Removal of Student during the School Day

Schools must exercise a high order of responsibility for the care of students while in school. The removal of a student during the school day may be authorized in accordance with the following procedures:

A. Law enforcement officers, upon proper identification, may remove a student from school without a warrant provided that the law enforcement officer signs a statement that he/she is removing the student from the school. Residential parents should be contacted as soon as possible when a student is taken into custody.

B. Any other agencies must have a written administrative or court order directing the school district to give custody to them. Proper identification is required before the student shall be released.

C. A student shall be released to the residential parent or the nonresidential parent, unless the residential parent provides the school with a certified copy of a court order restricting and/or prohibiting the student's contact with the nonresidential parent. When in doubt as to who has custodial rights, school enrollment records must be relied upon as the parents (or guardians) have the burden of furnishing schools with accurate, up-to-date information.

D. The school should always make a reasonable effort to notify the residential parent before releasing the student to a nonresidential parent.

E. Prior written authorization from the residential parent or guardian is required before releasing a student into someone else's custody unless an emergency situation justifies a waiver.

F. Police should be called if a visitor becomes disruptive or abusive.

F. State law requires that school personnel not remove, cause to be removed or allow to be removed a student from school grounds during school hours without the consent of the student's parent or guardian, unless the employee is the student's parent or guardian, the employee is providing bus transportation, the employee is supervising an extra-curricular activity and providing transportation for the student, or the student requires transportation for emergency medical care and the parent cannot be contacted. School security personnel may remove a student from school without parental authorization for disciplinary reasons, and anyone officially responding to a 911 emergency call may remove a student without prior parental authorization.

School personnel should exercise discretion as to whether the student shall be transported by ambulance or private automobile to a doctor or hospital in case of an emergency, (i.e. accident or illness when the school is unable to reach the parent or their authorized representative).