



Book	Policy Manual
Section	Vol. 34 No. 1 for Board Approval
Title	Revised Policy - Vol. 34, No. 1 - November 2021 - THE SCHOOLS AND GOVERNMENTAL AGENCIES
Code	po5540
Status	
Adopted	January 14, 2010
Last Revised	September 10, 2015

5540 - THE SCHOOLS AND GOVERNMENTAL AGENCIES

The Board of Managers is committed to protect students from individuals not associated with the Cooperative seeking access to students at school, but also recognizes its responsibility to cooperate with law enforcement agencies and ~~Child Protective Services of~~ the Department of Child Services ~~("CPS")~~ (DCS).

When an agency such as ~~CPS-DCS~~ requests permission to interrogate a student at school, the principal or designee shall ~~(-) attempt to inform the student's parents, unless directed not to do so by the representative of the agency. (OR)~~ (x) request that the agency inform a parent unless the parent is the target of the investigation. **[END-OF-OPTION]**

When ~~an agency such as CPS-DCS~~ states a legitimate purpose, such as exigent circumstances as defined by State law, for questioning or examining a student while the student is entrusted to the Cooperative, the principal or designee ~~(-)~~ shall be present throughout the proceedings, unless ordered not to be present by a representative of the agency (DCS) or a court of law. The ~~principal or designee~~ Principal shall not interfere with the interview or examination if present during the interview or examination. ~~(OR) (-) shall not be present during the interview or examination.~~ **[END-OF-OPTION]**

If the DCS makes a request to interview a student at school alone, this request will be granted only under the following circumstances:

- A. the DCS employee presents their official credentials as a department caseworker, or other proof of employment with the department, upon arrival at the school; and
- B. the DCS employee has a written statement that the DCS has parental consent or a court order or exigent circumstances consistent with State law (.) and AG 5540A - Relationship With Governmental Agencies [END OF OPTION] to interview a student at school. This statement shall not disclose any of the facts of the allegations or evidence and therefore may be transmitted to the Cooperative electronically.

If an electronic statement is submitted regarding the need for a DCS employee to interview a student at school, this statement shall not be maintained in the student's file and the Cooperative shall protect the student and the student's family's confidentiality regarding the written statement and the interview.

Law enforcement agencies shall be discouraged from interviewing students on Cooperative property unless they are investigating an alleged crime that occurred on Cooperative property. If a law enforcement agent interrogates a student on Cooperative property, no Cooperative representative shall be present during the interview. Rather, any such interrogation shall be considered a law enforcement issue handled by the law enforcement agency.

[SELECT OPTION 1 OR OPTION 2]

{OPTION 1}

~~[] If a student is interrogated by a law enforcement officer on Cooperative property and regarding an investigation in which the student may be a suspect,~~

[OPTION 2]

☒ If a student is interrogated by a law enforcement officer on Cooperative property,

[END OF OPTIONS]

the principal or designee must make an effort to immediately notify the student's parent of the interrogation. If immediate notification is not possible, the principal or designee must notify the student's parent not later than twelve (12) hours after the interrogation occurs.

When an agency or law enforcement official removes a student from school, the principal or designee shall notify the student's parent and the Director before the time the student would normally arrive home on that day.

No student shall be released to an agency, other than a law enforcement agency or CPS, without written parental permission, except in the event of emergency or for the protection of life or property as determined by the Director.

As used in this policy, "student" means any person enrolled in classes other than adult education classes and is not limited to persons under eighteen (18) years of age.

The Director shall prepare guidelines to promote understanding and cooperation between staff members and students and these agencies.

I.C. 31-9-2-44.1

I.C. 31-30.5-1

Ind. R. Evid. 617

© Neola ~~2016~~ 2021

Legal	I.C. 31-9-2-44.1
	I.C. 31-30.5-1
	Ind. R. Evid. 617