

# DELAWARE VALLEY SCHOOL DISTRICT

SECTION: PUPILS

TITLE: RELATIONS WITH LAW  
ENFORCEMENT AGENCIES

ADOPTED: MAY 19, 2011

REVIEWED: MAY 12, 2011

225. RELATIONS WITH LAW ENFORCEMENT AGENCIES	
1. Purpose Pol. 204	The Board recognizes that compulsory attendance laws impose on the Board the custodianship of district students while they are present in the schools.
2. Authority	It shall be the policy of the Board that cooperation with law enforcement agencies is considered essential for protecting students and staff, maintaining a safe environment in schools, and safeguarding district property.
3. Delegation of Responsibility SC 1303-A	<p>The Superintendent or designee shall be responsible to develop a memorandum of understanding with local law enforcement officials that establishes guidelines for when law officials will be called to school and the actions that will follow.</p> <p>School personnel shall cooperate with law enforcement officers who appear at the school.</p> <p>Within the scope of the law, the principal or other certificated personnel in charge of the school shall protect each student against invasion of privacy, unlawful search and seizure, and other unconstitutional actions. However, school personnel cannot obstruct an officer of the law who is performing his/her duties in a lawful manner.</p> <p>The principal shall comply with warrants or court orders presented by a properly identified, authorized representative of the law who wishes to interrogate a student or remove the student from the school for arrest or interrogation.</p> <p>It is the responsibility of the enforcement officer who seeks to interrogate a student to ensure compliance with due process. Otherwise, s/he runs the risk that any information obtained from the student will be inadmissible in a later court hearing against the student. Therefore, the enforcement officer must receive the consent of the parent/guardian to interrogate a minor student or run the risk that the information or admissions that s/he obtains from the student will be of no value as evidence in a later court appearance.</p>

<p>4. Guidelines</p>	<p>The principal should make an attempt to notify the parents/guardians that the student is to be interrogated or arrested. However, the principal cannot make a judgment for the student or his/her parents/guardians as to whether the student or parents/guardians should cooperate with the officer in the pursuit of his/her duties.</p> <p><u>Interrogation Of A Student</u></p> <p>When an officer appears to interrogate a student, the principal shall request that the officer exhibit his/her credentials. If the officer cannot comply with the request, the local police or state police shall be summoned.</p> <p>Once the officer has been properly identified, the principal shall have the student brought to the office in as quiet and unostentatious manner as possible.</p> <p>If the officer indicates that parents/guardians have not been notified but will not notify them, the principal or designee shall call the parents/guardians and inform them of the action taken or about to be taken.</p> <p>If the parent/guardian cannot be reached by telephone and the officer insists that s/he wishes to interrogate the student without the parent's/guardian's consent, the principal must comply with the request.</p> <p>If the parent/guardian refuses to give his/her consent as a result of the telephone call by the principal or designee, then the enforcement officer shall be so informed. If s/he still insists on interrogating the student against the parent's/guardian's wishes, then the student shall be summoned to the office.</p> <p>Once the student is brought to the office, the principal shall address the student in this manner: "Officer _____ of _____ (law enforcement agency) wishes to speak to you." The principal will remain in the room unless the parents/guardians are present.</p> <p>As soon as possible, upon the conclusion of the incident, the principal shall make a complete record of the incident and notify the Central Office.</p> <p><u>Serving A Warrant Or Court Order</u></p> <p>If an officer appears with a warrant or court order for the arrest of a student, the principal shall request that the officer exhibit his/her credentials. If the officer cannot comply with the request, the local police or state police shall be summoned.</p> <p>Once the officer has been properly identified, the principal shall have the student brought to the office in a quiet and unostentatious manner.</p>
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<p>School Code 1303-A</p> <p>Board Policy 204</p>	<p>The principal or designee shall notify the parent/guardian.</p> <p>If the proper warrant is served, the arresting officer may remove the student immediately from the school premises.</p> <p>If the officer wishes to interrogate the student pursuant to a court order or before making the arrest, then the following additional procedures shall be enforced:</p> <ol style="list-style-type: none"><li>1. If the officer requests that the principal or other school representative be present during the questioning of the student, the principal shall comply.</li><li>2. The school representative shall not take an active part in the questioning.</li><li>3. The principal shall notify the Central Office of the incident if the student is removed from the school.</li><li>4. The principal shall make a record of the incident.</li></ol> <p>No minor student shall be released to police authorities without proper warrant, appropriate evidence or written parental permission, except in the event of emergency or for the protection of life or property as determined by the principal.</p>
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