

Brick Township Board of Education

District Policy Manual 2

Students

Series 5000

Law Enforcement Officials

Policy 5131.65 [M]

Date Adopted:

Date Revised:

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Date Reviewed: 1st Reading June 30, 2016

Law Enforcement Liaison

In order to ensure that such cooperation continues, the Board directs the Superintendent of Schools to be the school district liaison to law enforcement agencies and to prescribe the rules and responsibilities of the school liaisons. Such assignment shall be in accordance with the district's collective bargaining agreement, if applicable.

Undercover Operations

The Board hereby recognizes that the Superintendent of Schools may request that law enforcement authorities conduct an undercover operation in the school if he/she has reason to believe that anabolic steroid, alcohol, or other drug use and/or trafficking of the same is occurring in the school and that a less intrusive means of law enforcement intervention would be ineffective. The Board hereby authorizes the Superintendent of Schools to request such intervention under these circumstances. The Board recognizes that the Superintendent of Schools is not permitted to discuss any aspect of the undercover operation until authorized to do so by law enforcement authorities.

The Board recognizes that law enforcement authorities may contact the Superintendent of Schools to request that an undercover operation be established in a district school. The Board recognizes that the Superintendent of Schools is prohibited from discussing the request with the Board. The Board hereby authorizes the Superintendent of Schools to act upon any such request and the ongoing development and/or progress of the investigation with the Board until after the investigation has been completed by law enforcement authorities and these authorities have informed the Superintendent of Schools that he/she may discuss the investigation with the Board. The Board hereby authorizes the Superintendent of Schools to act upon any such request in the manner that he/she determines is in conformity with the law and the Attorney General's Executive Directive 1988-1 and that is in the best interest of the students and the school district.

The Board directs the Superintendent of Schools to cooperate with the law enforcement authorities in the planning and conduct of undercover school operations. The Superintendent of Schools or any other school staff or district Board member who may have been informed about the undercover operation is required to immediately communicate information to the County Prosecutor or designee if the integrity of the undercover school operation has been compromised in any way.

At the completion of an undercover operation in a school, and with the consent of the appropriate law enforcement authority, the Superintendent of Schools shall report to the Board regarding the nature of the operation, the result of the operation, and any serious problems encountered during the operation.

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Summoning Law Enforcement Authorities onto School Property for the Purpose of Conducting Investigations, Searches, Seizures, and Arrests

Any school employee who has a reason to believe a student or staff member is using or distributing anabolic steroids, controlled dangerous substances or drug paraphernalia on school premises shall bring that information to the principal and principal shall inform the Superintendent of Schools who shall immediately report that information to the appropriate law enforcement agency. If, after consultation with the law enforcement official, it is determined that further investigation is necessary, the Superintendent of Schools will cooperate with the law enforcement authorities in accordance with the law and Administrative Code. He/she will provide the officials with a room in an area away from the general student population in which to conduct their law enforcement duties. If law enforcement officials do not choose to investigate the incident, the Superintendent of Schools may continue the investigation to determine if any school rules have been broken and whether any school discipline is appropriate.

If an arrest is necessary, and no exigent circumstances exist, the Superintendent of Schools and staff will cooperate with the law enforcement officials and provide them access to the office of a school administrator or some other area away from general student population. Every effort shall be made to enable law enforcement personnel to carry out the arrest in a manner that is least disruptive to the educational environment, the Superintendent of Schools shall immediately notify the student's parent or guardian whenever a pupil is arrested for violating any laws prohibiting the possession, use, sale or distribution of any controlled substance, drug paraphernalia, alcoholic beverages, or anabolic steroids.

Whenever the police have been summoned to a school building by the Superintendent of Schools/designee, he/she shall report the reason the police were summoned and any pertinent information to the Board at its next regular meeting. If confidentiality is required, the report shall be made in executive session.

Whenever law enforcement officials have been called into the school, and a search of a student's person or belongings is necessary, or interrogation is to be conducted, the Superintendent of Schools/designee shall request that the law enforcement officials conduct the search, seizure or interrogation.

Police Presence at Extracurricular Activities

The Superintendent of Schools is hereby authorized to contact the appropriate law enforcement agency and arrange for the presence of officers in the event of an emergency or when the Superintendent of Schools believes that uniformed police presence is necessary to determine illegal drug use or trafficking or to maintain order or crowd or traffic control at a school function.

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Resolving Disputes Concerning Law Enforcement Activities

The Board authorizes the Superintendent of Schools to contact the Chief Executive Officer of the law enforcement agency involved with any dispute or objection to any proposed or ongoing law enforcement operation or activity on school property. If, for any reason, the dispute or objection is not satisfactorily resolved with the Chief Executive Officer of the agency, the Superintendent of Schools shall work in conjunction with the County Prosecutor and, where appropriate, the Division of Criminal Justice to take appropriate steps to resolve the matter.

Any dispute that cannot be resolved at the county level shall be reported to the Board and shall be resolved by the Attorney General whose decision will be binding.

Confidentiality of Pupil Involvement in Intervention and Treatment Programs

Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program including, but not limited to, the school districts own substance abuse programs. All information concerning a pupil's or staff member's involvement in a school intervention or treatment program shall be kept strictly confidential, see 42 C.F.R. 2 and NAC 6:3-6.6.

Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
- 2C:39-5 Unlawful possession of weapons
- 18A:6-1 Corporal punishment of pupils
- 18A:36-19.2 Student locker or other storage facility; inspections; notice to students
- 18A:37-1 Submission of pupils to authority
- 18A:37-2 Causes for suspension or expulsion of pupils
- 18A:37-2.1 through -2.5 Assaults by pupil upon teacher, administrator, Board member
- 18A:37-7 Zero Tolerance for Guns Act
- NJAC 6A:14-2.8 Discipline/suspension/expulsion
- 6A:16-1.1 et seq. Programs to Support Student Development
- Drug Free Workplace Act of 1988 Enacted November 1988 (Pub L 100-690 Title V Regulations Under Drug Free Workplace Act, CFR 4946 (1/31/89)
- 42 CFR Part 2 – Confidentiality of Alcohol and Drug Abuse Patient Records
- FG v. Bd of Ed of Hamilton, 1982 SLD 382
- GLH v. Bd of Ed of Hopewell Valley Regional School District et al 1987 SLD April 20, aff'd St Bd 1987 SLD Sept 2
- State in the Interest of TLO 94 NJ 331 (1983) Rev'd 469 US 325 (1985)
- State of NJ v Jeffrey Engerud 93 NJ 308 (1983)
- Honig v. Doe 484 US 305 (1988)
- Vernonia School District v. Acton 515 US 646 (1995)
- In the Matter of Tenure Hearing of Graceffo, 2000 SLD (Sept 21)
- Manual for the Evaluation of Local School Districts
- New Jersey Quality Single Accountability Continuum (NJQSAC)
- The NJ School Search Policy Manual, NJ Attorney General (1988)
- The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)
- A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

