

REPORTING TO THE SUPERINTENDENT

- I. Principals shall report to the Superintendent of Schools, in writing, or by e-mail all incidents or issues that are serious or have serious implications such as:
 - A. Police involvement in school matters
 - B. Injury requiring hospital treatment
 - C. Issues that may generate media attention
 - D. Issues concerning large numbers of the school community

- II. Implementation
 - A. The Principal shall communicate via e-mail or phone with the Director of Student Services, and the appropriate level Director, Elementary, Middle or High, regarding any incident which requires immediate assistance/advice.
 - B. If the incident occurs during non-school hours and requires immediate assistance or advice, the principal shall contact the appropriate Directors via Nextel phone.
 - C. All incidents, whether or not requiring immediate assistance or advice, shall be documented in writing and e-mailed or sent to the Superintendent, appropriate Assistant Superintendent, the Director of Student Services and the appropriate level Director, Elementary, Middle, High, as soon as possible.

Revised 8/98, 8/00, 7/01, 3/06

POLICE AID

I. Sources of Police Aid

- A. Maryland State Police, Westminster Barracks, 410-386-3000
- B. Westminster Police Department, 410-848-4646 or 911
- C. Carroll County Sheriff's Office, 410-386-2900.
- D. Other local police agencies may be contacted through the Maryland State Police

II. Requesting Police Aid

Please consider the following before calling for police aid:

- A. The law enforcement agency that services your school should only be contacted directly in emergency situations.
- B. As the liaison with county law enforcement, the Coordinator of Security should be contacted for any non-emergency situations. Unless an actual misdemeanor is committed in the presence of a police officer, the officer will likely be unable to make an arrest unless a warrant is obtained by school authorities or by the individual against whom the misdemeanor is perpetrated. Warrants may be obtained for adults by contacting the Maryland state police.
- C. Through consultation between the school based administrator and the Coordinator of Security a decision will be made whether to involve the police, handle the incident administratively or both.
- D. In some cases administrative sanctions can be initiated and a juvenile referral can be submitted to the Department of Juvenile Services "Spotlight" worker who services your school.

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SEARCH AND SEIZURE, ARRESTS AND QUESTIONING ON SCHOOL PROPERTY

I. Search and Seizure

The search and seizure articles included in the Public School Laws of Maryland, Section 7-307 of the Education Article, and the policies of Carroll County Public Schools are the basis for the following procedures.

A. Authority to search school

1. A principal or assistant principal may make a search of the physical plant of the school and its appurtenances, including the lockers of students, with or without student permission. (See Guidelines for search of automobiles by an administrator.)
2. The right of the school official to search the locker shall be announced or published in the school at least annually.

B. Procedure to Search Student by an Administrator

1. Administrator may search

A principal or assistant principal may make a reasonable search of a student on the school premises or on a school sponsored trip if he/she has reasonable belief that the student has in his/her possession an item, the possession of which is a criminal offense under the laws of this state or a violation of any other state law or a rule or regulation of the Board of Education of Carroll County.

2. Reasonable belief

The legality of a search of a student will depend upon the “reasonableness” of the search in light of all circumstances. There must be reasonable grounds to believe that the search will reveal an item, the possession of which is a criminal offense under the laws of this state. Two considerations are relevant in determining the reasonableness of a search. First, the search must be justified at its inception by a reasonable suspicion. Second, the scope and conduct of the search must be reasonably related to the circumstances which gave rise to the search, taking into account the student’s age, gender, and the nature of the offense.

3. The search shall be made in the presence of a third party.

C. Items that may be the object of a search

The object of a search must be an item, the possession of which is a criminal offense under the laws of this state or a violation of any other state law or a rule or regulation of the Board of Education of Carroll County. Such items include weapons, illegal drugs, controlled dangerous substances, substances which have the appearance of a controlled dangerous substance, drug paraphernalia, portable pagers, alcoholic beverages, explosive devices, fireworks, tobacco, and stolen items.

