

Relations with the Law Enforcement, Child Protective Agencies and the County Health Department

Relations with Law Enforcement

- A. A law enforcement officer will contact the principal upon entering a school building.
- B. An officer may request and be granted such student information as address, telephone number, parents' names, date of birth and other directory information, if the parent or student over 18 years of age has not filed a written objection to the release of directory information. Student records protected by the federal Family Educational Rights and Privacy Act may only be examined or released following written permission of a minor student's parent or an adult student, pursuant to a court order or subpoena, in response to a health or safety emergency, or in order to better serve the student in the juvenile justice system prior to adjudication. The district encourages interrogations of students to take place off school premises, in order to minimize interruption to the instructional program.
- C. When an onsite interview/interrogation of a student of any age who is the victim/witness of a crime is warranted by the circumstances of the case, they may be interviewed without parent/guardian consent. When it becomes apparent during the interview that a witness ***under the age of twelve (12) years of age*** is the suspect of a crime, law enforcement shall cease the interview until parental consent is obtained.
- D. The principal or designee will make a reasonable effort to contact the parent(s)/legal guardian(s) or if they can't be contacted a designated adult noted on the student's emergency information if the notification will not hinder the investigation in the opinion of the law enforcement official(s). Parent contact will not be required where the law enforcement indicates that allegations of child abuse or neglect are alleged. Law enforcement personnel must recognize the potential time delay for the parent to be contacted and a reasonable time for the parent to arrive if the parent chooses to be present. The officer may interview/interrogate if the student consents or when, in the judgment of the officer, an emergency exists and further delay would impair the handling of that emergency. The officer will advise and afford a student all legal rights required by law.
- E. An officer is not required to have a warrant in order for the school to release the student into law enforcement custody. In the event a student is taken into custody by a law enforcement officer, the school will immediately notify the parent or guardian unless prohibited by law enforcement because a case of child abuse or neglect is involved, or some other similar, specified reason exists for prohibiting notification. School authorities will document this event, denial, and the reasons in writing.
- F. If a court has released a student on conditions related to school, including attendance, behavior or progress, the administration will encourage the court to include as a condition of release the written permission of the adult student or parent of a minor student to release the student's records to the court or its designee.

Relations with Child Protective Agencies

- A. A child protective services worker will contact the principal upon entering a school building.
- B. A child protective worker may request and be granted such information as address, telephone number, parents' names, date of birth and other directory information if the parent or student over 18 years of age has not filed a written objection to the release of directory information. Information contained in the student's cumulative folder and any supplementary records will be available for inspection on evidence that a student is a ward of the state.

Student records protected by the federal Family Educational Rights and Privacy Act may only be examined or released following written permission of a minor student's parent or an adult student, pursuant to a court order or subpoena, in response to a health or safety emergency, or in order to better serve the student in the juvenile justice system prior to adjudication.

- C. While the district encourages interviews of a student to take place off school premises, the principal will permit a child protective worker to conduct any questioning when child abuse or neglect is involved outside of the presence of parents or outside of the home. However, school personnel will not make any child available for an investigative interview unless the child has given consent. If a student is under twelve (12) years of age, parents/guardians or designated adult notification and permission is required before any interview/interrogation will take place unless the law enforcement official has a warrant, a court order or the official stipulates that exigent circumstances exist.

Parental notification of the interview will occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview, the child protective services or law enforcement agency will determine whether the child wishes a third party to be present for the interview and, if so, will make reasonable efforts to accommodate the child's wishes. Unless the child objects, the child protective services or law enforcement agency will make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation.

- D. A child protective worker is required to have a warrant in order for the school to release custody of the student. However, if the child protective worker is accompanied by a law enforcement officer, no warrant will be required. In the event a student is taken into custody, the school will duly notify the parent or guardian unless directed not to by the law enforcement officer. School officials will document, in writing, the event and who was present for any interviews that take place.

Relations with Health Department Officials

- A. A health department official will contact the principal on entering a school building.
- B. A health department official may request and be granted such information as address and date of birth if the parent or student over 18 years of age has not filed a written objection to the release of directory information. Information contained in a student's cumulative folder and any supplementary records will be available only with prior written consent of

the parent or adult student, pursuant to a court order or subpoena, in response to a health or safety emergency or in order to better serve the student in the juvenile justice system prior to adjudication.

- C. While the district encourages interviews of students to take place off school premises, the principal will permit a health official to conduct a confidential interview with a student suspected of being in contact with an individual infected with a communicable disease when the interview is to be held during school hours, and the principal chooses not to release the student to travel to the health department.

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