

REMOVAL/RELEASE OF STUDENT DURING SCHOOL HOURS: 3124P

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. When used in this procedure, the term “parent” shall mean any person identified on school enrollment forms as a natural parent, adoptive parent or other legal guardian, unless the school has been given a certified copy of a court order which directly prohibits contact between the student and the parent at school.

- 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. Parents will be contacted when a student is taken into custody, unless otherwise expressly directed not to do so by the law enforcement officer.
- B. A Child Protective Services (CPS) caseworker, upon proper identification, may remove a student from school if the caseworker possesses a warrant or is accompanied by a law enforcement officer.
- C. Any other agency must have written administrative or court order directing the school district to give custody to such agency. Proper identification is required before the student shall be released.
- D. 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. The school should always make a reasonable effort to notify the residential parent before releasing the student to a 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. Disputes as to residential or custodial rights will be referred to the judicial or law enforcement authorities.
- E. Prior written authorization from the student’s parent 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.
- G. 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, unless the employee is the student’s parent/guardian, the employee is providing bus transportation, the employee is supervising an extracurricular activity and providing transportation for the student, or the student requires transportation for emergency medical care and the parent/guardian cannot be contacted. School security personnel may remove a student from school without parental authorization for disciplinary reasons. Anyone officially responding to a 911 emergency call may also remove a student without parental authorization.