



Book	Policy Manual
Section	5000 Students
Title	REVISED POLICY - VOL. 17, NO. 2 - THE SCHOOLS AND INVESTIGATIONS INVOLVING STUDENTS
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### **REVISED POLICY - VOL. 17, NO. 2**

#### **5540 - THE SCHOOLS AND INVESTIGATIONS INVOLVING STUDENTS**

[X-] The School Board recognizes that all employees and agents of the Board have an affirmative duty to cooperate with law enforcement agencies and the Department of Children and Families and comply with investigations relating to child abuse, abandonment, and neglect, or an alleged unlawful sexual offense involving a child. As provided herein, building administrators may also assist authorities in their investigations of other violations of law in which students are alleged to be involved.

When State and Federal law enforcement authorities [X-], including the U.S. Immigration and Customs Enforcement (ICE), or officials from the Department of Children and Families arrive at the school and wish to interview a student or investigate an alleged violation of law, they must contact the building administrator indicating the nature of their investigation and expressing their desire to question a student or students.

#### Investigation of Child Abuse/Neglect by the Department of Children and Families

Every employee and agent of the Board who, in connection with his/her position, knows or has reasonable cause to suspect child abuse, abandonment, or neglect must immediately report that knowledge or suspicion online at <https://abuse-report-bc.dcf.state.fl.us/AbuseWebReport/AddReporterinfo.aspx> or by calling the abuse hotline at 1-800-962-2873, or TDD (Telephone Device for the Deaf): 1-800-453-5145. If the situation constitutes an emergency, the employee should call 911 first and then call the abuse hotline number. (also see Board Policy 8462)

An official of the Department of Children and Families or law enforcement agency on its behalf may interview a student on school property during school hours in order to investigate a claim of child abuse/neglect involving such student or a member of the student's family. If neither the student nor a member of his/her family is the subject of the child abuse/neglect investigation, such agency shall be encouraged to contact the student during non-school hours and investigate the matter off school property, if at all possible.

The building administrator shall attempt to contact the parent prior to questioning, unless directed not to do so by the investigator. The building administrator must not attempt to contact the parent without first advising the investigator of his/her intent to do so.

The building administrator or designated guidance counselor shall request to remain in the room during questioning of the student. However, it is up to the investigator whether to allow a school staff member who is known by the child to be present during the initial interview, and will only make such allowance if:

- A. the investigator believes that the school staff member could enhance the success of the interview by his/her presence; and
- B. the child requests or consents to the presence of the school staff member at the interview.

#### Investigations of Child Abuse/Neglect by Law Enforcement Agencies

A law enforcement agency may interview a student on school property during school hours in order to investigate a claim of child abuse/neglect involving such student or a member of the student's family. If neither the student nor a member of his/her family is the subject of the child abuse/neglect investigation, such agency shall be encouraged to contact the student during non-school hours and investigate the matter off school property, if at all possible.

#### Investigations of Violations of Law by Law Enforcement Agencies

State and Federal law Law enforcement agencies [X-], including the U.S. Immigration and Customs Enforcement (ICE), investigating complaints other than under the Child Protection Act should contact a student during non-school hours and investigate alleged violations of the law off school property if at all possible. An investigation can take place immediately on school property during school hours at the request of the building administrator if the alleged violation of law took place on school property, involves other situations affecting school safety or in emergency situations.

If a student is to be questioned as a witness or victim in an alleged violation of law, the building administrator shall remain in the room during the questioning, unless compelling reasons for exclusion are provided by the law enforcement agency. Although, in such circumstances, the principal is lawfully acting in loco parentis, the parent should be informed.

Before the student(s) is (are) questioned as a suspect in an alleged violation of law, the building administrator shall attempt to contact the parent prior to questioning and shall remain in the room during the questioning unless compelling reasons for exclusion are provided by the law enforcement agency. In the event prior contact was not successful, the parent shall be notified subsequent to the questioning.

#### Notification and Release of Records

Attempts to notify the parents regarding investigations of child abuse/neglect and other law enforcement investigations shall be documented.

When an authorized law enforcement officer or the Department of Children and Family Services removes a student, the building administrator shall also notify the parent(s) and the Superintendent. No school official may release personally identifiable student information in education records to the police or the Department of Children and Family Services without prior written permission of the parent, a lawfully-issued subpoena, a court order or a health or safety emergency. (See Board Policy 8330).

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Legal [Fla. Const. Art. I, Sect. 9](#)  
[F.S. 1006.061](#)

Cross References [po8330 - STUDENT RECORDS](#)  
[po8462 - STUDENT ABUSE, ABANDONMENT, AND NEGLECT](#)  
[ap5540A - RELATIONSHIP WITH GOVERNMENTAL AGENCIES](#)

Last Modified by Sam Stalnaker on May 24, 2018