

**Relations with Law Enforcement Agencies**

1. A law enforcement officer shall contact the Principal upon entering a school building.
2. An officer may request and be granted such student information as address, telephone number, parents' names, date of birth and attendance information. Information contained in the student's cumulative folder and any supplementary records shall be available for inspection in compliance with a judicial order, or pursuant to any lawfully issued subpoena, upon condition that parents and students are notified of all such orders or subpoenas in advance of compliance. The District may release records to law enforcement officers without a subpoena provided that a written release is received from the parent in advance of releasing the information.
3. It shall be the policy of the District to notify parents of a student prior to any interview/interrogation by law enforcement. If, upon initial contact by a law enforcement agency, the Principal is directed by the agency not to attempt to notify the student's parent or obtain the parent's attendance during any interview or interrogation, the Principal shall immediately prepare a written statement that the District has been directed to make the student available for interview or interrogation without notice to the parent, and should request that the investigating officer sign the statement. If the officer refuses, the Principal shall record the time, date, the officer's name, title and badge number and that the officer refused to sign the statement.
4. If a student is under legal age, the school shall require signed, written parental notification before allowing any interrogation to take place unless law enforcement presents a signed written statement to the district indicating that parental notification is not advisable.
5. An officer not in "hot pursuit" is required to have a warrant in order for the school to release the student into law enforcement custody. Prior to a student being taken into custody by a law enforcement officer, the school will notify the parent or guardian.

**Relations with Child Protective Agencies**

1. Social services workers shall contact the Principal upon entering a school building.
2. A social worker may request and be granted such information as address, telephone number, parents' names, date of birth and attendance 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 or with a court order stating that the student is the subject of an investigation involving child abuse or neglect and that the social worker has access to student records.
3. While the District encourages interviews of a student to take place off school premises, the Principal shall permit a social worker to conduct any questioning when child abuse or neglect is involved. The Principal and school staff shall cooperate fully during such investigations. Interviews shall be conducted in the presence of a professional staff member unless specifically requested otherwise by the social worker.
4. A social worker is required to have a warrant in order for the school to release custody of a student unless the custody by the social worker is deemed necessary for the emergency protection of the child ( 41-3-301, MCA). In the event a student is taken into custody, the school shall inform the social worker of his/her obligation to notify the parent or guardian.

Legal Reference: 41-3-101 et. seq., MCA Child Abuse and Neglect

**Procedural History:**

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