

**MILFORD SCHOOL DISTRICT  
Milford, Delaware 19963**

**POLICY**

5306

**STUDENT RIGHTS - REGARDING POLICE**

Students shall not be subjected to harassment or intimidation by police authorities while attending school.

Student(s) shall be available for questioning in the office of a school administrator when such request is received from law enforcement officials. Such questioning should observe the following guidelines:

- Before questioning, parents should be notified whenever possible unless school administration reasonably believes notification would create a safety risk.
- The student should be apprised of the reasons for the questioning and his/her legal rights.
- The principal or his/her designated representative should be present during the questioning session.
- The procedural aspects of due process should be observed in accordance with federal, state, and local law.

When the student(s) are considered the victim, the school district reserves the right to have student(s) provide a statement to either the School Resource Officer, with the permission of law enforcement or other investigating agency, or other law enforcement officer in order to facilitate an investigation in which they were made a victim.

Student(s) shall be released to the custody of police authorities whenever a warrant for such action is provided the school administrator. The Milford School District will request that the law enforcement agency attempt to serve the warrant in the community prior to using the school environment.

School administrators should contact the SRO to conduct a search of a student, student's locker, or belongings whenever there is reason to believe that dangerous drugs, devices, or weapons are present. The SRO will make the decision on whether or not they will conduct the search based on their department's policies, procedures, and probable cause expectation. School Administration can conduct a search based on reasonable, articulable suspicion and can have the SRO present. A search of a student's belongings shall be done in the presence of at least one administrator and another school personnel member and/or SRO. A locker may also be searched with or without the permission of the student and with a witness present. A written record of any such action should be prepared and kept on file. General searches of school property may be conducted by the school administration whenever there is appropriate cause.

ADOPTED: 3/20/72

REVISED: 1/12/76; 3/21/77; 4/22/13; 7/15/24