- D. A school official may not conduct a search of a student based solely on the request of a police officer (13A.08.01.01E).
- E. Guidelines for personal searches by an administrator
1. The administrator should begin the search by informing the student that he/she has a reasonable belief that the student is in possession of (the administrator should then state the object of the search to the student) and explain the anticipated scope of the search.
 2. Searches must be conducted by a school administrator in the presence of another adult of the same gender as the person being searched. Administrators should not pat down a student of the opposite gender unless it is not feasible to have an administrator of the same gender as the student conduct the pat down or search. In all instances, an adult of the same gender as the student must be present during the search.
 - a. The search or pat down must avoid intimate parts of the body.
 - b. Usually students will be required to empty their pockets, purses, billfolds, etc.
- F. Guidelines for search of automobiles by an administrator
If an administrator has a reasonable belief that a student has concealed an unlawful item in the student's automobile, the administrator should not search the automobile, but rather contact the police. If the police are unavailable or if the situation will not allow for police presence, a student's automobile may be searched by a Principal or Assistant Principal only when the student or owner consents. Otherwise, the car should not be opened.
- G. Seizure
All items that are the object of a search and unlawful items found during the search will be seized by the school administrator. As required by law or school regulations, items will be turned over to police.
- H. Search by police
Police officers, upon the authority of a search warrant, may make a search of that part of the school premises described in the search warrant, and school officials should cooperate in performing the search. Investigative searches of school premises by police officers shall only be permitted upon the authority of a search warrant or probable cause or in any case where the search is essential to prevent imminent danger to the safety or welfare of the pupil or of persons or school property. A police officer may not search the person of a pupil not under arrest, unless the police officer has a reasonable suspicion that the pupil is concealing an item, the possession of which is a criminal offense under the laws of this state. Every effort shall be made to conduct searches in a manner which will minimize a disruption of the normal school routine and minimize embarrassment to pupils affected.

- II. Drug Investigations - Use of Drug Detection Dogs
Administrative procedures to be implemented by school administrators when drug detection dogs are utilized:
- A. Students and parents will be notified early in the school year by appropriate media such as newsletters, and/or student/parent handbooks and/or newspapers that drug detection dogs may be used on school property.
 - B. Circumstances warranting the use of the drug detection dogs on school property:
The Board of Education strongly endorses a drug-free school environment. Use of drug detection dogs is authorized as a possible resource by school officials in drug investigations and for drug deterrence. There shall be mutual agreement between school and law enforcement officials that the use of drug detection dogs is appropriate.
 - C. Procedures to be followed by the building Principal prior to the use of the drug detection dogs on school property:
 - 1. The Principal desiring drug scans will make a request to the Coordinator of School Security.
 - 2. The Coordinator of School Security will notify the appropriate School Director, the Director of Student Services and the Superintendent of the request
 - 3. Once approved, the Coordinator of School Security will facilitate the scans with the building administrators and the appropriate Law Enforcement Agencies
 - 4. Results of the scans will be reported once the scans have been completed.
 - D. Procedures to be followed by the school Principal during use of drug detection dogs on school property:
 - 1. Targeted areas will be student lockers and cars on the parking lots. Students will not be scanned.
 - 2. If practicable, scans will be timed to occur when students are in classes or not in the school building; times during lunch periods and change of classes will be avoided. If a class change occurs during scanning, scanning will cease until the halls are clear of students.
 - 3. One administrator and one other staff member will accompany the canine team and route any students who may be in the vicinity away from the area being scanned.
 - E. Procedures to be followed by the school principal if a drug detection dog alerts on a locker, other area of the school, or vehicle:

1. If a dog alerts on a locker, vehicle, or other area of the school, school personnel may not conduct a search of that area. The only exception to this will be in a case where the search is essential to prevent imminent danger to the safety or welfare of a student or other persons or school property.
2. The school administrator will assist the police in securing the locker, vehicle, or other area of the school. The student who operates the vehicle or to whom the locker is assigned will be summoned to the office and brought to the locker location or parking lot.
3. A reasonable attempt shall be made to contact a parent of the student searched to provide information related to the reason for the search and the outcome of the search as soon as possible.
4. Police officers shall conduct searches of students and school premises in accordance with their established policies and procedures consistent with COMAR 13A.08.01.14D

F. Procedures to be followed after using the drug detection dogs on school property:

1. Any disciplinary action taken by school officials will be separate and apart from action taken by the law enforcement officers.
2. The principal will report the results of the investigation to the appropriate director who will inform the superintendent.
3. The principal will follow established administrative procedures for police involvement as listed elsewhere in this manual.

