an arrest, school officials may not authorize the removal of a student from school for the purpose of investigative questioning without the consent of the parent or guardian, except as provided below:
  - a. A student may be removed from school premises if that student is a suspected victim of child abuse or neglect and the local department of social services has guardianship or custody of the child or a court order to remove the child; and
  - b. The Superintendent or designee shall ensure that prompt notification of a student's removal from school under this section is made to the student's parent or guardian.
6. COMAR provides that the following procedures shall be followed concerning arrests on school premises:
  - a. When possible and appropriate, arrest by police should be made during non-school hours and off school premises.
  - b. When an arrest on school premises during the school hours is necessary, the responsible school official shall ascertain the facts from the arresting officer, enabling the school official to advise fully the parent or guardians and other school officials of the nature of the charge, the identity of the arresting officer, and the location of the student.
  - c. When an arrest has taken place on school premises or during school hours, every effort shall be made by the school officials to inform the parents or guardians immediately and thereafter promptly to advise the Communications Center.

- d. Arrest on school premises during school hours shall be conducted in a manner that avoids embarrassing the student being arrested and jeopardizing the safety and welfare of other students.
- e. After the student has been arrested, school officials will request the arresting officer(s) to remove the student from the premises as soon as is practicable. School officials will not allow questioning of the student on school premises.

*Regulation history: Issued 09/11/12, replacing regulation issued 06/07/06.*