

## **Relations with Law Enforcement Agencies**

## **4310 Procedures**

- A. A law enforcement officer shall 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 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. The district encourages interrogations of students to take place off school premises, in order to minimize interruption to the instructional program.
  - 1. When an onsite interview/interrogation is warranted by the circumstances of the case and the student is over twelve (12) years of age, the principal or designee shall make a reasonable effort to first contact the parent(s)/legal guardian(s) or if they can't be contacted a designated adult noted on the students emergency contact card, for their consent. 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. If unable to contact parents/guardians or a designated adult after a reasonable time, the officer may nevertheless proceed with the inter-view/interrogation when, in the judgment of the officer an emergency exists and further delay would impair the handling of that emergency. The officer shall advise and afford a student all legal rights required by law.
  - 2. 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 single exception for child abuse or neglect is alleged.
- D. 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 of a case of child abuse or neglect is involved, or some other similar, specified reason exists for prohibiting notification. School authorities shall request that this denial and the reasons for it be put in writing.
- E. If a court has released a student on conditions related to school, including attendance, behavior or progress, the administration shall 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 shall 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 shall be available for inspection on evidence that a student is a ward of the state.

Student records protected by the federal Family 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 shall permit a child protective worker to conduct any questioning when child abuse or neglect is involved outside of the presence of parents. Parental notification of the interview shall 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 shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the child protective services or law enforcement agency shall 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 shall be required. In the event a student is taken into custody, the school shall duly notify the parent or guardian unless directed not to by the law enforcement officer.

### **Relations with Health Department Officials**

- A. A health department official shall 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 shall 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 shall permit a health official to conduct a confidential interview with a student suspected of being a 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.

Date: 5/2/07