Refusal to Allow Search and Seizure

- G. A student's willful refusal to cooperate with a school administrator at any time during a search of the person or property is detrimental to the security, discipline, and sound administration of the school and will result in possible disciplinary action.
- H. If a student refuses to permit a search, the administrator should advise the student that the parent and/or police will be contacted and that the school system may take disciplinary action against that student.
- I. If the student still refuses to permit a search, the administrator should cease his/her attempt to conduct the search and notify the parent and/or police department of the circumstances. Disciplinary action beyond this contact may be taken based on the particular situation.

III. Arrests: Bylaw 13A.08.01.12 and .13

- A. When possible and appropriate, arrest by police should be made during non-school hours and away from the school premises.
- B. When an arrest on school premises during school hours is necessary, the responsible school official shall ascertain such facts from the arresting officer as will enable him/her to fully advise the parent or guardian and other school officials of the nature of the charge, the identity of the arresting officer, and the location of the pupil.
- C. When an arrest has taken place on school premises or during school hours, every effort shall be made by school officials to inform the parent or guardian immediately and thereafter promptly to advise the superintendent's office.
- D. Arrest on school premises during school hours shall be effectuated in such a manner as to avoid both embarrassment to the pupil being arrested and jeopardizing the safety and welfare of other pupils, as well as the arresting officers.
- E. School officials shall not permit questioning of a pupil under arrest on the school premises for non-school offenses and shall request the arresting officer to remove the pupil from the premises as soon as practicable after the arrest is made (see V below).

IV. Questioning on School Premises

- A. Police investigations involving the questioning of pupils 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 pupils or other persons. A school official should be present throughout that questioning* except as described in VB.1.

B. A local school system shall permit personnel from a local department of social services or a police officer to question a pupil on school premises during the school day in an investigation involving suspected child neglect under Family Law Article, Subtitle 7, Annotated Code of Maryland, or suspected child abuse under Family Law Article, Subtitle 9, Annotated Code of Maryland. The following apply:

1. The Superintendent or the Superintendent's designated representative 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. In making this determination, the Principal, acting as the Superintendent's designee, shall consider the following:
 - a. Accommodations needed by a student in order to facilitate effective communication,*
 - b. The student's need for comfort and support during questioning,
 - c. The student's need for on-going counseling and support within the school environment after questioning,
 - d. That questioning best occurs with the fewest people present during the investigation,
 - e. Initial investigation of child abuse/neglect is not a school function.

Note: The Director of Student Services is available as a consultant, as needed.

* *Specific accommodations in order to facilitate effective communication and/or understanding may be needed by a student identified as having a disability under section 504 or IDEA. The determination to make an accommodation will be based upon a student's identified disability on the Section 504 Plan and or IEP. Accommodations in the plan that effect communication and/or understanding are to be implemented. If there are no accommodations included, the Principal, in consultation with the police (in cases included in paragraph V.A.) or the Department of Social Services, CASA, or the Police (in cases related to paragraph V.B.) and others such as special education personnel, school counselor or school psychologist shall determine if accommodations are needed in order to facilitate effective communications as required by subtitle A of Title II of the Americans with Disability Act, Public Law 101-336. If the Principal determines that accommodations are needed, the Principal shall determine what the appropriate accommodations are and how they shall be provided.*

2. Records and reports concerning child abuse or neglect are confidential and unauthorized disclosure is a criminal offense under Article 88A, Section 6(b), Annotated Code of Maryland.
3. For additional information, (See Child Abuse or Neglect Guidelines.)

C. Except as provided in Section D, whenever investigative questioning of pupils is permitted on the premises, the school official shall promptly advise the parent or guardian and the Superintendent's Office of the nature of the investigation and such other details as may be required.

