

## **H175 - THE SCHOOLS AND GOVERNMENTAL AGENCIES**

The School Board is committed to protect students from individuals not associated with the School Corporation seeking access to students at school. However, the School Corporation will abide by its obligations under state and federal law regarding cooperation with government agencies, including, but not limited to, Child Protective Services of the Department of Child Services ("DCS").

When an authorized representative of a government agency, such as law enforcement officer or CPS caseworker, presents on school property or grounds or during school events and requests to inspect a student's education records or interview a student, the Superintendent or his or her designee shall be contacted immediately. Information maintained in a student's education record shall only be released to government agents when permitted by the Family Educational Rights and Privacy Act (FERPA) and board policy.

In general, the School Corporation does not allow government agencies to interview students on School property during the school day. Exceptions shall be made on a case-by-case basis. Factors may include, but are not limited to:

- If the government agent presents a signed court order permitting access to the child;
- If the government agent has evidence of potential child abuse or neglect; or
- If the government agent articulates a health or safety emergency or otherwise urgent need to interview the student during the school day.

The Department of Child Services ("DCS") is permitted to interview a child at the child's school without parental consent if: (1) the DCS employee presents their credentials upon arrival at the school; and (2) DCS presents a written statement that DCS has parental consent, a court order, or exigent circumstances as defined in I.C. 31-9-2-44.1.

When DCS has met the criteria above and is permitted to interview a child at the child's school, the principal or designee shall be present throughout the proceedings, unless ordered not to be present by a representative of the agency or a court of law. The principal or designee shall not interfere with the interview or examination if present during the interview or examination.

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

If a student is interrogated by a law enforcement officer on school property and regarding an investigation in which the student may be a suspect, 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.

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When an agency or law enforcement official removes a student from school, the principal or designee shall notify the student's parent and the Superintendent 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 DCS, without written parental permission, except in the event of emergency or for the protection of life or property as determined by the Principal.

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 Superintendent may prepare guidelines to promote understanding and cooperation between staff members and students and these agencies.

I.C. 31-30.5-1 *et seq.*

Ind. R. Evid. 617

I.C. 31-9-2-44.1

I.C. 31-33-8-7

Adopted 3/13/19

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