

STUDENTS

Access to and Release of a Student During School Hours

The Board recognizes its responsibility for the proper care of students during school hours. Non-school personnel shall not have access to students during the instructional day except as permitted by this policy.

Law Enforcement and Social Service Agencies

All contact between the school and the police department or social service workers on matters involving students shall be made through the administrative office. The District encourages police and social service workers to talk to a student away from the school. Law enforcement should only be allowed to conduct an interview in the school if they can show special circumstances exist or if the interview is at the request of a school official. Law enforcement must comply with all legal requirements regarding notification of parents and consent prior to interviewing students. In the event the student’s parent cannot be present, a school official shall observe the meeting. Social service workers may be permitted to interview students at school pursuant to Montana law. In the event the social worker declines to notify the parent, a school official may observe the meeting.

If the police have a warrant or probable cause for the student’s arrest, they must be permitted to arrest the student; however, whenever possible, the arrest should be conducted in the principal’s office out of view of other students. A social worker may take custody of a student upon presentation to the District of a court order granting the social worker such power, or under the provisions of § 41-3-301, MCA.

Parents and Other Adults

A student may be released to a custodial parent during the instructional day. When in doubt as to custodial rights, the District will rely on the most recent information available in the student’s records. The District will not release a student to a non-custodial parent without contacting the custodial parent. Prior written permission from the custodial parent is required before releasing a student into the custody of a previously unauthorized adult, unless an emergency situation justifies a waiver.

Legal References: § 41-3-202, MCA Action on reporting
§ 41-3-301, MCA Emergency protective service

Cross References:

Policy History:
Adopted on: 5.8.2012
Revised on: