Capital School District
Board of Education Policy

Section: Student
Title: Civil Rights and Responsibilities of Minors
Section #: 700-12
Date Approved: 12/05/12
Date Revised: 10/17/12

Purpose:

To provide the students, parents, and citizens of Capital School District with a clear definition of the civil rights and responsibilities of Capital students.

ROLE OF POLICE AUTHORITIES

The police authorities have a most vital responsibility in assuring the maintenance and enforcement of the various types of laws and ordinances. One of the primary aims is prevention and suppression of delinquent conduct through liaison with a variety of community agencies concerned with the activities of youth. Cooperation provided by school officials contributes considerably toward the successful functioning of law enforcement officials or court officials.

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

2. Students shall be available for interrogation in the office of a school administrator when such request is received from law enforcement officials or court officials. Such questioning should observe the following guidelines:

    a. The parents should be notified of the request (before the questioning) whenever possible.

    b. The student should be apprised of the reasons for the questioning and his legal rights.

    c. The principal or his designated representative should be present during the questioning session.

    d. The procedural aspects of due process should be observed.

3. Students shall be released to the custody of police authorities whenever a warrant for such action is provided to the school administrator.

4. School administrators should contact police officials to conduct a search of a student's locker whenever there is reason to believe that dangerous drugs, devices or weapons are present.

RIGHT OF SEARCH

School administrators may search a student's locker under emergency or extreme circumstances, such as bomb threats, riot or imminent riot in the school, or suspected arson. A student's locker may also be

searched at other times and shall be done 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.

STUDENT RESPONSIBILITIES

The various rights of students set forth in the preceding sections of the Students Rights Policy reflect those guaranteed to all citizens in accord with the Constitution of the United States, the laws of the State of Delaware, and the rules and regulations of the State Board of Education.

A democratic nation acquires its strength through the ability of the citizens to make choices, participate in the decision-making processes, express themselves in a free and constructive manner, inquire into the operation of education and related institution, and implement procedures which bring about improvement in the quality of individual and community life. The educational process in the schools must become the vehicle by which the meaningful principles of democracy are both taught and practiced. In assuring this viable objective, school officials must assure that advice, counsel, and supervision are provided students as they progress from a state of immaturity and indecisiveness to a state of mature and responsible decision-making and involvement.

The rights assumed by students must be accompanied by corresponding responsibilities as they exercise their rights. They must further accept the consequences of their actions, recognize the limits of their freedoms, and show concern and consideration for the rights of others.

Student rights thus involve equivalent responsibilities. Students, therefore, have the following responsibilities:

1. To accept every person as an individual human being and to promote intercultural and group relations and understanding.

2. To apply their abilities and interests to the improvement of their knowledge and to the development and application of learning skills.

3. To recognize and function with the policies established by the school boards and school officials.

4. To attend school for the purpose of obtaining a quality and meaningful education.

5. To abide by rules and regulations necessary for the orderly conduct of school activities by the administration and faculty.

6. To implement and abide by rules and regulations developed through the cooperation of student-faculty committees.

7. To contribute cooperatively toward the improvement of the teaching-learning situation and to strive for the overall betterment of the total school environment.

8. To maintain respect for school officials and students and to exhibit conduct reflecting self-control, self-regulation and self-discipline.

9. To plan, organize and participate in school activities – such as assemblies and clubs – which provide constructive learning opportunities and contribute toward the educational progress of all students.

10. To assure that all students have a voice in the student government through their duly selected representatives and to cooperate with the student officers in the development and implementation of student-related policies.

11. To contribute toward the overall improvement of the school curriculum through active involvement in both classroom and extracurricular activities.

12. To develop a sense of pride and respect for the school and the ideas for which it stands.

13. To provide support for the members of athletic and other groups representing the school as part of the esprit-de-corps necessary for team success.

14. To realize that all rights are relative to the rights of others and must be protected with the same degree of respect with which they are accepted.