Prompt notification means that attempts should be made to contact the parent prior to questioning of the student by a police officer. If the parent cannot be reached, the questioning does not have to be delayed. However, continued attempts should be made to contact the parent until the parent is reached or a message is left for the parent. Documentation of parent notification should be included in your notes regarding the incident.

- D. School officials are not required to notify parents or guardians of investigations on school premises involving suspected child neglect under Family Law Article, Subtitle 7, Annotated Code of Maryland, and suspected child abuse under Family Law Article, Subtitle 9, Annotated Code of Maryland, and should not notify parents or guardians without consulting the Department of Social Services and/or any police agency handling the case. If the suspected abuser is a staff member, and if given permission to do so by the investigative agency, the school administration shall promptly inform (normally prior to the end of the next school day following the initial questions) the student's parents of the situation and the referral to the investigating agency.
- E. In the absence of an arrest, school officials may not authorize the removal of a pupil from school for the purpose of investigative questioning without the consent of the parent or guardian, except as provided below:
 - 1. A pupil may be removed from school premises if that pupil is a suspected victim of child abuse or neglect and the local department of social services has guardianship of the child or a court order to remove the child.
 - 2. The Superintendent or the Superintendent's designated representative shall make every effort to insure that prompt notification by the Department of Social Services of a pupil's removal from school under this section is made to the pupil's parent or guardian.

V. Reporting Delinquent Acts to the Police

- A. Delinquent acts are offenses committed by a person who is under 18 years old which would be crimes if committed by an adult. School officials shall promptly report to the responsible law enforcement agencies all delinquent acts coming to their attention, whether occurring on or away from the school premises, which involve students attending the particular school.
- B. Delinquent acts do not include conduct which has been traditionally treated as a matter of discipline to be handled administratively by the particular school, except that all conduct of a serious nature should be promptly reported to the parent or guardian concerned.

VI. Reporting to Police Acts by Students 18 or over

If a student is 18 or older and commits an act that warrants the filing of criminal charges, the following procedure will be followed:

- A. Contact the appropriate law enforcement agency. Request that the responding officer file for the appropriate charging document. (As is the case with juveniles if the officer does not witness the crime, the trooper may not make an on-scene arrest if the crime is a misdemeanor [i.e. assault, battery, possession of marijuana, etc.]
- B. Contact the Coordinator of School Security who will arrange to meet the school official in the Courthouse at 55 North Court Street, Westminster, Maryland. The Coordinator of School Security will assist the school official in filling out a Statement of Facts.
 - The school official will swear to the Statement of Facts
 - A charging documents will be issued if appropriate
 - An arrest will be made if appropriate

VII. Reporting Suspicious Vehicles to Police

If there is a suspicious vehicle on school property, the school administrator will call or e-mail the Coordinator of School Security at 410-751-3171 with the following information:

- Date, time and location the vehicle was observed
- Suspicious activity observed, if any
- Name of school administrator observing vehicle
- Description of vehicle and license plate number
- Administrative action, if any, school system anticipates

The Coordinator of School Security will contact the Maryland State Police for information regarding the vehicle and then follow-up with the administrator.

- VIII. Any incident which involves police officers on school property, or drug use on school property, or alcoholic beverage use on school property is to be reported directly to the Superintendent. The Principal of the school is directed to telephone the Superintendent's Office and follow up with a written summary on the above matters or any other matter of serious consequence, observing any matter of confidentiality established by law.

IX. Law Enforcement Involvement for Students with Disabilities

- A. According to the Individuals with Disabilities Education Act (IDEA), June, 1997, the regulation indicates that when a student is arrested on school property as a result of an incident at school, schools are required to provide the proper authorities with the student's IEP, Discipline Record and pertinent medical information.
- B. The POLICE NOTIFICATION FORM shall be used by the school administrators to initiate this process with law enforcement agencies.

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POLICE NOTIFICATION FORM: STUDENT WITH DISABILITY

TO: _____
Law Enforcement Agency

FROM: _____
School Administrator

DATE: ____/____/____

RE: _____
Student's Name

_____/_____/_____
Date of Birth

Please be advised the above named student is a student with a disability according to the Individuals with Disabilities Education Act (IDEA - Public Law 105-17) and the Code of Maryland Annotated Record (COMAR). In accordance with the Code of Federal Regulations 300-529 (a) (b) the following records are available for this student.

