

**TALBOT COUNTY  
PUBLIC SCHOOLS  
EASTON, MD 21601**

**POLICY CODE**

**10.18**

**ADOPTED: 06/13/01**

**UPDATED: 10/21/09**

**REVIEWED: 06/28/10**

**REVISED: 08/16/17**

**INTERROGATIONS AND SEARCHES**

**I. 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, provided, however, that a school official should be present throughout that questioning.
- B. School officials 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 or suspected child abuse under Family Law Article, Title 5, Subtitle 7, Annotated Code of Maryland.
  - 1. The superintendent or the superintendent's designee 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 pupil.
  - 2. All records and reports concerning child abuse or neglect are confidential and unauthorized disclosure is a criminal offense under Maryland Annotated Code Article 88A, §6(b).
- C. Except as provided in four below, 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.
- D. School officials are not required to notify parents or guardians of investigations on school premises involving suspected child neglect and suspected child abuse under Family Law Article, Title 5, Subtitle 7, Annotated Code of Maryland.
- 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 guardianship of the child or a court order to remove the child.
  2. The Superintendent or Superintendent's designee shall ensure that prompt notification of a pupil's removal from school under this section is made to the pupil's parent or guardian.
- F. Nothing in the preceding paragraphs shall be construed as preventing a person designated as a police liaison officer from speaking with students either individually or in a group regarding law enforcement issues and concerns. However, if the police officer engages in investigative questioning, the officer shall comply with the preceding provisions.
- G. Nothing in the preceding paragraphs shall be construed as applying to an undercover police investigation authorized by the Superintendent until such time as the undercover officer shall arrest a student or disclose his law enforcement status.

## **II. Search and Seizures**

- A. 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 such a search.
- B. Investigative searches of school premises by police officers shall only be permitted upon the authority of a search warrant or in any case where the search is essential to prevent imminent danger to the safety or welfare of the pupil or other persons or school property. The search may not include a pupil's assigned locker unless specified in the search warrant.
- C. 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.
- D. 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 a weapon which poses a danger to others. A school official may not conduct such a search of the person at the request of a police officer.
- E. School officials at any time may conduct such searches as are essential to the security, discipline and sound administration of the particular school, but are limited as stated above whenever the search is in connection with a police investigation. Searches shall be consistent with the provisions of this policy.
- F. A principal, assistant principal, or school security guard (**School Security Officer**) of a public school may make a reasonable search of a student on the school premises or on a school-sponsored field trip if he/she has a reasonable belief the student has in his/her possession an item, the possession of which is a criminal offense under the laws of the

state or a violation of other state law or rule or regulation of the local Board of Education. The search shall be made in the presence of a third party.

- G. Any controlled dangerous substances, firearms, fireworks, weapons or explosive devices located on school premises shall be turned over to police officials.
- H. A principal, assistant principal, or school security guard (**School Security Officer**) may make a search of the physical plant of the school and its appurtenances, including the lockers of students. The right of the school official to search the locker shall be announced or published previously in the school.
- I. Desks, lockers and storage spaces, which are provided to students, are the property of the school. They along with a student's purse, backpack, other personal possessions and vehicles can be searched if there is reasonable belief any of them contain drugs, weapons, contraband, or other items not permitted on school property.

### **III. Use of Specially Trained Animals**

- A. The use of dogs or other specially trained animals may be authorized by the Superintendent or building principals from time to time as may be deemed necessary for the purpose of detecting controlled dangerous substances, fireworks, explosives or such other objects as may jeopardize the health or safety of students, staff or other persons in a school building.
- B. Notice shall be given each school year prior to the use of animals for detection of controlled dangerous substances by at least one of the following methods: public address system announcements; publication in school newspapers or manuals; announcements in a school assembly; or written notification to parents or students. Prior notice need not be given for use of such animals to detect explosive devices or for use in any situation involving the possibility of death or serious injury.
- C. Drug detection dogs are to have no contact with students.

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