1. An Individualized Education Plan (IEP)
2. Evaluation Information
3. Discipline Records
4. Other information pertaining to the student's attendance and educational needs
5. Medical
 - Medication
 - Emotional Difficulties
6. Emergency Card - has medical information on reserve side

Please contact the above referenced administrator and identify which records you need and to whom they should be sent. Within seven (7) business days of the request, the records will be forwarded to the identified person and location. Should you desire to pick the records up from the school, please notify the above administrator and you will be informed when they will be available.

Should you have any questions or need additional information please contact the administrator identified above.

cc: Student IEP Folder

New 8/99

BOMB THREATS, FALSE FIRE ALARMS and FALSE STATEMENTS REGARDING FIRE BOMBS

I. Bomb Threats

Maryland Law states that anyone convicted of reporting a bomb threat may be fined \$10,000, given a 10 year jail sentence, or both. The discretion of sentencing remains with the judge. It is a misdemeanor for persons to knowingly make false statements regarding bomb threats.

- A. When a bomb threat is received at the school, a Principal or person in charge must decide to continue classes or evacuate. Evacuation may not be necessary every time a bomb threat is received; to do so may perpetuate the problem. If evacuation is deemed wise, it should be to a distance of 300 feet. Doors and windows should be left open, if possible. It is recommended that the evacuation begin one half hour before and extend until one half hour after the bomb is scheduled to go off.
- B. If the threat comes via telephone, try to keep the caller on the line to seek the exact words of the caller in answer to these five questions:
 - 1. When is the bomb to explode?
 - 2. Where is the bomb right now?
 - 3. What kind of bomb is it?
 - 4. What does it look like?
 - 5. Why did you place the bomb?
- C. Describe the caller's voice by sex, age, and tone and determine whether or not it is familiar. Note any background noises.
- D. Record time of call and number it came in on. Have another person call the telephone company to report the call.
- E. Call the Maryland State Police (410-386-3000). They will arrange for call tracing and or take over the investigation if appropriate.
- F. It is suggested that crisis intervention team members be pre-assigned to go through the building with the police. It is suggested that this be someone who knows the building well, such as the custodian, Principal, etc.
- G. After a search is conducted and no bomb is found, the person in charge of the search party will tell the Principal or person in charge that no bomb was found. This is not to imply that there is no bomb in the building. It will then be the Principal's responsibility to decide to resume classes or to remain outside.
- H. Advise staff members to make note of any objects in their rooms which are unusual or do not belong there.

- I. Strongly suggest to all staff members not to touch any strange articles, bags, boxes, cases, etc. A slight nudge is all that is needed to set off some types of bombs.
- J. Report all bomb threats to the Coordinator of School Security and the Superintendent of schools by telephone message followed by a written report.

II. False Fire Alarms

Anyone convicted of intentionally pulling a fire alarm or telephonically calling in a false fire alarm may be fined \$5,000 and/or incarcerated for five years or both.

- A. Report all false fire alarms to the Coordinator of School Security by telephone followed by a written report.
- B. Contact the Maryland State Fire Marshals Office (410-552-0154) immediately to initiate the investigation.

III. Disciplinary Sanctions

Any student charged with reporting a bomb threat, intentionally pulling a fire alarm, or calling in a false fire alarm will be suspended for 10 days with a request for an extended suspension.

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SUSPICIOUS PACKAGES

- I. Procedures for handling suspicious packages
 - a. If a suspicious package is observed, do not touch it, or allow anyone else to touch the package. If a suspicious package is touched, be careful not to turn it over or cause the content of the package to shift. Place it on a stable surface. Do not sniff or look closely at the package.
 - b. Evacuate the room and surrounding areas. Leave windows and doors open during evacuation.
 - c. Call 911
 - d. Keep people away from the area.
 - e. Notify via e-mail or phone call the Office of the Superintendent, the appropriate level Director, Director of Student Services, and the Coordinator of Security.
 - f. Forward a detailed, written report of the incident to the Superintendent's and Director's office as soon as possible.

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